

Norfolk Boreas Offshore Wind Farm Applicant's Responses to the Examining Authority's Further Written Questions

Applicant: Norfolk Boreas Limited
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Author: Royal HaskoningDHV

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Glossary of Acronyms

AEOI	Adverse Effect on Integrity
ALO	Agricultural Liaison Officer
ASI	Accompanied Site Inspection
BAT	Best Available Technique
BEIS	Business, Environment and Industrial Strategy
BoR	Book of Reference
CfD	Contracts for Difference
CIA	Cumulative Impact Assessment
Cm	Centimetres
CoCP	Code of Construction Practice
CRM	Collision Risk Modelling
DAS	Design and Access Statement
DCO	Development Consent Order
dDCO	Draft Development Consent Order
DML	Deemed Marine Licence
EA	Environment Agency
EIA	Environmental Impact Assessment
EIFCA	Eastern Inshore Fisheries Conservation Authority
ES	Environmental Statement
ExA	Examining Authority
FID	Financial Investment Decision
FLCP	Fisheries Liaison and Co-existence Plan
GB	Great Britain
GLVIA	Guidelines for Landscape and Visual Impact Assessment
GP3	Groundwater Protection Principles and Practice
HDD	Horizontal Directional Drilling
HGV	Heavy Goods Vehicle
HHW	Haisborough Hammond and Winterton
HIS	Highways Intervention Scheme
HRA	Habitats Regulations Assessment
HVAC	High Voltage Alternating Current
HVDC	High Voltage Direct Current
IDB	Internal Drainage Board
IPMP	In Principle Monitoring Plan
JNCC	Joint Nature Conservation Committee
km	Kilometres
kV	Kilovolts
LAT	Lowest Astronomical Tide
LHA	Local Highways Agency
LLFA	Local Lead Flood Authority
LMS	Landscape Management Scheme
LSE	Likely Significant Effect
LVIA	Landscape and Visual Impact Assessment
M	Metres
MCA	Maritime and Coastguard Agency

MHWS	Mean High Water Springs
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
MoU	Memorandum of Understanding
MPH	Miles Per Hour
MW	Megawatt
NCC	Norfolk County Council
NE	Natural England
NFFO	National Federation of Fishermen's Organisations
NFU	National Farmers Union
NNDC	North Norfolk District Council
NMU	Non motorised user
NRA	Navigational Risk Assessment
NSAG	Necton Substation Action Group
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OASIS	Online Access to the Index of Archaeological Investigations
OCoCP	Outline Code of Construction Practice
OCP	Onshore Connection Point
OFH	Open Floor Hearing
OFTO	Offshore Transmission Owner
OLEMS	Outline Landscape and Ecological Management Strategy
ORJIP	Offshore Renewables Joint Industry Programme
ORM	Offshore Ring Main
OS	Ordinance Survey
OTMP	Outline Traffic Management Plan
OTP	Outline Travel Plan
OWF	Offshore Wind Farm
OWSI	Outline Written Scheme of Investigation
PEIR	Preliminary Environmental Information Report
PPA	Planning Performance Agreement
PRoW	Public Rights of Way
PSR	Primary Surveillance Radar
PTS	Permanent Threshold Shift
PVA	Population Viability Analysis
RAF	Royal Air Force
RR	Relevant Representation
RPA	Relevant Planning Authorities
RSPB	Royal Society for The Protection of Birds
RYA	Royal Yachting Association
SAC	Special Area of Conservation
SAR	Search and Rescue
SCI	Site of Community Importance
SIP	Site Integrity Plan
SNCB	Statutory Nature Conservation Body
SoCG	Statement of Common Ground
SoR	Statement of Reasons

SoV	Service Operation Vehicles
SPA	Special Protection Area
SPZ	Source Protection Zone
SuDS	Sustainable Urban Drainage System
TCE	The Crown Estate
TH	Trinity House
TMP	Traffic Management Plan
TWT	The Wildlife Trusts
UK	United Kingdom
UKHO	UK Hydrographic Office
UXO	Unexploded Ordnance
VWPL	Vattenfall Wind Power Limited
WDC	Whale and Dolphin Conservation
WHO	World Health Organisation
WQ	Written Question
WSI	Written Scheme of Investigation
ZTV	Zone of Theoretical Visibility

Glossary of Terminology

Array cables	Cables which link wind turbine to wind turbine, and wind turbine to offshore electrical platforms.
Cable logistics area	Existing hardstanding area to allow the storage of cable drums and associated materials and to accommodate a site office, welfare facilities and associated temporary infrastructure to support the cable pulling works.
Cable pulling	Installation of cables within pre-installed ducts from jointing pits located along the onshore cable route.
Ducts	A duct is a length of underground piping, which is used to house electrical and communications cables.
Evidence Plan Process	A voluntary consultation process with specialist stakeholders to agree the approach to the EIA and information to support the HRA.
Interconnector cables	Offshore cables which link offshore electrical platforms within the Norfolk Boreas site.
Jointing pit	Underground structures constructed at regular intervals along the onshore cable route to join sections of cable and facilitate installation of the cables into the buried ducts.
Landfall	Where the offshore cables come ashore at Happisburgh South.
Landfall compound	Compound at landfall within which HDD drilling would take place.
Landfall compound zone	Area within which the landfall compounds would be located.
Link boxes	Underground chambers or above ground cabinets next to the cable trench housing low voltage electrical earthing links.
Mobilisation area	Areas approx. 100 x 100m used as access points to the running track for duct installation. Required to store equipment and provide welfare facilities. Located adjacent to the onshore cable route, accessible from local highways network suitable for the delivery of heavy and oversized materials and equipment.
Mobilisation zone	Area within which a mobilisation area would be located.
National Grid new / replacement overhead line tower	New overhead line towers to be installed at the National Grid substation.
National Grid overhead line modifications	The works to be undertaken to complete the necessary modification to the existing 400kV overhead lines.
National Grid overhead line temporary works	Area within which the work will be undertaken to complete the necessary modification to the existing 400kV overhead lines.
National Grid substation extension	The permanent footprint of the National Grid substation extension.
National Grid temporary works area	Land adjacent to the Necton National Grid substation which would be temporarily required during construction of the National Grid substation extension.
Necton National Grid substation	The grid connection location for Norfolk Boreas and Norfolk Vanguard.
Norfolk Boreas site	The Norfolk Boreas wind farm boundary. Located offshore, this will contain all the wind farm array.
Norfolk Vanguard	Norfolk Vanguard offshore wind farm, sister project of Norfolk Boreas.
Offshore service platform	A platform to house workers offshore and/or provide helicopter refuelling facilities. An accommodation vessel may be used as an alternative for housing workers.
Offshore cable corridor	The corridor of seabed from the Norfolk Boreas site to the landfall site within which the offshore export cables will be located.

Offshore electrical platform	A fixed structure located within the Norfolk Boreas site, containing electrical equipment to aggregate the power from the wind turbines and convert it into a suitable form for export to shore.
Offshore export cables	The cables which transmit power from the offshore electrical platform to the landfall.
Offshore project area	The area including the Norfolk Boreas site, project interconnector search area and offshore cable corridor.
Onshore cable route	The up to 35m working width within a 45m wide corridor which will contain the buried export cables as well as the temporary running track, topsoil storage and excavated material during construction.
Onshore 400kV cable route	Buried high-voltage cables linking the onshore project substation to the Necton National Grid substation.
Onshore cables	The cables which take power and communications from landfall to the onshore project substation.
Onshore infrastructure	The combined name for all onshore infrastructure associated with the project from landfall to grid connection.
Onshore project area	The area of the onshore infrastructure (landfall, onshore cable route, accesses, trenchless crossing zones and mobilisation areas; onshore project substation and extension to the Necton National Grid substation and overhead line modifications).
Onshore project substation	A compound containing electrical equipment to enable connection to the National Grid. The substation will convert the exported power from HVDC to HVAC, to 400kV (grid voltage). This also contains equipment to help maintain stable grid voltage.
Onshore project substation temporary construction compound	Land adjacent to the onshore project substation which would be temporarily required during construction of the onshore project substation.
Overhead Line	An existing 400kV power line suspended by towers.
Pre sweeping	The practice of dredging the seabed to prepare it for foundation or cable installation. It is either used to provide a level surface on which to place foundations or to allow cables to be installed at a sufficient depth to minimise the chance of them becoming exposed.
Project interconnector cable	Offshore cables which would link either turbines or an offshore electrical platform in the Norfolk Boreas site with an offshore electrical platform in one of the Norfolk Vanguard sites.
Project interconnector search area	The area within which the project interconnector cables would be installed.
Running track	The track along the onshore cable route which the construction traffic would use to access workfronts.
Safety zones	An area around a vessel which should be avoided during offshore construction.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
The Applicant	Norfolk Boreas Limited
The Norfolk Vanguard OWF sites	Term used exclusively to refer to the two distinct offshore wind farm areas, Norfolk Vanguard East and Norfolk Vanguard West (also termed NV East and NV West) which will contain the Norfolk Vanguard arrays.
The project	Norfolk Boreas Wind Farm including the onshore and offshore infrastructure.
Transition pit	Underground structures that house the joints between the offshore export cables and the onshore cables
Trenchless crossing compound	Pairs of compounds at each trenchless crossing zone to allow boring to take place from either side of the crossing.

Trenchless crossing zone	Areas within the onshore cable route which will house trenchless crossing entry and exit points.
Workfront	A length of onshore cable route within which duct installation works will occur, approximately 150m.

The Applicant's Responses to the ExA's Further Written Questions with regard to the Norfolk Boreas application.

Following the issue of Further Written Questions by the Examining Authority (ExA) on the 12th February 2020, outlined in the Rule 8 Letter of 20th November 2019 to Norfolk Boreas Limited (the Applicant) and other Interested Parties, the Applicant has responded to each of their relevant questions.

The Applicant's responses are detailed in numerical order in sections 1 to 16 of this document.

1 Archaeology and Heritage Assets

1.0 Offshore and intertidal archaeology

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.1.0.1	The Applicant	<p>Clarification note on Archaeological Interests and Survey at the landfall site:</p> <p>Clarify how target drill depths and exit point for the 'long HDD' described in Section 3 para 9 of [REP4-021] is secured.</p>	<p>Requirement 17 of Schedule 1 ensures that works at the Landfall (4A, 4B and 4C) could not commence until a method statement is approved in writing by North Norfolk District Council in consultation with the relevant statutory nature conservation body.</p> <p>17 (b) states that the method statement must include:</p> <p><i>"Measures for long horizontal directional drilling below the coastal shore platform and cliff base at the landfall as well as measures for ongoing inspection of Work No. 4C and reporting of results to North Norfolk District Council during the operation of the authorised project."</i></p> <p>Therefore, the use of a long Horizontal Directional Drilling (HDD) is secured through Requirement 17 (b). The onus would be on the Applicant to satisfy North Norfolk District Council that the final HDD design, as reported within the Method Statement, included suitable mitigation to avoid impacts to archaeological interests.</p> <p>The Applicant considers that it is not appropriate to include specific dimensions such as the target depths and exit point locations within the Development Consent Order (DCO) as these would only be confirmed following further site investigation work and completion of the final detailed design. It could prove counter productive to secure the target depth and exit location within the DCO as this might restrict the ability to microsite around sensitive features (archaeological or otherwise) should these be identified within the pre-construction, or pre-commencement surveys.</p>
2.1.0.2	Historic England	<p>Clarification note on Archaeological Interests and Survey at the landfall site:</p>	

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		Comment by Deadline 5 on the clarification note [REP4-021] provided by the Applicant at Deadline 4 with particular reference to archaeological investigation to inform selection of the subtidal zone drill exit locations.	
2.1.0.3	Historic England	Archaeological analysis programmes: Is the completion of archaeological analysis programmes and provision of public access to data now adequately secured as mitigation by the outline offshore Written Scheme of Investigation (WSI)?	
2.1.0.4	Historic England, Natural England, Marine Management Organisation	Clarification note on relationship of archaeology and reef features: Comment by Deadline 5 on the clarification note [REP4-022] provided by the Applicant at Deadline 4 'Optimising Cable Routing through the HHW SAC'.	
2.1.0.5	The Applicant	Compatibility of timescales in the IPMP and WSI: Has the Applicant accepted the HBMCE request [REP2-072 para 14.3] that any revision of the IPMP makes clear within Table 4.6 (and Appendix 1) that the WSI is to be submitted for approval at least four months prior to the commencement of any survey works?	Updates to section 4.10.1 and Table 4.6 of the In Principle Monitoring Plan (IPMP) have been discussed and agreed with Historic England. These are included within version 3 of the document which has been submitted at Deadline 5.

1.1 Onshore archaeology

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No Questions			

1.2 Onshore heritage assets

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.1.2.1	The Applicant	Cawston Conservation Area The Cawston Conservation Area Heritage Assessment for Norfolk Vanguard [REP2-, Appendix 1] refers to existing vegetation to be cut back within the highway boundary and verge clearance, citing a specific important tree. It also states that this will be captured in the final TMP. Reference to vegetation management does not appear in the Outline TMP in connection with Link 34. This should be added, if relevant, for Norfolk Boreas Scenario 2.	The information regarding the 'significant tree' within the Conservation Area and the need for any proposed lopping of branches to be discussed and agreed with Broadland District Council has been included in the updated Outline Traffic Management Plan (OTMP), submitted at Deadline 5.
2.1.2.2	The Applicant, Broadland District Council	Cawston Conservation Area and Listed buildings Provide an update on any outstanding issues in relation to listed buildings and the Cawston Conservation Area following review of the revised Highway intervention scheme.	Broadland District Council had raised concerns with regards to the proposed widening of the footway outside No 6 The Street, Cawston which is the Grade II Listed Whitehouse Farm, increasing the risk of the property being hit by passing vehicles. This widening has been removed as part of the revised Highway Intervention Scheme and as such alleviates Broadland District Council's previous concern on this issue. At the meeting held on the 12 th February Broadland District Council stated that they are still concerned about potential vibration effects on listed buildings from increased traffic flows.
2.1.2.3	The Applicant	Bylaugh Park 1. Further to the response to Q1.2.6, the Outline Written Scheme of Investigation (OWSI) (Onshore) [APP-696, Appendix 4] should be updated with this and with any other additional heritage assets that become apparent. 2. At which Deadline is it proposed to submit the updated document?	The Outline Written Scheme of Investigation (OWSI) (Onshore) has been updated to include the additional heritage asset and has been submitted at Deadline 5 [Document reference 8.5, Version 2].

2 Biodiversity, Biological Environment and Ecology

2.0 Offshore benthic and marine mammals

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.2.0.1	The Applicant The Wildlife Trusts	<p>Post-consent engagement: Update on discussions referred to in [REP3-029] and [REP4-011] relating to the development of a MoU for post-consent engagement.</p>	<p>The Wildlife Trusts (TWT) and Vattenfall Wind Power Ltd (VWPL) (including the Applicant as well as all other Vattenfall UK offshore wind developments) met on the 26th November 2019 to discuss an initial draft of the Memorandum of Understanding (MoU) between the parties. TWT provided comments on the draft MoU to Vattenfall on the 28th November 2019. Vattenfall have since addressed these comments and the current drafting is now with TWT for further comment.</p> <p>A further meeting was held with The Wildlife Trusts on the 25th of February where the MoU was progressed further, and it is anticipated that this will be agreed and signed within the next few weeks</p> <p>Section 3 'Scope of this MoU' is the most relevant to the question, dealing with Project Specific Engagement as follows: 3.1. <i>Project Specific Engagement</i></p> <p>1.1.1. <i>VWPL recognises that TWT have an interest in the protection and conservation of marine mammals and benthic ecology and that they are an informed stakeholder that can contribute to discussions regarding mitigating impacts (during marine construction and maintenance works).</i></p> <p>1.1.2 <i>Specific areas of engagement between the Parties in relation to individual Projects will extend to the:</i></p> <p>a) <i>Marine Mammal Mitigation Protocol (MMMP)</i> b) <i>Offshore Site Integrity Plan (SIP) (as appropriate)</i></p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p><i>c) In Principle Monitoring Plan (IPMP) (in relation to marine mammals and benthic ecology).</i></p>
2.2.0.2	The Applicant, Marine Management Organisation, Natural England	<p>Environmental Statement and Worst-case scenarios: The Applicant [REP4-011] states that the MMO has now agreed that updating the Environmental Statement (ES) may not be appropriate and that the MMO will provide suggestions on how documentation can be structured/referenced to help them as regulator. There is a relationship between the assessment in the ES (which would become a certified document) and the Conditions in the DMLs which would allow a variation/amendment to approved plans, protocols or statements so long as they are unlikely to give rise to any materially new or different effects from those assessed. Given that a number of parameters have changed/may change since the ES was submitted (eg cable protection and potentially turbine draught heights), the Applicant to explain why the current drafting of the DMLs is acceptable.</p>	<p>The Applicant accepts that a number of parameters have changed and that further parameters could change prior to the end of examination. However, every change has been captured either as an update to the DCO or within the certified documents. All changes have been made to reduce the magnitude of impacts and no changes have given rise to any new or different effects from those assessed within the Environmental Statement (ES). For example, following a reduction in the amount of cable protection from 10% to 5% within the Haisborough Hammond and Winterton (HHW) Special Area of Conservation (SAC) which was made for the 4th November 2019 Deadline, changes were made to Requirement 5(2) and (4) of Schedule 1 and Condition 2 of schedules 10 and 11 of the DCO which was submitted at the November 4th Deadline [AS-020]. The following documents were then also updated due to this change and submitted at Deadline 1.</p> <ul style="list-style-type: none"> • 6.7 the Environmental Impact Assessment (EIA) and DCO reconciliation document [REP1-017] • 8.16 Outline Scour Protection and Cable Protection Plan [REP1-032]; and • 8.20 Outline Norfolk Boreas HHW SAC Site Integrity Plan (SIP) [REP1-034]. <p>This was discussed further with the Marine Management Organisation (MMO) and Natural England (NE) on the 17th February 2020 where the Applicant proposed that document 3.3 of the application, 'Note on Requirements and Conditions in the Development Consent Order' [REP4-005] could also be updated at the end of the examination to direct the regulator to the most up to date versions of each document. Please see the Applicants response to Written Question 2.5.5.1 below for further detail. Both the MMO and Natural England were in agreement that an update to the note on requirements would be helpful and that it should make clear that the DCO and certified</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			documents override previous parameters if different from those presented in the Environmental Statement.
2.2.0.3	The Applicant, Marine Management Organisation	Posts construction monitoring: Applicant/MMO to provide update of discussions on post-construction monitoring to assess long-term changes in benthic assemblages [REP2-051, REP3-017].	<p>This has been discussed by the Applicant and the MMO at a number of meetings, most recently on the 17th February where the Applicant proposed to include the following text within section 4.3 (Benthic Ecology) of the IPMP, which the Applicant understands has resolved the matter:</p> <p><i>"If, at the time of completion of the final detailed plan, there is good, evidence based, justification for increasing the scope of the benthic surveys to include other benthic monitoring techniques then this will be agreed with the MMO and included within the final plans."</i></p> <p>This proposed text has been included within Version 3 of the IPMP which has been submitted for Deadline 5.</p>
2.2.0.4	The Applicant, Marine Management Organisation	Benthic habitats: MMO and the Applicant to update on discussions relating to the potential for drill arisings to alter benthic habitat, marked as not agreed in the SoCG [REP2-051]	The issue of drill arisings altering the benthic environment has now been agreed between the Applicant and the MMO and this will be reflected within the Statement of Common Ground (SoCG) to be submitted at Deadline 6. The Applicant confirmed in its comments on Relevant Representations [AS-024] that the geophysical and geotechnical data does not indicate that any chalk is present and also that should drilling be required, which is unlikely and if does occur will only be in a few discrete locations, the volume of material brought to the seabed would be small relative to the volume of material naturally transported through the site and would therefore not result in a change to the benthic habitat. The MMO have accepted this position.
2.2.0.5	The Applicant, Natural England Marine Management Organisation	Marine Mammal Monitoring: NE, MMO and Applicant to provide an update regarding drafting of a condition for marine mammal monitoring	The Applicant's position is that given the low contribution of the project to marine mammal impacts any marine mammal monitoring should be undertaken at a strategic level. The wording provided within the IPMP allows for the participation of Norfolk Boreas in any strategic monitoring as required at the time of agreement of the final plans and therefore it is not necessary to include a specific condition within the DCO to commit the Applicant to marine mammal monitoring

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>specifically. Furthermore, it is not appropriate to include a condition requiring a strategic approach to monitoring if equivalent conditions are not included within DCOs for other wind farm developments within the vicinity of Norfolk Boreas, which can contribute to that strategic approach. The Applicant is not aware of any other DCOs including such a condition. Therefore, if the Applicant were to include such a condition it could put the project in the position of having to undertake strategic monitoring without the participation of other projects.</p> <p>Notwithstanding this position the Applicant has discussed this with the MMO and Natural England (17th February 2020) and have agreed to consider proposed wording for a potential condition which will be provided by Natural England (in consultation with the MMO) for Deadline 6.</p>
2.2.0.6	Natural England	<p>Annex 1 habitats: Natural England has made substantial comments about the effects to Annex I habitats within the Haisborough, Hammond and Winterton SAC throughout the Examination. Natural England to confirm whether it agrees with the Applicant's assessment of effects on Annex I reef located outside of the SAC and whether any proposed mitigation measures are appropriate?</p>	
2.2.0.7	Applicant, Marine Management Organisation	<p>Sandeel: Applicant/MMO to provide an update regarding discussions around cumulative effects and monitoring of sandeel [REP2-051].</p>	<p>This has been discussed between the Applicant and the MMO at a number of meetings, most recently on the 17th February where the Applicant proposed to include the following text within section 4.4 (Fish and Shellfish Ecology) of the IPMP which the Applicant believes should resolve the matter:</p> <p><i>"As explained in section 4.3.2, if at the time of completion of the final detailed plan there is good, evidence based, justification for increasing the scope of the benthic surveys this will be agreed with the MMO and included within the final plans. If a scope increase for the benthic surveys included sediment sampling within the wind farm site, the data from that survey could be used to better understand any changes in</i></p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p><i>habitat suitability for sandeels. This would be agreed with the MMO though the final plan."</i></p> <p>This proposed text has been included within Version 3 of the IPMP which has been submitted for Deadline 5.</p>

2.1 Onshore ecology

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.2.1.1	Natural England	<p>SSSI Consent: NE [REP3-022] advise that the Applicant may need to include SSSI consent under The Wildlife and Countryside Act 1981 as amended. The Applicant [REP4-009] proposes inclusion of 'In the event that operations are required within a SSSI in response to an environmental incident, Natural England must be consulted and SSSI consent sought immediately as required' in the OCoCP. Is Natural England content that this satisfies its concern?</p>	
2.2.1.2	The Applicant	<p>Norfolk Hawker dragonfly: Applicant to clarify how the process described in response to Q2.2.4 [REP2—021] to mitigate any interaction with habitats is secured. Should this be secured in the OCoCP or OLEMS?</p>	<p>The process described in the Applicant's response to Q2.2.4 [REP2-021] with respect to mitigation for the Norfolk hawker dragonfly will only be required in the event that a trenched method was used to cross the River Bure. This is not permitted under the dDCO, which requires a trenchless technique to be used for this crossing (dDCO Requirement 16 (13) (d)). Accordingly, the process is not required and is not captured within the Outline Landscape and Ecological Management Strategy (OLEMS) or Code of Construction Practice (CoCP). The process provided in REP2-021 in response to Q2.2.4 was provided for information only, to indicate to the ExA the likely approach which would be adhered to if a trenched crossing was proposed.</p>

2.2 Onshore ornithology

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.2.2.1	The Applicant	<p>Population Viability Analysis: Can the Applicant either re-run the EIA scale PVA for gannet, kittiwake, Lesser Black Backed Gull and Greater Black Backed Gull for the Biologically Defined Minimum Population Scale and biogeographic population scales using the updated NE commissioned Seabird PVA tool [REP4-040] or provide justification as to why this isn't necessary.</p>	<p>The Applicant has discussed the planned updates to the Population Viability Analysis (PVA) with Natural England. It has been confirmed by Natural England that these will be delayed until the end of February at the earliest (these were originally due mid-January 2020).</p> <p>Natural England has also confirmed that their internal testing of the updated PVA has found the results (compared to the original version as used by the Applicant and reported in REP2-035) are not materially different and therefore the existing counterfactual estimates are robust and appropriate for assessment and Natural England will refer to these when reaching conclusions (so long as the models have been run using parameters as advised by Natural England).</p> <p>Therefore, the Applicant proposes to attempt to re-run models where Natural England has indicated insufficient simulations were conducted (i.e. fewer than 1,000). However, it may be that the Applicant encounters the same issues as previously (i.e. the model failed to run with larger number of simulations), in which case this will be discussed with NE and a note submitted. The species and populations for which model re-runs for more simulations were requested were: kittiwake at the North Sea scale (CIA) and guillemot at the Flamborough and Filey Coast SPA scale.</p>

3 Compulsory Acquisition

3.0 Compulsory Acquisition

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.3.0.1	The Applicant	Funding Statement: The Funding Statement [APP-025] provides the funding position and consolidated accounts of Vattenfall Wind Power Ltd for the year ended December 2017 at Annex 1. Provide a copy of the most recent accounts and an update on the funding position.	A copy of the most recent accounts of Vattenfall Wind Power Ltd for the year ended 31 December 2018 are provided at ExA.FWQR.D5.V1 The consolidated accounts for Vattenfall Wind Power Ltd for the year ending December 2018 show total fixed assets of £267,472,000.
2.3.0.2	The Applicant	Funding Statement: The Funding Statement [APP-025] provides the consolidated accounts for the Vattenfall AB for the year ending December 2018 at Annex 2. Provide a copy of the most recent accounts and an update on how funding for the proposed development would take place.	The 2019 annual report of Vattenfall AB has not yet been published so the most recent published accounts for Vattenfall AB are those provided at Annex 2 of the Funding Statement [APP-025]. Given the substantial assets of Vattenfall Wind Power Ltd and Vattenfall AB in the most recent available published accounts, and their experience of financing renewable energy projects as set out in the Funding Statement [APP-025], the Applicant remains confident that it will have the ability to procure the required funding for the proposed development.
2.3.0.3	The Applicant	Funding Statement: Why are no consolidated accounts for the Applicant provided?	The last published accounts for the Applicant are provided at ExA.FWQR.D5.V1. These state a total fixed assets of £2,673,000. As the Applicant does not have any subsidiary companies, it does not have any consolidated accounts.
2.3.0.4	The Applicant	Funding Statement: The Funding Statement [APP-025] states that the Applicant (Norfolk Boreas Limited), the Company (Vattenfall Wind Power Limited) and the Parent Company (Vattenfall AB) have agreed that the Parent Company would shortly enter into an Agreement with the Applicant, which would be in substantially the same form as attached at Annex 3. Provide an update on the current position indicating when it is anticipated that it will be signed.	The Applicant is in the process of obtaining signatures on the Funding Agreement and will submit the completed version to the Examination shortly.
2.3.0.5	The Applicant	Funding Statement:	The Applicant has assessed the likely level of compensation that would be required in the eventuality that no voluntary agreements

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		<p>The Funding Statement [APP-025] states that the Applicant has been advised that the total property cost estimates for the acquisition of the required interests in land should not exceed £1,700,000 in the event of scenario 1, and £6,800,000 in the event of scenario 2. Provide a breakdown of how the funding would be allocated in each scenario including whether this would be for purchase of land or only purchase of the freehold of land over which permanent rights are being sought; incentive payments; disturbance; injurious affections and related professional fees.</p>	<p>were concluded and compulsory acquisition powers were required to be utilised to acquire all land and interests.</p> <p>Under scenario 1 the cost estimates have been approximately allocated as follows:</p> <ul style="list-style-type: none"> - Purchase of Freehold land, including loss payments, injurious affection, agents' fees and legal fees - £750,000; - Purchase of permanent easement rights for pulling of Norfolk Boreas Cables through pre-laid ducts, including crop loss (as a result of temporary occupation of land within the cable corridor for cable pulling works) and associated agents' and legal fees - £930,000 <p>Under scenario 2 the cost estimates have been approximately allocated as follows:</p> <ul style="list-style-type: none"> - Purchase of Freehold land, including loss payments, injurious affection, agents' fees and legal fees - £830,000; - Temporary possession of land during construction, including associated costs (Crop loss, agent and legal fees)- £1,710,000; - Purchase of permanent easement rights for duct installation and pull-through of Norfolk Boreas Cables, including crop loss and associated agents' and legal fees - £4,260,000. <p>The cost estimate for both scenarios includes a contingency % applied to the final figures.</p> <p>These cost estimates are calculated on the basis of utilising compulsory acquisition powers; therefore there have not been any allowances made for incentive payments as these are only applicable to the approach adopted with seeking to enter into voluntary agreements.</p>
2.3.0.6	The Applicant	Funding Statement:	The cost of the provision of combined goods and services to deliver an operational 1.8GW High Voltage Direct Current (HVDC) export

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		<p>What is the estimated cost of constructing the proposed development as separate from the funding of the acquisition of the interests in land described in the Book of Reference? How have these figures been derived?</p>	<p>infrastructure comprising two onshore HVDC/ High Voltage Alternating Current (HVAC) convertors; all necessary onshore and offshore HVDC transmission cables; two offshore platforms each for an HVDC/AC convertor; and all necessary metering and switch gear is estimated to be approximately £1 billion.</p> <p>The cost of the provision of combined goods and services to deliver an operational 1.8GW wind farm comprising wind turbine generators; foundations and platforms; and interconnecting HVAC array cable is estimated to be approximately £3 billion.</p> <p>The above estimates are outline indicative costs based on the Applicant's parent company's (Vattenfall Wind Power Ltd) extensive experience of constructing offshore wind farms in UK and European waters and on early commercially confidential negotiations for the delivery of the proposed authorised project.</p> <p>In addition to the two principle capital costs set out above there will also be costs associated with setting up the operations and maintenance facilities, undertaking preconstruction surveys and project management costs. These are estimated to be approximately £500 million.</p> <p>Overall therefore the estimated cost of constructing the proposed development is £4.5 billion.</p>
2.3.0.7	The Applicant	<p>Funding Statement: Provide further information relating to how the estimated costs of Compulsory Acquisition have been established for scenario 1 and scenario 2.</p>	<p>The estimated figures for compulsory acquisition have been calculated by the Applicant using market comparable evidence according to the various grading of land subject to compulsory acquisition powers (Grade 1, Grade 2, Grade 3). In addition, allowances have been made within the calculation for items such as replacement of fences, loss of subsidies as a result of the temporary possession of the land and</p>

