



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

Norfolk Boreas Offshore Wind Farm

Planning Inspectorate Reference: EN010087

Natural England's responses to Examining Authority's Further Written Questions and Requests for Information (ExQ2).

Deadline 5

26 February 2020

Registration Number 20022974

Index	
1. Archaeology and Heritage Assets	5
1.0 Offshore and intertidal archaeology	5
1.1 Onshore archaeology	6
1.2 Onshore heritage assets	6
2. Biodiversity, Biological Environment and Ecology	7
2.0 Offshore benthic and marine mammals	7
2.1 Onshore ecology	9
2.2 Onshore ornithology	10
3. Compulsory Acquisition	11
3.0 Compulsory Acquisition	11
4. Cumulative effects of other proposals	22
4.0 General cumulative effects, including phasing	22
4.1 Onshore cumulative effects of other proposals (construction)	22
5. Development Consent Order and Deemed Marine Licences	23
5.0 General	23
5.1 Articles	24
5.2 SCHEDULE 1 PART 1: Authorised Development	28
5.3 SCHEDULE 1 PART 3: Requirements	29
5.4 OTHER REQUIREMENTS	35
5.5 SCHEDULES 9 to 13: Deemed Marine Licences	35
5.6 SCHEDULE 15: ARBITRATION RULES	37
5.7 SCHEDULE 16: PROCEDURE FOR DISCHARGE OF REQUIREMENTS	37
5.8 CONSENTS, LICENCES AND OTHER AGREEMENTS	38
6. Fishing	38
7. Grid connection	38
8. Habitats Regulation Assessment	39
8.0 River Wensum SAC	39
8.1 Norfolk Valley Fens SAC	40
8.2 Onshore Ornithology	40
8.3 Haisborough, Hammond and Winterton SAC	41
8.4 Offshore ornithology	43
8.5 Alde-Ore Estuary SPA	48
8.6 Alde-Ore Estuary SPA, Flamborough and Filey Coast SPA and Greater Wash SPA	50
8.7 Flamborough and Filey Coast SPA	51
9. Landscape and Visual Effects	51
9.0 The Applicant's landscape and visual assessment	51
9.1 The Applicant's visual assessment	51
9.2 Alternatives considered	53
9.3 Landscape effects	53
9.4 Visual effects	56
9.5 Outline Landscape and Ecological Management Strategy (OLEMS)	57
9.6 Good design	59
9.7 Matters arising from the accompanied site inspection (ASI) on Thursday 23 January 2020	61
10. Marine and Coastal processes	62
11. Navigation	62
11.0 Marine Navigation and Shipping	62
11.1 Aviation and Radar	63
12. Onshore construction effects	63
12.0 Cable corridor and ducting	63
12.1 Mobilisation areas	64
12.2 Noise and Vibration	66
12.3 Construction Hours	67
13. Socio-economic effects	68

13.0 Skills and Employment Strategy	68
13.1 Jobs	68
13.2 Tourism.....	68
13.3 Land use and agriculture	69
13.4 Public Health.....	69
13.5 Other offshore industries and activities.....	70
14. Traffic and transportation	70
14.0 Outline Traffic Management Plan (OTMP)	70
14.1 Highway Intervention Scheme for Link 34 (B1145 through Cawston)	70
14.2 Cable Logistics Area (CLA) along Link 68 in Oulton.....	72
14.3 Link 69 Little London Road in North Walsham from the B1145 Lyngate Road to an access point 210m east	73
15. Water Resources and Flood Risk	74
16. General and cross-topic questions	78
16.0 General	78
16.1 Environmental Statement (ES)	79
16.2 Ground conditions and contamination.....	80

ExQ2	Question to:	Question:	
1. Archaeology and Heritage Assets			
1.0 Offshore and intertidal archaeology			
Q2.1.0.1	The Applicant	Clarification note on Archaeological Interests and Survey at the landfall site: Clarify how target drill depths and exit point for the 'long HDD' described in Section 3 para 9 of [REP4-021] is secured.	
Q2.1.0.2	Historic England (HBMCE)	Clarification note on Archaeological Interests and Survey at the landfall site: 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.	
Q2.1.0.3	Historic England (HBMCE)	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)?	
Q2.1.0.4	Historic England (HBMCE) Natural England (NE) Marine Management Organisation (MMO)	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 ' <i>Optimising Cable Routing through the HHW SAC</i> '.	Natural England have provided a detailed response to 'Optimising Cable Routing through the HHW SAC' at Deadline 5
Q2.1.0.5	The Applicant	Compatibility of timescales in the IPMP and WSI: Has the Applicant accepted the HBMCE request	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		[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?	
1.1	Onshore archaeology		
		No questions	
1.2	Onshore heritage assets		
Q2.1.2.1	The Applicant	<p>Cawston Conservation Area</p> <p>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.</p>	
Q2.1.2.2	The Applicant Broadland District Council	<p>Cawston Conservation Area and Listed buildings</p> <p>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.</p>	
Q2.1.2.3	The Applicant	<p>Bylaugh Park</p> <p>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.</p>	