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			<p>surveyor and solicitor fees. Under both scenarios, figure estimates for permanent acquisition have taken into account all associated costs (surveyor and solicitor fees) and losses (loss payments and injurious affections). The figures also include a material and prudent level of contingency.</p> <p>Under scenario 1 it is assumed that all of the ducts and the Norfolk Vanguard cable pulling work has been completed by Norfolk Vanguard as authorised under that draft Development Consent Order; therefore only the costs of pulling the Norfolk Boreas cables along the cable corridor are included in this estimate. Also under scenario 1 the mobilisation areas identified along the cable route are not required since these are only needed for duct installation. Therefore these have not been included in the cost estimate under scenario 1.</p> <p>Under Scenario 2, temporary occupation of mobilisation areas and the working width of the easement corridor has been assessed on the basis of existing use rental values and it has been assumed that crop loss would be paid on the entry year for the established crop in place along with a loss for each year that the land is occupied during construction.</p> <p>Crop loss has been assessed along the route for the easement corridor on the basis of a majority of cereals crops, and a minority of vegetable and pasture land. Values have been calculated on a high crop sale value and high output for these estimates. Crop loss has also been allowed for any areas of severed fields during construction which would not be economical to farm. Therefore a robust worst case position has been adopted in calculating the estimate.</p>

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			<p>Under scenario 2, the estimate allows for compensation for the retained presence of link boxes on completion of the project. These have been applied at two rates: a lower rate for field boundaries and a higher one for in the field. It is noted that the 'in field' higher rate is expected to be required less frequently because it is the Applicant's intention to site link boxes within field boundaries where ever reasonably possible. Rates have been set at those agreed with the National Farmers Union (NFU) through the negotiation of the voluntary Option Agreement terms.</p> <p>Professional fees (for both surveyors and solicitors) have been based on a flat rate per land interest and these have been set at a percentage level of claim value.</p> <p>The Applicant would prefer to keep specific values that have been applied confidential at this stage given the commercially sensitive nature of the figures due to ongoing negotiations.</p>
2.3.0.8	The Applicant	<p>Funding Statement: Why are the total property costs estimated for scenario 1 and scenario 2 considered to be sufficient to meet the aggregate of liabilities for compensation?</p>	<p>As explained and detailed in the response to question 2.3.0.7 above, the Applicant has assessed each element of the likely compensation estimate on a worst case scenario and utilised market evidenced comparable high end values and costs for matters such as land market value and crop prices. The Applicant has also added a % contingency to the figures to ensure the total figures are robust. The costs are therefore considered to be sufficient.</p> <p>However the Applicant remains confident that it will acquire the majority of the land and rights required to deliver the project by agreement.</p>

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2.3.0.9	The Applicant, The Crown Estate	Statement of Reasons: Crown Land Provide an update on the current position relating to obtaining written consent from the appropriate Crown authority for onshore land.	<p>The Crown Land included in the Order comprises Plots 01/01, 01/02, 01/03, 01/17 and 01/19 (the Crown Plots). This is foreshore land owned by The Crown Estate (TCE) Commissioners. All interests held by TCE have been excluded from the Book of Reference (BoR) (document reference 4.3).</p> <p>There are no known third party interests scheduled in the Crown Plots, but the Applicant is in discussions with TCE to ensure that any unknown third party interests can be dealt with compulsorily if the need arises.</p> <p>The Applicant has been engaged with TCE to negotiate a letter of consent for the inclusion of the Crown Plots in the dDCO. The Applicant is confident that this will be secured by the end of the examination.</p>
2.3.0.10	The Applicant, The Crown Estate	Statement of Reasons: Crown Land Provide written evidence of consent from the appropriate Crown authority for offshore land.	An Agreement for Lease was entered into on 9 February 2017 with the TCE and, as the Applicant outlines in response to 2.3.0.9 above, the Applicant is engaging with TCE to secure consent for the inclusion of the Crown Plots in the dDCO.
2.3.0.11	The Applicant	Statement of Reasons: Crown Land Provide an explanation of how the project could proceed if Crown land were to be removed from the Order in the event of written consent not being forthcoming from the Crown Estate before the end of the Examination.	The interests held by TCE have been excluded from acquisition in the BoR (document reference 4.3) and there are no known third party interests or unknown interests scheduled in the Crown Plots. The consent being sought by the Applicant would provide certainty that if any unknown third party interests do arise, such interests can be subject to the acquisition of permanent new rights to ensure that there are no impediments to the authorised project proceeding. If written consent is not secured from TCE before the end of the Examination, the Applicant will continue to work with TCE to allow the imposition of the permanent new rights against TCE's interest in any case.
2.3.0.12	The Applicant, Highways England	Statement of Reasons: Highways England Provide an update on the current position relating to obtaining appropriate licences and property agreements.	It is anticipated that once the detailed design for the authorised project is complete, Highways England will need to review and approve those detailed designs and method statements prior to the start of construction. This will then allow them to issue any necessary licences. Regarding the property agreements, it is anticipated that these can only

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			be progressed once detailed design and methodology has been approved by Highways England. The Applicant is in discussions with Highways England to confirm this approach.
2.3.0.13	The Applicant	<p>Statement of Reasons: Update Update the Statement of Reasons to include: missing reference at para 2.10; and an update to the plots currently identified in the Book of Reference as 'unknown'.</p>	<p>The missing reference at paragraph 2.10 of the Statement of Reasons [APP-025] should be to paragraph 2.9, and the Statement of Reasons has been updated accordingly.</p> <p>The following plots are identified as 'unknown' in the Book of Reference: 01/11, 01/15, 02/03, 08/19, 15/03, 15/04, 22/10, 22/13, 23/13, 30/09, 30/11, 31/06, 35/08, 35/09, 40/31, 40/31a</p> <p>The Applicant has undertaken diligent enquiries into ownership (e.g. through title investigations, Request for Information forms, site visits, discussions with local agents, posting of unknown owner notices, desktop research and land registry updates, but has been unsuccessful in tracing the remaining unknown owners. The Applicant is continuing to update the Book of Reference [APP- 026] as the examination progresses and if any persons are able to provide evidence of ownership of an unknown interest, the Applicant would update the Book of Reference accordingly.</p>
2.3.0.14	The Applicant	<p>Statement of Reasons: Compulsory acquisition and temporary possession Para 7.8.2 refers to the acquisition of permanent new rights and that this would only occur after temporary possession has first been taken of the surface and subsoil of the relevant Order Lands and construction of that part of the authorised Project is complete. Please indicate (and provide a schedule of such plots) the plots in respect of which both compulsory acquisition and temporary possession powers are sought. This can occur, for instance, where an applicant can make a case for compulsory acquisition of a plot or plots, but subsequently finds that he can achieve what needs to be done on the land by the use of temporary powers only and does not need to actually acquire the land in question.</p>	<p>The powers sought over the majority of the plots within the Order Lands are for both temporary possession and permanent rights (shaded Green and Yellow on the Onshore Land Plans (AS-006 to AS-011)). Temporary possession is sought over these plots to allow construction activities on the land where cables are to be installed prior to any permanent rights to retain, operate and maintain those cables being acquired compulsorily. This allows the Applicant to complete the cable installation works, including any micro-siting of apparatus within the land, before committing to acquire permanent rights. In turn this should reduce the amount of land affected by permanent rights.</p> <p>Those plots coloured pink are for permanent freehold acquisition only, with no additional temporary possession powers sought.</p>

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			<p>Only the plots listed below are identified for temporary occupation only:</p> <p>Scenario 1: 40/13, 40/15, 40/15b, 41/14, 41/15, 41/26f</p> <p>Scenario 2: 04/06, 04/07, 06/07, 06/12, 07/11, 08/01, 08/07, 08/09, 08/11, 08/14, 08/16, 08/18, 08/22, 08/24, 09/01, 09/02, 09/04, 09/05, 10/03, 10/06, 10/10, 10/12, 10/13, 12/08, 12/11, 13/03, 14/08, 14/10, 14/14, 14/21, 14/23, 14/25, 14/28, 15/01, 15/06, 15/09, 18/03, 18/15, 18/16, 20/21, 21/02, 21/06, 21/10, 21/11, 21/17, 23/04, 23/10, 23/12, 24/09, 24/12, 27/03, 27/12, 28/06, 28/07, 28/09, 28/10, 29/01, 29/03, 29/04, 29/06, 31/10, 33/05, 33/07, 33/09, 33/10, 33/13, 33/17, 34/02, 34/12, 35/02, 35/08, 35/10, 35/14, 36/19, 37/03, 37/04, 37/06, 37/10, 37/12, 37/15, 40/13a, 40/15c, 40/17a, 40/20, 40/26a, 40/27a, 40/28, 40/31a, 40/32, 40/33, 40/33b, 41/01, 41/01b, 41/12, 41/26c, 41/27, 41/30, 41/30e, 41/30f, 41/39, 41/40a, 41/41, 41/42, 41/43, 41/44, 41/45, 41/46, 41/47, 41/48, 42/04, 42/05, 42/06</p> <p>Scenarios 1 & 2: 40/15d, 40/20a, 41/07, 41/09, 41/17, 41/18, 42/02, 42/03</p> <p>These plots are required for temporary activities which will only be carried out during construction, or where construction plant, equipment and other apparatus need to be laid down but no cables or other apparatus are proposed to be installed.</p>
2.3.0.15	The Applicant	<p>Statement of Reasons: Temporary use of land for carrying out the authorised project</p> <p>Article 26 (3) refers to a maximum time limit of one year after the completion of the authorised project unless the undertaker gives notice under s 11 of the Compulsory Purchase Act 1965 Act, or a declaration is made under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. What is the maximum</p>	<p>Under Article 26, the Applicant may take temporary possession of the land specified in Schedule 8 to deliver those parts of the authorised project also specified in Schedule 8. The Applicant's period of temporary possession is restricted to being no longer than reasonably necessary and in any event (unless agreed with the owners of the land) not longer than 1 year from the date of completion of that part of the authorised project. The permitted length of temporary</p>

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		<p>time temporary possession powers could be in place for carrying out the authorised project in the absence of an agreement with the owners of the land to extend the time period beyond one year after completion? Update the Statement of Reasons as necessary.</p>	<p>possession period for the authorised project is therefore split into the parts of the authorised project with each part being commenced on different dates, and therefore completed on different dates. The Applicant anticipates that the longest construction period relevant for temporary possession in the event of scenario 1 would be for the duct installation at the landfall which is expected to take 3 months (within a 2 year period), followed by a further temporary possession period of 2 years for cable pulling, jointing and commissioning. Combining this period with the maximum period of one year from the date of completion of that part of the authorised project means that the Applicant would anticipate that for scenario 1, the maximum period temporary possession powers would be in place would be 2 years and 3 months. A further one year is then permitted for temporary possession once those works are complete.</p> <p>The Applicant anticipates that the longest construction period relevant for temporary possession in the event of scenario 2 would be for the pre-construction, duct installation and cable pulling, jointing and commissioning works for the onshore cable route which is expected to take 6 years. Combining this period with the maximum period of one year from the date of completion of that part of the authorised project means that the Applicant would anticipate that the maximum period temporary possession powers would be in place would be 7 years. In any event, in accordance with Article 26(3) the Applicant would not remain in possession of any land for longer than reasonably necessary. The Applicant recognises that temporary possession does not necessarily mean a short period of time, and that would be reflected in any compensation payments.</p>
2.3.0.16	The Applicant	<p>Statement of Reasons: Temporary use of land for maintaining the authorised project</p> <p>Article 27(12) refers to a maximum length of time temporary possession powers could be in place for maintaining the authorised project as 5 years beginning the date on which the</p>	<p>Article 27 of the dDCO allows the Applicant on 28 days' notice (except in an emergency) to take temporary possession for maintenance of the authorised project for 5 years from the date on which the project first exports electricity. The Applicant is only permitted to remain in possession of land for so long as may be reasonably necessary to carry</p>

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		<p>authorised project first exports electricity to the national electricity transmission network. Article 27(5) refers to the undertaker only remaining in possession of land for as long as may be reasonably necessary to carry out the maintenance of the part of the authorised project for which possession of the land was taken. Given this, what would prevent the temporary possession of land being taken for 5 years for all maintenance activities and not as long as may be 'reasonably necessary'? Update the Statement of Reasons as necessary.</p>	<p>out the maintenance of the part of the authorised project for which the possession was taken.</p> <p>The Applicant would compensate the owner or occupier for any proven loss or damage as a result of the Applicant's temporary possession of the land under Article 27(12). The Applicant would not want to occupy the land for longer than is necessary since this would increase its compensation payments. As a result, not only does the Applicant not want to deprive affected parties of possession of their land for any longer period than is necessary but there is an additional incentive to carry out the maintenance works as quickly as possible to minimise any compensation payments.</p>
2.3.0.17	The Applicant	<p>Explanatory Memorandum: The Explanatory Memorandum [REP4-008] refers extensively to Model Provisions. These are now out of date. Please update the Explanatory Memorandum including Schedule 1, so that it refers to the source of the provision by reference to a previous made DCO or Transport and Works Act Order or states clearly whether it is a novel provision. Other draft Orders do not provide justification / precedent for the drafting of this DCO (for example the justification for Article 38, Arbitration in Schedule 1.) Schedule 4 is helpful but provides a high level view only.</p>	<p>The Applicant is updating the Explanatory Memorandum and will submit a revised version at Deadline 6.</p>
2.3.0.18	The Applicant	<p>Explanatory Memorandum: Review the explanation provided in the Explanatory Memorandum [REP4-008] so that it sets out why the wording from other made DCOs is relevant, detailing what is factually similar for both the relevant consented NSIP and the proposed development. This to include any divergence in wording from the consented DCO drafting. Schedule 4 is helpful but provides a high level view only.</p>	<p>The Applicant is updating the Explanatory Memorandum and will submit a revised version at Deadline 6.</p>

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2.3.0.19	The Applicant	<p>Explanatory Memorandum: Review the explanation provided in the Explanatory Memorandum [REP4-008] so that it sets out how each provision is considered to be relevant and important / essential to the delivery of this proposed development. Schedule 4 is helpful but provides a high level view only.</p>	<p>The Applicant is updating the Explanatory Memorandum and will submit a revised version at Deadline 6. Only articles which are absolutely necessary for the delivery of the project have been included in the draft DCO.</p> <p>Part 1 – Preliminary These are included in all DCOs.</p> <p>Part 2 – Principal powers These articles define the authorised development, set limits of deviation and allow the Applicant to construct and maintain the authorised development. They also modify and disapply certain sections of legislation which may otherwise hinder the delivery and operation of the authorised development.</p> <p>Part 3 – Streets These articles provide the necessary consents, which would usually have to be applied for separately under the New Roads and Street Works Act 1991, to deal with the temporary stopping up of streets and public rights of way, the carrying out of necessary street works and the alteration to existing and creation of new accesses.</p> <p>Part 4 – Supplemental powers These articles provide the Applicant with powers to connect to public drains and sewers, go on to land to carry out surveys and deal with human remains.</p> <p>Part 5 - Powers of acquisition These articles set out the powers of compulsory acquisition and associated provisions required by the Applicant to assemble the land necessary to deliver the authorised development.</p> <p>Part 6 – Operations These articles provide the Applicant with the power to operate the authorised development and grant the marine licences.</p> <p>Part 7 – Miscellaneous and general These additional articles secure various other consents and powers all of which are necessary to deliver the project as set out in Schedule 1,</p>

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			as well as securing various protections for Trinity House, Crown land and other parties benefitting from the protective provisions. This section also contains an article setting out an arbitration procedure if a dispute arises and a procedure for the discharge of requirements.
2.3.0.20	The Applicant	Explanatory Memorandum: Should the detail relating to compliance with Advice Note 15 in Schedule 4 be incorporated into the main text of the Explanatory Memorandum [REP4-008]?	Schedule 4 has been created as a signposting document and it draws out the details already included within the dDCO and draft Explanatory Memorandum. The Applicant does not therefore consider it necessary to update the Explanatory Memorandum further.
2.3.0.21	The Applicant	Explanatory Memorandum: The Explanatory Memorandum [REP4-008] refers respectively to Articles 24 and 25 of the Development Consent Order which enables acquisition of subsoil or airspace only, and rights under or over streets respectively. Please indicate by means of a schedule, which plots are affected by the two articles. Alternatively, if this information is collated in any of the application documents, please give the relevant references.	Article 24 applies to the entirety of the Order land as set out in the book of reference [APP-026] and shown on the Land Plans [APP-007 and APP-008]. Article 25 applies to any streets which fall within the Order limits as shown on the onshore Land Plan [APP-008]. The Applicant requires the flexibility to apply the articles across the authorised project in order to minimise the extent of the interests that are to be acquired from owners. The Applicant considers that this is appropriate in the context of subsoil for cables to be laid underground or in the context of subsoil and airspace for electricity lines to be installed overhead where the entire freehold interest may not be required.
2.3.0.22	The Applicant	Explanatory Memorandum: Remove references to model provisions in the Explanatory Memorandum [REP4-008] as these are out of date.	The Applicant is updating the Explanatory Memorandum and will submit a revised version at Deadline 6
2.3.0.23	The Applicant	The Compulsory Acquisition Objections Schedule: Have all occupiers of land been contacted? If not, why not?	Throughout the informal consultation, formal consultation (s.42d) and application stage (s.56), the Applicant has involved the occupiers of the land (where they differ from the freeholders) in all discussions. The Applicant's land agents RSK Consents Solutions have made contact with occupiers in order to discuss the occupiers consent agreements. All third party occupiers have been contacted with the

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			exception of those occupiers which are a) either a family run business owned and operated by the landowners, therefore discussions have been through the landowners or b) are landowners in their own right on other land contained in the Order and therefore are already aware of the content of the agreements and the process required.
2.3.0.24	The Applicant, National Farmers Union, land Interest Group (LIG), Land Agents, Interested Parties	The Compulsory Acquisition Objections Schedule: Provide confirmation that the cross referencing relating to Objector No 40; 41; 45; 51 and 52d of the Compulsory Acquisition Objections Schedule [REP2-031] is accurate.	The Applicant considers that there is a typographical error in the question and the reference to objector no 52d should perhaps refer to Objector 35 (Mr and Mrs M Jones) which is linked to Objector 52 (Jones Household). The Applicant considers that the cross referencing of these objectors is appropriate from its assessment of the name the objection was submitted under. However the objections made are all identical and submitted by Savills on the objector's behalf and therefore without confirmation from Savills, the Applicant cannot be certain that they are the same parties. The parties identified are as below: Objector 40 - Mr M and Mrs J Ditch Objector 41 - Trustees of WM & SJ Bulwer Long 1983 Settlement Objector 45 - Heydon Estate Objector 51 - Ditch Household Objector 52 - Jones Household Objector 35 - Mr and Mrs M Jones
2.3.0.25	The Applicant, National Farmers Union, land Interest Group (LIG), Land Agents, Interested Parties	The Compulsory Acquisition Objections Schedule: Do Affected Parties and / or their agents agree that the Compulsory Acquisition Objections Schedule [REP2-031] is an accurate representation of their or their clients position? If not, why not? Are there any inaccuracies with the schedule submitted at Deadline 2 [REP2-031]?	The Applicant notes that as raised in the deadline 3 submission by Colin King [REP3-030], the plots and rights thought to be held by objector 9 (Paul King) were omitted from the Compulsory Acquisition Objections Schedule as submitted at Deadline 2. These plots and rights replicate those of Colin King (Objector 55) in the schedule and will be included in the next updated version of the document to be submitted at deadline 9.

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2.3.0.26	The Applicant	<p>The Compulsory Acquisition Objections Schedule: What progress has been made in understanding the historic rights held by Objector 55 and what are the implications for the Development Consent Order?</p>	<p>The Applicant has explored the position further with its legal advisors. The position remains that the rights referred to as described in a 1972 Conveyance are not available to be viewed anywhere and therefore cannot be ascertained. The Applicant has made previous contact with Mr Colin King regarding these rights, however Mr King also does not hold a copy of the 1972 Conveyance and does not know to what it refers. Therefore the rights referred to in title NK440779 and benefitting Colin King, Jacqueline Claxton and Paul King have been included in those plots of land falling within this title as a precaution until any clarity on the rights is received. If Mr King is able to provide evidence of what type of rights exist over the affected land, the Applicant will seek to acquire these rights by agreement. If an agreement is unable to be reached, the Applicant will seek to utilise any compulsory powers awarded.</p>
2.3.0.27	The Applicant, National Grid, Cadent Gas, Network Rail	<p>The Compulsory Acquisition Objections Schedule: What progress has been made in reaching agreement with National Grid, Cadent Gas and Network Rail? If agreement has been reached, confirm the timescale for withdrawal of objections to the Norfolk Boreas application [REP1-041].</p>	<p><u>Cadent Gas</u> Discussions are progressing well with Cadent Gas and the Applicant is confident that agreement will be reached before the end of the examination.</p> <p><u>National Grid</u> Discussions are ongoing with National Grid and the Applicant is confident that agreement will be reached before the end of the examination.</p> <p><u>Network Rail</u> The Applicant is in ongoing discussions with Network Rail and is in the process of final negotiations. The Applicant is confident that agreement will be reached before the end of examination.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.3.0.28	The Applicant, Eni UK Limited	<p>The Compulsory Acquisition Objections Schedule: Following the meeting between the Applicant and Eni UK Limited on 7th October and the subsequent email received by the Applicant on 3rd December confirming that Eni UK Limited no longer holds an interest in land affected by Norfolk Boreas, provide written confirmation of Eni UK Limited withdrawal of objection to the application.</p>	<p>The Applicant considers that Eni UK Limited did not hold an objection to the project and the relevant representation received on 29 August 2019 explained that Eni UK were keen to ensure that the activities of both projects could interface safely. Eni UK Limited have since informed the Applicant that Eni UK Limited no longer hold an interest in land affected by Norfolk Boreas. The Applicant has included the relevant email correspondence confirming that Eni UK limited had relinquished the part of license P1964 that extends into the Norfolk Boreas Site in Appendix 3.3 Eni UK limited email correspondence.</p> <p>The Applicant notes that this question is also addressed to Eni UK Limited.</p>
2.3.0.29	The Applicant, The Environment Agency	<p>The Compulsory Acquisition Objections Schedule: The Environment Agency has made amendments to the Protective Provisions included in the updated dDCO at Deadline 4 [REP4-006]. Are there any other matters of dispute between the parties that would prevent agreement to these protective provisions? If not, when does the EA anticipate withdrawing its objection to the Norfolk Boreas application?</p>	<p>The Applicant understood that the Protective Provisions were agreed as they are based on the version agreed through the Norfolk Vanguard dDCO. However, the Applicant understands that the Environment Agency have two further points on the Protective Provisions, and the Applicant is in contact with the Environment Agency and is confident that these points will be agreed before the close of examination.</p>
2.3.0.30	Interested Parties identified in Column 2 of the Compulsory Acquisition Objections Schedule [REP2-031] as having land / rights that would be affected by the proposed development	<p>The Compulsory Acquisition Objections Schedule:</p> <ol style="list-style-type: none"> 1. All objectors (and/or their respective agents) identified in the Compulsory Acquisition Objections Schedule subject to the compulsory acquisition of their land or rights, are invited to confirm whether they maintain an objection, providing specific details of the reasons why they object, in relation to the individual's specific land/rights that would be affected by Compulsory Acquisition [REP2-031]. 2. All objectors are also asked to include an update on discussions with the Applicant and whether they anticipate that agreement is likely to be reached between the parties before the end of the Examination in May 2020. 3. If agreement has been reached and the objection is resolved, please provide confirmation. 	

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.3.0.31	National Farmers Union, Land Interest Group (LIG)	<p>The Compulsory Acquisition Objections Schedule:</p> <p>The Outline Representation prepared by the Land Interest Group (LIG) and NFU submitted as a Relevant Representation for a number of different clients and members states: “each landowner or occupier has submitted an outline representation highlighting specific issues to the business and has made reference to this outline representation which highlights the main issues of all landowners concerned.” The Outline Representation indicates that the LIG represents approximately 60 clients who own, or lease land affected by the application, and that full written representations would be lodged in due course. Written representations have subsequently been received by Savills on behalf of Mr C Allhusen notifying of potential locations for site inspections at Deadline 1 [REP1-062] and the NFU at Deadline 3 and 4. The Applicant has responded to the NFU’s submissions at Deadlines 2, 3 and 4. No other representations have been submitted by LIG or NFU at this stage in the Examination.</p> <ol style="list-style-type: none"> 1. Provide details of the individual objectors represented by NFU and LIG for the purpose of this examination. 2. Provide full details of the objection in relation to their clients’ specific land/rights that would be affected by Compulsory Acquisition or cross refer to Q2.3.0.27. 	
2.3.0.32	The Applicant Ørsted Hornsea Project Three (UK) Limited	<p>Co-operation Agreement:</p> <p>Is it the intention of the Applicant to agree and finalise the Co-operation Agreement with Ørsted Hornsea Project Three (UK) Limited, Ørsted Wind Power A/S, Cerulea Limited, Norfolk Vanguard Limited and Vattenfall Wind Power Limited within the timeframe of the Examination? If not, what are the factors that determine the timescale for reaching such an agreement?</p>	<p>The Applicant is in ongoing discussions with Ørsted Hornsea Project Three United Kingdom (UK) Limited, Ørsted Wind Power A/S, Cerulea Limited, Norfolk Vanguard Limited and Vattenfall Wind Power Limited with a view to agreeing the terms of the cooperation agreement (and agreed form crossing agreements) between the parties as soon as possible. The nature of agreement, the number of parties and the future role of Offshore Transmission Owners (OFTO) in respect of the cables means the form of agreement is complex.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			Therefore whilst it is the intention of the Applicant to agree the Co-operation Agreement with Ørsted Hornsea Project Three (UK) Limited, Ørsted Wind Power A/S, Cerulea Limited, Norfolk Vanguard Limited and Vattenfall Wind Power Limited within the timeframe of the Examination, given the complexity of the arrangement and the number of parties, at this stage the Applicant is currently unable to guarantee a date by which the agreement will be finalised.
2.3.0.33	The Applicant	Ivy Todd Campsite: Necton Substation Action Group refer to a campsite owned by Mr Paul King in Ivy Todd [REP4-050]. Has this land / business been identified in the Book or Reference?	The Applicant notes that Mr Paul King is listed in the Book of Reference in relation to historic rights as referred to in the response to question 2.3.0.26, however the campsite business has not been referred to within the Book of Reference as it is not included within the Order limits.
2.3.0.34	The Applicant, National Farmers Union	Access Routes: NFU indicates that not all access routes are agreed between landowners and the Applicant given that some access routes are physically impossible [REP3-018]. The Applicant confirms that it is still working with the landowners to agree preferred alternative operations accesses and that these would be included in private agreements [REP4-011]. 1. Identify by reference to the Compulsory Acquisition Objections Schedule [REP2-031] the landowners that are in discussion over these matters. 2. Are other landowners not identified in the Compulsory Acquisition Objections Schedule also in discussion over these matters? 3. Provide a summary of the outstanding matters that are still under discussion between the parties or otherwise indicate where the only outstanding issue on a particular topic pertains to commercially confidential matters.	1. Objector 27, Objector 34 & Objector 39 2. David Edward Brown, Kate Alice Paul and William David Winslow Barr (Bawdeswell Estate), however these outstanding issues over access are close to being resolved and signed heads of terms documenting the agreement reached should be received shortly. 3. The only outstanding points in relation to the above mentioned HoTs is the discussion around the access points. The Applicant is continuing to assess these options. Where other accesses are required to be amended, the Applicant has explained that it is happy to consider these through the drafting of the Option Agreement stage. 4. The Applicant would continue to negotiate with the affected land interests to secure the required rights by agreement up until the commencement of construction. In the eventuality that an agreement cannot be reached to secure the required rights, the Applicant will seek to acquire these rights through compulsory acquisition powers. 5. The Applicant has applied for compulsory acquisition powers to be

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>4. If agreement is not reached with these landowners before the end of the Examination, how would operational access be provided?</p> <p>5. In the absence of such agreement, what would be the consequences for the Development Consent Order?</p>	used over land where an agreement cannot be reached with the affected parties.
2.3.0.35	The Applicant, National Farmers Union	<p>Cumulative impact assessment and NFU: Provide an update on the matter which is stated still to be under discussion in the SoCG between the Applicant and NFU [REP2-046, page 8] regarding the cumulative impact assessment on agricultural productivity, taking account of other projects, specifically Norfolk Vanguard and Hornsea Project Three.</p>	The Applicant met with the NFU on the 20 th February 2020 to discuss the outstanding matters on the SOCG. Discussions are still continuing on this point and an updated version of the SOCG will be submitted at Deadline 6.
2.3.0.36	The Applicant, National Farmers Union, Land Interest Group (LIG)	<p>Notification of Landowners: How would all persons affected by the use of powers of acquisition be informed of timings of different parts of the construction of the proposed development? Should there be a specific communications plan? If not, why not?</p>	<p>The Outline Code of Construction Practice (OCoCP) [REP1-018] secures a communications plan under Section 2.4 which will include a proactive public relations campaign keeping local residents informed of the type and timing of works involved. Furthermore, the OCoCP secures an Agricultural Liaison Officer (ALO) under Appendix B who will utilise the communications plan to inform landowners.</p> <p>The role of the ALO (as appointed by the contractor), is to be the main point of contact with those landowners affected by the construction of the proposed development. Where option agreements have been completed, the Applicant will serve an entry notice on those landowners advising of the date on which they will access the land included in the entry notice. For those landowners where Option Agreements have not been concluded, the Applicant will serve a minimum of 14 days' notice (and longer where practicable to do so) for temporary possession under the powers in the dDCO. Through the role of the ALO and wider project communications, all those land interests who own/occupy land directly affected by the project will be kept up to date throughout the process and provided with advanced warnings of expected construction commencement dates.</p>

4 Cumulative effects of other proposals

4.0 General cumulative effects, including phasing

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No Questions			

4.1 Onshore cumulative effects of other proposals (construction)

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.4.1.1	The Applicant, Norfolk County Council, Broadland District Council, relevant Parish Councils, such as Cawston Parish Council	<p>Construction effects at the Crossover with Hornsea Project Three north of Reepham:</p> <p>The Applicant's response to Q1.4.1(1) provides some clarity. In response to Q1.4.1(2), it is stated that the potential overlap of Hornsea Project Three onshore cable works with Scenario 2 duct installation of the proposed development is considered the worst-case scenario.</p> <p>1. Could an alternative view be that activities happening at the same time which would reduce the length of time over which the impacts occurred, could be deemed preferable to local communities and therefore the worst-case scenario might be one that extends over the longest time period of time?</p> <p>2. Has the Applicant considered the potential to compress works over the shortest period of time possible and has this been a topic of discussion in the terms of the Cooperation Agreement with Ørsted [REP2-056, section 2.4]?</p> <p>3. Would it be possible to require programming which has the least adverse cumulative effects (should both projects be consented), which would impose time limits over which works were undertaken in this Co-operation Agreement and for that to be secured in the proposed development's dDCO or OCoCP?</p>	<p>1. The construction works at the crossing point are limited in time, with a worst case requirement for Norfolk Boreas, under Scenario 2, of trenchless crossing for duct installation at this location, with a period of 5 weeks. If open cut trenching method is applied in this location, the period will be approximately 1 week to cross the 80m Hornsea Project Three Order Limits as a result of the sectionalised duct installation method. Therefore the total duration of works at the crossing point will be short, relatively, even if conducted sequentially.</p> <p>2. The Applicant has compressed the works over the shortest time period practicable to minimise the length of impacts in isolation and cumulatively. This includes the embedded mitigation relating to the sectionalised method of duct installation (under Scenario 2) which limits the period and location of impacts along the cable route so far as possible to 150m/week, resulting in works at the crossing point being limited to an approximate 1 week period. In the worst case, in terms of works period, a trenchless crossing of the crossing point may be required with a typical period of 5 weeks. The sharing of information, including construction programmes as they become refined, is a key aspect of the Cooperation Agreement.</p> <p>3. The cumulative impact assessment [APP-246] has not identified an increase in effects as a result of construction at the crossing point</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>beyond those identified for Norfolk Boreas alone under Scenario 2. Therefore there is no identified requirement for programming of the works to mitigate cumulative effects.</p> <p>The co-operation agreement is a private contractual agreement between the parties and it is therefore not appropriate to refer to it in any of the certified documents under the DCO. Where cumulative impacts have been identified outwith the crossing point construction, the Applicant has sought to mitigate those by, for example, capping peak traffic flows (as opposed to programming) and this is captured in the relevant certified documents accordingly.</p>

5 Development Consent Order and Deemed Marine Licences

5.0 General

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.0.1	The Applicant	<p>End of Construction:</p> <p>Considering Natural England's concerns, based on an example of an operating offshore windfarm [REP3-021] regarding the need for a clean line between the end of construction and the beginning of operation and the Applicant's comments regarding seeking further information from NE in [REP4-009, No.4], the Applicant to state when it will be able to respond.</p>	<p>The Applicant discussed this matter with the MMO and NE on a conference call held on 17 February 2020.</p> <p>The Applicant explained the notification requirements within Condition 9 of Schedule 9-10 and Condition 4 of Schedule 11-12 and Condition 3 of Schedule 13 which provides that the Applicant must notify the MMO (including Kingfisher Information Service of Seafish and the UK Hydrographic Office) upon completion of licensed activities (for example, Condition 9 (Schedule 9-10)). In the case of the Kingfisher Information Service of Seafish notification, this must be no later than 24hours from completion of construction of all offshore activities.</p> <p>The Applicant considers that the matter is agreed in principle.</p>
2.5.0.2	Norfolk County Council, Breckland Council, Broadland District Council, North Norfolk District Council, Natural England, Marine Management Organisation	<p>Outstanding matters on the dDCO:</p> <p>The Applicant has provided responses to matters raised by the relevant planning authorities and other post-consent approval bodies at Deadlines 2, 3 and 4. Aside from the matters questioned below, set out any outstanding concerns with the dDCO submitted at Deadline 4 [REP4-004].</p>	
2.5.0.3	Breckland Council, North	<p>Discharging requirements and conditions:</p> <p>Provide a response to Q5.0.4 [PD-008] or indicate where in the documentation this has previously been provided.</p>	

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
	Norfolk District Council		

5.1 Articles

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.1.1	The Applicant, Natural England, Marine Management Organisation, Norfolk County Council, Breckland Council, Broadland District Council, North Norfolk District Council	Article 2: Interpretation: Environmental Statement: The Applicant has stated that the "ES is a record of what is assessed, not what is permitted and therefore does not require any updates." [REP4-009, No.1]. 1. Are consenting authorities content with this position? 2. The Applicant is invited to consider an extension to the definition of the ES in Article 2 to clarify the fixed point in time nature of the ES assessment. 3. Consenting authorities to comment if they think this clarification is necessary.	The Applicant is content that the current definition of the ES in Article 2 is suitable in its current form, which reads as follows: <i>"environmental statement" means the document certified as the environmental statement by the Secretary of State for the purposes of this Order;</i> Once the Applicant has therefore provided the environmental statement to the Secretary of State for certifying in accordance with Article 37 then it is secured as the certified "environmental statement". The Applicant does not consider a change to the definition to refer to a fixed point in time would alter the meaning or purpose of the definition. The Applicant, however, recognises that a number of examination documents – for instance, updated Collision Risk Models – can be considered as an element of the environmental statement. The Applicant therefore proposes to update the Note on Requirements (document reference: 3.3) at the end of the Examination to make this clear. As the Applicant outlines in response to WQ 2.5.1.9 below, the Applicant also considers that it would be helpful to insert a new Schedule to the dDCO outlining the certified documents – including those documents considered to form part of the environmental statement - and the respective versions of each document.
2.5.1.2	The Applicant	Article 2: Interpretation: Schedule of Mitigation:	The Schedule of Mitigation is primarily a signposting document, outlining all proposed mitigation within the ES for the ease of reference

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		Further to points under Article 37 in these questions, the ExA considers a definition of the Schedule of Mitigation [REP2-006] would be helpful.	for any interested party. It does not contain any new information about the Project and it does not secure any mitigation. Mitigation is either secured in the dDCO or in the outline plans. Accordingly, the Schedule of Mitigation is not referred to in the dDCO and the Applicant does not therefore consider it appropriate or necessary to define this document within the dDCO.
2.5.1.3	The Applicant	Article 2: Interpretation: Noise sensitive receptors: Following the response to ExA's Written Questions [REP2-021, Q5.3.12], the Applicant to explain why noise sensitive receptors (NSR) should not be defined in Article 2 and included in Requirement 27.	The Applicant has incorporated the definition of 'noise sensitive location' into Article 2 of the dDCO submitted at Deadline 4 [REP4-004].
2.5.1.4	The Applicant	Article 2: Interpretation (in relation to onshore decommissioning plan): Review whether onshore decommissioning plan [currently defined as a plan to decommission Work No. 4B to Work No. 12B] should be amended for clarification, because 4B is defined as work between MHWS and MLWS and is therefore 'offshore' in relation to other definitions; and because landfall cable ducts are now proposed to extend into Work 4A to about 1km. seaward of MLWS.	The Applicant agrees and has amended the definition of 'onshore decommissioning plan' to read as follows: <i>"onshore decommissioning plan" means a plan to decommission Work No. 4C to Work No. 12B which includes a programme within which any works of decommissioning must be undertaken;</i> This is included in the dDCO submitted at Deadline 5.
2.5.1.5	The Applicant, Norfolk County Council, Breckland Council, Broadland District Council, North Norfolk District Council	Article 2: Interpretation: Onshore 'phase' and 'stage': 1. The ExA considers that the explanation given for onshore phase by the Applicant [REP4-019] adds to clarity. Would it be helpful for a brief description to be provided in a secured document, but not the DCO itself – eg the OCoCP? 2. The explanation of onshore stage seems less clear cut, as it appears an onshore stage could be geographical or temporal. For this reason, do parties consider there would be any benefit in setting this out in a definition, such as that in the Richborough Connection Project made Development Consent Order under the interpretation for Requirements? This would read as "stage'	1. The OCoCP has been updated to include the description of the phases as detailed in the Clarification Note [REP4-019] and has been submitted at Deadline 5 [Document Reference 8.1, Version 3). 2. The OCoCP has been updated to include the description of the stages as detailed in the Clarification Note [REP4-019]. The Applicant is content to include a definition in the dDCO as follows:

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>means a defined stage of the authorised development, the extent of which is shown in a scheme submitted to and approved by the relevant planning authority pursuant to Requirement 15”</p> <p>3. The ExA considers that the DAS would be relevant to all three districts [REP4-019, Table 4] for example for link boxes. The ExA agrees that “it is likely that this would need to be refined further based on the work elements and dependent on contractor appointment and approach”. [REP4-019, para 14]. It is this point, that the ExA raised previously, and considers a process to allow greater flexibility in terms of sequential submissions for post-consent approvals for stages defined under R15 might be helpful.</p> <p>4. Are the post-consent discharging local authorities content with the way in which all matters pertaining to one stage (potentially district-wide except for substation and landfall) and all requirements (Schedule 16 1.(1)) would be submitted and need approval within the specified 8 week time period prior to works being able to be commenced?</p> <p>5. Do parties consider that further clarification under R15, that enabled the contractor to submit proposals for partial approvals of stages be helpful?</p>	<p><i>'stage' means a defined stage of the authorised development, as described in a scheme submitted to the relevant planning authority pursuant to Requirement 15.</i></p> <p>The Applicant considers that it is not appropriate for the scheme to be subject to the approval of the relevant planning authorities given that the stages will be linked to the final design and the procurement strategy for the appointment of contractors.</p> <p>3. The Design and Access Statement would apply to all three districts and it is likely that a separate DAS for each district will be produced containing information which is relevant to them. However, this will be determined post consent.</p> <p>The Applicant will look to include flexibility into the stages to account for any potential temporal elements when the scheme detailing the stages is submitted under dDCO Requirement 15. This will allow for sequential post-consent approvals for stages if required. For example, separate stages may be defined for the duct installation (stage x) and cable pulling (stage y) in the different districts to reflect the different timings and allow sequential post-consent discharge documents. However, if separate documents are not required then a document will be drafted to discharge both stages (for x and y).</p> <p>4 and 5. Notwithstanding the above the Applicant considers that it may be helpful to insert flexibility to allow for the sequential submission of post consent approvals/ partial discharges within stages for the onshore transmission works. The Applicant will consider potential drafting for this within Requirement 15.</p>
n/a	The Applicant, Norfolk County Council, Water Management	<p>Article 7: Application and modification of legislative provisions: See below question in Section Q2.15 Water Resources and Flood Risk.</p>	The Applicant notes this and has responded under Section

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
	Alliance (Internal Drainage Board)		
2.5.1.6	The Applicant, National Farmers Union	Article 16: Authority to survey and investigate land: Further to the Applicant's response to NFU's comments [REP4-011] would parties be content with an addition which included landowners being given an estimate of how long the surveying would be likely to take, and an indication of what equipment would be likely to be used?	The Applicant's position remains as set out in the response to Q5.1.7 [REP4-011]. The Applicant will, however, consider any novel suggestions put forward by the NFU in response to this question.
2.5.1.7	National Farmers Union	Article 26: Temporary Use of Land: NFU to set out why on this particular project it considers that the proposed 14 day notice period should be extended to 28 days for temporary possession to survey and investigate the land onshore.	
2.5.1.8	The Applicant	Article 26: Temporary Use of Land: Provide further justification beyond what is stated at Deadline 4, as to why 14 days is the preferred notice period.	The relevant provisions (sections 18 to 23) of the Neighbourhood Planning Act 2017 (for this question only, the Act) are not yet in force and it is unclear whether or when they will be brought into force, and whether further regulations will be introduced to provide more detail on the operation of the temporary possession regime. As the Act is not yet in force, the Applicant is of the view that it is not currently possible to understand or reflect accurately the temporary possession provisions as intended by Parliament in respect of DCOs. It is not yet known whether the provisions will apply to DCOs or whether there will be any transitional arrangements. The Applicant has therefore applied the 'tried and tested' temporary possession regime that has been included in numerous DCOs to date, and is well understood by practitioners, agents and contractors. Similar provisions were included in the Silvertown Tunnel Order 2018 (article 3(1)(p) and article 29), the Eggborough Gas Fired Generating Station Order 2018 (article 26(12)) and the A19/ A184 Testo's Junction Alteration Development Consent Order 2018 (article 2(7) and article 29).

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>In contrast to the HS2, A30 Chiverton to Carland Cross and A303 Stonehenge Scheme projects cited by the National Farmers' Union, there are no residential properties within the land identified as subject to compulsory acquisition powers under the dDCO, and the Applicant considers that a 14 day notice period as set out in Article 26 of the dDCO remains appropriate for this project.</p>
2.5.1.9	<p>The Applicant, Norfolk County Council, Breckland Council, Broadland District Council, North Norfolk District Council, Marine Management Organisation, Natural England</p>	<p>Article 37: Certification of Plans: The ExA notes the Applicant's response in its Written Summary of Oral Case submitted at the DCO ISH [REP1-041] to its point regarding the need for ensuring the final DCO relates to updated documents. The Guide [REP3-002] as mentioned, captures version updates on a deadline by deadline basis, which includes many documents which would not be certified. The ExA considers there is a need to capture the versions of the documents and plans to be certified, in a document which is itself certified, so that future users (such as post consenting discharging authorities) can readily ensure that they are using the right version of a document. [REP1-041] also states that the Applicant will submit an update to the Note on Requirements and Conditions in the Development Consent Order [APP-022] at the end of the Examination to capture the latest (and final draft) version of each relevant plan or document. Including this as the overall reference could also benefit from the diagrammatic representations of the relationships between plans.</p> <ol style="list-style-type: none"> 1. Clarity is requested about the level of detail the Applicant is considering in its updating of [APP-022]. The ExA considers that all documents or plans would need their versions citing. 2. The Applicant to set out how it proposes to ensure that all documents which were updated could be captured in its updating process and to comment on the desirability of this document [APP-022] being certified. 3. Following on from the Applicant's position regarding the fixed point in time assessment provided by the ES and its position that 	<ol style="list-style-type: none"> 1. The Applicant intends to include a further Annex within the Note on Requirements which will include a table with columns for (1) the document, (2) the document reference number, (3) the final version number, and (4) the stage or deadline in which the document was submitted to the Examination. 2. As the Applicant explains in response to WQ 2.5.1.1 above, the Applicant proposes to update the Note on Requirements at the end of the Examination to capture the necessary examination documents and to make clear the latest version. The Applicant does not consider that the Note on Requirements should be a certified document. However, the Applicant does propose to capture the information within a new Schedule to the dDCO. 3. The Applicant refers the ExA to its response to Q2.5.1.2.

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>the “relevant parameters consented are set out in the DCO/DML itself, and that is what should be relied upon post consent” [REP4-009, No.1], the ExA considers that the Schedule of Mitigation, which provides the link between the ES and the DCO/DML should be certified. The Applicant is invited to comment.</p> <p>4. Views are requested from discharging authorities on the points above.</p>	

5.2 SCHEDULE 1 PART 1: Authorised Development

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.2.1	The Applicant, Natural England, Marine Management Organisation	<p>Parameters for individual structures:</p> <p>Should parameters for individual structures be stated explicitly in the dDCO because of ongoing concerns regarding the clarity and enforceability of plans; noting the explanation given at Deadline 2 that the EIA parameters in the dDCO do not match those in the ES because some of the infrastructure secured within the DMLs crosses between different geographical areas:</p> <ul style="list-style-type: none"> • offshore disposal volumes for either total disposal or drill arisings; • volumes for cable protection; • volumes and areas of scour protection. 	<p>The Applicant included revisions at Deadline 4 within the dDCO [REP4-004] to cross-refer to the appropriate table in the outline scour protection and cable protection plan. This makes clear that the individual distributions of scour protection and cable protection must not exceed the area and volumes set out within this document (see Requirement 5, Requirement 11, Condition 3 and 8 (Schedules 9 – 10), Condition 2 and 8 (Schedule 11 – 12), and Condition 2 (Schedule 13)).</p> <p>The Applicant has since discussed this with the MMO and the Applicant understands that this position is agreed between the parties.</p>
2.5.2.2	Interested Parties	<p>Work No. 10A:</p> <p>At the Onshore Matters ISH on Tuesday 21 January 2020 [EV6-001 to EV6-004] views were sought on whether Work No. 10A should be controlled further and if so in what way. This referred to the Secretary of State's request for comment in the Norfolk Vanguard letter as set out in paragraph 18 [REP3-012]. In both cases, Work No. 10A comprises a proposed extension to the</p>	

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		National Grid substation at Necton. The Applicant's explanation of Work No. 10A given at the ISH can be found in its written summary of oral record [REP4-013, Item 4b)iii]. Any IP who was not present at the ISH who wishes to comment is invited to do so in response here.	

5.3 SCHEDULE 1 PART 3: Requirements

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.3.1	The Applicant	Requirement 16(4) Design and Access Statement; Link boxes: The ExA notes the commitment by the Applicant to include the wording from [AS-024, table 2, row 3] in the updated Design and Access Statement (DAS). 1. Submit the updated Design and Access Statement at Deadline 5; 2. The Applicant to advise whether this point also be included in the Schedule of Mitigation [REP2-006].	1. The wording agreed with the Land Interest Group and the National Farmer's Union regarding locations of link boxes has been included in Section 5.2.1 of the updated DAS submitted at Deadline 5 [Document reference 8.3, version 3]. 2. The Applicant does not feel this needs to be included in the Schedule of Mitigation, as the Schedule of Mitigation is to capture mitigation identified in the Environmental Statement and this is a specific agreement captured and secured in the Deed of Easement and subsequently the DAS.
2.5.3.2	The Applicant	Requirement 16 (4): Should Requirement 16(4) make reference to the design process and Design Guide which would be prepared for approval post consent?	As detailed within the Issue Specific Hearing 1 and 2 Action Points Tracker submitted at Deadline 2 (REP2-033), the Applicant has agreed with Breckland Council that the design parameters secured on the DCO are suitably detailed and the design process – including reference to a Design Guide - has been secured through an update to the Design and Access Statement (DAS) (REP2-007). The Applicant does therefore not consider any additional amendments to R16 are required given that the DAS incorporates the design process and any subsequent Design Guide.
n/a	The Applicant	Requirement 16 (5) and (8): Note questions below under Section Q2.9.	

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.3.3	The Applicant	<p>Requirement 16 (9): Breckland Council has requested powder coating of electrical equipment in Work No. 10A to minimise any light reflection and glare shining from the new aluminium and steel [REP4-026]. 1. Is it possible to specify this? 2. If so, should it be secured in R16(9) or is such consideration of sensitive use of materials a matter for the project substation as well? If so where could this be secured?</p>	<p>1. and 2. Powder coating of electrical equipment cannot be secured due to technical reasons. As for other finishes, the materials used for the electrical equipment, primarily aluminium, steel and ceramics/polymers, are dictated by the electrical and structural performance characteristics required to safely and efficiently operate the equipment at 400 kV. Therefore, it is not possible to alter the appearance and finishes of the electrical equipment, or secure the finish of the equipment within Requirement 16 (9) or elsewhere.</p>
2.5.3.4	The Applicant, Marine Management Organisation, Historic England	<p>Requirement 17 Landfall Method Statement: Requirement 17 secures approval in writing by North Norfolk District Council in consultation with the relevant statutory nature conservation body prior to commencement of Works 4C, 4B and 4A. As Works 4B and 4A (as defined in the dDCO) are seaward of MHWS does the landfall method statement also need the approval in writing of MMO in consultation with the relevant historic body (HBMCE) prior to commencement?</p>	<p>Requirement 17 and the associated method statement, ensures that the impact of the landfall works is minimised in line with the assessment and commitments contained in the Application.</p> <p>The Requirement also stipulates the need for ongoing inspection of the cables at the landfall (Work No 4C) and reporting of results to North Norfolk District Council (NNDC), in consultation with Natural England, during the operation of the authorised project. In the event of cable exposure (at Work No 4C) throughout the operation of the Project, the Applicant must submit proposals to NNDC (in consultation with Natural England for remedial measures to protect the cables at the landfall.</p> <p>The reason why Works No 4A and 4B are referred to within Requirement 17(1) is due to the nature of the long HDD involving and connecting Work No. 4A to Work No. 4C. It is therefore necessary to impose a pre-commencement restriction on Work No. 4A given that the landfall HDD connects Work No. 4C to Work No. 4A.</p> <p>Notwithstanding this, the control in which Requirement 17 is seeking to provide is in relation to concerns over landfall erosion and monitoring of cables at the landfall. The Applicant therefore considers that this is within the appropriate jurisdiction of NNDC, in consultation</p>

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			with Natural England, and that the dDCO is appropriate as currently drafted.
2.5.3.5	The Applicant	<p>Requirements 18 and 24:</p> <p>The responses to Q9.3.2, Q9.3.3, Q9.3.4 and Q9.3.5 raise uncertainties regarding how the hedgerow replacement planting would be approved and secured. The response to Q9.3.4 says it would be via the Hedgerow Mitigation Plan which is a part of the Ecological Management Plan (EMP), secured via R24 and the response to Q9.3.5 states it would be via R18. The Schedule of Mitigation [REP2-006] shows R18, R19 and R24.</p> <p>1. The Applicant to provide clarity on what it considers would be approved by which plan.</p> <p>2. The ExA considers that clarity on this needs to be given in the dDCO, Outline plan(s) and the Schedule of Mitigation.</p>	<p>1. Hedgerow replacement planting is secured through Requirements 18, 19 and 24.</p> <p>Requirements 18 and 19 relate to landscape mitigation and the production of a Landscaping Management Scheme (in accordance with document 8.7 Outline Landscape and Ecological Management Strategy) which will provide details of all planting removed and the location, number, species, size and planting density of the proposed replacement planting to mitigate landscape effects.</p> <p>Requirement 24 relates to ecological mitigation, which includes hedgerow planting to replace hedgerow habitat that has been removed. A Hedgerow Mitigation Plan, which will sit as part of the final Ecological Management Plan, will detail the reinstatement approach specific for replacement of hedgerow habitat and any monitoring and maintenance requirements.</p> <p>As such the details of the hedgerow replacement will be captured in both the Landscape Management Scheme and the Hedgerow Mitigation Plan (part of the final Ecological Management Plan) to ensure it meets the requirements in terms of landscape mitigation and ecological mitigation as the replacement has a dual purpose. There will be collaborative working between both the landscape and ecological specialists to ensure the hedgerow replacement satisfies all requirements.</p> <p>2. Text clarifying this has been added to the updated OLEMS submitted at Deadline 5, [Document 8.7, Version 3].</p>
2.5.3.6	The Applicant and North	Requirement 19: Implementation and maintenance of landscaping:	Whilst the Applicant acknowledges the request from North Norfolk District Council to have a ten year period of aftercare for both trees and shrubs planted in North Norfolk, due to the evidence of

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	Norfolk District Council	<p>The Applicant has committed to a ten-year aftercare period for trees replaced within the North Norfolk District Council (NNDC) area, set out in the SoCG [REP2-052] and the response to NNDC's LIR [REP3-011, section 13]. The Applicant therefore to amend the dDCO Requirement 19(2), the introduction to the OLEMS [REP1-021] (and any other relevant documents) for the avoidance of doubt, to reflect the ten year after-care period for trees in the NNDC area. This is referred to the Secretary of State's request for comment in the Norfolk Vanguard letter as set out in paragraph 18 [REP3-012].</p> <ol style="list-style-type: none"> 1. The Applicant and NNDC to set out their positions regarding the difference in aftercare period for trees (ten years) and other plant material such as shrubs (assumed to be five years). 2. What is the proposed aftercare period for tree species planted small as hedge replacement material? 3. Are the soil conditions which justify the extended aftercare period for trees different for shrubs? 	<p>challenging growing conditions closer to the coast, this can only be agreed by the Applicant subject to landowner consent. This was included in previous versions of the OLEMS for trees, and the OLEMS submitted at Deadline 5 [Document reference 8.7, Version 3] has subsequently been updated to also refer to hedgerows.</p> <p>The permanent rights that the Applicant can acquire over the land (Schedule 6 of the dDCO) do not extend to replacement planting outside of activities connected to cable maintenance. Therefore, where freehold land is not acquired (i.e. along the cable route), the Applicant will be reliant on temporary possession powers under Article 27 of the dDCO to maintain landscaping during the aftercare period. Article 27(12) of the dDCO limits the exercise of temporary powers in relation to any part of the authorised project to 5 years from the first export of electricity to the network. As such, the Applicant would not have rights or powers under the dDCO to maintain landscaping after the expiry of this 5 year period unless landowner consent is separately obtained. It is for this reason that the Applicant has only agreed to a 10 year period subject to landowner consent, and for this reason that this is appropriately secured in the OLEMS and not in the dDCO.</p>
2.5.3.7	The Applicant	<p>Requirement 19: Implementation and maintenance of landscaping:</p> <p>The ExA is not persuaded by the Applicant's response to Q5.3.6 provided in the written summary of Applicant's oral submission [REP1-041] regarding "agreement in writing" for replacement planting rather than "approved by". The ExA agrees there is little difference and considers that sufficient flexibility could be achieved through an approval process. The Applicant is requested to reconsider amending this wording in Requirement 19(2) such that it follows other requirements.</p>	<p>This wording was requested by the Norfolk Vanguard examining authority. The Applicant is, however, content to change Requirement 19(2) accordingly:</p> <p><i>(2) Any tree or shrub planted as part of an approved landscaping management scheme that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless a different species is otherwise agreed in writing with approved by the relevant planning authority.</i></p>

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			The Applicant has included this wording in the dDCO submitted at Deadline 5.
2.5.3.8	The Applicant, National Farmers Union	Requirement 20: Code of Construction practice (CoCP): The Applicant confirms that it is considering further the additional wording for the CoCP proposed by NFU and not currently fully agreed [REP4-011]. What are the matters that prevent agreement over the wording to be reached in these instances, whereas agreement has been reached regarding Irrigation and Agricultural Field Drainage.	<p>The Applicant has received further proposed wording for the OCoCP from the NFU with respect to private water supplies and soil aftercare.</p> <p>With regard to the additional wording provided on private water supplies, the Applicant considers the principle agreeable but proposes to provide greater flexibility on the methods in which an adverse impact to a private water supply would be addressed.</p> <p>With regard to the additional wording provided on soil aftercare, the Applicant also considers the principle agreeable but proposes to provide greater clarity on the period in which the aftercare is applicable.</p> <p>The Applicant has proposed additional wording which has been presented to the NFU for consideration. An agreement on the final wording from both the NFU and the Applicant is anticipated as part of the next submission of the NFU SoCG at Deadline 6 and if agreed, will be incorporated in a future version of the OCoCP.</p>
2.5.3.9	The Applicant	Requirement 20: Code of Construction practice (CoCP): Clarify whether there is any site preparation work that could take place precommencement, that would not be secured by Requirement 20(4). If so, set out how these works could be secured.	<p>The Applicant does not consider that there are specific pre-commencement site preparation works beyond those that are already covered by the wording within Requirement 20(4) relating to "screening, fencing and site security works".</p> <p>The Applicant therefore considers that the pre-commencement works are secured and, in accordance with Requirement 20(4), must be carried out in accordance with a specific plan or scheme previously approved by the relevant planning authority.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.3.1	The Applicant	Requirement 20: Code of Construction Practice: pre-commencement works: Consider either incorporating the pre-commencement plans on the onshore diagram in Note on Requirements and Conditions in the Development Consent Order [APP-022] or provide a separate diagram in that document and submit the revised and updated version.	The Applicant will produce a separate diagram within Annex 1 of the Note on Requirements [APP-022] to reference the pre-commencement plans.
n/a	The Applicant, The Environment Agency	Requirement 20: Code of Construction Practice: See below questions in Section Q2.15 Water Resources and Flood Risk.	The Applicant notes this and has responded accordingly within Section Q2.15.
n/a	The Applicant, The Environment Agency	Requirement 20: Code of Construction Practice: See below questions in Section Q2.16 Environmental Statement.	The Applicant notes this and has responded accordingly within Section Q2.16.
n/a	The Applicant	Requirement 25: Watercourse crossings: See below questions in Section Q2.15 Water Resources and Flood Risk.	The Applicant notes this and has responded accordingly within Section Q2.15.
2.5.3.2	The Applicant	Revision to drafting of Requirement 25 (3) to include "is not": Should Requirement 25 (3) be revised to include "is not" as follows: 'Unless otherwise permitted under paragraph (1) all ditches, watercourses, field drainage systems and culverts must be maintained throughout the period of construction such that the flow of water is not impaired or the drainage onto and from adjoining land is not rendered less effective.'	The Applicant has amended the wording of Requirement 25(3) accordingly in the updated dDCO submitted at Deadline 5.
2.5.3.3	The Applicant	Requirement 27: Control of noise during operational phase: Further to the Applicant's response to Q5.2.13, should the definition from the ES of noise sensitive location be incorporated in this requirement?	As the Applicant explains in response to WQ2.5.1.3 above, the Applicant has incorporated the definition of 'noise sensitive location' into Article 2 of the dDCO submitted at Deadline 4 [REP4-004].
2.5.3.4	The Applicant, Norfolk County Council, Breckland	Requirement 29: Onshore decommissioning: Are local authorities satisfied with the decision period for this requirement being 8 weeks (as set out in Schedule 16) as for all other requirements?	The Applicant notes that this question is predominantly addressed to the relevant planning authorities (RPAs) and the Applicant can respond accordingly to any points raised by the RPAs.