ExQ2	Question to:	Question:	
		2. At which Deadline is it proposed to submit the updated document?	
2. Biodiversity, Biological Environment and Ecology			
2.0 Offshore benthic and marine mammals			
Q2.2.0.1	The Applicant The Wildlife Trusts	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.	
Q2.2.0.2	The Applicant, Marine Management Organisation, Natural England	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>Natural England is aware that the applicant and MMO have discussed inclusion of a Plan of Plans as a certified document to contain all the final approved parameters. This approach may be an appropriate resolution to this issue, pending sight of updated DCO and the document. However, Natural England would also like to note that, while this approach may be acceptable, our preferred approach would be to update the ES at the end of examination to ensure the final ES reflects the parameters permitted.</p> <p>The ES is currently a snap shot of the EIA at the beginning of examination and does not reflect the full EIA at the end of the examination process and therefore is no longer representative of the revised/agreed Worst Case Scenario (WCS). Due to the time lapse between consent and construction it is often the case that the project teams within each organization/company will change. And therefore at the time of construction there has been a tendency to defer back to the ES and not the examination technical documents. We would therefore welcome a mechanism that secures the revised</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
			assessments/technical documents/WCS as those in which a decision will have /has been made.
Q2.2.0.3	Applicant Marine Management Organisation	Post 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].	Natural England is unclear if this question relates to securing post construction benthic monitoring on the face of the DCO/DML or the requirements of such a survey. If it is the latter, then we advise that NE should be party to any discussions.
Q2.2.0.4	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]	Please see response to Q2.2.03 above.
Q2.2.0.5	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	Natural England and the applicant have discussed the need for a monitoring condition. Currently the action is with Natural England to provide an example condition which we will do prior to Deadline 6. Further discussion on the need and wording of this condition is expected following production of the wording and examples of other projects with similar conditions.
Q2.2.0.6	Natural England	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?	Natural England's advice on <i>Sabellaria spinulosa</i> reef outside of designated sites is as follows. <i>Sabellaria spinulosa</i> reef is listed as a 'Habitat of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities (which includes OWF developers who have a statutory instrument i.e. DCO/DML) to conserve and enhance biodiversity.

ExQ2	Question to:	Question:	
			<p>Therefore we regularly advise both the MMO and developers during pre-construction discussions that impacts to Annex I reef should be avoided.</p> <p>As with <i>Sabellaria spinulosa</i> reef within designated sites, without further evidence we cannot agree with the Applicant's certainty that reef will recover and therefore in relation to the potential impacts and the Applicant's assessment our concerns are the same i.e. 'reef' is 'reef' inside and outside of sites and there is no evidence to demonstrate that it would behave differently. The only difference is the legislation protecting it.</p>
Q2.2.0.7	Applicant Marine Management Organisation	<p>Sandeel: Applicant/MMO to provide an update regarding discussions around cumulative effects and monitoring of sandeel [REP2-051].</p>	
2.1 Onshore ecology			
Q2.2.1.1	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>	<p>Natural England advises that the text is amended to the following</p> <p>'In the event that operations are required within a SSSI (outside of the DCO boundary) in response to an environmental incident, Natural England must be consulted and SSSI assent sought immediately as required' in the OCoCP.</p> <p>If an environmental incident occurs while undertaking agreed activities as part of the cable installation as agreed in the DCO/DML then NE is not the regulator as the activities are part of an existing plan or project. In this case the LPA and/or the MMO</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
			as the regulator must consult with NE immediately and seek our advice. But a separate assent is not required.
Q2.2.1.2	The Applicant	<p>Norfolk Haker 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>2.2 Onshore ornithology</p>			
Q2.2.2.1	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>We note that the updates to the tool under phase 2 were expected by mid-January 2020; however there have been delays to this. At the time of writing Natural England is not in a position to share an updated link to the tool with the Applicant, although this is anticipated to be available in the near future.</p> <p>However, Natural England can confirm that the testing that has been undertaken on the tool as part of phase 2 have largely concluded that the tool is running as expected and that the outputs are biologically plausible, although some bugs in the Shiny tool have been updated.</p> <p>Natural England notes that during discussions with the Applicant since the ISH on 22nd January 2020, the Applicant indicated that their position is that time to update the PVA has now run out, but that they will give consideration to whether this can be done within the very tight timeframes following an update from NE on the tool (which was sent to the</p>