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	Council, Broadland District Council, North Norfolk District Council		The Applicant considers that the Schedule 16 process should apply equally to Requirement 29 as it does for the other listed Requirements. The Applicant also understands that the RPAs are content with the procedure at Schedule 16.
2.5.3.5	The Applicant	<p>Requirement 31: Amendments to approved details: NE states that “Natural England is content with the principle behind requirement 31. However, questions if it is appropriate for non-material changes to be made through amended plans and not through requesting a non-material change to the DCO.” Provide further justification for the approach, indicating any divergence in wording from previous made Orders and why it is considered essential to enable this proposed development.</p>	<p>As the Applicant explains in its comments on NE's response [REP3-003], the dDCO makes clear that any amendments to, or deviations from, the approved details must be in accordance with the principles set out in the Environmental Statement and the relevant planning authority must be satisfied that the amendment will not give rise to any new or materially different environmental effects. The changes would have to be minor in scale.</p> <p>Requirement 31 is to govern changes to previously approved details; it is not a mechanism to make a change to the description of the authorised development or the parameters secured but, rather, pursuant to the wording within Requirement 31(1) it may be used to update or supplement a previously approved plan (with the agreement of the discharging authority). The Requirement is, therefore, by no means a mechanism to circumvent the statutory non-material change process, which is governed by a procedure controlled by the Secretary of State (under Schedule 6 to the Planning Act 2008 and Part 1 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, together with Guidance on Planning Act 2008: Guidance on Changes to Development Consent Orders (December 2015)).</p>

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			<p>As the Applicant highlighted in response to Q5.3.13 (REP2-021), this drafting follows the precedent set by other offshore wind DCOs and dDCOs, namely:-</p> <ol style="list-style-type: none"> 1.The East Anglia ONE Offshore Wind Farm Order 2014; 2.The East Anglia THREE Offshore Wind Farm Order 2017; 3.The draft Norfolk Vanguard Offshore Windfarm Order; 4.The draft Hornsea Three Offshore Windfarm Order; 5.The Rampion Offshore Wind Farm Order 2014 (Rampion); 6.The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 (Doggerbank); and 7.The principle set out in The Hornsea Two Offshore Wind Farm Order 2016 (Hornsea Two); <p>The current dDCO differs from those at 1-4 above only in the omission of the word 'immaterial' from the second sentence of Requirement 31(2): '<i>Such agreement may only be given in relation to [immaterial] changes where it has been demonstrated to the satisfaction of the relevant planning authority or that other person that the subject matter of the agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.</i>'</p> <p>The Applicant considered that the addition, or omission, of 'immaterial' did not alter the meaning or principle of the</p>

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			<p>Requirement and the Applicant considered the wording 'immaterial' to be superfluous given that it is followed by reference to [not] giving rise to 'materially new' or 'materially different' environmental effects.</p> <p>In relation to Rampion, the wording (at Requirement 42 of the Rampion Order) is the same as the Applicant's Requirement 31 save that the Rampion drafting does not include the extra element that agreement may only be given in relation to changes that do not give rise to any materially new or materially different environmental effects. Requirement 42 of the Rampion Order therefore reads as follows:</p> <p><i>"... (2) Any amendments to or variations from the approved details shall be in accordance with the principles and assessments set out in the environmental statement."</i></p> <p><i>Doggerbank follows the same principle and includes the following at Requirement 33:</i></p> <p><i>33.—(1) Where a Requirement requires the authorised development to be carried out in accordance with details approved by the relevant planning authority or another person, the approved details must be taken to include any amendments that have been approved in writing by the relevant planning authority or other person.</i></p> <p><i>(2) Any amendment to or variation from the approved details must be in accordance with the principles and assessments set out in the environmental statement.</i></p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>With regard to Hornsea Two (2016), amendments to approved details are dealt with by the H2 Requirement 27, as set out below: -</p> <p><i>'(1) Where a Requirement requires the authorised development to be carried out in accordance with a plan, scheme, code or details approved by the local planning authority or any other person (the "approved plan"), the approved plan must be taken to include any amendments that may subsequently be approved by the local planning authority or other person.</i></p> <p><i>(2) Any amendments to the approved plan must be in accordance with the principles and assessments set out in the environmental statement; and approval for such amendments may be given only where it has been demonstrated to the satisfaction of the local planning authority or other person that the amendments are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.</i></p> <p><i>(3) Where the approved plan is required to be approved after consultation with another person, any amendments may be approved only after consultation with that person.'</i></p> <p>The substance and principle of Hornsea Two is consistent with the Applicant's Requirement 31. Both make clear that any amendments to or deviations from the approved plan/approved details must be in accordance with the principles set out in the Environmental Statement, and that the planning authority must be satisfied that the amendment will not give rise to any new or materially different environmental effects.</p>

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			<p>With respect to non-offshore wind DCOs, the drafting of Requirement 31 is also consistent with the principle of corresponding requirements in the following made orders: -</p> <ol style="list-style-type: none"> 1. The National Grid (Richborough Connection Project) Development Consent Order 2017 (Requirement (1)(2)); 2. The National Grid (Hinkley Point C Connection Project) Order 2016 (Requirement 1(2)); 3. The Northampton Gateway Rail Freight Interchange Order 2019 (Article 44(2)). <p>Each of these above orders make clear that any amendments to or deviations from the approved details must be in accordance with the principles set out in the Environmental Statement, and must not give rise to any materially new or different environmental effects.</p>
2.5.3.6	The Applicant	<p>Requirement 31: Amendments to approved details: NNDC recognise "Requirement 31 is to enable minor variations to the proposal (akin to a non-material amendment under Section 96A of the TCPA 1990). Without this, any deviations from the approved plans or details would either be unlawful or need a new DCO consent. NNDC is happy to consider very minor changes under Requirement 31 but has set out its position on more fundamental amendments to the DCO in Section 4 of its Local Impact Report related to Choice of Transmission System. Perhaps to aid clarity, the Applicant could set out some scenarios or examples of the sort of changes envisaged to be agreed under Requirement 31."</p>	<p>As the Applicant explains in its response to Q2.5.3.5, this Requirement is not a mechanism to circumvent the statutory process set out for (non) material changes under the Planning Act 2008. The Requirement relates only to amendments of previously approved details by the relevant planning authority (or other discharging authority) through the approved plans; it could not therefore extend to changes to the Works Description at Schedule 1 or to parameters that are not the subject of later approval (for instance Requirements 2-11 which stipulate, amongst other things, maximum cable protection areas and volumes). The Relevant Planning Authority will also have the discretion at the time as to whether to approve the proposed change.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>Whilst the Applicant has provided some examples of the type of amendment or variation at Deadline 3, what would prevent more extensive changes to the Order being made via this requirement?</p>	<p>In relation to the Requirements that are for subsequent approval, some examples of details that might be subject to the mechanism under Requirement 31 (amendments to approved details) are as follows:</p> <ol style="list-style-type: none"> Requirement 18/19 – Landscaping and details of trees to be planted and details of the maintenance of landscaping. In the event that a tree or shrub did not take well to the new environment then it may be appropriate to agree to an amendment to the approved details under the Landscape Management Scheme in order for the Applicant, in consultation with the relevant planning authority, to select a new species of tree. Equally, the details for cultivation, and the importing of materials to ensure plant establishment might need to be amended. Requirement 20 (Code of Construction Practice) – Requirement 31 might be used to seek approval for changes to any of the local community liaison responsibilities as a result of, for example, feedback from the local communities and/or councils that the role needed to change. In addition, the soil management measures might need to be updated to reflect new aspects of management not envisaged at the point of discharge following ongoing engagement with landowners. Requirement 27 (Control of noise) – the Applicant might consider it appropriate to amend (with approval) the noise monitoring locations, and/or to introduce additional monitoring locations once Work No.8A is operational. As a result, the scheme submitted prior to commencement would need updating and Requirement 31 could be an appropriate avenue for this. Requirement 33 (Skills & Employment) – it might become apparent, following discharge and during construction, that there are new initiatives and/or schemes with which Vattenfall wish to support and capture as part of the skills and employment strategy. Requirement 31

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			could therefore be used to amend the previously approved details within the Skills and Employment Strategy.
2.5.3.7	The Applicant	<p>Requirement 31: Amendments to approved details:</p> <p>1. Explain how the fixed point in time assessment provided by the ES would work with this requirement. Could further assessment be required?</p> <p>2. Provide clearer definition for 'another person' in R31(1) and 'that other person' in R31(1), (2) and (3).</p>	<p>1. As the Applicant explains in its response to WQ 2.5.3.5 and 2.5.3.6 above, the amendment to approved details would not be material or give rise to materially new or materially different environmental effects and, therefore, not require any further environmental assessment (save for any assessment to demonstrate that the change is non-material). Furthermore, Requirement 31 is not relevant for changes to the parameters fixed in the DCO.</p> <p>2. The Applicant has amended reference to 'another person' and changed it to 'other discharging authority' within the latest version of the dDCO submitted at Deadline 5.</p>
n/a	The Applicant, Breckland Council	<p>Requirement 32: Operational Drainage Plan:</p> <p>See below questions in Section Q2.15 Water Resources and Flood Risk.</p>	The Applicant notes this and has responded accordingly within Section Q2.15.

5.4 OTHER REQUIREMENTS

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No questions			

5.5 SCHEDULES 9 to 13: Deemed Marine Licences

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.5.1	The Applicant	<p>DML Schedule 9/10/13 Part 4 Condition 15 (4):</p> <p>The Applicant [REP4-009] maintains that four months is appropriate for submissions. Considering that a 6 month period has been accepted in other recent applications and the Applicant's acceptance that in some cases it has taken longer than 4 months to discharge certain DML conditions, why is the Applicant resistant to increasing the approval period from 4 to 6 months?</p>	<p>The proposed time period is contained on a number of other Offshore Wind Farm (OWF) DCOs (including The East Anglia Three Offshore Wind Farm Order 2017, the Hornsea Two Offshore Wind Farm Order 2016, The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015, The Rampion Offshore Wind Farm Order 2014, The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015, and the draft Norfolk Vanguard Offshore Wind Farm Order, and the draft Hornsea Project Three Offshore Wind Farm Order). Four months is, therefore, well-established as an appropriate time frame for OWF schemes and one that ensures a balance is struck between the expedient discharge of the relevant conditions attached to the Deemed Marine Licence (DML) whilst allowing a reasonable period of time for consideration by the MMO and its consultees.</p> <p>The Applicant is aware that it has, in some recent cases, taken much longer than four months to discharge certain DML conditions on other OWF projects and it should be recognised that with no mechanism to encourage the determination of applications within a reasonable period (such as arbitration or appeal) the developer is then left in a position which is wholly unsatisfactory. With highly competitive and fixed Contracts for Difference (CfD) milestones, and where offshore construction can only be undertaken in safe and optimal weather conditions, wind farm developers need the certainty and confidence of a reliable and consistent approval process. This is also one of the reasons why the Applicant sought to insert an appeal provision within the dDCO, as previously there was no longstop period or mechanism in the event of non-determination. In view of the fact that the DML appeal mechanism is still an outstanding area of agreement between the Applicant and the MMO (and is likely to remain so pending the outcome of the Norfolk Vanguard application), the Applicant does not consider that it is able to remove the 4 month time frame as to do so could place the Applicant in a position where the Applicant is left</p>

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			<p>without an appropriate appeal mechanism/matter of recourse in the event of non-determination or refusal, and with a lengthened time period for discharge.</p> <p>The Applicant notes that any delays in document approval could lead to project delays and significant cost implications. Accordingly, in view of the tight construction programmes coupled with the time and investment that the Applicant will have committed to pre-submission consultation, the Applicant considers that there needs to be a consistent time frame (set at four months) for discharge in accordance with previous projects - including other Round 3 projects of a similar scale, together with a transparent appeals process in the event of refusal or non-determination.</p> <p>It will be in the Applicant's interest to engage the MMO, and relevant stakeholders, at an early stage to ensure the discharge process is as efficient as possible. In practice, the Applicant will have engaged in consultation activities with the MMO, and relevant stakeholders, well in advance of submission of the final version for approval. The Applicant envisages that discussions will be held with the MMO, and its stakeholders (where relevant), once the final Project design has been agreed and in advance of seeking formal discharge of conditions. This dialogue would reduce the need for multiple rounds of consultation post-plan-submission as the relevant stakeholders should be very familiar with its terms and effect at the point an application for discharge is made. By extension, the standard and level of detail within the final plan is expected to be of a high-quality.</p> <p>It is also the Applicant's intention to bid for a CfD at the earliest opportunity following any successful DCO Consent decision. In July 2018 UK Government announced future CfD Auction Rounds in 2021 and 2023. Successful CfD award will enable Vattenfall to progress future investment decisions that will realise the construction onshore and offshore and subsequent commissioning of the windfarm.</p>

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			<p>If successful, the CfD will contain a number of key contractual milestones which must be met by the developer. These Milestone Delivery Requirements are designed to demonstrate commitment and progression of the projects to achieve generation by the dates stated in the CfD contract. By 12 months of signing a CfD, generators must meet the Milestone Delivery Date criteria. These evidence commitment to a project by either spending 10% of pre-commissioning costs or taking a Financial Investment Decision (FID). It would not be possible to evidence these requirements without minimising post-consent delays.</p> <p>Discharging the consent conditions for Norfolk Boreas at the earliest opportunity and minimising delays post consent is imperative to meet the Milestone Delivery Date of a CfD in order to make a FID and fulfil other subsequent contractual obligations (e.g. the Operational Conditions Precedent, commissioning during the Target Commissioning Window, meeting obligations before the Longstop Date) associated with the construction and operation of the wind farm.</p> <p>In conclusion, the Applicant considers that the dDCO strikes the balance between allowing the MMO (and Natural England) to properly discharge their statutory duties whilst ensuring renewable energy development is unlocked in a timely manner. There is a strong public interest argument in favour of approvals in a timely manner and ensuring that nationally significant infrastructure projects are not unduly delayed. In particular, minimising delays post consent for offshore wind projects is especially important in the context of meeting CfD milestones.</p> <p>In view of the above, the Applicant does not consider it necessary or appropriate to adjust the time periods for discharge within the DML conditions. The Applicant considers that a 4 month timescale, which is also subject to extension by agreement, is acceptable as this</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			maintains flexibility, is consistent with existing/ previous decisions and provides certainty for all parties.
2.5.5.2	The Applicant, Natural England	<p>DML Schedule 9/10 Part 4, condition 14 (1) (I): NE [REP3-021] requires the approval of the Ornithological Monitoring Plan (OMP) to be linked to a different timing requirement than 4 months prior to construction. The Applicant has proposed clarifying the wording in the IPMP to ensure pre-construction surveys are sufficient in the context of any monitoring subsequently agreed in the OMP.</p> <ol style="list-style-type: none"> 1. Submit the revised wording for the updated OMP. 2. Is Natural England content? 	<p>The Applicant has updated the wording on the (IPMP) as following and the updated IPMP is being submitted at Deadline 5:</p> <p><i>“Vattenfall (as the parent company of Norfolk Boreas Limited) has a proven commitment to ornithological monitoring of offshore wind farms and improving understanding of potential impacts (e.g. through the European Offshore Wind Deployment Centre research projects) and will maintain this commitment in relation to Norfolk Boreas.</i></p> <p><i>The aims of monitoring should be to reduce uncertainty for future impact assessment and address knowledge gaps. To this end, Norfolk Boreas Limited will engage with stakeholders and the methodology would be developed initially through an outline plan and later through the Ornithological Monitoring Plan (as required under Condition 14(1)(I)(i) and (ii) of Schedule 9 and 10 of the DCO). “</i></p> <p>As for marine mammals (section 4.5), there may be little purpose or advantage in any site specific monitoring for ornithology and therefore a strategic approach may be more appropriate in providing answers to specific questions where significant environmental impacts have been identified at a cumulative/in-combination level. Aspects for consideration will include post-construction monitoring of collision risks (e.g. improvements to modelling, options for mitigation and reduction), displacement (e.g. understanding the extent and consequences of displacement) and improving reference population estimates and colony connectivity.</p> <p>Furthermore the Applicant has worked with Natural England to produce revised wording for this condition. The current wording and proposed wording is reproduced below.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>Current condition: (l)An ornithological monitoring plan setting out the aims, objectives and methods for ornithological monitoring as agreed in consultation with the MMO and relevant statutory nature conservation bodies and in accordance with the offshore in principle monitoring plan</p> <p>Proposed drafting (l)In relation to ornithological monitoring— (i)An outline plan setting out the aims, objectives and timing for ornithological monitoring which must be submitted to the MMO (in consultation with the relevant statutory nature conservation body) at least four months prior to the first pre-construction survey (as referred to in Condition 14(1)(b)(aa)), and (ii)An ornithological monitoring plan setting out the methods for ornithological monitoring which must be submitted to the MMO (in consultation with the relevant statutory nature conservation body) in accordance with the details and timescales approved pursuant to the outline plan referred to in sub-paragraph (i).</p> <p>Natural England has confirmed to the Applicant that the revised condition has addressed their concern and therefore the proposed drafting will be included in the next version of the dDCO at Deadline 5.</p>
2.5.5.3	The Applicant	<p>Schedules 11 and 12 definition of ‘phase’ in relation to offshore development: Clarify the use of the word ‘Phase’ in relation to DML titles ‘Schedule 11 Licence 1 Phase 1’ and Schedule 12 Licence 2 Phase 2 and in relation to commissioning of offshore WTGs in a single phase or two phases as noted in REP4-019 para 16 and at Part 1, Article 2 Interpretation Section ‘Single offshore phase’ and ‘two offshore phases’.</p>	<p>Phase in this context is temporal and related to the construction phase, pursuant to the definitions within the DMLs (Schedule 9-13):</p> <p><i>“single offshore phase” means carrying out all offshore works as a single construction operation;</i> <i>“two offshore phases” means carrying out the offshore works as two separate construction operations.</i></p> <p>The number of generation and transmission DMLs are relevant to the phases in which the Project may be constructed. For example, if the</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>Project is constructed in two phases, two separate generation DMLs and then two separate transmission DMLs can be used to enable the transmission assets for each phase to be transferred separately to an Offshore Transmission Owner (OFTO) at different points in time and, if relevant, to different OFTOs. This is why there are two Generation DMLs (Schedule 9-10) and two Transmission DMLs (Schedule 11-12). The phasing offshore will relate to the phasing onshore; for instance, if two offshore phases are undertaken, the onshore cables will be pulled through the ducts in two separate onshore phases and the onshore project substation will be constructed in two separate phases. The approach to phasing of onshore construction works is set out more fully in the Project Description chapter (Chapter 5) of the Environmental Statement (document 6.1) (APP-218).</p> <p>It is not yet known how the phases will be constructed in terms of export capacity. The drafting approach used allows for flexibility whilst also restricting what can be constructed to what has been assessed in the Environmental Statement. For example, the drafting permits the Applicant to install:</p> <p>(a) A single phase with an export capacity of 1,800 MW. In this case only one generation DML and one transmission DML would be used under the Order, in addition to a DML for the Project Interconnector (as relevant for Scenario 1); or</p> <p>(b) Two phases with a maximum export capacity of 1,800MW which, for example, may be comprised as two phases with an export capacity of 900MW each or two phases with an export capacity of 1,200 MW and 600MW respectively. In this case both sets of generation and transmission DMLs may be used under the Order in addition to the Project Interconnector DML (as relevant for Scenario 1).</p> <p>The DMLs are not prescriptive as to the amount of export capacity which must be brought forward under each phase, provided that the</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>total export capacity does not exceed 1,800MW and the maximum parameters across both sets of DMLs (as assessed in the Environmental Statement) are not exceeded.</p> <p>The DMLs also include a notification procedure under Condition 8(2) (Generation DMLs, Schedule 9-10) and Condition 3(2) (Transmission DML, Schedule 11-12) to ensure that the MMO is informed prior to commencement of construction as to whether a single phase or a two phase approach will be followed.</p>
2.5.5.4	The Applicant	<p>Schedules 11 and 12 Part 4, Conditions: Note questions above in Section Q2.1.0 Offshore and intertidal archaeology.</p>	The Applicant notes this and has responded under Section Q2.1.0.
2.5.5.5	The Applicant	<p>Schedules 9, 10, 11, 12, 13 Part 4, Conditions: Note questions above in Section Q2.2.0 Offshore benthic and marine mammals.</p>	The Applicant notes this and has responded under Section Q2.2.0.
2.5.5.6	The Applicant	<p>Schedules 9, 10, 11, 12, 13 Part 4, Conditions: Note questions below in Section Q2.8.0 Habitats Regulation Assessment.</p>	The Applicant notes this and has responded under Section Q2.8.0.
2.5.5.7	The Applicant	<p>Schedules 9, 10, 11, 12, 13 Part 4, Conditions: Note questions below in Section Q2.11.0 Marine Navigation and Shipping.</p>	The Applicant notes this and has responded under Section Q2.11.0.

5.6 SCHEDULE 15: ARBITRATION RULES

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No questions			

5.7 SCHEDULE 16: PROCEDURE FOR DISCHARGE OF REQUIREMENTS

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.7.1	The Applicant, Norfolk County Council, Breckland Council, Broadland District Council, North Norfolk District Council	<p>Discharge of requirements:</p> <p>During the Onshore ISH [EV6-005], the potential use of Planning Performance Agreements (PPA) was discussed. The Applicant asserted that a smooth discharge process is necessary for fast-moving projects such as this and therefore properly resourced approval mechanisms are in its best interests. The Applicant also cited discharge of requirements on a consistent basis across authorities is important and, in this regard a possible approach would be to appoint a co-ordinator.</p> <p>1. The ExA acknowledges the prematurity of a PPA being in place prior to consent, but in order to give any weight it would assist if the Applicant could set out the thinking in more detail than currently provided in the written summary of oral case [REP4-014].</p> <p>2. Local authorities are invited to set out how expertise of the kind necessary to assess post consent approval designs and details for discharging requirements could be accessed, secured and assured.</p>	<p>The Applicant considers that the Planning Performance Agreement (PPA) would cover the following:</p> <p>1. Resource: following discussions and feedback from the councils during the Norfolk Vanguard application process, the Applicant understands that the RPAs wish to maintain the authority to discharge plans for their administrative area, rather than delegate function to a lead local discharge authority such as Norfolk County Council. Accordingly, the Applicant considers that the most appropriate approach - together with the one that ensures efficiency and consistency - would be for the RPAs to have a single appointed coordinator or identified point of contact who could discharge, or co-ordinate the discharge of, certain Requirements on behalf of all RPAs. The coordinator (funded through the PPA) would have delegated powers to discharge the Requirements providing that there was evidence that the affected RPAs and other named stakeholders were in agreement with the technical content of the submissions. The coordinator would also corroborate this with the affected RPAs before any Requirements were formally discharged. Alternatively, the Applicant could consider putting forward individual PPAs for each respective discharging authority; the Applicant, however, would be eager to ensure efficiency and consistency of decision making across RPAs as far as possible.</p> <p>2. Procedure and timetable for discharge: given that the cable route spans across all three RPA boundaries (and NCC as LHA and LLFA), the Applicant considers that it would be prudent to split the cable route into stages to coincide with the RPA administrative areas. There may also be separate stages for certain works such as the landfall and the onshore project substation. The PPA would set out the project plan and programme for the timely discharge of Requirements across the "stages" (supported by PPA funded resource (as per item 1)).</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>3. Apportionment of Requirements: linked to the above, the PPA would set out the apportionment of requirements, for instance – the landfall method statement to be discharged by NNDC with the support of the appointed co-ordinator; whereas the CoCP (or each respective CoCP for the stages) would need to be discharged by each respective RPA with support from the appointed coordinator.</p> <p>The Applicant is engaging with the RPAs to discuss whether such an approach would be acceptable together with the further detail of the PPA.</p>

5.8 CONSENTS, LICENCES AND OTHER AGREEMENTS

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.5.8.1	The Applicant	Consents and licences: (REP2-004): Provide a track change update of [REP2-004].	<p>The Applicant provided a clean version of the Consents and Licences Required Under Other Legislation (REP2-003) (Consents and Licences) and a tracked changes version of the Consents and Licences (REP2-004) at Deadline 2.</p> <p>The Applicant does not consider that there are any further updates to make to the Consents and Licences document at this stage given that the applications for consent are scheduled to take place following DCO consent.</p>
2.5.8.2	The Applicant	Consents and licences: (REP2-004): Explain the reference to the proposed application for Crown Consent post DCO [REP2- 004].	<p>As the Applicant explains in response to WQ2.3.0.9-11 above, the interests held by TCE have been excluded from acquisition in the BoR (document reference 4.3) and there are no known third party interests or unknown interests scheduled in the Crown Plots. The consent being sought by the Applicant post DCO would be confirmation that no other third party interests exist in the Crown Plots. If such interests do in</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			fact exist at that point, the Applicant would then work with TCE to either acquire the necessary permanent new rights by agreement with the third party, or through compulsory acquisition powers.

6 Fishing

6.0 Fishing

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.6.0.1	Eastern IFCA	<p>Implications of new Fisheries Byelaws: Update the likely timeframes for implementation of the proposed fisheries byelaws and the Applicant's commitment to work with the EIFCA to understand the possible implications of each parties' plans on the other.</p>	<p>The Applicant has a good working relationship with the EIFCA and both parties have been and will continue to work together to understand the implications of each parties' plans on the other.</p> <p>As part of the commitment to working with the Eastern Inshore Fisheries Conservation Authority (EIFCA) to reduce potential impacts on Annex I <i>S.spinulosa</i> reef within proposed byelaw Area 36, the Applicant has undertaken work to identify where cable protection is more likely to be required (Appendix 3 of the outline HHW SAC SIP [REP1-033]). This study demonstrates that cable protection is not likely to be required within proposed byelaw area 36. As a result of this study the Applicant has committed to avoiding the placement of cable protection within Natural England and the Joint Nature Conservation Committee's (JNCC) priority areas to managed as <i>S.spinulosa</i> reef. One of these areas is within proposed Byelaw Area 36.</p> <p>Furthermore, as there is some uncertainty regarding the extent and location of Annex I <i>S.spinulosa</i> reef the Applicant has committed to undertake a survey in 2020 to map the current extent within the section of the offshore cable corridor which overlaps with the HHW SAC, this area includes much of proposed Byelaw Area 36. The Applicant will share the findings of these surveys with EIFCA once they are available.</p>
2.6.0.2	Eastern IFCA	<p>Cefas' investigation of the impact of seals: Advise the status of Cefas' investigation of the impact of seals on commercial fishing.</p>	
2.6.0.3	Eastern IFCA	<p>Assessment of potential effects of windfarm service vessel traffic:</p>	

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		Further to the Applicant's explanation given at the ISH4 [REP4-014] is Eastern IFCA satisfied regarding the assessment of potential effects of windfarm service vessel traffic on fishing gear and safety of fishing vessels?	

7 Grid Connection

7.0 Grid Connection

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.7.0.1	The Applicant, Interested Parties	<p>Offshore Ring Main (ORM):</p> <p>Ofgem, in its recently published “Ofgem decarbonisation programme action plan” [February 2020] undertakes to “explore, with government and industry, options for a more coordinated offshore transmission system to connect offshore wind generation, to achieve a rapid and economic expansion of the offshore network”. As a first step, Ofgem and the electricity system operator will undertake an option assessment for offshore transmission.</p> <p>1. Accepting that any decision relating to an ORM will be beyond this Examination’s timeframe, the Applicant to update its response [AS-024, REP4-011], to include options for any future connection into an ORM.</p> <p>2. Do IPs wish to comment further, in the light of Ofgem’s action plan?</p>	<p>1. Whilst the Applicant notes the undertaking in Ofgem’s recent “decarbonisation programme action plan”, this does not change the Applicant’s previous response to representations on the subject of the Offshore Ring Main (ORM) [AS-024, REP4-011].</p> <p>This exploration workstream is in extremely early stages, with significant progress to be made before concrete proposals can be put forward for consent, let alone before the point of certainty that they will be implemented. As the expected construction time-frame for Norfolk Boreas is between 2025 and 2030, the Applicant considers that it would be impossible for the ORM to be developed, consented and delivered in time to facilitate connection to the Great Britain (GB) transmission system to suit the project construction time-line.</p>

8 Habitats Regulation Assessment

8.0 River Wensum SAC

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.0.1	The Applicant	Trenchless Crossings: NE [REP3-022] considers that direct effects on the Wensum SAC and its features, due to trenchless crossing, should be screened in. Does the Applicant agree and if so, can it update the screening and integrity matrices for the River Wensum SAC?	As detailed in the REP4-010, Table 1, item 8 the Applicant has agreed to update the Screening matrices [REP1-012] and Integrity matrices [REP1-014] to reflect Natural England's view that due to the risk of bentonite breakout within the River Wensum during construction, potential direct effects upon the River Wensum SAC should be screened in. Updated Screening and Integrity Matrices will be submitted at Deadline 6.
2.8.0.2	Natural England	Air Quality: At Deadline 2, Natural England [REP2-080] raised concerns regarding air quality impacts to the River Wensum SAC. Based on the information available at this stage, Natural England to advise whether it considers there to be a LSE and if so, whether an AEOI can be excluded.	

8.1 Norfolk Valley Fens SAC

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.1.1	Natural England	In-combination Effects: To provide the information on in-combination effects of the cable route and Hornsea 3 cable route in proximity to Booton Common SSSI/Norfolk Valley Fen SAC that was submitted in the Norfolk Vanguard Examination and referred to by Natural England [REP2-079].	
2.8.1.2	The Applicant	Screening matrix: To provide a revised screening matrix to correct errors in relation to the screening in of narrow-mouthed whorl snail and semi natural dry grassland [REP2-021]	The screening matrices will be updated to amend the errors in relation to narrow-mouthed whorl snail and semi natural dry grassland and will be submitted at Deadline 6.

8.2 Onshore Ornithology

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.2.1	Natural England	Non-seabird migrants: NE to confirm its position in relation to non-seabird migrants of North Norfolk Coast SPA, Broadland SPA and Breydon Water SPA.	

8.3 Haisborough, Hammond and Winterton SAC

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.3.1	The Applicant, Natural England, Marine Management Organisation	Sediment disposal: Applicant, MMO and NE to provide update on discussions relating to the wording of a condition for sediment disposal.	<p>This was discussed with the MMO and Natural England on the 17th February. Currently neither the MMO nor Natural England have been able to provide an example of such a condition. The Applicant is confident that the additional mitigation proposed to ensure that sediment is disposed of as close to its origin as possible negates the requirement for such a condition. The mitigation as stated in the outline HHW SAC SIP [REP1-034] site integrity plan is:</p> <ul style="list-style-type: none"> • Dispose of any material dredged from the seabed for sandwave levelling (also referred to as pre-sweeping) in a linear "strip" along the cable route. • Dispose of material as close as possible to cable route (and therefore as close as possible to where it was dredged from • Dispose of material updrift of where it was dredged from to allow infill through natural processes. • Dispose of material close to the seabed. This will be achieved through the use of fall pipe (also referred to as a down pipe) employed by the dredging vessel. <p>The MMO response at Deadline 4 [REP4-35] states:</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>The MMO agreed with the Applicant and Natural England on the details of where the material will be disposed of and how the Applicant will provide details of the disposal locations. And</p> <p>The MMO understands Natural England have ongoing concerns in relation to particle size and will continue discussions on the practicalities and potential wording of a condition.</p>
2.8.3.2	Marine Management Organisation	<p>Sea bed mobility study: MMO to provide comments on the Applicant's hydrodynamic modelling for sediment disposal [REP1-040] that was requested at the November Environmental Matters ISH.</p>	<p>The Statement of Common ground with the MMO will be updated at Deadline 6 to state:</p> <p><i>"The MMO have reviewed the Seabed mobility study submitted at Deadline 1 and concludes that the report adds little to the understanding of how the structures would alter seabed processes, and so does not contradict the conclusions of the ES."</i></p> <p>Therefore this matter has now been agreed within the Statement of common ground.</p>
2.8.3.3	The Applicant, Natural England	<p>Scour Protection Plan: With reference to NE's response to WQ 8.12.9 [REP2-080], the Applicant and NE to update on the need for the outline Scour Protection and Cable Protection Plan to cover the HHW SAC.</p>	<p>The Applicant agrees with Natural England's response to WQ 8.12.9 [REP2-080] that the SIP and the Scour protection and Cable Protection Plan serve different purposes. The SIP should be a document dedicated to the HHW SAC and the <i>"cable and scour protection plan is for the whole project in which methodologies, areas, locations and amount are considered holistically as required under a DCO/DML."</i></p> <p>The Outline HHW SAC SIP [REP1-34] contains a commitment to produce the following documents in support of the SIP:</p> <ul style="list-style-type: none"> • <i>Technical specification of the offshore export cables (including fibre optic cables)</i> • <i>A detailed cable (including fibre optic cables) installation plan for the Order limits, including:</i> <ul style="list-style-type: none"> ○ <i>Proposed cable installation vessel and equipment</i>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<ul style="list-style-type: none"> ○ <i>A burial risk assessment to ascertain suitable burial depths and cable laying techniques, including cable protection</i> • <i>Export cable installation schedule</i> <p>Therefore, the Applicant is of the opinion that there is adequate commitment within the SIP for the provision of the relevant information and nothing further needs to be added to the outline Scour Protection and Cable Protection Plan to cover the HHW SAC.</p> <p>This was discussed further with Natural England on the 17th February and although Natural England do not agree with the principle of the SIP it was agreed that the commitments made in that document sufficiently cover the HHW SAC and therefore there is no requirement to add anything further to the outline Scour Protection and Cable Protection Plan to cover the HHW SAC.</p> <p>Natural England also commented during the meeting on the 17th February that if a SIP were not taken forward then an equivalent document capturing all the commitments made in the SIP would still be required. The Applicant agrees with Natural England on this point.</p>
2.8.3.4	The Applicant	<p>Cable protection: The Applicant [REP4-014] committed to “no cable protection in the priority areas to be managed as reef within the HHW SAC”. How is this secured?</p>	<p>The Outline HHW SAC SIP (Document 8.20) has been updated and submitted at Deadline 5 to include this commitment. Section 5.5.3 (Total area and Volume of Cable Protection in the SAC) and Table 5.2 (overview of mitigation commitments) now contain the following:</p> <p><i>“Norfolk Boreas Limited has made a commitment to install <u>no cable protection</u> in the priority areas to be managed as reef within the HHW SAC, unless otherwise agreed with the MMO in consultation with Natural England.”</i></p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.3.5	The Applicant, Marine Management Organisation	<p>Monitoring sandwave recovery:</p> <p>The SoCG with the MMO [REP2-051] highlights a disagreement regarding the need for monitoring of sandwave recovery following sweeping. Applicant and MMO to provide an update on this matter.</p>	<p>This has been discussed between the Applicant and the MMO at a number of meetings, most recently on the 17th February where it was agreed that this matter is now resolved in the Statement of common ground. The MMO are satisfied that due to the inclusion of the following text within the IPMP there is sufficient security that sand waves will be monitored to ensure that recovery has occurred:</p> <p><i>"further surveys may be required at a frequency to be agreed with the MMO (e.g. 3 years non-consecutive e.g. 1, 3 and 6 years or 1, 5 and 10 years). If evidence of recovery is recorded and agreed with the MMO, monitoring will cease".</i></p>
2.8.3.6	The Applicant	<p>Site Integrity Plan:</p> <p>Without prejudice to the ExA's recommendation, the Applicant to comment on NE's suggestion [REP4-041] to amend condition 9(1)(m) of Schedules 11 and 12 of the dDCO. Are there any concerns regarding the implementation of such an amendment, irrespective of whether the ExA recommends an AEOI can or cannot be ruled out?</p>	<p>The Applicant has provided a full response to Natural England's position paper [REP4-041] within the Applicant's position paper submitted at Deadline 5 [ExA.AS-6.D5.V1]. With regards to this specific issue the Applicant does not consider it necessary to change the wording of the proposed condition as suggested by Natural England. As drafted the formulation of the condition:</p> <ul style="list-style-type: none"> • Follows an accepted approach used for mitigation relating to the Southern North Sea Site Integrity Plan, and the Applicant sees no reason to depart from this; and • Does not preclude the MMO from undertaking an appropriate assessment at that point in time if considered necessary by the MMO, but includes flexibility for the MMO by not <i>requiring</i> an appropriate assessment to be undertaken. <p>In relation to this latter point, for example, to the extent that there is no or limited change in the extent and distribution of the sabellaria across the cable corridor at the point of construction, such that the Applicant is able to demonstrate that it remains possible to microsite the cables to avoid sabellaria, it would not be necessary to undertake a further appropriate assessment beyond that undertaken at the consenting stage.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.3.7	The Applicant	<p>Consideration of Alternatives: What alternative solutions were considered by the Applicant and would any of these have avoided adverse effects on the integrity of the sites?</p>	<p>The Applicant's firm position is that adverse effect on integrity (AEOI) as a result of the project, both alone and in-combination, can be ruled out. However, the Applicant acknowledges that, for the Norfolk Vanguard 'sister' project, the Secretary of State has requested evidence as to whether there are feasible alternative solutions which could lessen or avoid AEOI, 'in addition, or alternatively' to further mitigation in respect of offshore ornithology impacts, and in 'the absence of any identifiable mitigation measures' in the case of impacts resulting from cable protection. The Applicant has submitted further mitigation in relation to both offshore ornithology impacts (Offshore Ornithology Assessment Update, Project Alone submitted at Deadline [ExA.AS-8.D5.V1] and impacts as a result of cable protection [The HHW SAC SIP (Document 8.20 updated for Deadline 5)], which provide further confidence in the Applicant's assessment that there will be no AEOI either alone or in-combination. Notwithstanding this, the Applicant is preparing evidence for a derogation case which, in the event that the Secretary of State concludes that AEOI cannot be ruled out, will confirm that there are no feasible alternative solutions for the project which could avoid or lessen AEOI. This will be submitted to the Examination as soon as possible.</p>
2.8.3.8	The Applicant	<p>Compensatory Measures: Following on from Q2.8.4.5 what compensatory measures could be proposed to ensure that the overall coherence of the network of Natura 2000 sites is protected?</p>	<p>As set out in response to WQ 2.8.3.7 above the Applicant is currently preparing evidence for a derogation case, in the event that the Secretary of State cannot rule out AEOI, notwithstanding the Applicant's clear position that AEOI can be ruled out. The Applicant is working closely with Natural England and Norfolk Vanguard Limited to agree in-principle compensatory measures. Norfolk Vanguard will be providing details of in-principle compensatory measures to the Secretary of State on 28 February 2020. The derogation case being prepared by the Applicant will also include details on in-principle compensatory measures. As set out above, this will be submitted to the Examination as soon as possible.</p>

8.4 Offshore Ornithology

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.4.1	The Applicant	<p>Collision Risk Modelling: The Applicant intend to provide more CRM data at D6 [REP4-014]. Given the tight timescales for Natural England to review the assessment before D7 and the issuing of the RIES it is imperative the Applicant conforms to this deadline. Can the Applicant provide assurance that it will meet this deadline?</p>	The Applicant confirms that the offshore ornithology updates discussed at the ISH on the 22 nd January (project alone updated collision impacts at Deadline 5 and cumulative and in-combination updated collision impacts at Deadline 6) will be submitted as agreed.
2.8.4.2	The Applicant	<p>Revised matrices: The Applicant has said [REP4-014] it will submit revised integrity matrices for any revised ornithological assessment submitted at D6. The Applicant to provide these in Word format to enable drafting of the RIES.</p>	The Applicant notes this request and will provide the integrity matrices in the formats requested at Deadline 6.
2.8.4.3	The Applicant	<p>Turbine draught height: To provide an update on the consideration of raising the draught height of turbines.</p>	The Applicant has undertaken detailed investigations into options for raising draught heights in tandem with consideration of other mitigation measures which could reduce potential collision impacts. This investigation has identified that a key constraint for the Norfolk Boreas project is the maximum height to which available construction vessels can install turbines, which, when combined with the length of rotor blade for associated turbine models, determines the draught height. The Applicant can confirm that the minimum draught height for the project has been increased from 22m to 30m (from Mean High Water Springs, MHWS) for turbines rated at 14.7MW and higher and increased to 35m from MHWS for turbines rated at up to 14.6MW. In addition, the smaller capacity turbines (10MW and 11MW) have been removed from the design envelope, with the 11.55MW now the smallest wind turbine model which could be installed. Thus, the maximum number of turbines to be installed has been reduced from 180 to 158 (11.55MW) or 124 (14.7MW). The turbine revision on its own achieves a reduction in collision impacts equivalent to an increase in draught height of 5m for the original 10MW scenario. Together these design revisions (increase in draught height and turbine model) substantially reduce collisions risks, with reductions, of 74% for

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			gannet, 73% for little gull, 72% for kittiwake, 64% for lesser black backed gull, 63% for herring gull and great black backed gull (these are for the 14.7MW turbine at 30m which is the new project worst case option for collision risk). Details of the project alone CRM have been submitted at Deadline 5 (ExA.AS-8.D5.V2).
2.8.4.4	Natural England	Level of precaution in the assessment: Natural England to comment on the potential for the combination of individual components of precaution to result in over-precaution as a whole, as discussed at the ISH of 22 January 2020 [REP4-014].	The Applicant's position on this matter, as outlined at the ISH on 22 nd January, was summarised in [REP4-014]. Further discussion on precaution was submitted in [REP2-035].
2.8.4.5	Natural England	As-built vs consented turbine numbers: Natural England to comment on the Applicant's worked example of how headroom can be modelled using Hornsea Project One [REP4-014].	The Applicant's position on this matter, as outlined at the ISH on 22 nd January, was summarised in [REP4-014].
2.8.4.6	Marine Management Organisation	As-built vs consented turbine numbers: MMO to provide update on its consideration of the Applicant's suggestion of how collision risk headroom can be taken into account in the assessment [REP4-035].	The Applicant's position on this matter, as outlined at the ISH on 22 nd January, was summarised in [REP4-014].
2.8.4.7	The Applicant	Number of construction vessels: The Applicant's assessment of effects of displacement [APP-201] has assumed a maximum of two construction vessels, how is this secured?	The Applicant provided a response to a similar question in the Examiner's first written questions at Deadline 2 (REP2-021, Qu. 8.9.5) which is reproduced below and provides details of how this will be secured. <i>Q8.9.5 The Applicant to explain how it would ensure that there would not be more than two construction vessels in use in any one non-breeding season.</i> <i>In the Habitats Regulations Assessment [APP-201] the Applicant stated that the worst case impact for disturbance of red-throated diver due to cable installation through the Greater Wash SPA would result from the presence of a maximum of two main cable laying vessels during the non-breeding season. In the draft DCO submitted at Deadline 1 (Norfolk Boreas Updated draft DCO Version 3, REP1-008) it has been stated at</i>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p><i>pt. (4) Condition 19: During the months of January to March inclusive, construction activities consisting of cable installation for Work No. 4A and Work No. 4B must only take place with one main cable laying vessel.</i></p> <p><i>This commitment in the DCO thereby ensures that during the potentially most sensitive period of the year for red-throated diver disturbance, the maximum level of impact will in fact be half that which was assessed as the precautionary worst case (of two main cable laying vessels) in the original assessment [APP-201]. Furthermore, this commitment mirrors that proposed and agreed with Natural England for Norfolk Vanguard.</i></p>

8.5 Alde-Ore Estuary SPA

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.5.1	Royal Society for the Protection of Birds, Natural England	<p>Lesser black-backed gull: The RSPB [REP3-028] would prefer a wider range of apportioning values for lesser blackbacked gull during the breeding season of up to at least 40%, in order to fully capture the uncertainty inherent in the apportioning exercise and therefore incorporate a proportionate degree of precaution. Why is this precaution needed by the RSPB? Does NE have any views?</p>	<p>The Applicant considers that the lesser black-backed gull apportioning rates already contain a high degree of precaution, given the distance between the Alde-Ore Estuary SPA and the Norfolk Boreas wind farm (minimum of 115km), and evidence available from tracking studies (it is of note that a recent review of seabird foraging ranges has recommended a reduction in the foraging range estimates for this species, from 72km to 43km for the mean range and 141km to 127km for the mean maximum range; Woodward et al. 2019).</p> <p>Furthermore, the Applicant considers this to be an illustration of the over-precaution in individual elements of the assessment that results in the final estimates being over-precautionary to a potentially substantial degree (see REP4-014 for more details of the Applicant's position on this matter).</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			Woodward, I., Thaxter, C.B., Oewn, E. and Cook, A.S.C.P. (2019). Desk-based revision of seabird foraging ranges used for HRA screening. BTO Research Report No. 724.

8.6 Alde-Ore Estuary SPA, Flamborough and Filey Coast SPA and Greater Wash SPA

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.6.1	The Applicant, Natural England	Consideration of Alternatives: Notwithstanding the Applicant's exploration of further mitigation for in-combination effects as described at the ISH on 22 January [REP4-014], in the event that no AEOI cannot be concluded what feasible alternative solutions to avoid or lessen any adverse effects on the integrity of these sites could be considered?	The Applicant's firm position is that AEOI as a result of the project, both alone and in-combination, can be ruled out. However, the Applicant acknowledges that, for the Norfolk Vanguard 'sister' project, the Secretary of State has requested evidence as to whether there are feasible alternative solutions which could lessen or avoid AEOI, 'in addition, or alternatively' to further mitigation in respect of offshore ornithology impacts, and in 'the absence of any identifiable mitigation measures' in the case of impacts resulting from cable protection. The Applicant has submitted further mitigation in relation to both offshore ornithology impacts and impacts as a result of cable protection, which provide further confidence in the Applicant's assessment that there will be no AEOI either alone or in-combination. Notwithstanding this, the Applicant is preparing evidence for a derogation case which, in the event that the Secretary of State concludes that AEOI cannot be ruled out, will confirm that there are no feasible alternative solutions for the project which could avoid or lessen AEOI. This will be submitted to the Examination as soon as possible.
2.8.6.2	The Applicant, Natural England	Compensatory Measures: Following on from Q2.8.7.1 what compensatory measures could be proposed to ensure that the overall coherence of the network of Natura 2000 sites is protected?	As set out in response to WQ 2.8.6.1 above the Applicant is currently preparing evidence for a derogation case, in the event that the Secretary of State cannot rule out AEOI, notwithstanding the Applicant's clear position that AEOI can be ruled out. The Applicant is working closely with Natural England and Norfolk Vanguard Limited to

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			agree in-principle compensatory measures. Norfolk Vanguard will be providing details of in-principle compensatory measures to the Secretary of State on 28 February 2020. The derogation case being prepared by the Applicant will also include details on in-principle compensatory measures. As set out above, this will be submitted to the Examination as soon as possible.

8.7 Flamborough and Filey Coast SPA

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.8.7.1	The Applicant	Population Viability Analysis: Can the Applicant either re-run the PVA for gannet, kittiwake, razorbill and guillemot at the FFC SPA using the updated NE commissioned Seabird PVA tool or provide justification as to why this isn't necessary.	Please see response to Question no. 2.2.2.1 above.

9 Landscape and Visual Effects

9.0 The Applicant's landscape and visual assessment

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.0.1	The Applicant	<p>Substations: lighting: Respond to the points made by NSAG regarding dark skies and the lighting of the proposed National Grid substation extension [REP4-045], and also include reference to the proposed project substation.</p>	<p>As detailed in Document 8.1 OCoCP [REP1-019] Section 3.7, the Applicant has committed to the preparation of an Artificial Light Emissions Management Plan in accordance with Requirement 20(2)(c) of the draft Development Consent Order (DCO). The plan will detail the mitigation measures to be taken to manage emissions from artificial light in accordance with Bats and Lighting in the UK guidance (Bat Conservation Trust, 2018), such as the use of directional beams, non-reflective surfaces and barriers and screens, to avoid light nuisance whilst maintaining safety and security obligations. Site lighting will be positioned and directed to minimise skyglow so far as reasonably practicable.</p> <p>During construction at the onshore project substation, as detailed in para 369 of Chapter 5 Project Description [APP-218] and in para 393 at the National Grid Substation Extension. Perimeter and site lighting would be required during working hours in the winter months and a lower level of lighting would remain overnight for security purposes. Construction working hours are secured in Requirement 26 of the dDCO. The impacts of construction lighting are also considered within the Chapter 29 Landscape and Visual Impact Assessment [APP-242] and explicitly noted for the most impacted viewpoints as detailed in Table 29.11. 'Construction lighting would add to the prominence of the project in winter months when working days would extend into hours of darkness'.</p> <p>During operation of the onshore project substation, as detailed in para 371 of Environmental Statement (ES) Chapter 5 Project Description [APP-218], the onshore project substation would not be manned; however, access would be required periodically for routine maintenance activities, estimated at an average of one visit per week.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>Normal operating conditions would not require lighting at the onshore project substation, although low level movement detecting security lighting may be utilised for health and safety purposes. Temporary lighting during working hours will be provided during maintenance activities only.</p> <p>With reference to Table 29.7 Chapter 29 Landscape and Visual Impact Assessment (LVIA) [APP-242], the lighting requirements detailed within Chapter 5 Project Description [APP-218], are referenced as embedded mitigation measures, 'The onshore project substation has been designed so that it does not require permanent lighting' and have been noted as part of the visual impact assessment.</p> <p>Similarly, during operation of the National Grid substation extension as detailed in para 395 and 396 of ES Chapter 5 Project Description [APP-218], the Necton National Grid substation would be unmanned. Maintenance of the substation would be undertaken approximately every three years, involving electrical isolation of equipment before it is worked on. Visual checks would be undertaken on a monthly inspection visit to the site. During operation, the Necton National Grid substation would not be illuminated under normal operating conditions. Temporary site lighting would be provided during working hours when conducting maintenance activities only.</p>

9.1 The Applicant's visual assessment

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.1.1	The Applicant	<p>Distance: susceptibility of a receptor and magnitude of change: The response to Q9.1.4 justifies including distance as a factor influencing both susceptibility of a receptor and magnitude of</p>	<p>In 'Guidelines for Landscape and Visual Impact Assessment Third Edition' at Paragraph 3.26 under the heading "Assess against agreed criteria" it states; "The initial step should be to consider each effect in terms firstly of its sensitivity, made up of judgements about; the</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>change. If this is a divergence from the guidance for landscape and visual methodology which has been used (such as Guidelines for Landscape and Visual Impact Assessment Third Edition) this should be explained.</p>	<p><i>susceptibility of the receptor to the type of change arising from the specific proposal; and the value attached to the receptor...</i>" One of the aims of the 2013 update of the previous GLVIA Second Edition was to ensure that judgements regarding sensitivity were not arbitrary, but instead were considered with reference to the specific proposal. This was in order to make sure that the assessment reflected as much of the particular detail of the proposal as possible. Whilst there is no reference in GLVIA3 made to location in respect of visual receptors, at Paragraph 5.39, in respect of the sensitivity of landscape receptors, the following statement is made; <i>"In LVIA sensitivity is similar to the concept of landscape sensitivity used in the wider arena of landscape planning, but it is not the same as it is specific to the particular project or development that is being proposed and to the location in question."</i> It is this relationship between the assessment of sensitivity and the location of the specific proposal, made in GLVIA3, that has led to the consideration of distance having an influence as one of a number of criteria in the assessment of sensitivity. In light of this definition, we can assume that a receptor located 10km from the proposed development will be less sensitive to that specific proposal than a receptor at 1km. It is, therefore, considered appropriate to include distance as one of the broad range of criteria considered in the assessment of sensitivity and this approach is not considered to be a divergence from guidance presented in GLVIA3.</p>
2.9.1.2	The Applicant	<p>Public and private views:</p> <p>1. Further to the comments arising from the ASI [REP4-055] and [REP-4-045], set out how the LVIA methodology you have adopted has taken account of views, picking up the points made regarding public and private. It is requested that this be in a way that a lay person can appreciate, rather than referring back to the LVIA methodology statement in the ES.</p> <p>2. Explain in this public/ private context how Necton is a principal receptor for visual impact. Also, seemingly contrary to the impression gained by IPs on the ASI (above) explain how</p>	<p>1. The Applicant has never stated that the proposed development would not be visible from Necton or Ivy Todd nor that the views of private individuals have not been considered. The key findings of the LVIA are that effects would be limited insofar as only localised parts of the surrounding settlements would be affected and where visibility would occur, the proportion of the onshore project substation and National Grid substation extension that would be visible, would be limited.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>residential visual amenity has been included, which appears to have been assessed [APP-242, Table 29.13, Viewpoints VP8, VP9, VP10, VP12].</p> <p>3. Included in this explain how the viewpoints were selected and agreed with whom.</p> <p>4. Is there a viewpoint assessed which would represent the views from the camp site referred to by NSAG [REP4-050]? 5. Confirm whether visualisations of what would be seen from peoples' homes were used at consultation events.</p>	<p>As set out in the ES Chapter 29 [APP-242, Table 29.13, Viewpoints VP8, VP9, VP10] the assessment considers the views of residents in Necton, Ivy Todd and Holme Hale. Using the visualisations accurately produced to SNH standards and making the assessment on site, both at the specific viewpoints and surrounding areas, an assessment has been drawn based on the level of change that residents would experience as a result of these additional developments in their local area. While the viewpoints are located in the public domain, they have been used to represent the views of residents in both public and private spaces.</p> <p>2. GLVIA3 sets out the requirement that settlements should be considered as principal visual receptors and residents as visual receptors in the visual assessment of a proposed development. In the case of Necton, the eastern edge of the village is most likely to be affected as this is the closest edge to the proposed development and, beyond this, the screening effect of the houses and the gentle fall in landform prevent visibility from extending further into the village. The assessment has, therefore, focused on the potential effects experienced between Chapel Road and St. Andrews Lane, as represented by Viewpoint 8 and Viewpoint 9. The potential visual effect on people in the public domain, that is driving along or walking in the public streets, would be limited owing to either full or partial screening by intervening houses, vegetation and/or landform. Viewpoint 8 and Viewpoint 9 have, therefore, been used to represent the potential visual impact on residents on the eastern side of St Andrews Lane. Here, the rear facades of residents are orientated towards the proposed development. In the assessment, consideration was given to how their views would be affected by the proposed development, taking into account the potentially fuller extents of visibility from upper floors.</p> <p>A similar approach was taken in respect of the hamlet of Ivy Todd, whereby the enclosed nature of the settlement by landform and tree</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>cover means that views from much of the public domain would be fully or partly screened, but that it was recognised that the more open and elevated location of Lodge Cottage could potentially lead to the onshore project substation being more readily visible.</p> <p>3. The selection of viewpoints is based on a combination of studying Zone of Theoretical Visibility (ZTV) maps to understand initially where there is potential for visibility to arise and then extensive field work to find suitable viewpoints within these areas, where clear and open views towards the proposed development occur and are not screened, by trees, hedgerows or buildings. Suitable viewpoints are considered to be those that represent the most sensitive locations and in this settled landscape, these are the settlements where people live, as well as local roads and footpaths. Suitable viewpoints also show the fullest visibility from an accessible location in the public domain, and again in this settled landscape, this would be those locations most frequently visited or experienced by members of the local community. Following this process of selection, an original eight viewpoints were selected by the landscape architects at OPEN and agreed with the council officers representing North Norfolk District Council, Breckland Council, Broadland District Council and Norfolk County Council who were involved in the Expert Topic Group Meetings. A further four viewpoints were subsequently added by OPEN to ensure that the settlements of Necton and Ivy Todd were being more fully represented and that middle range views from Holme Hale and Hale Road were also being represented. No further viewpoints were suggested by the statutory consultees listed above.</p> <p>4. The Applicant is unclear what camp site is being referred to and are not aware of a camp site in Ivy Todd. There is no camp site marked on Ordnance Survey (OS) mapping, no signs in the village to indicate the presence of a camp site and no references to a camp site on the internet.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			5. At consultation events, the computer modelling company, 3d Webtech presented a computer model which enabled attendees to request a view of the model from their property. While the main areas of vegetation, such as Necton Wood and Great Wood, were included in the model, hedgerows were not, and this gave the bare earth impression in views generated, as commented upon in an Necton Substation Action Group (NSAG) representation [REP4-044].
2.9.1.3	The Applicant	Photomontages: digital terrain mapping: Is it possible that hedges or tree belts could be read as landform [REP4-044] and [REP4- 052]?	OS 5 data provides a three dimensional model of the bare earth surface. It does not include surface features, such as hedgerows, trees or buildings. There can, however, occasionally be processing anomalies in the landform data, whereby, ground digital terrain models can incorporate some surface features by mistake and therefore over or under-estimate the ground surface. This is relatively uncommon and would typically involve a small feature being incorporated but not a whole hedgerow or stand of trees. This is the most likely explanation for the potential anomaly in the terrain model which is thought to have occurred in Viewpoint 3 from Lodge Lane north.

9.2 Alternatives considered

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.2.1	The Applicant	HVDC/ HVAC: 1. Is it correct, as stated by Necton Substation Action Group (NSAG) in response to the Applicant's response to Q9.2.4 [REP3-025], that the change to HVDC from HVAC has resulted in a proposed substation that would be taller than if HVAC had been used? 2. If so, what is the worst case increase in height?	1. The Applicant's commitment to High Voltage Direct Current (HVDC) technology results in an onshore project substation maximum building height of 19m and maximum external electrical equipment height (lightning protection) of 25m. An High Voltage Alternating Current (HVAC) onshore project substation, as outlined in the Scoping Report, was consulted on as a maximum height of 10.1m for external electrical equipment.

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			2. The worst case increase in height at the onshore project substation is 14.9m.

9.3 Landscape Effects

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.3.1	The Applicant, North Norfolk District Council	<p>Adverse construction stage landscape and visual effects at landfall and cable installation in North Norfolk area:</p> <ol style="list-style-type: none"> 1. Report on progress of the discussions to resolve differences set out in the SoCG with North Norfolk District Council (NNDC) regarding how construction stage landscape and visual impacts would be addressed [REP2-052, Table 10]. 2. Provide any additional wording for the dDCO or any other document which is under discussion. 	As set out in response to Q2.5.3.6, the Applicant agrees to the request from North Norfolk District Council, subject to landowner consent, a ten year period of aftercare for both trees and shrubs planted in North Norfolk. Given, the ten year aftercare period is subject to landowner agreement no changes to the dDCO are proposed. However, the OLEMS, submitted at Deadline 5 [Document reference 8.7, Version 3] has been updated to reflect this.
2.9.3.2	The Applicant	<p>Hedgerow replacement:</p> <p>Following on from responses to Q9.3.2, Q9.3.3 and Q9.3.4 [REP2-021] and the Ecological Clarification Note [REP2-028], the ExA notes that replacement hedgerows would be replanted to an improved ecological standard that aligns with the Norfolk Biodiversity Partnership guidance of hedgerow planting [REP2-028].</p> <ol style="list-style-type: none"> 1. Would the total replacement hedgerow length (excluding the substations site) equal the length lost for Scenarios 1 and 2? 2. Does the reinstatement of the cable corridor hedgerows make allowance for planting elsewhere to compensate for the gaps that would need to be left over the cable corridor easement? 3. Would the compensation planting at the substations site amount to a similar length of hedgerow or connected 	<ol style="list-style-type: none"> 1. Along the onshore cable route hedgerow removal is only required for Scenario 2, as under Scenario 1 the hedgerows will be removed by Norfolk Vanguard. Under Scenario 2 on the onshore cable route all hedgerow will be reinstated, so yes the total length replaced will equal the total length lost. 2. Hedgerow plants can and will be reinstated fully across the onshore cable route, even over the cable easement, so no gaps will be present. 3. For Scenario 1 the hedgerow loss is total of 1,166m length, the replacement planting comprises of 457m of hedgerow plus 1,749m length of additional woodland planting (866m (core) + 883m (nurse)), total length of replanting 2,206m. So, the total length of replanting is greater (+1,040m) than vegetation removed and has been designed to connect existing habitats.

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>vegetation (240m for Scenario 1 and 390m for Scenario 2) from that removed?</p> <p>4. Why does the commitment to replace trees that need to be removed along the cable route as close as practicable to the position from which they were removed apply only in North Norfolk District as set out in the Schedule of Mitigation [REP2-006, ref 2.12], OLEMS [REP1-021, para 142, bullet 5]?</p> <p>5. Broadland District Council points out in its LIR, that if sections of hedgerows and trees are removed and cannot be replaced after installation of the cables, then replacement planting on adjacent land could be a suitable form of mitigation [REP3-010]. How would this be achieved in the other two districts?</p> <p>6. How is the certainty of being able to deliver and retain this mitigation planting assured when subject to landowner agreement? What agreements would be in place to prevent future removals of such trees?</p>	<p>For Scenario 2 the hedgerow loss is total of 707m length, the replacement planting comprises of 50m of hedgerow plus 4,021m length of additional woodland planting (1,983m (core) + 2,038m (nurse)), total length of replanting 4,071m. So the total length of replanting is significantly greater (+3,364m) than vegetation removed. and has been designed to connect existing habitats.</p> <p>Note: the area of woodland is much greater than length provided above but has been calculated as a length to provide a comparison with hedgerow loss.</p> <p>Replacement of hedgerows with woodland is proposed for the following reasons; 1) Woodland both provides and enables higher levels of bio-diversity to be achieved. 2) Woodland allows a more substantial and robust landscape framework to be achieved. 3) Woodland will achieve a greater sequestration of Carbon Dioxide from the atmosphere.</p> <p>4. The commitment to replace trees as close as practicable to the location there where removed but outside the cable easement was made following a request from North Norfolk District Council. However the Applicant will seek to replace trees as close as practicable to the location where they have been removed but outside the cable easement in all districts, subject to landowner permission. The OLEMS has been updated to reflect this and updated documents submitted at Deadline 5. The Schedule of Mitigation will also be updated and submitted at Deadline 6.</p> <p>5. As stated in point 4 the Applicant will seek to replace trees as close to their removal location as possible and within the Order Limits, any planting on adjacent land outside the Order Limits would be subject to consultation and agreement with landowners.</p> <p>6. Along the cable route the Applicant will be reliant on temporary possession powers under Article 27 of the dDCO to maintain landscaping during the aftercare period. Article 27(12) of the dDCO provides temporary powers for maintenance of the authorise project,</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>which would include landscaping, for a period of 5 years from the first export of electricity to the network. Where planting is outside the order limits or requires a longer period of aftercare then a separate agreement will be sought with specific landowners once the details of the planting and aftercare are known to secure rights for planting and maintenance.</p>
2.9.3.3	The Applicant	<p>Topography: Proposed substation and National Grid substation extension sites:</p> <p>The contour plan submitted in the Applicant's written summary of the oral case of the Onshore ISH [REP4-014, Appendix 3] demonstrates the watershed pointed out on the ASI. It illustrates the Scenario 2 footprint of the proposed project substation.</p> <ol style="list-style-type: none"> 1. Provide a similar plan with the Scenario 1 footprint (with contours beneath the substation shading and hatching clearly marked). 2. Provide a plan which extends the detailed contours over a wider area to indicate: <ul style="list-style-type: none"> • the further extent of the watershed (east and north east); • land further south and east to include Ivy Todd Lane east of Ivy Todd, VP7 and the track from Ivy Todd Lane northwards (east of VP7); 3. Provide two cross sections that demonstrate the points made in your comments on written representations [REP3-007] through viewpoints VP3 and VP7, taking into account the points made in the scaled side elevations for these two viewpoints [REP4- 052]. 4. Provide two further plans with the same contour intervals, one each for Scenarios 1 and 2, which extend further north and west to include Top Farm to the north and the existing National Grid and Dudgeon substations to the A47 to the north west. 	<p>Additional plans have been produced and are presented in Appendix 9.1. In order to enable a better understanding of the landform in the area of the onshore project substation, the National Grid substation extension and the local area surrounding these proposals, larger plans at A1 size have been provided that include all the areas requested. It was felt this would be more helpful than a series of smaller plans which would potentially fragment the overall picture.</p> <p>Four A1 plans (Figures 1a, 1b Scenario 1 and Figures 2a, 2b for Scenario 2) are provided, representing both the elevation and slope of the landform for both Scenario 1 and Scenario 2. The elevation plans (Figures 1a and 2a) illustrate the difference in elevation of the Ordnance Survey contours across the local area. The slope plans (Figures 1b and 2b) illustrate the steepness of the slopes, that is the relative distance between the Ordnance Survey contours, across the local area.</p> <p>Figure 1a and Figure 2a show the location of the three cross sections requested.</p> <p>The cross sections are shown on two separate A1 sheets, one representing Scenario 1 (Figure 1c) and the other Scenario 2 (Figure 2c). Cross Section 1 extends from St Andrews Lane to Ivy Todd Farm, passing through the National Grid substation extension. Cross Section 2 extends from Viewpoint 7 to the onshore project substation. Cross Section 3 extends from Viewpoint 3 to the onshore project substation.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		5. Provide two cross sections from St. Andrew's Lane which pass through the proposed site for the Norfolk Boreas National Grid substation(s)/ extension(s) to the contour at which Top Farm is located which demonstrate the points made regarding the slope of the land adjacent to Top Farm.	
2.9.3.4	The Applicant	<p>'Existing ground level': Requirement 16(5) and (8): Considering the more detailed contour information provided [REP4-014, Appendix 3], to build the required footprints at 'existing ground level' of 73m AOD for Scenario 1 and 72m AOD for Scenario 2, it appears that fill could need to be imported. The project description refers only to grading and removal of excess material, not bringing in fill [APP-218, para 363]. The Assumed Construction Materials and Associated HGV Delivery Derivation [APP-619] does not assume the import of any fill for the project substation.</p> <ol style="list-style-type: none"> 1. the Applicant is asked to consider whether the 'existing ground levels' set in R16(8)(a) and/ or (b) used to set building heights in R16(5) could be lower. 2. Explain how import of fill has been assessed if required. 3. Is there any intention for any formal co-operation with the Norfolk Vanguard project with regards earthworks and levels for Scenario 1? 	<ol style="list-style-type: none"> 1. An indicative cut and fill assessment of the onshore project substation footprints has been conducted to understand the uniform platform level which can be achieved with a neutral cut and fill assessment. I.e. no material is imported or exported from the site and the platform level is achieved by moving higher ground within the footprint to the lower ground level. This cut and fill assessment has informed the 'existing ground level' of the onshore project substation footprints, as secured in the dDCO. This approach has been taken to recognise that the existing land is not currently level across the footprint (as shown in [REP-014, Appendix 3]) and therefore to reflect a uniform ground level based on a neutral cut and fill. 2. Import of fill has not been assessed. There will, however, be an opportunity for some fill to be available within the order limits as a result of the creation of attenuation ponds and other landscaping surrounding the onshore project substation footprint if necessary. 3. Whilst there is currently no formal co-operation with the Norfolk Vanguard project with regards to earthworks and levels for Scenario 1, it is the intention that one will be entered into. Such cooperation agreement will cover a multitude of issues, one such being opportunities during design and construction to minimise impacts such as the reuse of earthworks material on site between projects to minimise export of material.