ExQ2	Question to:	Question:	
			<p>Applicant on 20.02.2020).</p> <p>If it is not possible in the timeframes for Norfolk Boreas to run updated models once the updated version of the tool can be shared, then we are not aware that the updates will make a significant difference to the counterfactual metric outputs of models run using the previous/currently available version of the tool. This conclusion is on the basis that the testing undertaken has not thrown up any significant issues with the tool,. Therefore, we will use the counterfactual of population size (CPS) and counterfactual of growth rate (CGR) metric outputs from models run by the Applicant using the previous version of the tool as presented in the Deadline 2 updated assessments [REP2-035], provided these are set-up and parameterised in the way we have advised (i.e. sufficient simulations etc.) in our Deadline 4 response [REP4-040].</p>
3. Compulsory Acquisition			
3.0 Compulsory Acquisition			
Q2.3.0.1	The Applicant	<p>Funding Statement:</p> <p>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.</p>	
Q2.3.0.2	The Applicant	<p>Funding Statement:</p> <p>The Funding Statement [APP-025] provides the consolidated accounts for the Vattenfall AB for the</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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.	
Q2.3.0.3	The Applicant	<p>Funding Statement: Why are no consolidated accounts for the Applicant provided?</p>	
Q2.3.0.4	The Applicant	<p>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.</p>	
Q2.3.0.5	The Applicant	<p>Funding Statement: 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>	
Q2.3.0.6	The Applicant	<p>Funding Statement:</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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?	
Q2.3.0.7	The Applicant	Funding Statement: Provide further information relating to how the estimated costs of Compulsory Acquisition have been established for scenario 1 and scenario 2.	
Q2.3.0.8	The Applicant	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?	
Q2.3.0.9	The Applicant 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.	
Q2.3.0.10	The Applicant Crown Estate	Statement of Reasons: Crown Land Provide written evidence of consent from the appropriate Crown authority for offshore land.	
Q2.3.0.11	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.	
Q2.3.0.12	The Applicant Highways	Statement of Reasons: Highways England Provide an update on the current position relating to obtaining appropriate licences and property	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
	England	agreements.	
Q2.3.0.13	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>	
Q2.3.0.14	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>	
Q2.3.0.15	The Applicant	<p>Statement of Reasons: Temporary use of land for carrying out the authorised project 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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>maximum 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>	
Q2.3.0.16	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 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.</p> <p>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>	
Q2.3.0.17	The Applicant	<p>Explanatory Memorandum:</p> <p>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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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.	
Q2.3.0.18	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>	
Q2.3.0.19	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 <i>this</i> proposed development. Schedule 4 is helpful but provides a high level view only.</p>	
Q2.3.0.20	The Applicant	<p>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]?</p>	
Q2.3.0.21	The Applicant	<p>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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		two articles. Alternatively, if this information is collated in any of the application documents, please give the relevant references.	
Q2.3.0.22	The Applicant	<p>Explanatory Memorandum: Remove references to model provisions in the Explanatory Memorandum [REP4-008] as these are out of date.</p>	
Q2.3.0.23	The Applicant	<p>The Compulsory Acquisition Objections Schedule: Have all occupiers of land been contacted? If not, why not?</p>	
Q2.3.0.24	The Applicant NFU Land Interest Group (LIG) Land Agents Interested Parties	<p>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.</p>	
Q2.3.0.25	The Applicant Affected Persons Land Interest Group (LIG) NFU Land Agents	<p>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]?</p>	
Q2.3.0.26	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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		implications for the Development Consent Order?	
Q2.3.0.27	The Applicant National Grid Cadent Gas Network Rail	<p>The Compulsory Acquisition Objections Schedule:</p> <p>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>	
Q2.3.0.28	The Applicant Eni UK Limited	<p>The Compulsory Acquisition Objections Schedule:</p> <p>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>	
Q2.3.0.29	The Applicant The Environment Agency	<p>The Compulsory Acquisition Objections Schedule:</p> <p>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>	
Q2.3.0.30	Interested Parties identified in Column 2 of the	<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 	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
	<p>Compulsory Acquisition Objections Schedule [REP2-031] as having land / rights that would be affected by the proposed development</p>	<p>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].</p> <ol style="list-style-type: none"> 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. 	
<p>Q2.3.0.31</p>	<p>NFU LIG</p>	<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: <i>"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."</i></p> <p>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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>course.</p> <p>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.</p> <p>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. 	
Q2.3.0.32	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>	
Q2.3.0.33	The Applicant	<p>Ivy Todd Campsite:</p> <p>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?</p>	

ExQ2	Question to:	Question:	
Q2.3.0.34	The Applicant NFU	<p>Access Routes:</p> <p>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].</p> <ol style="list-style-type: none"> 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. 4. If agreement is not reached with these landowners before the end of the Examination, how would operational access be provided? 5. In the absence of such agreement, what would be the consequences for the Development Consent Order? 	
Q2.3.0.35	The Applicant NFU	<p>Cumulative impact assessment and NFU:</p> <p>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,</p>	

ExQ2	Question to:	Question:
		specifically Norfolk Vanguard and Hornsea Project Three.
Q2.3.0.36	The Applicant NFU LIG	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?
4. Cumulative effects of other proposals		
4.0 General cumulative effects, including phasing		
		No questions
4.1 Onshore cumulative effects of other proposals (construction)		
Q2.4.1.1	The Applicant, Norfolk County Council, Broadland District Council, and relevant Parish Councils, such as Cawston PC	Construction effects at the Crossover with Hornsea Project Three north of Reepham: 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. 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? 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

ExQ2	Question to:	Question:	
		<p>in the terms of the Co-operation 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>	
5. Development Consent Order and Deemed Marine Licences			
5.0 General			
Q2.5.0.1	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>	
Q2.5.0.2	<p>Norfolk County Council</p> <p>Breckland Council</p> <p>Broadland District Council</p> <p>North Norfolk District Council</p> <p>Natural England</p> <p>Marine Management Organisation</p>	<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.</p> <p>Aside from the matters questioned below, set out any outstanding concerns with the dDCO submitted at Deadline 4 [REP4-004].</p>	<p>All Natural England's outstanding concerns are detailed in Natural England's risks and issues log or are raised elsewhere in this response to Examiners' further questions.</p>

ExQ2	Question to:	Question:	
Q2.5.0.3	Breckland Council North Norfolk District Council	Discharging requirements and conditions: Provide a response to Q5.0.4 [PD-008] or indicate where in the documentation this has previously been provided.	
5.1 Articles			
Q2.5.1.1	The Applicant Natural England MMO Norfolk County Council Breckland Council Broadland District Council North Norfolk District Council	Article 2: Interpretation: Environmental Statement: The Applicant has stated that the <i>"ES is a record of what is assessed, not what is permitted and therefore does not require any updates."</i> [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.	1. Natural England does not support this position as the DCO and DMLs both cross reference to the ES which in this case is now incorrect due to changes in scour protection and turbine types and heights, which Natural England notes were proposed as mitigation. However, subject to the review of the Plan of Plans document and any proposed changes to the DCO/DML Natural England agrees the proposed approach may address these concerns. 3. Natural England agrees that clarification is necessary.
Q2.5.1.2	The Applicant	Article 2: Interpretation: Schedule of Mitigation: Further to points under Article 37 in these questions, the ExA considers a definition of the Schedule of Mitigation [REP2-006] would be helpful.	
Q2.5.1.3	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.	
Q2.5.1.4	The Applicant	Article 2: Interpretation (in relation to onshore	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>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.</p>	
Q2.5.1.5	The Applicant Norfolk County Council Breckland Council Broadland District Council North Norfolk District Council	<p>Article 2: Interpretation: Onshore 'phase' and 'stage':</p> <ol style="list-style-type: none"> 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 <i>"'stage' 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"</i> 3. The ExA considers that the DAS would be relevant to all three districts [REP4-019, Table 4] for example for link boxes. <p>The ExA agrees that <i>"it is likely that this would need</i></p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		<p><i>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.</i></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>The Applicant Norfolk County Council Water Management Alliance (Internal Drainage Board)</p>	<p>Article 7: Application and modification of legislative provisions: See below question in Section Q2.15 Water Resources and Flood Risk.</p>
<p>Q2.5.1.6</p>	<p>The Applicant NFU</p>	<p>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</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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?	
Q2.5.1.7	NFU	<p>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.</p>	
Q2.5.1.8	The Applicant	<p>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.</p>	
Q2.5.1.9	The Applicant Norfolk County Council Breckland Council Broadland District Council North Norfolk District Council Marine Management Organisation Natural England	<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.</p> <p>[REP1-041] also states that the Applicant will submit an update to the Note on Requirements and Conditions in the Development Consent Order [APP-</p>	<p>Please see Natural England earlier point in relation to Q2.2.0.2</p> <ol style="list-style-type: none"> <li data-bbox="1335 916 2119 1235">1. Natural England notes that while many of the important factors are captured within the DCO/DML not all changes are. For example minimum/maximum turbine capacity is not captured; however, the Applicant has proposed removal of several smaller turbine sizes from construction. A change to the DCO/DML would be required to capture details or they may be recorded within the Plan of Plans. <li data-bbox="1335 1235 2119 1342">4. Natural England would like to see any final plan of plan before providing detailed comment on the suitability of the document.