9.4 Visual effects

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.4.1	The Applicant	<p>Substations: agricultural style:</p> <p>1. Provide photograph(s) of example(s) of buildings (a cluster of buildings would be useful) in the “agricultural style” typology at 19m high or similar, which is proposed for the proposed project substation converter halls, with some indicator of scale in the photographs and a description which includes location/ surroundings, height, width and length, and materials.</p> <p>2. Superimpose a worst-case scenario (in terms of dimensions) illustrative outline of the proposed substation converter hall building(s) on a photograph (taken from a public viewpoint) of the agricultural buildings at the proposed cable logistics area site at Oulton Street.</p>	<p>1. The design intention is that the converter halls reflect the style, rather than the scale, of the agricultural buildings which characterise the rural Norfolk landscape. There are, therefore, no exact matches in terms of examples of clusters of agricultural buildings of the scale proposed for the converter halls. In order to reflect the specific characteristics and requirements of the site, a bespoke design will need to be developed. The attached photos in Appendix 9.2, however, show some ideas in terms of architectural styles and features that may help to inform the iterative design process.</p> <p>2. There are a number of concerns regarding the request to produce a visualisation showing the converter halls superimposed on the agricultural building on Oulton Road. Context is a critical and integral consideration in the assessment of the visual impacts of the onshore project substation. The visualisations from the twelve agreed viewpoints represent the proposed development in respect of its local context. The understanding and perception of scale relates to how the converter halls are seen in this context and is largely based on a comparison with the scale of the landform and other landscape features. A key feature of the site is that there are few settlements, roads or paths within close proximity, and this has been one of the most important determining factors in site selection. This means that there are no especially close range viewpoints and the converter halls will not be experienced at close proximity – a deliberate intention achieved through the site selection process.</p> <p>By producing a visualisation in which the converter halls are placed in a context in which they would never be seen is misleading. There is no agricultural building adjacent to the converter halls with which a direct scale comparison could be drawn. There are also no roads that come close to the converter halls and from which they would be seen in especially close proximity. In terms of understanding the visual</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			impacts of the converter halls there is no better substitute than the LVIA visualisations which have been prepared following best practice guidance and standards and illustrating the proposed development in the exact context in which it would be experienced.
2.9.4.2	The Applicant	<p>Fencing at substations:</p> <ol style="list-style-type: none"> 1. Would the proposed fencing material result in “sun-sparkle”? If so could a dull finish be secured? 2. Is it appropriate for the fencing to be the same as that surrounding the existing Dudgeon substation site? If so, could or should the finish be specified in the DAS or OLEMS for consistency with that on the contiguous site? 3. Is the 2.4m palisade fence with the further 1.0m electrical pulse fencing mounted upon the palisade fence illustrated in response to Q9.4.6 shown on the photomontages such as that for VP3 [APP-511] and [APP-523], VP5 etc? 	<ol style="list-style-type: none"> 1. Fencing material would likely be galvanised steel, as used for overhead line towers and would not result in ‘sun-sparkle’. 2. It is likely that the fencing finish for the National Grid substation extension would be the same as the existing National Grid substation perimeter fence. However, flexibility in the fencing finish is required to ensure the latest industry standards and materials can be applied at the time of construction. 3. The photomontages include a 2.4m palisade fence with 1.0m further electrical pulse fencing around the perimeter of the onshore project substation and National Grid substation extension models.
2.9.4.3	The Applicant	<p>Substations: lightning conductors:</p> <p>Further to Necton Substation Action Group’s (NSAG) points [REP2-107, response to Q5.3.3]:</p> <ol style="list-style-type: none"> 1. is a lightning conductor required for each building, are they located adjacent to or on buildings and are they connected to each other with mesh? 2. do they need to be at the periphery of the Rochdale envelope? 3. is the material inevitably subject to “sun-sparkle” and do they become duller in time? 4. are more lightning conductors required because of local conditions? 	<ol style="list-style-type: none"> 1. The design of the lightning protection at the onshore project substation will be determined to industry standard requirements during detailed design following the appointment of a HVDC supplier. Lightning protection up to 25m in height above existing ground level has been included in the Rochdale Envelope for potential worst case requirements. Lightning conductors may be required on top of buildings or on steel masts adjacent to buildings. In a worst case, fine wiring between conductors may be required. 2. Lightning protection conductors may be required on steel masts at the periphery of the onshore project substation footprint to protect the outdoor electrical equipment. The lightning protection design will be determined in line with industry standard requirements. 3. Lightning protection conductors are required to comprise of highly conductive materials such as aluminium and copper to provide the necessary protection performance and as dictated by industry

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			standards. The lightning protection conductors are narrow and slender rods which will limit visual impact and light reflectivity. 4. The lightning protection design is informed by an industry standard risk assessment of the impacts of a lightning strike on the operational equipment within the onshore project substation and the necessary mitigation from those impacts. The number or design of lightning conductors is not determined by local conditions.

9.5 Outline Landscape and Ecological Management Strategy (OLEMS)

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.5.1	Norfolk County Council, Breckland Council, Broadland District Council, North Norfolk District Council	OLEMS: Local authorities dealing with post consent approvals to confirm whether they are content with the Applicant's response to Q9.5.5 [REP2-021]. This includes retention of the current OLEMS terminology and lack of certainty, as this would be dealt with post consent, in more detail scale in the Landscape Management Scheme.	
2.9.5.2	The Applicant, Natural England	Wording in OLEMS and OCoCP regarding buffers for ancient woodland: 1. The Applicant to update on progress of agreeing wording to be included in the OLEMS and the OCoCP, as indicated by Natural England in its response to Q12.0.5 [REP2-080] and the Applicant in its response to responses [REP3-003]. 2. The Applicant to update documents if agreement is reached. If not agreed, both parties to set out areas which are not resolved.	1. and 2. The wording in OLEMS Version 2 [REP1-020] has been agreed with Natural England. This position is reflected in the Natural England Risk and Issues log submitted at Deadline 3 [REP3-024] where this issue (Onshore Ecology Page 7) is identified as green (Natural England supports the Applicant's approach) and Natural England state ' <i>We note updated OLEMS submitted at Deadline 1 welcome that preconstruction survey mitigation will adhere to Forestry Commission and Natural England's Standing Advice.</i> '

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.5.3	The Applicant, North Norfolk District Council	<p>OLEMS wording regarding replacement tree planting in North Norfolk:</p> <p>1. In the opinions of the Applicant and NNDC, does the wording in the updated OLEMS [REP1-021, para 142, bullet 5] overcome the matter not agreed in the SoCG with NNDC regarding replacement tree planting for hedgerow trees that are removed after micro-siting of the cable corridor has taken place?</p> <p>2. If not, what is being done to resolve this matter? NNDC to submit its proposed alternative wording if this remains as a point of difference.</p>	The wording in the OLEMS (submitted at Deadline 5, Document reference 8.7, Version 3) has been updated to reflect, subject to landowner consent, a ten year aftercare period for both shrubs and trees within North Norfolk. As such it is understood the matter of tree replacement is now agreed with North Norfolk District Council.

9.6 Good Design

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.6.4	The Applicant, National Farmers Union, Necton Substation Action Group, Interested Parties	<p>Substations: integration into local landscape:</p> <p>1. In order to integrate into the local landscape as stated in the DAS [REP2-010, para 80 and 82], has the Applicant considered subterranean buildings as asked by NSAG [REP4-049] and/ or building into the slope as mentioned by NFU [REP4-036. Section 3.1].</p> <p>2. In considering the topography in more detail, once the detailed technical and operational requirements and physical separation of the equipment are known, how could the commitment to integrating into local topography in terms of siting be written into the design process and/ or the outline topics for the Design Guide? The Applicant and other Interested Parties to suggest wording. The Applicant's response to consider both Scenarios 1 and 2.</p>	<p>1. The Applicant has considered the lowering of buildings into the ground. In terms of landscape and visual considerations, the options of lowering the ground level or lowering buildings into the ground / slope were considered and discounted. In order to ensure a design is responsive to the unique characteristics and attributes of a local landscape, the best approach is generally to work with the landform, in order to minimise the magnitude of change. While the landform is gently undulating, it falls more steeply towards the south-east. In order to cut a level platform of 250m x 300m at a lower ground level or excavate subterranean buildings would require a huge amount of earthworks and would fundamentally alter the character of the local landscape.</p> <p>2. The Design and Access Statement [Document Reference 8.3, Version 3] has been updated to provide further information on the Design Guide including integration into the local landscape. The most</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			effective way to integrate into the local topography is to minimise cut and fill by establishing the median in terms of site levels and using this to construct a level platform.
2.9.6.5	The Applicant	<p>Substations: layout, masterplanning, zoning and bunding:</p> <p>1. Different views have been expressed about the effectiveness of bunding. If the detailed technical and operational requirements led to a layout needing less land, would there be potential for incorporating more natural mounding as part of the mitigation?</p> <p>2. Would it be the intention to consider options for the layout of the buildings, their footprints and the electrical equipment and the ground modelling required from various viewpoints, and consult upon these as part of the design process? If so how could this be set out in the explanation of the design process?</p>	<p>1. In terms of landscape and visual consideration, the introduction of large scale bunds would appear out of character in this traditional, rural landscape and at variance with the gently undulating landform. Therefore, if the layout required less land, then it would be in the best visual interest to maintain the existing landform over as wide an extent as possible. The option to use some subtle earth bunding in appropriate areas would be considered, where a slight rise in ground levels could contribute to the mitigation afforded by the proposed planting.</p> <p>2. The layout of buildings, footprints and electrical equipment is principally pre-determined by the function of the onshore project substation and associated interfaces. Therefore, these factors would not be open for influence. However previous studies have been carried out to better understand which aspects or parts of the onshore project substation would have the greatest effect on the key views from the local area. This information would be used to ensure that the ground modelling and tree planting was most effective in mitigating the visual effects on these key views. During the Design Process, plans could be used to show the view cones from the key views to the most prominent aspects and parts of the onshore project substation and detailed plans of these areas to show the special treatment in the landform modelling and planting that would enhance the mitigation potential.</p> <p>The DAS has been updated and submitted at Deadline 5 to include this [Document Reference 8.3, Version 3].</p>
2.9.6.6	National Farmers Union, Interested Parties	<p>Substations: post consent design process and Design Guide:</p> <p>At the Onshore ISH on Tuesday 21 January 2020 [EV6-001 to EV6-004], the Applicant's proposed additional wording to the Design and Access Statement (DAS) was discussed. Arising from</p>	<p>The Applicant has worked with Breckland Council and has updated the Design and Access Statement to provide further clarity on the consultation process, content of the Design Guide and zoning. The</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>that there are actions [EV6-001] for the Applicant to work with Breckland Council to update the DAS to include greater clarity on the process (including consultation), fuller content for the proposed Design Guide and whether a form of wording could secure a masterplanning approach to zoning and massing of buildings [REP4-014, response to 4b)IV], to be submitted at Deadline 5.</p> <p>1. Any Interested Party which has comments or suggestions to make in this regard is invited to comment.</p> <p>2. NFU is specifically invited to comment because this is relevant to points still under discussion in its SoCG with the Applicant [REP2-046, pages 5 and 6] and raised further in its Deadline 4 submission [REP4-036].</p>	<p>updated DAS has been submitted at Deadline 5 [Document reference 8.3, Version 3].</p> <p>The Applicant continues to engage with the NFU and has informed the NFU of the Design Guide and associated wording within the DAS for consideration. The latest position with the NFU on this item will be included in the NFU SoCG at Deadline 6.</p>
2.9.6.7	The Applicant	<p>Substations: post consent design process stakeholder involvement:</p> <p>Respond to the NFU's query about the landowners' involvement in the landscape design such as hedgerow species selection [REP4-036, section 3.1].</p>	<p>The Applicant would welcome the opportunity to engage with landowners regarding the selection of hedgerow and tree species to be used in mitigation planting. From past experience, shared local knowledge of species best suited to local conditions has proved invaluable.</p> <p>The Design and Access Statement has been updated to reflect this being undertaken during the Design Process. The updated DAS has been submitted at Deadline 5 [Document reference 8.3, Version 3].</p>
2.9.6.8	The Applicant	<p>Design and Access Statement:</p> <p>1. Would any of the wording such as the commitments table and illustrative material such as the Terminology and Defined Maximum Height Controls be useful additions to the DAS?</p> <p>2. The DAS should be updated to include use of Mobilisation Areas in Scenario 1 [APP2- 009, Table 3.1].</p>	<p>1. Section 5.3 of the DAS has been updated to include the commitments table and information on terminology and maximum heights. The image has also been updated to reflect that used in the visualisations and at Issue Specific Hearing 3.</p> <p>2. On the onshore cable route the mobilisation areas are not required under Scenario 1. Only MA1a at the onshore project substation is required under Scenario 1 and Table 3.1 in the DAS has been updated to reflect this.</p> <p>The updated DAS has been submitted at Deadline 5 [Document reference 8.3, Version 3].</p>

9.7 Matters arising from the accompanied site inspection (ASI) on Thursday 23 January 2020

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.9.7.1	The Applicant	<p>Age of existing screen planting:</p> <p>1. When and of what size was the planting along the National Grid and Dudgeon substations access track planted?</p> <p>2. When and of what size was the planting on the south side of the A47 opposite Spicer's Corner planted?</p>	<p>1. There is a mix of planting lining the track, with woodland planting, hedgerow planting and 'light standard' trees (which means planted at a height of 2.5 to 3.0m). The date of this planting is not known but is thought to have taken place in the winter of 2017/2018 (at the same time as the A47 planting) making it approximately 2 years old.</p> <p>2. The photographs taken at Spicer's Corner are dated March 2018 and show, what appears to be, relatively recently planted whips in protective sleeves. It is therefore assumed that this mitigation planting was implemented in the winter of 2017/2018 making it approximately 2 years old. It comprises woodland planting of whips planted at a height of approximately 70-90cm.</p> <p>In response to concerns regarding the limited growth on the existing mitigation planting, this is to be expected. Growth rates of young plants are typically slow as they are initially recovering from the shock of being transplanted and are developing their root systems to ensure they have stability and can tap into the water and nutrients in the soil. This is why the growth on young planting can be very limited in the first couple of years. Visible growth above ground is proportional to the amount of leaves or needles on the plant as this determines levels of photosynthesis and therefore the amount of energy the plant has to enable growth. After the first couple of years, growth then increases exponentially as the plant's capacity to grow increases, until it approaches maturity and growth starts to level off. Growth rates are, therefore, not constant and the sensitive design of planting and its careful management in the early years is critical to ensure healthy and successful establishment.</p>
2.9.7.2	The Applicant	<p>Trees at Lodge Farm:</p> <p>What height are the trees at Lodge Farm, which were used as a location identifier during the ASI?</p>	<p>It is not possible to give an accurate answer without measuring the trees on site. An estimate has been calculated by extracting the difference in height between the Digital Surface Model and the Digital</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			Terrain Model. This estimate is 14.05m in the west and 14.29m in the east.
2.9.7.3	The Applicant	<p>Queries regarding ASI pegging out:</p> <p>Clarify the points made by Necton Parish Council [REP4-030] and the NFU [REP4-036] points regarding what precisely was pegged out on the ground for the ASI. The ExA understood the pegs and tape to be the north east corner of the Scenario 1 footprint of the proposed Boreas project substation. It appears that the NFU's drawing may show the Scenario 2 footprint.</p>	<p>The area pegged out on the ground for the Accompanied Site Inspection (ASI) was the north east corner of the Norfolk Boreas onshore project substation footprint under Scenario 1, as shown in Work No. 8a on Works Plan sheet 40a [REP1-007].</p> <p>For clarity, under Scenario 2, no part of the Norfolk Boreas onshore project substation footprint extends into the land holding viewed on the ASI, as illustrated by the National Farmers Union (NFU) drawing [REP4-036] and shown in Work No. 8a on Works Plan sheet 40b [REP1-007].</p>
2.9.7.4	Interested Parties in the Necton Area, including Necton Substation Action Group	<p>Site inspections of sites for proposed development:</p> <p>Further to [REP4-045] and [REP4-055], the ExA prioritised inspections it wished to make on private land during the ASI at Necton, because inspection of private land can only be undertaken accompanied. Interested Parties are encouraged to view the ExA's unaccompanied site inspection (USI) record [EV8-002], which shows that Lodge Lane South (as far as is publicly accessible) (viewpoints VP2 and VP3) has been visited twice and Holme Hale (viewpoints VP10, VP11 and CH5) has also been visited.</p> <ol style="list-style-type: none"> 1. If there are any further publicly accessible places from which IPs consider the ExA would gain a different view of the proposed substations sites, these should be submitted, with precise details for the ExA to consider visiting on a future USI. 2. NSAG is invited to suggest a public viewpoint which it considers would give the closest representation of views from the camp site to which its representation refers [REP4- 050]. 	

10 Marine and Coastal Processes

10.0 Marine and Coastal Processes

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.10.0.1	The Applicant	<p>Landfall entry: Provide details of how the location of the Horizontal Directional Drilling (HDD) entry point, set back from the existing cliff-line by 125m, provides adequate protection for the drilled cable or transition pits from natural coastal erosion (predicted to be between 50m to 110m by 2065).</p>	The landfall compound zone is setback from the current cliff edge by a minimum of 125m to accommodate current forecasts of erosion between 50m to 110m beyond the lifetime of the project, but also extends a further 200m inland (325m from current cliff edge) to allow further flexibility in the siting of the landfall entry point, to accommodate the most up to date information and forecasts of coastal erosion.

11 Navigation

11.0 Marine Navigation and Shipping

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.11.0.1	Marine and Coastguard Agency (MCA)	<p>Safety Assessment for fishing vessels: Is safety assessment for fishing vessels in ES Ch 14 section 14.7.4.6 methodologically suitable, with reference to NFFO/VisNed comments in [REP2-043]?</p>	The following summarises the Applicant's understanding of the history behind this question and notes that as standard for EIAs there is overlap between Chapter 14 Commercial Fisheries (APP- 227) and Chapter 15 Shipping and Navigation (APP-228) which cover all impacts related to fishing vessels (both from a commercial and navigation safety remit). Further to the impact assessments currently undertaken within Chapter 14 and Chapter 15 it is noted that an embedded mitigation is included to manage the risk of cable snagging, under keel clearance and risk of anchor interaction. This mitigation is the Cable Specification, Installation And Monitoring Plan which will be undertaken post consent when the final position of cable and the

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>burial or protection used is understood (as per standard industry practice). This plan is secured in <i>Schedule 9 Part 4 14 (1)(g) Schedule 10 Part 4 14 (1)(g) , Schedule 11 Part 4 9(1)(g) , Schedule 12 Part 4 9(1)(g) and Schedule 13 Part 4 1(1)(g) and is relevant to elements of the application.</i></p> <p>NFFO / Visned made reference to this in their Written Reps (REP2-076:</p> <p>“With respect to the assessment of Impact 6 - safety issues for fishing vessels (Ch 14 section 14.7.4.6) - there is no probabilistic assessment similar to that completed for other navigation related impact risks (Ch 15). It is not clear whether and how “frequency of occurrence” and “severity of consequence” criteria used in the navigational impact assessment (Ch 15) have been applied, and what data, if any, has been used. The assessment appears to conclude that safety issues are within acceptable limits based solely on listing inbuilt mitigation (safety zones, advisory safety zones, communications with the fishing industry, appropriate deployment of guard vessels and offshore fisheries liaison officers). Such an approach does not constitute a methodical assessment”</p> <p>The Applicant responded to this as follows in the Applicant’s Comments on Written Representations and Additional Submissions” (REP3-007):</p> <p>The potential impacts of the project with regards to navigational issues are assessed in Chapter 15 Shipping and Navigation (Document</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>Reference 6.1.15, APP-228), including consideration of potential risks to fishing vessels (as well as other vessels) and supported by a Navigational Risk Assessment (NRA) in agreement with the Maritime and Coastguard Agency's (MCA) requirements. Further to the assessment presented in Chapter 15, and recognising that vessels engaged in fishing may be subject to additional safety issues other than those strictly related to navigation (i.e. manoeuvrability issues when gear is deployed and snagging risks), an additional assessment covering these aspects was presented in ES Chapter 14 Commercial Fisheries. The assessment identifies the potential risks and highlights the measures proposed by the Applicant to minimise safety issues. Measures to minimise safety issues in this regard are noted in Chapter 14 Commercial Fisheries, including embedded mitigation measures (Section 14.7.1), such as the removal of floating foundations from the design envelope, cable burial, the undertaking of appropriate liaison and information sharing and the production of a Fisheries Liaison and Co-existence Plan (FLCP) post-consent in line with the Outline FLCP submitted with the application (Document reference 8.19, APP-710). Taking account of the proposed measures to minimise impacts, and through on-going liaison with fishermen and information distribution, and with the required compliance from fishermen, the assessment concluded that safety issues for fishing vessels would remain within acceptable limits. It is the Applicant's view that the information provided within ES Chapter 14 Commercial Fisheries is robust and supports appropriately the conclusions reached in the chapter with regards to safety issues.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.11.0.2	The Applicant Marine and Coastguard Agency (MCA)	<p>Safety Zones triggered by SOVs during major maintenance: Explain the implications to fishing and navigational safety of the comment in REP3-007: 'safety zones triggered by the use of SOVs during major maintenance are currently not supported by the MCA'.</p>	<p>The Applicant believes that there are two different positions related to this question. The MCA's position relates to application of the guidance and the NFFO/VisNed's position relates to access to existing fishing grounds. Both are explained below.</p> <p>Summary of the MCA's position:</p> <p>The sentence "safety zones triggered by the use of Service Operation Vehicles (SOVs) during major maintenance are currently not supported ' was added to the SoCG (MCA SoCG REP2-049) at the request on the MCA due to concerns raised within the industry in general and not related specifically to Norfolk Boreas or the Norfolk Boreas Safety Zone Statement [APP-691]. It is noted that safety zones for SOVs during major maintenance are supported by the Department for Business, Environment and Industrial Strategy (BEIS) and are currently being used effectively at operational sites to manage safe operations during major maintenance. The Applicant is content that a case for SOV Safety Zones will need to be made (if required) post consent as part of the Safety Zone application process.</p> <p>Summary of NFFO/VisNEd position (written representations REP3-007).</p> <p>NFFO/VisNed stated 'The use of SOVs and application of what appears to be a proposed 500m statutory safety zones, when they are attached to turbines, appears not to be factored into the worst-case scenario. We consider the use of such large safety zones for such purposes to be disruptive and unnecessary'.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>The Applicant responded to state 'The worst case scenario presented in Chapter 14 Commercial Fisheries makes reference to the implementation of 500m safety zones during operation associated with major maintenance works. These are as defined in Part 1, Regulation 2 of The Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007. As described in the Statement of Common Ground (SoCG) with the MCA (Document Reference ExA.SoCG11.D2.V1F, REP2-049) safety zones triggered by the use of SOVs during major maintenance are currently not supported by the MCA and a case would need to be included and considered as part of the safety zone application phase post consent, should the Applicant consider using this type of vessel'.</p>
2.11.0.3	Marine and Coastguard Agency (MCA) NFFO/VisNed	<p>Risk mitigation for fishing vessels: Is the Fisheries Co-existence and Liaison Plan as drafted sufficient to mitigate risk to Fishing vessels in the vicinity of service vessels related to Norfolk Boreas survey, construction and maintenance activities?</p>	<p>The outline FLCP submitted with the application provides a high-level description of the Applicants' approach to fisheries liaison and to facilitating co-existence. Further detail will be included in the FLCP which will be produced post-consent for MMO approval once the project details are better defined (and as required under Schedules 9 and 10, Part 4, Condition 14(1)(d) (v), Schedules 11 and 12 Part 4, Condition 9(1)(d) (v) and Schedule 13, Part 4, Condition 7(1)(d)(v) of the draft DCO).</p> <p>The main purpose of the FLCP will be to establish an appropriate framework to allow engagement and communication between the Applicant and fisheries stakeholders and to identify relevant measures to minimise impacts on fishing and facilitate co-existence.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>The outline FLCP includes consideration of various measures of relevance to minimising potential interactions between fishing and construction/maintenance vessels. For instance, the following aspects are included in the outline FLCP:</p> <ul style="list-style-type: none"> • Development of a code of good practice for contracted vessels; • Development of a fisheries guidance document to reduce interaction with fishing activity and provide response procedures; • The provision of procedures for the safe recovery of lost or snagged fishing gear; and • The development of procedures for claims of loss or damage of fishing gear. <p>In this context it should be noted that the outline FLCP submitted with the Application and the FLCP which will be produced post-consent) are not required as a mitigation to navigation safety impacts contained within the Navigation Risk Assessment [APP-569], the technical document which supports Chapter 15 Shipping and Navigation [APP-228]. As noted in the SoCG with the MCA [REP2-049] it is agreed that in accordance with the outcome of the assessment presented in Chapter 15 of the ES that the adopted measures for minimising impacts on shipping and navigation receptors are sufficient to bring risks to tolerable levels (or in other terms As Low as Reasonably Practicable).</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			It should also be noted that NFFO and VisNed have not raised specific concerns with regard to safety issues related to service vessels.