ExQ2	Question to:	Question:	
		<p>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 the <i>"relevant parameters consented are set out in the DCO/DML itself, and that is what should be relied upon post consent"</i> [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. 4. Views are requested from discharging authorities on the points above. 	
5.2 SCHEDULE 1 PART 1: Authorised Development			
Q2.5.2.1	The Applicant Natural England Marine Management Organisation	<p>Parameters for individual structures: 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</p>	We would welcome the maximum of each structure being included in the DCO to ensure clarity on the WCS situation and provide clarity during later phases.

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>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 has proposed that the Plan of Plans may be a certified document and could include this information to allow certainty post consent. Natural England agrees with this approach in principle, though we need to see the document in context with updates to the DCO/DML to confirm this solution is appropriate.</p> <p>With regard to cable and scour protection Natural England is content that the amendments to Requirement 5(4), and condition 3 and 8 in schedules 9 and 10 and Condition 2 in schedules 11-13 ensure these parameters stay within the assessments.</p>
Q2.5.2.2	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 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].</p> <p>Any IP who was not present at the ISH who wishes to comment is invited to do so in response here.</p>	
5.3 SCHEDULE 1 PART 3: Requirements			
Q2.5.3.1	The Applicant	Requirement 16(4) Design and Access Statement; Link boxes:	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>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).</p> <ol style="list-style-type: none"> 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]. 	
Q2.5.3.2	The Applicant	<p>Requirement 16 (4): Should Requirement 16(4) make reference to the design process and Design Guide which would be prepared for approval post consent?</p>	
	The Applicant	<p>Requirement 16 (5) and (8): Note questions below under Section Q2.9.</p>	
Q2.5.3.3	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].</p> <ol style="list-style-type: none"> 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? 	
Q2.5.3.4	The Applicant Marine Management Organisation Historic England (HBMCE)	<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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		the approval in writing of MMO in consultation with the relevant historic body (HBMCE) prior to commencement?	
Q2.5.3.5	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> <ol style="list-style-type: none"> 1. The Applicant to provide clarity on what it considers would be approved by which plan. 2. The ExA considers that clarity on this needs to be given in the dDCO, Outline plan(s) and the Schedule of Mitigation. 	
Q2.5.3.6	The Applicant North Norfolk District Council	<p>Requirement 19: Implementation and maintenance of landscaping:</p> <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 	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>regarding the difference in aftercare period for trees (ten years) and other plant material such as shrubs (assumed to be five years).</p> <ol style="list-style-type: none"> 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? 	
Q2.5.3.7	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 "<i>agreement in writing</i>" for replacement planting rather than "<i>approved by</i>". 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>	
Q2.5.3.8	The Applicant NFU	<p>Requirement 20: Code of Construction practice (CoCP):</p> <p>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>	
Q2.5.3.9	The Applicant	<p>Requirement 20: Code of Construction practice (CoCP):</p> <p>Clarify whether there is any site preparation work that could take place pre-commencement, that</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		would not be secured by Requirement 20(4). If so, set out how these works could be secured.
Q2.5.3.1	The Applicant	<p>Requirement 20: Code of Construction Practice: pre-commencement works:</p> <p>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.</p>
	The Applicant Environment Agency	<p>Requirement 20: Code of Construction Practice:</p> <p>See below questions in Section Q2.15 Water Resources and Flood Risk.</p>
	The Applicant Environment Agency	<p>Requirement 20: Code of Construction Practice:</p> <p>See below questions in Section Q2.16 Environmental Statement.</p>
	The Applicant	<p>Requirement 25: Watercourse crossings:</p> <p>See below questions in Section Q2.15 Water Resources and Flood Risk.</p>
Q2.5.3.2	The Applicant	<p>Revision to drafting of Requirement 25 (3) to include "is not":</p> <p>Should Requirement 25 (3) be revised to include "is not" as follows: <i>'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.'</i></p>
Q2.5.3.3	The Applicant	<p>Requirement 27: Control of noise during</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>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?</p>	
Q2.5.3.4	The Applicant Norfolk County Council Breckland Council Broadland District Council North Norfolk District Council	<p>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?</p>	
Q2.5.3.5	The Applicant	<p>Requirement 31: Amendments to approved details: NE states that <i>"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."</i> 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>	
Q2.5.3.6	The Applicant	<p>Requirement 31: Amendments to approved details: NNDC recognise <i>"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</i></p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p><i>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."</i></p> <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>	
Q2.5.3.7	The Applicant	<p>Requirement 31: Amendments to approved details:</p> <ol style="list-style-type: none"> 1. Explain how the fixed point in time assessment provided by the ES would work with this requirement. Could further assessment be required? 2. Provide clearer definition for 'another person' in R31(1) and 'that other person' in R31(1), (2) and (3). 	
	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>	
5.4	OTHER REQUIREMENTS		
		No questions	
5.5	SCHEDULES 9 to 13: Deemed Marine Licences		
Q2.5.5.1	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</p>	Natural England's position has not changed regarding this issue, and still advises that a 6 month period would be more suitable.