11.1 Aviation and Radar

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No questions			

12 Onshore Construction Effects

12.0 Cable Corridor and Ducting

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.12.0.1	The Applicant	<p>Cable duct installation:</p> <p>1. Notwithstanding the response to ExA's Written Question Q12.0.1 [REP2-021], explain the exclusions that might apply in the Outline Landscape and Ecological Management Scheme (OLEMS), which only secures 150m workfronts "where possible" in the onshore cable duct installation.</p> <p>2. Provide an indicative alternative strategy should the proposed strategy not be viable in certain locations.</p>	<p>1. 'Where possible' is included to appreciate that the 150m length of a workfront may not be the most appropriate length at all locations and at all times during the duct installation. For example, in open agricultural land with no features, a workfront length of 200m may be more appropriate as this is achievable within the 1-2 week excavate, install and reinstate period. Conversely, in an area with multiple field drains, hedgerows and utility crossings a workfront length of 100m may be more appropriate to maintain achievability of the excavate, install and reinstate period.</p> <p>2. At all times the sectionalised duct installation workfront strategy (save for trenchless crossing locations) will be employed. The length of the workfront may however differ from the notional 150m during the construction process to maintain the principle of the mitigation (excavate, install and reinstate within a 1-2 week period) whilst appreciating some sections of the cable route will be more or less complex.</p>
2.12.0.2	The Applicant	<p>Significant adverse effects on hedgerows:</p> <p>The OCoCP states that it would be noted in the OCoCP where hedgerow crossings would be at an angle, increasing the maximum width of the gap to a possible 16.5m.</p> <p>1. Advise where these crossings are listed or displayed update the OCoCP to include them.</p> <p>2. Provide a construction method statement and plan(s), suitable for inclusion in the OCoCP as an example for one of the specific hedgerow crossings which would result in significant adverse effects (not Church Road, Colby, as this is dealt with in a separate question regarding trenchless crossings).</p>	<p>1. The reference made in the OCoCP is an error. The Important Hedgerows Plans [APP-018] provides detail of the angle of hedgerows in relation to the onshore cable route, however this is subject to final design and micro-siting of the cables within the route. It is not possible at this stage to indicate the exact angle at which the cables will cross each hedgerow. However, the Applicant has provided an indicative list in the updated OCoCP provided at Deadline 5 to identify which hedgerows are likely to be crossed at an angle.</p> <p>2. The Applicant has included the outline hedgerow crossing methodology detailed in Section 5.7.2.3.1 of ES Chapter 5 Project Description [APP-218] as an Appendix to the OCoCP submitted at</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			Deadline 5, which will inform future development of Construction Method Statements as secured under Requirement 20(2)(g) of the dDCO following the appointment of construction contractors. This outline method includes the key controls of minimising the width of the onshore cable route so far as possible (up to 16.5m) during duct installation, the timing of removal of the hedgerow, and reinstatement works. Furthermore, the additional wording in the Appendix to the OCoCP will include 'Where possible, considering technical constraints, micrositing of the ducts and location of the running track within the cable route shall be conducted to minimise the impacts to hedge trees.' The hedgerow crossing method shall be applicable to all hedgerow crossings.
2.12.0.3	North Norfolk District Council	Trenchless crossing at Church Lane, Colby: NNDC to consider its position regarding the pros and cons of a trenchless crossing at Church Lane, Colby in response to the Applicant's explanation [REP4-017].	
2.12.0.4	The Applicant	Cable corridor working width, running track and permanent accesses: 1. Should the OCoCP set the 35m working width of the cable corridor as the maximum width for the fencing alignment for Scenario 2 [REP1-019, section 3.3]? 2. Explain when the running track would be removed for both scenarios. Is this set out in a document which is secured? If not, should it be? 3. Why would there be a reinstatement of 12kms of temporary running track under Scenario 1? 4. What would the surface material of the permanent accesses be?	1. The OCoCP sets out the maximum working width of the cable corridor of 35m under Section 3.3, specifically 'during construction of the <i>onshore cable route</i> , fencing will be installed to demarcate the working area.' The definition of <i>onshore cable route</i> in the glossary of terminology is 'The up to 35m working width within a 45m wide corridor'. 2. Under Scenario 2, the running track would be removed once duct installation for a cable route section which the running track was supporting had been completed. Under Scenario 1, any short sections of running track required to be temporarily reinstated for cable pulling will be removed once the cable has been pulled. 3. With reference to Section 5.6.2.1 of ES Chapter 5 Project Description [APP-218], the reinstatement of up to 12km of temporary running track during cable pulling activities (relevant to Scenario 1 and

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>Scenario 2) has been identified to access remote areas of the cable route in which joint bays may need to be located (cable lengths limited to approximately 1km) which are not directly accessible from construction side accesses or crossings of the cable route with the public highway. During detailed design and appointment of the cable supplier, the cable joint locations will be identified.</p> <p>4. The permanent access surface material (access to onshore project substation from A47) will be asphalt or similar.</p>

12.1 Mobilisation areas

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.12.1.1	The Applicant	<p>Mobilisation Areas and Trenchless Crossing Compounds: To follow up on the Applicant's responses to Q5.2.2 (regarding limits to heights of temporary facilities) and Q12.1.1 in respect of Mobilisation Areas near to residential properties [REP2-021].</p> <p>1. What is the predicted full length of time Mobilisation areas and Trenchless crossing compounds would be disturbed from the start of any pre-commencement works on these sites through to reinstatement, as added in the updated OCoCP [REP1-019, Section 3.8, para 71]? Is this longer than the establishment, use and demobilisation shown in [APP-637]. Does demobilisation include reinstatement?</p> <p>2. It would add consistency if the OLEMS were to be updated with reference to the reinstatement of areas used temporarily during construction.</p>	<p>1. Each mobilisation area will be in place for as long as the duct installation in the respective cable route section(s) which the mobilisation area serves is being conducted. This is up to 2 years, including establishment and demobilisation of the mobilisation area, but will typically be less and is a bespoke length of time for each mobilisation area due to each cable route section not being fully equal in length. The notional bespoke length of time for each mobilisation area is shown in [APP-637]. This reflects the statement in the OCoCP that 'all areas used temporarily during construction, such as mobilisation areas, must be reinstated as soon as reasonably practicable'. For clarity, demobilisation includes reinstatement of the land.</p> <p>Similarly, trenchless crossing compounds will be in place for as long as the trenchless crossing takes to construct, typically up to 5 weeks including establishment and demobilisation as shown in [APP-637]. The trenchless crossing compound will be demobilised as soon as the</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>trenchless crossing is completed, as reflected in the statement in OCoCP.</p> <p>2. For consistency, the statement 'all areas used temporarily during construction, such as mobilisation areas, must be reinstated as soon as reasonably practicable' from the OCoCP will be included in the updated OLEMS submitted at Deadline 5 (document Reference 8.7, version 3).</p>
2.12.1.2	The Applicant	<p>Reinstatement of Mobilisation Areas: The revision to the Schedule of Mitigation regarding reinstatement of mobilisation areas [REP2-006, ref 236] is unclear where this commitment is secured because it names Provision of Landscaping, but cites Requirement 24. The Applicant to clarify.</p>	<p>As indicated in response to ExA Q2.12.1.1 the commitment to reinstate all temporary construction areas, including the mobilisation areas is secured in the OCoCP [REP1-020] which is secured by dDCO Requirement 20. Specific replanting measures will be set out within the Ecological Management Plan (EMP), secured by dDCO Requirement 24. The Schedule of Mitigation will be updated to remove reference to 'provision of landscaping' and refer to the Requirement 20 CoCP and Requirement 24 EMP and submitted at Deadline 6.</p>
2.12.1.3	The Applicant, Breckland Council, Broadland District Council, North Norfolk District Council	<p>Temporary facilities: The ExA is not persuaded by the Applicant's response to Q5.2.2 [REP2-021] and [REP2-030] in the matter of restricting heights of temporary facilities in the dDCO, although it acknowledges that each location would be different in terms of sensitivity of receptors, and micro-siting within the mobilisation zones would take place at a later date.</p> <p>1. If the worst-case scenario assessed is that the height of welfare facilities and storage units would be 3m [REP2-030, para 11], where is this secured? Why would this not be included in the dDCO? The ExA is not convinced that the Best Practical Means in the OCoCP [REP1-019, section 9.1] gives enough certainty that adverse construction effects on visual and other amenity would</p>	<p>1. The Applicant considers that this is best secured in the OCoCP which has been updated to secure this commitment.</p> <p>2. and 3. As detailed in the OCoCP [REP1-018] the final CoCP will include a site layout showing the location of mobilisation areas, trenchless crossing technique (e.g. HDD) compounds, onshore project substation temporary works area and National Grid substation extension temporary works area and the main features of these sites. As such these will be subject to a review and approval process by the relevant planning authority as part of the discharge of Requirement 20. Further information on the process for ensuring measures are in place to minimise any effects on neighbouring communities relating to these elements has been included in Section 3.2 of the OCoCP.</p> <p>The OCoCP sets out the principles which will be adopted to minimise effects however site-specific control measures will be identified when</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>be addressed in an holistic way for sensitive receptors in proximity to mobilisation areas.</p> <p>2. The Applicant and local planning authorities to comment on whether there should be a process set out and secured in the dDCO, which post consent, would identify those construction areas where consideration needs to be given to adverse effects on neighbouring communities (not just for noise and vibration).</p> <p>3. If so, where would this be best located, and should it set out layout/ mitigation principles for specific compounds which go further than the mitigation currently set out in the OCoCP [REP1-019]?</p>	<p>further details of the construction activities are available post-consent to ensure the most appropriate mitigation is identified.</p>

12.2 Noise and Vibration

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.12.2.1	Broadland District Council	<p>Noise Sensitive Receptors:</p> <p>Clarify your position with regard to the appropriateness of the locations of the Noise Sensitive Receptors (NSR) in light of the Applicant's response to the ExA's Written Questions [REP2-021, Q12.2.1].</p>	
2.12.2.2	Broadland District Council, The Applicant	<p>Old Railway Gatehouse:</p> <p>1. Broadland District Council to explain concerns relating to the cumulative impacts on The Old Railway Gatehouse, referred to in the Statement of Common Ground (SoCG) [REP2-047, Table 5].</p> <p>2. The Applicant to explain what additional information that has been provided to Broadland DC in relation to noise and vibration from construction traffic.</p>	<p>1. n/a</p> <p>2. Norfolk Vanguard undertook an assessment of cumulative impacts of the combined traffic with Hornsea Project Three, and proposed mitigation. The assessment included cumulative noise and vibration and air quality impacts specifically at Old Railway Gatehouse, including idling and accelerating Heavy Goods Vehicle's (HGV) in proximity. These assessments are detailed in Position Statements provided by Norfolk Vanguard and are included as Appendix 1 to the Norfolk Boreas</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			Broadland District Council SoCG. The proposed mitigation has been adopted by Norfolk Boreas to address any potential cumulative impact at Old Railway Gatehouse and are captured within section 4.3.2 of the Outline Traffic Management Plan [REP1-022] and secured through DCO Requirement 21.
2.12.2.3	The Applicant	Ivy Todd Farm: Respond to the request [REP3-030] to include Ivy Todd Farm as an NSR.	The Applicant refers to ES Chapter 25 Noise and Vibration [APP-238] and ES Figure 25.2 [APP-470] which shows noise sensitive receptors used in the assessment, which includes SSR2 at Ivy Todd Farm. These locations and methodology were discussed and agreed in consultation with Breckland Council and Norfolk County Council throughout the Evidence Plan Process with the Expert Topic Group, and detailed in the relevant Statement of Common Ground [REP2-039 and REP2-050].
2.12.2.4	The Applicant, Breckland Council	Noise levels: Respond to the concerns raised in [REP4-052] regarding the noise levels and compliance with the 32dB(Z) 100hz limit agreed by the Applicant with Breckland Council.	The Applicant refers to ES Chapter 25 Noise and Vibration [APP-238], which details the results of noise modelling and mitigation proposed at the substation site. Examples of noise mitigation (acoustic enclosure/shielding) are also presented within the modelled scenarios. These show that the onshore project substation under Scenario 1 with the Norfolk Vanguard onshore substation operating with additional noise mitigation, will fall within the 32dC(Z) 100hz condition limit, and will result in no impact at identified receptor locations, including SSR2 Ivy Todd Farm, the location of which is shown in ES Figure 25.2 [APP-470]. Compliance with this limit is secured via the draft DCO under Requirement 27.
2.12.2.5	The Applicant, Norfolk County Council, Breckland Council, Broadland	Enhanced mitigation: In the response to ExA Written Questions [REP2-021, Q1.12.2.4] and the updated OCoCP [REP1-018], there is reference to need for enhanced measures at certain receptors. 1. Applicant to clarify how it would be determined whether enhanced mitigation would be required during construction?	1. The Applicant refers to OCoCP Version 2 [REP1-018], paragraph 118 and ES Chapter 25 Noise and Vibration, section 25.8.5.7 [APP-238]. These documents identify the receptors that require enhanced mitigation during construction in the day time (CRR1E, CRR3F, CRR10), which can be identified on ES Figure 25.2 (APP-470). CRR1, CRR2, CRR3,

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
	District Council, North Norfolk District Council	<p>Would there be any consultation with the LPAs to determine this?</p> <p>2. Are LPAs confident that the enhanced mitigation measures identified by the ES Chapter 25 [APP-238] would achieve the noise reductions identified in Tables 25.34, 25.36, 25.37 and 25.39 of the ES?</p>	<p>CRR5, CRR26, CRR30, and CRR31 require enhanced mitigation in the event that night working is required during trenchless crossings. Mitigation measures utilised during construction will be discussed with and approved by the local planning authority via the final Code of Construction Practice and Construction Noise (and Vibration) Management Plan.</p>

12.3 Construction Hours

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.12.3.6	The Applicant, North Norfolk District Council	<p>Construction Hours:</p> <p>1. Provide further clarity on the types of locations that are considered sensitive receptors when determining construction hours; are areas of importance to local community and local economy considered sensitive receptors? For instance, has regard been given to tourist areas in Happisburgh and North Walsham as sensitive receptors when determining construction hours?</p> <p>2. NNDC to comment.</p>	<p>1. The determination of suitable construction hours (as defined as 0700-19:00 Monday to Friday and 07:00-13:00 Saturday with no activity on Sundays or bank holidays) have been considered and assessed based on various factors including:</p> <p>a) Consideration to minimising overlap with periods of high traffic such as for commuters and schools by allowing deliveries prior to and post these periods;</p> <p>b) Allowing the overall duration of works and period of interruption to be as short as possible. Limiting working hours further, including at sensitive areas, will extend programme time and impact length; and</p> <p>c) Consideration of daytime hours with respect to noise and associated assessments, as defined in BS5228.</p> <p>Certain works may require works outside of the normal construction hours and these are detailed in Requirement 26 of the dDCO and will be subject to approval by the relevant planning authorities.</p> <p>As outlined above, specific sensitive receptor locations are not considered in determining the construction hours. However,</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			sensitivities have been considered such as high traffic periods and noise. The determined construction hours are assessed in the Environmental Impact Assessment for all the onshore chapters and the locations of sensitive receptors are identified based on each topic being assessed, including in ES Chapter 30 Tourism and Recreation [APP-243].
2.12.3.7	The Applicant	Non-standard Construction Hours: Explain the provisions made for the mitigation for impacts arising from non-standard construction hours and how is this secured in the dDCO.	In accordance with the revised wording proposed by the Secretary of State letter for Norfolk Vanguard Requirement 26 (4) of the dDCO [REP4-003] on Construction Hours secures 'full details, including but not limited to type of activity, vehicle movements and type, timing and duration and any proposed mitigation , of all essential construction activities under paragraph (2) and undertaken outside of the hours specified in paragraph (1) must be agreed with the relevant planning authority in writing in advance, and must be carried out within the agreed time.'

13 Socio-economic Effects

13.0 Skills and Employment Strategy

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No questions.			

13.1 Jobs

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No questions.			

13.2 Tourism

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.13.2.1	The Applicant	<p>Tourism Requirement: Provide further reasoning in response to NNDC's request for a new tourism requirement set out in 14.20-14.23 of [REP 2-087] NNDC's Local Impact Report ("LIR") and at [REP4- 031] where NNDC states: "Were such a requirement to be included in the DCO, then complaints or issues raised through the mechanisms set up by the Communications Plan could be addressed under the Tourism Mitigation Strategy, by being brought to the attention of the strategy administrator, who would then be able to take the relevant steps."</p>	<p>The Applicant has responded to the points NNDC raised on the proposed requirement through REP3-011 and through the Position Statement at Appendix 1 titled 'Position Statement North Norfolk District Council Requested Requirement to Address Perceived Tourism Impacts'.</p> <p>In relation to NNDC's position in REP4-031 that complaints could be raised to a Tourism Strategy Manager, the Applicant does not consider that this is appropriate or indeed necessary. The OCoCP [REP1-018] already commits the Applicant to fund a local community liaison officer to engage with local residents and businesses that may be affected by noise or other aspects affecting amenity caused by the construction works; the designated officer will then be responsible for responding to the concerns, queries, or complaints. It should be noted that this role extends across the whole of the cable route, beyond that</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>of NNDC's administrative area. A Tourism Strategy Manager could not, therefore, replace the role of the local liaison officer across the whole route as to do so would go beyond the purpose intended by the proposed tourism compensation measures. In any event, given that the Applicant has already committed to fund a community local liaison officer, funding a Tourism Strategy Manager would amount to double counting.</p> <p>As the Applicant has previously explained in REP3-011, the Applicant considers that there is no evidential link that the short-term construction presence for an offshore wind farm in North Norfolk would lead to an actual or perceived impact on tourism. The Applicant has fully assessed this in the ES (Chapter 30) [APP-243]. The Applicant is not aware of any precedent for mitigation on tourism impacts as a result of temporary construction impacts from offshore wind farms, and it would be wholly unreasonable and lack precision to require mitigation by way of an unquantified financial payment with no agreed or adopted mechanism for its calculation post consent.</p>
2.13.2.2	Norfolk County Council	<p>Compensation Fund:</p> <p>1. NCC to elaborate on its request for a compensation fund for residents and businesses affected by construction in the Relevant Representations [RR-037] and in the LIR [REP2-085].</p>	

13.3 Land use and agriculture

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
No questions.			

13.4 Public Health

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.13.4.1	Public Health England	<p>Effects of electromagnetic fields (EMF):</p> <p>1. Are you content with the Applicant's assumptions and assessment regarding EMF in ES Chapter 27 Human Health [APP-240], especially at the location where the underground cables of Hornsea Project Three would cross with Norfolk Boreas? The Applicant states at [REP1-036] that "HVDC technology to transmit power from the wind farm to the national grid eliminates many potential impacts associated with EMF emissions. The available evidence from studies of humans and animals has been reviewed by Public Health England and internationally by the World Health Organisation and the International Agency for Research on Cancer. None of these expert bodies has identified any health risk for humans or animals exposed to DC magnetic fields." Do you agree with this statement? If not, why not?</p>	
2.13.4.2	Broadland District Council, Breckland District Council, North Norfolk District Council	<p>Human Health:</p> <p>1. In light of the evidence submitted by Corpusty and Saxthorpe Parish Council [REP2- 068], and other IPs [REP4-053] and [REP4-056], do you have further concerns to add to your Local Impact Report [REP2-065, paragraphs 5.1 and 5.2]?</p> <p>2. Comments also invited from other District Councils</p>	
2.13.4.3	The Applicant	<p>Fire Hazard:</p> <p>Respond to [REP4-056] regarding the need for further assessment of the probability and potential impacts arising from accidental, engineering (equipment / system failure) or terrorism related incidents, and any related mitigation measures.</p>	<p>The Applicant addressed the concerns raised in REP4-056 in REP3-007, Table 1.7 and 2.6. National Grid have 342 substations across the UK like that proposed at Necton, and because these substations are Nationally Significant Infrastructure Projects, they have very high levels of electrical systems protection and security.</p> <p>The very low fire risk most associated with higher voltage substations, like the one proposed at Necton, is on transformers. Within this development, unlike most urban distribution substations, the transformers are protected by blast wall design features which have been proven to effectively mitigate the risk. Furthermore, any</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>potentially flammable assets are not located near the perimeter of the infrastructure, and the ground materials and other physical barriers included in the design (such as blast walls) will contain any fire to within the compound.</p> <p>Potential fires would not be able to travel along any cables as they are not oil filled.</p>

13.5 Other offshore industries and activities

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			No questions.

14 Traffic and transportation

14.0 Outline Traffic Management Plan (OTMP)

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.14.0.1	Norfolk County Council, Interested Parties	1. Response to ExA's Written Questions [REP2-084, Q14.0.1] states that, "The OTMP was updated by the applicants at Deadline 1 but is still not acceptable." After the Issue Specific Hearing 3 Onshore effects on 21 January 2020 [EV6-001 – EV6-006], and subsequent discussions with the Applicant, are there matters in the OTMP that remain unresolved? 2. Do IPs wish to comment?	

14.1 Highways Intervention Scheme for Link 34 (B1145 through Cawston)

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.14.1.2	The Applicant	Mobility scooter and non motorised users: Confirm that the proposed street sign on the footway [REP4-016] would not restrict non motorised users.	All proposed signage is to be attached to either existing street furniture or installation of new post and signs. In respect to new post and signs they have been located so as not to interfere with the pedestrian desire lines and will allow for adequate footpath width for pedestrians, mobility scooters and other non motorised users where located.
2.14.1.3	The Applicant	Trimming and pruning regime: Provide further details about the trimming and pruning regime for vegetation in the revised Highway Intervention Scheme [REP4-016].	The Applicant would comply with Norfolk County Council policy for the grass cutting visibility splays. The policy sets out a maintenance regime of five cuts between May and September in urban areas (defined as roads subject to a speed limit of less than 40mph).
2.14.1.4	The Applicant	Speed restriction: Provide further detail about the location of change to speed from 50mph to 30mph for traffic approaching Cawston Village.	[REP4-016], Drawing TP-PB5640-DR015 (Cawston Highway Intervention Approach Driver Awareness Works on B1145) details the relocation of the 30mph reduction. The relocation of the 30 mph speed limit change has been undertaken for the following reasons:

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<ol style="list-style-type: none"> 1. To increase the distance between the 30mph speed limit change and the built-up areas of Cawston Village with the aim of providing more time to drivers to reduce vehicle speeds through Cawston Village; 2. To increase the distance between the 30mph speed limit change and the proposed '20mph Zone' signs, thereby managing the reduction in vehicle speeds throughout the built-up areas of Cawston Village to ensure better driver compliance; 3. To incorporate the 30mph speed limit signs ahead of the 'Road Narrows' and 'S bend signs'; 4. To provide adequate space on both carriageway verges to install the proposed 'Village Gateway' feature incorporating the relocated 30mph speed limit change; and 5. To provide increased forward visibility of the proposed 'Village Gateway' feature and associated 30mph speed limit change when travelling from the east.
2.14.1.5	The Applicant, Norfolk County Council, Broadland District Council, Cawston Parish Council	<p>Cumulative traffic effects in Cawston:</p> <p>The Secretary of State's letter [REP3-012, paragraphs 15 and 16] regarding the Norfolk Vanguard scheme, states that the highway mitigations for B1145 Cawston link 34 would not be "sufficient to offset any potential harm from in-combination traffic effects arising from the proposed Norfolk Vanguard project and Hornsea Three in the event that both were granted development consent".</p> <ol style="list-style-type: none"> 1. Do all parties agree that the revised Highway Intervention Scheme [REP4-016] would mitigate the cumulative effects of the Proposed Development Scenario 1 (Norfolk Vanguard and Norfolk Boreas) and Hornsea Project Three? 2. Applicant to confirm that if Hornsea Project Three is not given consent, how is the Highway Intervention Scheme secured in the dDCO? 	<p>1. As set out in [REP4-016] the Highway Intervention Scheme (HIS) was initially developed by Hornsea Project Three to address the cumulative impacts of Hornsea project Three with Norfolk Vanguard. The scheme was adopted by the Applicant and the concept informed the Cumulative Impact Assessment contained in ES Chapter 24 [APP-237]. The CIA identified the HIS as part of a package of mitigation measures to reduce the initial traffic impact from moderate to a minor residual impact (i.e. the mitigation proposed on Link 34 was specifically designed to mitigate cumulative impacts associated with Norfolk Boreas (Scenario 1 or Scenario 2) and Hornsea Project Three. The HIS has subsequently been refined to address road safety audit concerns but has not deviated from the assessed concept. The Applicant therefore confirms that the HIS [REP4-016] is suitable mitigation for Norfolk Vanguard (and Norfolk Boreas Scenario</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>1) or Norfolk Boreas Scenario 2) in combination with Hornsea Project Three.</p> <p>The Position Statement submitted by the Applicant at Deadline 5 [ExA.AS-2.D5.V1] details all parties positions on the HIS.</p> <p>2.The Outline Traffic Management Plan (submitted at Deadline 5, document reference 9.8, version 3) is secured under Requirement 21 of the dDCO. Section 4.3.2 includes the design of the proposed scheme of highway mitigation along Link 34 through Cawston (including plans of the HIS in Appendix 6), which captures the package of mitigation identified within the CIA. Section 4.3.2 also confirms “Norfolk Boreas Limited is committed to adopting the scheme under both scenarios...” as well as for cumulative impacts with Hornsea Project Three.</p> <p>Requirement 21 of the dDCO states that a final Traffic Management Plan is required for each stage of the works and must be produced in accordance with the outline Traffic Management Plan. The final Traffic Management Plan would include the final detailed design of the scheme of highway mitigation through Cawston to be approved by Broadland District Council in consultation with the local highway authority (Norfolk County Council).</p> <p>The Applicant has reflected on the Secretary of State's (SoS) letter to the Norfolk Vanguard Applicant dated 6 December 2019 and, in order to clarify that the HIS will deal with relevant cumulative impacts, suggests that the proposed Requirement is amended as follows:</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p><i>“(4) The traffic management plan referred to at sub-paragraph (1)(a) must include the final detailed scheme of traffic mitigation for impacts of the authorised development alone, and any relevant cumulative impacts identified, in respect of Link 34 as referred to in Chapter 24 of the environmental statement (Link 34). The final scheme must be approved in writing by the relevant planning authority in consultation with the highway authority”.</i></p> <p>The Applicant considers this to be appropriate given that the HIS has been identified to specifically address cumulative construction traffic impacts associated with Hornsea Project Three. In this way, it is not envisaged that a “revised” scheme of traffic mitigation would be submitted (as proposed in the SoS suggested drafting in the letter of 6 December 2019), which implies that the existing scheme of mitigation does not specifically consider cumulative traffic impacts and that additional mitigation is required in the event that both projects progress.</p>
2.14.1.6	The Applicant	<p>Alternative traffic movement through Cawston</p> <p>At the Issue Specific Hearing into Onshore Matters, Norfolk County Council indicated that it would be willing to consider access for a haul road from the B1149, whereas previously it had considered this was not a feasible option.</p> <p>1. Without prejudice to the ongoing dialogue between relevant parties in relation to traffic movements at Cawston, set out the implications for the application should an alternative access from the B1149 be agreed. What would be the effect on the Environmental Statement, Order limits, compulsory acquisition powers etc?</p> <p>2. How could such an alternative option be considered within the remaining months of the Examination?</p>	<p>1. A review of a number of proposed options for traffic movements through Cawston was undertaken prior to the meeting on the 12th February and is presented in Appendix 2 of the Position Statement [ExA.AS-2.D5.V1]. The table in Appendix 2 of the Position Statement identifies the constraints and benefits of the options from an overall environmental impacts assessment perspective, including construction methodology, traffic and transport, land or order limits and the environment.</p> <p>Four alternative options were reviewed (Option 1 being the existing proposal to use the B1145 and the Highways Intervention Scheme);</p> <ul style="list-style-type: none"> • Option 2 (Norfolk Boreas Scenario 2 only) a full bypass from the B1149 requiring a new separate haulage route parallel to the cable corridor;

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			<ul style="list-style-type: none"> • Option 3 (Norfolk Boreas Scenario 2 only) light bypass where traffic uses the running track when not in use for duct installation; • Option 4 (Norfolk Boreas Scenario 2 only) moving mobilisation MA6 adjacent to the B1149; and • Option 5 (Norfolk Boreas Scenario 1 and 2) Implementing a one-way system using Heydon Road. <p>Option 2 has additional significant constraints relating to construction methodology, traffic demand, the environment and additional land requirements. It would require significant additional land to extend the cable route footprint, outside the order limits and affect multiple landowners where head of terms have already been signed. It also would require an additional 50 weeks and around 9,000 additional HGV movements to construct and subsequently remove the new road. Environmentally there would be additional impacts not considered within the existing EIA: it increases the impact in respect of both footprint and duration on the River Wensum catchment, protected species and habitats, and it goes against the agreed principles with Natural England and increases the risk to groundwater by extending the footprint of the works into a Source Protection Zone 1. . There are also potential impacts to noise and air quality from additional HGV movements which would require further assessment.</p> <p>Options 3 and 4 would require additional land outside the existing Order Limits and renegotiation of heads of terms to accommodate the re-location or new compound adjacent to the B1149. Both options also increase the duration of the works in this area (from approximately 58 weeks to 108 weeks for Option 3 and 96 weeks for Option 4) and requires a higher specification of running track (so use of less impactful alternatives such as trackway would not be possible) to be installed for a longer duration. This does not comply with the Applicant's principle of embedded mitigation to minimise impact on land and reinstate lands as soon as possible. Further assessment of</p>

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			<p>associated air quality and noise would be required as a result of increased HGV movements along the running track. There would also be additional habitat loss at the B1149 entrance, however this could be mitigated and would not change the significance of the findings of the EIA.</p> <p>Option 5, the implementation of a one-way system would not require any changes to the order limits or require a change to the construction methodology and, therefore, would not change the EIA. As such it could also be implemented by Norfolk Vanguard.</p> <p>2. As detailed above, options 2, 3 and 4 would require additional land outside of the Order Limits. There are three ways that land can be authorised for compulsory acquisition (CA) within a DCO (s.123 Planning Act 2008 (PA08)):</p> <ul style="list-style-type: none"> • The original application includes that land for CA powers; • All persons with an interest in the land (including third party interests) consent to the inclusion of the provision; or • The prescribed procedure is followed (where a person with an interest in the additional land does not consent to the inclusion of the provision). <p>The prescribed procedure is set out in separate regulations – The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regs). The CA Regs state:</p> <p>1. The request for the proposed CA powers over additional land is submitted to the Secretary of State with:</p> <ol style="list-style-type: none"> a. a supplement to the book of reference; b. a land plan identifying the land required as additional land, or affected by the proposed provision; c. a statement of reasons as to why the additional land is required; and

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>d. an updated funding statement to indicate how the additional land is proposed to be funded.</p> <p>2. The Secretary of State has 28 days to decide whether to accept the request for the proposed CA powers.</p> <p>3. If accepted then the Applicant must notify:</p> <ul style="list-style-type: none"> a. Local authorities as identified in s.43 of the PA08; b. Greater London Authority – not applicable here; c. Those parties in s.57 of PA08 – all those with interests in land on the same basis as notified under s.56 PA08 of the original acceptance of the DCO application; and d. Statutory bodies – as outlined in Schedule 2 of the CA Regs. <p>The Applicant must also publish a notice in two successive weeks in required publications.</p> <p>4. The notices have set requirements and must include a minimum 28 day period for making representations to the Secretary of State.</p> <p>5. The Applicant has 10 working days after the end of the 28 day representation period to send a certificate of compliance in respect of the notification requirements.</p> <p>6. The Examining Authority must then make an initial assessment of the issues within 21 days of the deadline for making representations and then set the timetable for examination.</p> <p>7. A minimum of 21 days' notice must be given of any hearings (but could be shortened if the parties consent in circumstances where a CA hearing has already been set).</p> <p>The Applicant considers that the process within the CA Regulations could take between 12-16 weeks, which would be very difficult to accommodate within the current examination timetable.</p>

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			In summary, the Applicant does not consider that Options 2, 3 and 4 are feasible or proportionate alternatives and only Options 1 and 5 should be considered further within the remaining months of the Examination.
2.14.1.7	The Applicant, Norfolk County Council, Broadland District Council, Cawston Parish Council	Traffic movements in Cawston The Position Statement [REP4-020] to be submitted at Deadline 5 to include a list of all matters that are not yet agreed.	A Position Statement on Cawston Traffic following the meeting held on the 12 th February has been submitted at Deadline 5 [ExA.AS-2.D5.V1] and includes a list of all matters not yet agreed.