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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?	
Q2.5.5.2	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? 	Natural England agreed an approach with the Applicant to resolve this issue at a meeting on 17 th February 2020. We agreed draft updated condition wording via email on 20 th February 2020. Subject to the inclusion of this agreed wording Natural England see this issue as resolved.
Q2.5.5.3	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>	
Q2.5.5.4	The Applicant	<p>Schedules 11 and 12 Part 4, Conditions: Note questions above in Section Q2.1.0 Offshore and intertidal archaeology.</p>	
Q2.5.5.5	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>	

ExQ2	Question to:	Question:	
Q2.5.5.6	The Applicant	Schedules 9, 10, 11, 12, 13 Part 4, Conditions: Note questions below in Section Q2.8.0 Habitats Regulation Assessment.	
Q2.5.5.7	The Applicant	Schedules 9, 10, 11, 12, 13 Part 4, Conditions: Note questions below in Section Q2.11.0 Marine Navigation and Shipping.	
5.6	SCHEDULE 15: ARBITRATION RULES		
		No questions	
5.7	SCHEDULE 16: PROCEDURE FOR DISCHARGE OF REQUIREMENTS		
Q2.5.7.1	The Applicant Norfolk County Council Breckland Council Broadland District Council North Norfolk District Council	Discharge of requirements: 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. 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]. 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,	

ExQ2	Question to:	Question:	
		secured and assured.	
5.8 CONSENTS, LICENCES AND OTHER AGREEMENTS			
Q2.5.8.1	The Applicant	Consents and licences: (REP2-004): Provide a track change update of [REP2-004].	
Q2.5.8.2	The Applicant	Consents and licences: (REP2-004): Explain the reference to the proposed application for Crown Consent post DCO [REP2-004].	
6. Fishing			
Q2.6.0.1	Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)	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.	
Q2.6.0.2	Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)	Cefas' investigation of the impact of seals: Advise the status of Cefas' investigation of the impact of seals on commercial fishing.	
Q2.6.0.3	Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)	Assessment of potential effects of windfarm service vessel traffic: 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			
Q2.7.0.1	The Applicant	Offshore Ring Main (ORM):	2. NE supports the consideration of a more coordinated offshore transmission system to connect

ExQ2	Question to:	Question:	
	Interested Parties	<p>Ofgem, in its recently published "Ofgem decarbonisation programme action plan" [February 2020] undertakes to <i>"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"</i>. As a first step, Ofgem and the electricity system operator will undertake an option assessment for offshore transmission.</p> <ol style="list-style-type: none"> 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. 2. Do IPs wish to comment further, in the light of Ofgem's action plan? 	<p>offshore wind generation to the grid. Natural England welcomes, in principle, any proposals to reduce impact to the environment. At this juncture it is not possible to comment further on these plans. We acknowledge that there is currently insufficient certainty to take this into consideration during the Boreas examination</p>
8. Habitats Regulation Assessment			
8.0 River Wensum SAC			
Q2.8.0.1	The Applicant	<p>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?</p>	
Q2.8.0.2	Natural England	<p>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</p>	<p>Natural England welcome that the Applicant will include reference to locations of designated sites within the OTMP and include a commitment that if final traffic numbers change from that assessed than the EIA of air quality impacts will be revisited (REP4-010). If the documents are updated as stated</p>

ExQ2	Question to:	Question:	
		AEOI can be excluded.	Natural England are content that there will be no LSE on designated sites.
8.1 Norfolk Valley Fens SAC			
Q2.8.1.1	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].	The Applicant submitted the Clarification Note, as submitted in the Norfolk Vanguard Examination, in to the Norfolk Boreas Examination in Rep AS-025 Comments on Relevant Representations Appendices Page 19.
Q2.8.1.2	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]	
8.2 Onshore Ornithology			
Q2.8.2.1	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.	Natural England welcomes screening in of Broadland SPA and Ramsar features for direct and indirect effects on ex situ habitats for swan, goose and assemblage species during construction and decommissioning (at Deadline 3). We also note that Broads SAC though not included in Table is included in screening Matrices (Site 183). We note the updated Integrity Matrices for Broadland SPA and Ramsar (onshore). We welcome inclusion of preconstruction monitoring or mitigation for Broadland SPA as outlined in 10.3.2 of within Norfolk Boreas OLEMS (as agreed for Vanguard Examination).

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
			<p>Natural England is content that with the further information and mitigation within the OLEMS that there will not be an adverse effect on integrity of the Broadland SPA features.</p> <p>Natural England does not have any outstanding concerns regarding Norfolk Boreas and non-seabird migrants of North Norfolk Coast SPA, Broadland SPA and Breydon Water SPA.</p>
<p>8.3 Haisborough, Hammond and Winterton SAC</p>			
<p>Q2.8.3.1</p>	<p>The Applicant, Natural England, Marine Management Organisation</p>	<p>Sediment disposal: Applicant, MMO and NE to provide update on discussions relating to the wording of a condition for sediment disposal.</p>	<p>Natural England continues to work with the MMO, Boreas and NVG to progress some draft disposal principles (to be referenced in the DCO/DML) which will ensure similarity in particle size between clearance and disposal locations.</p>
<p>Q2.8.3.2</p>	<p>Marine Management Organisation</p>	<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>Q2.8.3.3</p>	<p>The Applicant, Natural England</p>	<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>It was discussed with the Applicant on the 17th February 2020 that whilst NE does not agree with the Site Integrity Plan for legislative reasons, we do recognize that the SIP document includes all outline requirements of a Scour Protection and Cable Protection Plan within HHW. If the SIP is no longer taken forward due to mitigation and/or compensation removing AEoI this document effectively would become the Cable Specification and Installation Plan for the HHW SAC, which on other</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
			<p>projects has also included the any scour and or cable protection within a designated site.</p> <p>Therefore the SIP, or equivalent document, would be become the Scour Protection and Cable Protection Plan.</p>
Q2.8.3.4	The Applicant	<p>Cable protection:</p> <p>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>Please note that whilst Natural England supports this mitigation we have advised the Applicant that the fisheries management areas are considered to be ‘higher confidence’ areas where reef is likely to be present but all reefs within the site has the same protection, with no priority areas.</p> <p>This mitigation is currently not secured as Natural England object to the SIP. As this is vital mitigation it should be secured in the DCO and not a plan.</p>
Q2.8.3.5	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>	
Q2.8.3.6	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 current drafting of the SIP condition doesn't allow for a project to go forward under derogation. Given the concerns highlighted this is a significant possibility and should be addressed.</p>
Q2.8.3.7	The Applicant	<p>Consideration of Alternatives:</p> <p>What alternative solutions were considered by the</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		Applicant and would any of these have avoided adverse effects on the integrity of the sites?	
Q2.8.3.8	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>8.4 Offshore ornithology</p>			
Q2.8.4.1	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>	<p>Following discussion with the Applicant since the ISH on 22nd January 2020, Natural England understands that the Applicant will be submitting updated CRM for Norfolk Boreas alone at Deadline 5 and updated cumulative/in-combination CRM and assessment at Deadline 6.</p> <p>In discussions with the Applicant since the ISH on 22nd January 2020, the Applicant has indicated that the updated cumulative/in-combination collision assessments will include new figures for Norfolk Vanguard (available 28th Feb) and potentially for Hornsea 3 (available 14th Feb). Natural England has recommended to the Applicant (in email dated 20.02.2020) that with regard to the figures for Hornsea 3, at the time of writing Natural England has not as yet seen the final submission from Hornsea 3 made the 14th February 2020, but we note that whilst any amendments to the Hornsea 3 project design envelope (i.e. lower tip height and reduction in turbine numbers) would result in a proportional reduction in the collision estimates, Natural England will most likely be unable to agree on what the absolute level of reduction for Hornsea 3</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
			<p>will be as we believe the issues with the underlying baseline data have not been resolved. Therefore, we have advised Boreas continue with using the numbers used to date for Hornsea 3 in their assessments, but to also present cumulative/in-combination collision totals for including and excluding Hornsea 3.</p>
Q2.8.4.2	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>	
Q2.8.4.3	The Applicant	<p>Turbine draught height: To provide an update on the consideration of raising the draught height of turbines.</p>	<p>Following discussion with the Applicant since the ISH on 22nd January 2020, Natural England understands that the Applicant will be submitting updated CRM for Norfolk Boreas alone at Deadline 5 based on 11.55MW turbines with a draught height of 35m and on 14.7MW turbines with a draught height of 30m. We understand from these discussions that the larger turbines (i.e. 14.7MW with 30m draught height) represent the worst case as these give higher collision predictions than the 11.55MW turbines with 35m draught height, largely due to the lower draught height for the larger turbines. We understand that the lower draught height for the larger turbines is due to construction vessel constraints. Natural England will provide comments/advice on the updated CRM for Norfolk Boreas once it is submitted into the examination.</p>
Q2.8.4.4	Natural England	<p>Level of precaution in the assessment: Natural England to comment on the potential for the</p>	<p>During the ISH on 22nd January 2020, the Applicant noted that while individual components of precaution are generally reasonable in isolation, it is the</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		<p>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].</p> <p>accumulation of these that leads the overall assessment to become over-precautionary. As noted in our Deadline 4 response [REP4-040], Natural England's understanding is that in the collision assessments the central predicted value (i.e. those for the mean bird density, mean/central avoidance rate, mean/central flight height) from each individual project assessment is carried forward into cumulative and in-combination assessments, rather than upper figures for of any predicted range based on 95% confidence limits on input data. For displacement assessments, the mean bird abundance data from each individual project are taken through to the cumulative/in-combination assessments, rather than upper figures based on 95% confidence limits. In any event, for all Round 1 and Round 2 projects the use of upper 95% confidence limits is simply not possible, because earlier windfarm Environmental Statements did not present such information. Therefore, we do not agree with the Applicant's assertion that the <i>'over precaution in the approach is particularly apparent in the cumulative and in-combination assessments and that the conclusions greatly over-estimate the impact magnitudes'</i>.</p> <p>With regard to the use of density dependent versus density independent PVA models, we agree that density dependence is likely to be operating at seabird colonies. Our position regarding density dependent versus density independent PVA outputs is that if there is clear evidence of the form and strength of density dependence operating on the focal population (colony), then we would (depending</p>