14.2 Cable Logistics Area (CLA) along Link 68 in Oulton

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.14.2.8	The Applicant	<p>1. It was stated at the ISH Hearing [EV6002 – EV6-005] and in the post hearing note [REP4-013, page 10] that “Traffic and use of the cable logistics area is limited to the purposes described in the clarification note [REP2-027] and HGV movements to the CLA are limited to 5 arrivals and 5 departures per day.” Where and how is the proposed limit to per day HGV movements secured?</p> <p>2. Could harvest and other events mean that HGV movements are concentrated at certain times of the day? What are the potential implications and how would these be mitigated?</p>	<p>1. [REP1-022] Outline Traffic Management Plan (OTMP) purpose is “to capture and secure the mitigation principles that, for the construction phase of the onshore elements of the project, are to be included in the final Traffic Management Plan (TMP) to be submitted pursuant to the discharge of Requirement 21(a) of the Draft DCO.” Section 3.2 of the OTMP introduces Appendix 1 and Appendix 2, HGV distribution for Scenario 1 and Scenario 2 respectively. Paragraph 73. sets out “The daily HGV demand set out in Appendix 1 and 2 represents the maximum HGV level for the project alone not to be exceeded by the appointed contractor.”</p> <p>Appendix 1 contains a maximum daily HGV demand for link 68 (The Street/Heydon Road) of 65 and Appendix 2 sets out a maximum daily HGV demand of 80 for the same link. These numbers are</p>

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			<p>inclusive of the 10 HGV movement demand for the Cable Logistics Area. However, for clarity a footnote has been added to Appendix 1 and Appendix 2 to reflect this.</p> <p>2. Potential HGV peaks associated with harvest and other events can be accommodated in the Applicant's HGV controls.</p> <p>[REP1-022] Outline Traffic Management Plan (OTMP), Section 3.3 sets out the controls for HGV numbers and includes a commitment to a contractor booking system for HGVs.</p> <p>The booking system will enable a daily profile of deliveries to be maintained within the assessed daily maximum thresholds and allow the contractor to ensure that the required deliveries are regularly forecast and planned. This in turn, allows the hourly profile of HGVs to be controlled by allocating timeslots. By controlling hourly arrival and departure time the potential for the Project's HGVs to add to delays at 'pinch-points' is substantially reduced.</p> <p>Norfolk Boreas HGV traffic demand for Heydon Road would be a maximum of 4 arrivals and 4 departures per hour. This low frequency of HGV movement could be readily co-ordinated with the Agricultural Industry by utilising the booking system to ensure the assessed daily maximum HGV is not exceeded.</p> <p>OTMP Table 3.5 contains the further commitments to ensure 'highway network resilience' including the commitment to event management and engaging with the Agricultural Industry.</p>
2.14.2.9	The Applicant	<p>Cycle Routes</p> <p>The ExA observed at the USI on 20 January 2020 [EV2-003] a number of cyclists using Link 68 The Street and Heydon Road.</p> <p>1. What assessment has been undertaken of the use of Link 68 by Non-Motorised Users (NMU) including cyclists?</p> <p>2. What mitigation is proposed to ensure the safe passage of NMUs at this location and where is this secured?</p>	<p>1. All 108 highway links contained within the traffic and transport study area have been assessed and assigned sensitivity. The assessment includes the consideration of all user groups including pedestrians and cyclists. Details of the rationale for the applied sensitivity are contained in ES Chapter 24, Appendix 24.2 [APP-639]. It can be observed that links with evidence of cycle routes or pedestrian use with limited facilities, are identified and assigned a</p>

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			<p>greater degree of sensitivity. This in turn informs the significance of impacts and the appropriate mitigation for the user groups. This could be a reduction in construction vehicles, or improved/diverted pedestrian/cycle routes.</p> <p>The assessment established that Link 68 has no national, regional or local designation as a cycle route/walking route and therefore is not a sensitive link with respect to those user groups. Therefore, the mitigation proposed for Link 68 was not specific to NMU but developed for all modes.</p> <p>2. [REP1-022] OTMP, Section 4.3.3 sets out the highway mitigation scheme for Link 68 which has been developed to accommodate all road users and approved by NCC.</p> <p>The OTMP Table 4.2 gives more details of the highway mitigation scheme, measures that will secure safe passage of NMUs include:</p> <ul style="list-style-type: none"> • Up to 8 passing places along The Street for HGV opposing traffic; • A means of priority work for southbound vehicles in the vicinity of The Old Railway Gatehouse; • Temporary lowering of the existing 60mph speed limit to 30mph; and • Temporary signage along the B1145 and The Street as agreed with the Highway Authority to provide driver awareness and enforcement. <p>The OTMP (para 96) confirms highway mitigation scheme measures will be supplemented with an induction for contractor HGV drivers that will establish a clear set of responsibilities that drivers will be required to follow including:</p> <ul style="list-style-type: none"> • Timings, pre-booked slots; • Clarification of approved HGV routes;

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<ul style="list-style-type: none"> • Awareness of highway safety concerns; • Adherence to speed limits; • Instructions on when to pull over safely to alleviate platoons; • Safe driving techniques for over-taking manoeuvres; and • Details of reporting accidents and 'near misses'.
2.14.2.10	The Applicant	<p>Non-standard Construction Hours</p> <p>1. Oulton Parish Council seeks clarity on the Cable Logistics Area clarification note [REP2-027] which states that working outside the working hours secured in the draft DCO Requirement 26 is only permitted for essential activities. What type of activities, other than the those listed in dDCO Requirement 26, could constitute "essential activities" for this specific location?</p> <p>2. Confirm that cable drums would not require nighttime delivery? Where and how would this be secured?</p>	<p>1. No activities are proposed at the cable logistics area outside of normal working hours. The text regarding essential activities in the cable logistics area clarification note [REP2-027] was included to highlight that agreement with the planning authority in advance would be required should an essential activity be identified.</p> <p>2. Cable drums would not require night time delivery and will not be abnormal loads. The OTMP [REP1-022] Section 3.5 states that the delivery of materials and plant would occur in normal working hours (7am to 7pm Monday to Friday and Saturday 7am to 1pm).</p>

14.3 Link 69 Little London Road in North Walsham from the B1145 Lyngate Road to an access point 210m east

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.14.3.11	The Applicant	<p>Cable crossing of Little London Road</p> <p>1. Explain the effects of street closures 8a-8b, 8c-8d, 8e-8f and 8g-8h [APP-013, sheet 9] on nearby residents and local traffic movements. Please provide details of timing and duration of closures and re-routing of traffic.</p> <p>2. Provide a method statement to explain the cable crossing of Little London Road (TC14a/b, TC14a, TC15), and associated land drainage and streams, works access and road closure; to expand on Works Plan [APP-010] Sheet 8. How would this be secured?</p>	<p>1. The notations 8a-8b, 8c-8d, 8e-8f and 8g-8h refer to sections of road which are identified in Schedule 2 – Streets Subject to Street Works of the DCO.</p> <p>Schedule 2 allows for a range of traffic management measures to facilitate Street works, including a full road closure. Street works can be for a number of reasons, such as constructing an access to the cable route from the public highway or for cable route crossing methods including open trench construction or trenchless crossing methods under the public highway. The table below presents the potential street works required at each location.</p> <p>Streets Works</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:			
			Streets Subject to Street Works	Road Name	Works Required	Traffic Impacts
			8a – 8b	Hall Lane	Access AC34	Road closure with diversion routes.
			8c – 8d	Hall Lane	Access AC35	Road closure with diversion routes
					Open trench crossing with potential option for trenchless crossing via TC#15 under Hall Lane	
			8e – 8f	Little London Road	Access AC37	Road closure with diversion routes
					Open trench crossing with option for trenchless crossing via TC#14 under Little London Road	
			8g – 8h	B1145	Access AC38	Single Lane closure requiring traffic

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:			
						management such as traffic signals.
					TC#14 under the B1145	No Impacts to traffic
			<p>Access Construction within Street Works 8a-8b, 8c-8d, 8e-8f</p> <p>Due to the narrow carriageway width of Hall Lane (AC34, AC35) and Little London Road (AC37), road closures are likely to be required to allow construction of the accesses. The majority of access works will be undertaken off the live carriageway and only the last section of 'tying in' to the existing road would require a full road closure.</p> <p>Where practicable and safe to do so, local residential access will still be provided through the road closures. Through traffic will utilise signed diversion routes to circumnavigate the road closure with the likely routes described below.</p> <p>Diversion Routes:</p> <p>8a – 8b and 8c-8d – Hall Lane</p> <p>A diversion route with an origin from the west can be achieved by routing north on the B1145, turning right at an unnamed road leading to Hall Lane, then turning right at the junction with Hall Lane before heading south on Hall Lane towards the road closure. This route is likely to impose a delay of approximately 3 minutes.</p> <p>A diversion route with an origin from the east can be achieved by routing west along North Walsham Road and turning right at Edingthorpe Green and utilising the local roads to re-join Hall Lane to the north of the road closures. This route is likely to impose a delay of approximately 3 minutes.</p>			

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>8e – 8f - Little London Road</p> <p>For a road closure on Little London Road, an alternative diversion route through the Village of North Walsham can be achieved from the B1145 via Lyngate Road, Mundeseley Road, Crow Road and onto Bacton Road before re-joining Little London Road from the east of the road closure.</p> <p>The reverse of the route would allow access to the west of the road closure on Little London Road. This route is likely to require a delay of approximately 4 minutes.</p> <p>Access Construction within Street Works 8g-8h</p> <p>Access construction of AC38 on the B1145 would require a single lane road closure during the completion of the 'tying in' construction to the existing carriageway. The single lane closure would be managed by two way traffic signals during the working day in accordance with applicable traffic sensitive street timing restrictions and in full compliance with Traffic Signs Manual - Chapter 8 – Part 1. Restrictions would be removed outside of the working hours where it is safe and practicable to do so.</p> <p>Baseflows of the B1145 are within the Chapter 8 thresholds of 900 vehicles per hour one-way working for traffic signal control presenting a minimal impact to traffic flows in regards to driver delay.</p> <p>Duration of road closures and diversion routes</p> <p>For the construction of the accesses it is likely that duration of the road closures would be short term for a maximum of one week. Likewise for open trench crossings of the cable route, it is likely that road closures would be required for a maximum of one week.</p> <p>2. A method statement explaining the crossing of features in the vicinity of Little London Road including committed trenchless crossings of Paston Way and Knaption Cutting County Wildlife Site and the North Walsham and Dilham Canal is provided in ExA.AS-</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>9.V1.D5. The method statement includes discussion of works access and road closure requirements.</p> <p>The trenchless crossing of the Paston Way and Knapton Cutting County Wildlife Site and North Walsham and Dilham Canal is secured under dDCO Requirement 16. The access points and associated traffic mitigation for Little London Road, including aspects such as the positioning of drill exit compounds within the area accessed from Little London Road to minimise materials requirements delivered on Link 69 is detailed in Table 4.3 of the OTMP which is secured under Requirement 21 of the dDCO.</p>
2.14.3.12	The Applicant	<p>Communications Plan</p> <p>1. Provide details on the contents of the Communications Plan referred to in the Applicant's response to ExA Written Questions [REP2-021, Table 14], including who would be consulted, how and when?</p> <p>North Norfolk District Council states that [REP4-031]: "It is important that the Communications Plan include both a Complaints System and a Community Liaison Committee. The appointment of a Community Liaison Officer would also form part of the Communication Plan, secured by the Requirement. One of the reasons that NNDC considered these matters to be important, and would be open to greater detail being provided by the Appellant, is that the Communications Plan will be an aspect of addressing the impact of construction activities on tourism and recreation, as well as residential and local amenity."</p> <p>2. How does the Applicant propose these matters should be addressed?</p> <p>3. How would the implementation of the Communications Plan reduce pedestrian severance and amenity in relation to Link 69?</p>	<p>1. Norfolk Boreas Limited will ensure effective and open communication with local stakeholders i.e. residents and businesses that may be affected by noise or other aspects affecting amenity caused by the construction works.</p> <p>The Applicant will draw up a communications plan to be submitted for comment to the Local Authorities as part of the final CoCP. This plan will be tailored to meet the needs of local stakeholders in relation to the works to be undertaken. The communications plan will mirror the construction programme, and its geographic focus of work – for example taking into account that construction may be undertaken contemporaneously in North Norfolk, Broadland and Breckland. Communications will proactively share relevant aspects of the construction plan – in order to keep local authorities and local residents informed of the type and timing of works involved, in advance, to facilitate planning ahead as far as possible.</p> <p>Communications will be co-ordinated on site by a designated member of the construction management team. Previous construction activities undertaken by the Applicant's parent company (Vattenfall Wind Power Ltd) have convened one or more Community Liaison Committees, to ensure effective two-way communications between local representatives and the Applicant. We envisage similar arrangements will be made in relation to the</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>Project. A combination of communication mechanisms such as making use of existing channels of communication, like Parish and community information boards, magazines and meetings, as well as establishing new ones such as Community Liaison Committee meetings and digital tools will be employed to keep local residents informed.</p> <p>The type of information that will be shared will include indicative details for timetable of works, a schedule of working hours, the extent of the works, and a contact name, address and telephone number in case of complaint or query.</p> <p>A designated Norfolk Boreas Limited local community liaison officer will deliver the proactive elements of the Communications Plan, as well as responding to any public concerns, queries or complaints in a professional and diligent manner. Enquiries will be dealt with in an expedient and courteous manner. Any complaints will be logged, investigated and, where appropriate, rectifying action will be taken.</p> <p>2. There will be limited flexibility in terms of influencing local work programmes, but mechanisms such as the Local Liaison Committee would enable open dialogue on local work programmes as far as possible. Already, the works programme takes into account local sensitivities and interests and needs regarding the role of tourism in supporting the local economy, as far as is possible, and will seek to limit interaction with tourism activity further, once detailed plans are drawn-up.</p> <p>Efforts will also be made to work with local stakeholders to explore opportunities where the local association with the development of offshore wind, a cornerstone of the UK's energy transition programme, enabling Net Zero by 2050, and the local policies developed in response to Climate Change can serve as a source of local pride, and potentially contribute to the local appeal and sense of place. Any enhanced local understanding derived from Project activities, such as Site Investigation work or archaeological</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
			<p>assessments, which can contribute to local initiatives like the Deep History Coast programme, will also be shared and communicated with local stakeholders.</p> <p>3. The implementation of a Communications plan would reduce severance by enabling the contractor to be informed of the most sensitive period for pedestrian activity and allow the contractor to tailor HGV deliveries accordingly to minimise impact.</p> <p>Noting material is being stockpiled at MA10 and transferred to smaller vehicles, delivery management to Little London Road can be precisely controlled to tightly defined delivery windows.</p> <p>A further benefit is that residents would be appraised of delivery windows and HGV quantum so would be less susceptible to the severance anxiety associated with unexpected impacts.</p>

15 Water Resources and Flood Risk

15.0 Water Resources and Flood Risk

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.15.0.1	Norfolk County Council, Water Management Alliance (Internal Drainage Board), Breckland District Council, Broadland District Council, North Norfolk District Council	<p>Proposed disapplication of secondary consent, in relation to drainage:</p> <p>The Applicant provides an explanation in [AS-024] table 15 item 5 for the proposed disapplication under dDCO Article 7 (3) of secondary/ additional consents, with reference to representations by Water Management Alliance [RR-104] and by Norfolk CC [RR-037]. Are parties content? If not, why not?</p>	
2.15.0.2	Environment Agency	<p>Cumulative residual adverse impacts to Water Resources and Flood Risk:</p> <p>Are you satisfied with Applicant response at [REP3-003] to Q16.1.1 regarding residual effects to Water Resources and Flood Risk, with particular reference to cumulative adverse effects of permanent culverts in Scenario 2?</p>	
2.15.0.3	Environment Agency	<p>Update on the EA concerns about potential impacts on water environment:</p> <p>Referring to Applicant responses at Deadlines 3 and 4, EA to provide update on its concerns regarding:</p> <ol style="list-style-type: none"> 1. Potential construction impacts on groundwater quality for example from trenchless crossing and piling, including consideration of where groundwater and surface waters converge; 2. How to secure groundwater abstractor's formal consent to derogate, before works begin, irrespective of whether or not they have access to mains; 	

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		3. Potential for significant impact at any shallow wells in close proximity to the excavations.	
2.15.0.4	The Applicant	<p>Identification of groundwater abstractors, risk assessment and monitoring: Explain [REP3-003 table 16.2]:</p> <p>1. How does the OCoCP secure compliance with the EA's request that the Applicant provides the EA with 'details of any groundwater abstractors identified along with a risk assessment for the works, along with a groundwater monitoring proposal if appropriate, or an evidence-based justification of the reasons why a risk assessment and monitoring are not required'.</p> <p>2. Does Requirement 20 (2)d of the dDCO need to be clarified regarding securing consultation with the EA prior to construction on further investigations and refined Conceptual Site Model for ground conditions and contamination?</p>	<p>1. Section 6.1.1 of the OCoCP has been updated to secure the Environment Agency's request, an updated OCoCP has been submitted at Deadline 5 [Document reference 8.1 Version 3].</p> <p>2. Section 6.1 of the OCoCP has been updated to secure the consultation with the Environment Agency prior to construction on further investigation and refinement of the Conceptual Site Model for ground conditions and contamination.</p>
2.15.0.5	The Applicant	<p>Cable crossings in Source Protection Zones: Clarify if construction method for any cable crossings in SPZs is likely to be changed, and if so, explain if and how this would change the assessment of significant effects presented in the ES Chapter 20 [APP-233].</p>	<p>The Applicant refers to ES Chapter 20 Water Resources and Flood Risk [APP-233]. A Construction Method Statement will provide details relating to best available techniques (BAT) to be used for installation, which will be in accordance with Energy Network Association Guidance and in agreement with the Environment Agency.</p> <p>ES Chapter 20 paragraph 160 refers to a hydrogeological risk assessment to be undertaken in accordance with Groundwater Protection Principles and Practice (GP3) (Environment Agency, 2017), for any trenchless crossings proposed in SPZ1 or SPZ2. This would be undertaken post-consent in consultation with the Environment Agency as part of wider pre-construction investigations and is secured through Section 6.1.1 of the OCoCP [REP1-018]. Any changes required to the methodology will be as per the parameters assessed in the ES.</p>
2.15.0.6	The Applicant	SuDS drainage design and management principles across various plans:	The DAS has been updated to provide further details on the Design Guide including reference to the operational drainage design.

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		Should the content for the Design Guide to be included in the DAS, and the OLEMS be updated to contain cross-referencing to drainage design, maintenance and management to SuDS principles as established through the outline Operational Drainage Plan? There seems to be no mention of operational drainage design, maintenance and management in the note on Design Principles for the substation appended to the SoCG with Breckland Council [REP2-039].	Table 4.3 of the DAS which sets out the Design Principles and includes the development of the SuDS drainage strategy, a cross reference to the Outline Operational Drainage Plan has been included. Reference has also been included in the Design Guide Outline, presented as Appendix 1 to the updated DAS (Document reference 8.2, Version 3). Section 3 of the OLEMS details the objectives including reference to the SuDs requirements, a cross reference to the Outline Operational Drainage Plan has been included. Updated documents have been submitted at Deadline 5.
2.15.0.7	The Applicant	Flood Risk Assessment on proposed National Grid substation extension Does the Flood Risk Assessment need to be amended to reflect any increased area of the proposed National Grid substation extension, whether for Scenario 1 or Scenario 2?	The Applicant refers to ES Appendix 20.1 Flood Risk Assessment [APP-586]. The dimensions of the proposed National Grid substation extension under Scenario 1 and 2 are accurately assessed within the Environmental Statement. The parameters as assessed in the Flood Risk Assessment reflect the dimensions for Scenario 1 and Scenario 2 as detailed in ES Chapter 5 Project Description [APP-218].
2.15.0.8	The Applicant	Reinstatement of small watercourse channels to pre-construction depths: Chapter 20 of the ES [APP-233, para 193] specifies that backfilling of cable trenches would be 'well compacted to prevent the cable corridor acting as a conduit for water'. Confirm where this methodology is secured.	This is secured in the OCoCP [RER1-018] which refers to 'stabilised backfill', and which has been updated to provide further detail. The updated OCoCP has been submitted at Deadline 5 [Document reference 8.1, Version 3].
2.15.0.9	The Applicant	Flood Warning and Evacuation Plan: The Flood Risk Assessment [APP-586] para 247 states that 'it is anticipated that the project will require a comprehensive Flood Warning and Evacuation Plan'. Has this Plan been drafted and if so, indicate where in the documentation it is and whether it is proposed that it would be a certified document? If it hasn't been prepared, explain why and the process for preparing it.	The OCoCP [REP1-018] details the controls adhered to for flood risk. The document states that contractors will be required to sign up to the Environment Agency (EA) 'Floodline' service, and that during construction staff must be made aware of works in flood zones and the process to follow in the event of a flood, with any Flood Warning Systems to be subscribed to. The OCoCP has been updated to refer specifically to a Flood Warning and Evacuation Plan, which will be produced as part of the Environmental Emergency/Incident and Response Plan post-consent.

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.15.0.10	The Applicant	<p>Enhancement/reinstatement of watercourses [Requirement 25 of DCO]:</p> <p>Section 2.1.3 of clarification note [REP2-028] discusses the principle of ecological enhancement/reinstatement of 'water bodies directly affected by the proposed project' (potentially including bank reprofiling, narrowing of over-wide channels, reinstatement of suitable bed substrate, installation of sediment traps, in-channel habitat enhancements and marginal planting).</p> <p>1. How would the 'pre-disturbance' state of river channels be determined and how would this be secured?</p> <p>2. How would the best approach to ecological enhancement/reinstatement of watercourses be determined?</p> <p>3. Outline the process to finalising enhancement details for each water crossing site and how this would be secured.</p>	<p>1. A visual inspection and photographic survey will be undertaken at each crossing location in advance of construction to ensure that there is an accurate record of baseline conditions geomorphological (physical habitat) and ecological at each crossing location. This survey will be detailed in the site specific watercourse crossings plan which are secured through Requirement 25 and detailed in the OCoCP. An updated OCoCP has been submitted at Deadline 5 which captures this further detail in Section 11. Note that the baseline geomorphological and ecological condition of the larger watercourses that would be crossed by the proposed development has already been established as part of the pre-consent geomorphological survey that were undertaken to inform the DCO submission, detailed in ES Appendix 20.3 [APP-588]. The pre-construction survey will be used to update and augment this survey where appropriate.</p> <p>2. The most appropriate approach to reinstatement and enhancement at each crossing location will be agreed with the Environment Agency (for Main Rivers), the Internal Drainage Board (for Ordinary Watercourses within an Internal Drainage District) and Lead Local Flood Authority (for all other Ordinary Watercourses) in advance of construction through the scheme of watercourse crossings secured by dDCO Requirement 25.</p> <p>3. Details of the enhancements that are appropriate for each crossing location will be set out in a site specific watercourse crossing plan, secured by dDCO Requirement 25. The plans will outline proposals for the scope of the enhancements that can be realistically achieved at each location, taking into account the prevailing geomorphological and ecological characteristics of each reach (as determined by the pre-construction survey) and constraints on channel capacity and flow conveyance. These proposals will be discussed and agreed with the relevant authority (EA, IDB or LLFA) in advance of construction.</p>
2.15.0.11	The Applicant	<p>Monitoring of residual adverse impacts on the water environment:</p>	<p>Post-construction monitoring will be undertaken at each crossing location to identify any residual adverse impacts. This will include monitoring of the predominant geomorphological characteristics (bank</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		What monitoring of residual adverse impacts on the water environment is proposed and how would it be secured?	form, substrate conditions, flow type, and evidence of instability, erosion or deposition) and ecological characteristics of each location. This will enable the effectiveness of the reinstatement to be evaluated, with comparison to the results of the pre-construction surveys secured under the OCoCP. The post-construction monitoring requirement will be detailed in the site specific watercourse crossing plans and the OCoCP has been updated and submitted at Deadline 5 to reflect this commitment

16 General and Cross-topic Questions

16.0 General

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.16.0.1	The Applicant	<p>Climate Change Adaptation: Accepting that climate change is discussed in ES Chapters 8 and 20, provide a statement on how climate change adaptation has been considered both onshore and offshore, with particular reference to resilience of offshore infrastructure to storms.</p>	<p>To ensure long term resilience in the face of climate change, the Applicant has embedded mitigation into the design of the project to account for predicted climate change scenarios both onshore and offshore. For example, through the use of culverts which include an allowance for potential increases in winter flows as a result of predicted climate change to prevent flooding. At landfall, allowance has been made for coastal erosion as a result of climate change through selection and design of the HDD method, burial depth and set back transition pit location. Seaward of landfall, burial of export cables to 5.5.m below LAT will ensure cables remained buried following storm events.</p> <p>The offshore infrastructure associated with the Project will also be designed to ensure resilience to both climate change and storm events. Accepted long-term climatic trends such as sea-level rise and increasing sea and air temperatures will be taken into account when defining load cases for structures and electrical infrastructure. Offshore structures will be designed in accordance with accepted design standards e.g. DNVGL-ST-0145. The 'ultimate limit state' load case will be based on a 100-year storm event. Subsea cables will be protected from storm action throughout the lifetime of the project as they will be installed 1-2m below seabed level, and will be surveyed on a routine basis to identify (and re-bury) any sections that are becoming unburied due to seabed mobility.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.16.0.2	The Applicant, Breckland Council	<p>SoCG with Breckland Council: The Applicant and Breckland Council are requested to update their SoCG to reflect the adoption of its Local Plan during the examination in 2019.</p>	<p>The Breckland Local Plan sets the strategic context for development in the District, governing the decisions made on planning applications and what types of development are suitable for each area. It is a key document that guides development in the District over the next 20 years.</p> <p>The modifications made to the Local Plan are summarised here: https://breckland.gov.uk/media/14546/Report-of-the-Inspector-2019/pdf/Report_of_the_Inspector_2019.pdf?m=637078649603070000</p> <p>All issues, including those relating to the modifications made to the Local Plan from the most recent draft Plan, are agreed with Breckland Council in their Statement of Common Ground submitted at deadline 2 [REP2-039]. This was agreed after Breckland's adoption of their Local Plan.</p> <p>The Breckland Local Plan was adopted on 28th November 2019, and the final correspondence between the Applicant and Breckland regarding the Statement of Common Ground was on the 4th December 2019, therefore the Applicant has already included, discussed and resolved any areas of concern with Breckland Council and these are reflected in the Statement of Common Ground (SoCG) submitted at Deadline 2.</p>
2.16.0.3	The Applicant	<p>Applicant's Response to Relevant Representations: To enable the ExA to easily locate responses to each Relevant Representation, reorder the document [AS-024] so that it is organised by each Interested Party (IP), rather than a summary response to the topics raised in the Relevant Representations.</p>	<p>The Applicant has provided a reordered document as requested by the ExA and this has been submitted at Deadline 5 [ExA.RR.D5.V2]. The Applicant initially structured the document by topic to avoid duplication and because many issues were best addressed with a single response. The Applicant wishes to note that some of the topics and positions contained within the document have progressed since it was originally produced for the 4th November deadline and therefore the document in some respects is now outdated.</p>

16.1 Environmental Statement (ES)

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.16.1.1	The Applicant	<p>Additional trenchless crossing and assessment of significant effects in the ES:</p> <p>One more trenchless crossing (A1067) is being proposed in the DCO than in Table 24.14 (Embedded Mitigation) of ES Chapter 24 [APP-237] and Table 5.40 ES Chapter 5 [APP218] and dDCO Requirement 16(13). How does this additional crossing influence the assessment of significant effects presented in the ES and how, if necessary, should any discrepancies be addressed?</p>	<p>In response to the request from Norfolk County Council for an additional trenchless crossing of the A1067, during the Norfolk Vanguard examination, Norfolk Vanguard completed an assessment to consider whether the revised construction methodology would give rise to any potentially significant impacts beyond those already assessed. This is presented in the 'Norfolk Vanguard Technical Note Responding to Norfolk County Council's Request for Trenchless Crossing of the A1067 and B1149', included as Appendix 2 of the Norfolk Boreas Statement of Common Ground with Norfolk County Council [REP2-050].</p> <p>The assessment identified that the predicted noise levels at the nearest noise sensitive receptor (CRR20) associated with a trenchless crossing of the A1067 represent an impact of negligible significance during the daytime, evening and weekend reference periods. The predicted noise levels at the nearest noise sensitive receptor (CRR20) associated with a trenchless crossing of the A1067 represents an impact of major adverse significance during the night-time reference period. A requirement for further 'enhanced mitigation' was therefore identified. No changes were identified for other relevant onshore environmental topics associated with the proposed trenchless crossing of the A1067. The findings of the submitted Environmental Statement therefore remain valid for those topics.</p> <p>As the same construction methodology would be applied for Norfolk Boreas this assessment is also considered applicable to Norfolk Boreas and the requirement for enhanced mitigation at CRR20 is captured in the Norfolk Boreas OCoCP (Section 9.1.2) [REP1-018].</p>
2.16.1.2	The Applicant	<p>Types of mitigation:</p> <p>The ES EIA Methodology [APP-219, para 37] explains the difference between "embedded mitigation" and "additional mitigation". The updated Schedule of Mitigation [REP2-006]</p>	<p>As detailed in the ES EIA Methodology the two main areas of mitigation are "embedded mitigation" and "additional mitigation". Where mitigation is "embedded mitigation" and has been identified and adopted as part of the evolution of the project, this is clearly stated for</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
		<p>brings in to use the terms “standard mitigation” (for noise) (also in the Applicant’s response to Q12.0.1 [REP2-021]), “further mitigation” (for wintering birds) and “enhanced mitigation” (for noise and traffic). The updated OCoCP uses “enhanced mitigation” [REP1-019, section 9.1.2]. In places “additional mitigation” used in the OCoCP would seem to have the common language meaning of ‘additional’ not that defined in the EIA methodology.</p> <p>Ensure that there is consistency of terminology in references to mitigation; provide any necessary updates to documents and resubmit the updated documents to the Examination. All documents or plans that ensure mitigation is in place must be clear about the definition of mitigation and how that mitigation is secured in the dDCO.</p>	<p>each topic in the ES and in the Outline plans. The “additional mitigation” is that which has been identified during the EIA process specifically to reduce or eliminate any predicted significant impacts. For certain topics this “additional mitigation” is referred to in different terms such as “standard”, “enhanced” or “further” but all refer to “additional” mitigation identified during the EIA process to be employed and is secured in the Outline management plans.</p> <p>As indicated the terminology used is specific to the topic e.g. noise, which refers to “standard” and “enhanced” mitigation, to identify the different levels of “additional mitigation” which are applicable to noise. With the “standard” mitigation referring to the Best Practicable Means and where the ES has identified that this mitigation is not sufficient to reduce impacts to non-significant levels then “enhanced” mitigation is required.</p> <p>The terminology is a result of the nuances in the different assessments for each topic. Therefore, this terminology has subsequently been used in the Schedule of Mitigation and the OCoCP to reflect the assessment within the ES. The Applicant feels that this is most appropriate to allow traceability and consistency with the ES. However, the OLEMS has been updated to refer to remove reference ‘further’ and replace with ‘additional’ mitigation for clarity.</p> <p>The OTMP and OCoCP have been updated to clarify what is considered ‘additional mitigation.’</p>
2.16.1.3	Interested Parties	<p>Decommissioning:</p> <p>Interested Parties are invited to set out any comments they may have on the way decommissioning would be addressed. The Project Description [APP-218] sets out the future processes, which would be in accordance with best practice, rules and legislation of the time. Requirement 14 (offshore) and Requirement 29 (onshore) secure future decommissioning plans.</p>	

16.2 Ground Conditions and Contamination

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
2.16.2.4	Environment Agency	Response to contents of the Terra Land reports: Do the contents of the Terra Land reports submitted to Examination at Deadline 2 [REP2- 014 to 019 inclusive] affect the EA's previous representations?	
2.16.2.5	The Applicant, Environment Agency	Consultation with the EA on contamination assessment and any remedial works: Does the OCoCP adequately secure the need for and timescales for consultation with the EA on any spills and suspected contamination encountered during construction or disturbance of land in preparation for construction?	The wording in OCoCP submitted at Deadline 5 has been updated to include that 'The Environment Agency will be consulted on any proposed ground investigation and further assessment and any refined Conceptual Site Model prior to construction.' The Environmental Agency will review and approve the process and proposed mitigation with respect to any contaminated land as part of the discharge of the final CoCP. As such the Applicant considers the wording is sufficient.