ExQ2	Question to:	Question:
		<p>on the evidence provided) consider the outputs from density dependent models. Accordingly it is important to consider whether there is any actual evidence that density dependence is acting on the focal population at the present time. We recommend using a density independent model where there is no information on population regulation for the focal population. In the case of the colonies relevant for Norfolk Boreas (e.g. kittiwake at FFC SPA and LBBG at Alde-Ore Estuary SPA), we have considered the density independent model outputs to be the most appropriate in previous offshore wind farm assessments as there is no clear evidence to support the application of any particular form or magnitude of density dependence operating.</p> <p>Without having good evidence to support what form and strength of density dependence to add to a model we have no way of knowing whether the predictions from a density dependent model are robust or accurate, which is why we advise use of the density independent models in such circumstances. If an Applicant has acceptable evidence to support the use of density dependence in the models then Natural England would of course consider these outputs, but there should be a justification of the density dependent terms used and presentation of a range of outputs, which hasn't tended to be the case with previous submissions.</p> <p>In any event, the use of the counterfactual metrics recommended by Natural England (counterfactual of growth rate and counterfactual of population size) does make the metrics less sensitive to mis-</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
			<p>specifying density dependence or density independence.</p> <p>As stated in our Deadline 4 response [REP4-040], we again note that the lack of robust site-specific information on flight heights has led to the use of generic Option 2 data that may not reflect flight height behavior within the survey area and may lead to underestimates of potential collisions, and hence assessments may be lacking in precaution in this aspect. For example, using the mean values of the input parameters, the Option 1 collision risk modelling outputs (i.e. using the site-specific flight height data) predict over 1,000 kittiwake collision per annum at an EIA scale, compared to 203 per annum for Option 2 (generic flight height data from Johnston et al. 2014), though we appreciate the Applicant's reservations regarding the Option 1 data.</p> <p>This uncertainty highlights the need for consideration of mitigation through raising turbine draught heights by as much as is possible. In the context of post-construction monitoring, this also indicates a pressing need to collect empirical evidence on actual collisions e.g. through cameras deployed on turbines, together with surveys to establish numbers of birds at the site.</p>
Q2.8.4.5	Natural England	<p>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].</p>	<p>Natural England is also reviewing this issue in response to queries raised on the Vanguard application. In order to ensure a consistent response we are unable to provide a response to this question at Deadline 5, however, we will provide a full response at Deadline 6.</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
Q2.8.4.6	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].	
Q2.8.4.7	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?	
8.5 Alde-Ore Estuary SPA			
Q2.8.5.1	Royal Society for the Protection of Birds Natural England	Lesser black-backed gull: The RSPB [REP3-028] would prefer a wider range of apportioning values for lesser black-backed 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?	The Applicant's calculated breeding season apportionment rate of 21% for LBBGs to Alde-Ore Estuary SPA has been calculated using the SNH apportionment tool. As we have previously noted to the Applicant during the Evidence Plan Process, we note that the SNH tool uses the term $1/\text{distance}^2$ as a weighting factor. This approach means that for a colony of a given size, the further it is away from the development site, the lower its overall weighting factor will be and so too will its estimated contribution to the birds present at the development site, which makes sense. However, the underlying assumption here is that the likelihood of an individual travelling 1km from its colony or 181km (in the case of maximum foraging range of LBBG) is identical, such that the density of birds declines with increasing distance from the colony solely because within each concentric 1km ring around a colony the area within it will increase as a linear function of its distance from the colony. This fails to take account of the fact that seabirds are central place foragers that must forage away from their nest but return to

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		<p>it to feed their chicks. This places strong advantages in terms of reducing both time spent away from the nest and energy expended in foraging if birds can forage as close to their colony as possible. As such, the likelihood of each individual foraging closer to their colony than further away will not be equal, and so the density of birds is likely to decline more rapidly with increasing distance from a colony than the simple geometric relationship based on the square of distance would suggest.</p> <p>From the information provided by Norfolk Boreas in APP-201, there are other LBBG colonies located closer to the Boreas site (e.g. urban colonies). We also welcome the information provided by Boreas in APP-201 on the control of urban gull populations and on the foraging habits of urban and rural LBBGs. All of this information indicates just how variable the ecology of this species can be, both between individuals within a colony and between seasons and years. As a result it is difficult to have much confidence in pinning down an actual figure for use in apportionment. Therefore, we suggested to the Applicant that a full range of apportionment rates for the breeding season were considered in the assessment via a matrix approach (such as the approach undertaken for displacement assessments), which could potentially be up to 100% in multiples of 10%. However, in the case of LBBGs from the Alde-Ore Estuary SPA and Norfolk Boreas, we noted that 100% would be highly over-precautionary and invited Boreas to focus their assessment on rates between 10% and 30% to provide a realistic worst case scenario of the</p>

ExQ2	Question to:	Question:	
			<p>proportion of birds from the SPA.</p> <p>As noted in our Deadline 4 response [REP4-040], Natural England does acknowledge that a breeding season apportionment rate of 30% is likely to be overly precautionary, given the proportion of the East Anglian LBBG population that the Alde-Ore Estuary SPA currently holds, and that there are other colonies (town colonies) located closer to Norfolk Boreas than the Alde-Ore.</p> <p>Therefore, whilst we agree with the RSPB that the uncertainty in the apportionment should be considered, we do not consider that further precaution of considering up to 40% apportionment is required in addition to the approach taken by the Applicant.</p>
<p>8.6 Alde-Ore Estuary SPA, Flamborough and Filey Coast SPA and Greater Wash SPA</p>			
<p>Q2.8.6.1</p>	<p>The Applicant Natural England</p>	<p>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?</p>	<p>It is for the Applicant to suggest alternative solutions and supply the evidence. The role of Natural England is to provide advice to the developers and competent authorities on the adequacy of any compensatory measures that are proposed by the Applicant and whether they will be sufficient to ensure that the overall coherence of the Natura 2000 network is protected.</p> <p>It should be noted that provision of compensation in the offshore environment has very little precedent so options will need careful consideration in order to ascertain if they might be suitable. We will however, be happy to consider and comment on</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
			any options that Vattenfall may wish to propose and may also be able to assist in signposting to relevant guidance on mitigation and/or compensatory measures.
Q2.8.6.2	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?	Natural England advises that potential measures to avoid, reduce and mitigate the impacts in question need to be fully explored prior to any consideration of compensatory measures. Please see comments to Q2.8.6.1
8.7 Flamborough and Filey Coast SPA			
Q2.8.7.1	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 note our response to question Q2.2.2.1 above regarding Natural England updates on the PVA tool.
9. Landscape and Visual Effects			
9.0 The Applicant's landscape and visual assessment			
Q2.9.0.1	The Applicant	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.	
9.1 The Applicant's visual assessment			
Q2.9.1.1	The Applicant	Distance: susceptibility of a receptor and magnitude of change:	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		<p>The response to Q9.1.4 justifies including distance as a factor influencing both susceptibility of a receptor and magnitude of 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>
Q2.9.1.2	The Applicant	<p>Public and private views:</p> <ol style="list-style-type: none"> 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. 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 residential visual amenity has been included, which appears to have been assessed [APP-242, Table 29.13, Viewpoints VP8, VP9, VP10, VP12]. 3. Included in this explain how the viewpoints were selected and agreed with whom. 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.
Q2.9.1.3	The Applicant	<p>Photomontages: digital terrain mapping: Is it possible that hedges or tree belts could be read</p>

ExQ2	Question to:	Question:
		as landform [REP4-044] and [REP4-052]?
9.2	Alternatives considered	
Q2.9.2.1	The Applicant	<p>HVDC/ HVAC:</p> <ol style="list-style-type: none"> 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?
9.3	Landscape effects	
Q2.9.3.1	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.
Q2.9.3.2	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

ExQ2	Question to:	Question:	
		<p>lost for Scenarios 1 and 2?</p> <ol style="list-style-type: none"> 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 vegetation (240m for Scenario 1 and 390m for Scenario 2) from that removed? 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 212], OLEMS [REP1-021, para 142, bullet 5]? 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? 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? 	
O2.9.3.3	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-</p>	

ExQ2	Question to:	Question:	
		<p>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. 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. 	
O2.9.3.4	The Applicant	'Existing ground level': Requirement 16(5) and (8):	

ExQ2	Question to:	Question:	
		<p>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? 	
9.4 Visual effects			
Q2.9.4.1	The Applicant	<p>Substations: agricultural style:</p> <ol style="list-style-type: none"> 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. 2. Superimpose a worst-case scenario (in terms of dimensions) illustrative outline of the proposed substation converter hall building(s) on a 	

ExQ2	Question to:	Question:
		<p>photograph (taken from a public viewpoint) of the agricultural buildings at the proposed cable logistics area site at Oulton Street.</p>
Q2.9.4.2	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?
Q2.9.4.3	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?
<p>9.5 Outline Landscape and Ecological Management Strategy (OLEMS)</p>		

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
Q2.9.5.1	Norfolk County Council Breckland Council Broadland District Council North Norfolk District Council	<p>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.</p>	Natural England note updated OLEMS submitted at Deadline 1 and welcome that preconstruction survey mitigation will adhere to Forestry Commission and Natural England's Standing Advice regarding buffers for ancient woodland.
Q2.9.5.2	The Applicant Natural England	<p>Wording in OLEMS and OCoCP regarding buffers for ancient woodland:</p> <ol style="list-style-type: none"> 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. 	Natural England note updated OLEMS submitted at Deadline 1 and welcome that preconstruction survey mitigation will adhere to Forestry Commission and Natural England's Standing Advice regarding buffers for ancient woodland.
Q2.9.5.3	The Applicant North Norfolk District Council	<p>OLEMS wording regarding replacement tree planting in North Norfolk:</p> <ol style="list-style-type: none"> 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? 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. 	

ExQ2	Question to:	Question:
9.6	Good design	
Q2.9.6.4	The Applicant NFU NSAG Interested Parties	<p>Substations: integration into local landscape:</p> <ol style="list-style-type: none"> 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]. 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.
Q2.9.6.5	The Applicant	<p>Substations: layout, masterplanning, zoning and bunding:</p> <ol style="list-style-type: none"> 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? 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

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
Q2.9.6.6	NFU Interested Parties	<p>of the design process?</p> <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 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> <ol style="list-style-type: none"> 1. Any Interested Party which has comments or suggestions to make in this regard is invited to comment. 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]. 	
Q2.9.6.7	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>	
Q2.9.6.8	The Applicant	<p>Design and Access Statement:</p> <ol style="list-style-type: none"> 1. Would any of the wording such as the commitments table and illustrative material such as the Terminology and Defined Maximum Height 	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		<p>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>9.7 Matters arising from the accompanied site inspection (ASI) on Thursday 23 January 2020</p>		
Q2.9.7.1	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>
Q2.9.7.2	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>
Q2.9.7.3	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>
Q2.9.7.4	Interested Parties in the Necton area including NSAG	<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.</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>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			
Q2.10.0.1	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>	
11. Navigation			
11.0 Marine Navigation and Shipping			
Q2.11.0.1	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>	
Q2.11.0.2	The Applicant	<p>Safety Zones triggered by SOVs during major</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
	Marine and Coastguard Agency (MCA)	maintenance: Explain the implications to fishing and navigational safety of the comment in REP3-007: ' <i>safety zones triggered by the use of SOVs during major maintenance are currently not supported by the MCA</i> '.	
Q2.11.0.3	Marine and Coastguard Agency (MCA) NFFO/VisNed	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?	
11.1	Aviation and Radar		
		No questions.	
12.	Onshore construction effects		
12.0	Cable corridor and ducting		
Q2.12.0.1	The Applicant	Cable duct installation: 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. 2. Provide an indicative alternative strategy should the proposed strategy not be viable in certain locations.	
Q2.12.0.2	The Applicant	Significant adverse effects on hedgerows: The OCoCP states that it would be noted in the OCoCP where hedgerow crossings would be at an	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>angle, increasing the maximum width of the gap to a possible 16.5m.</p> <ol style="list-style-type: none"> 1. Advise where these crossings are listed or displayed update the OCoCP to include them. 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). 	
Q2.12.0.3	North Norfolk District Council	<p>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].</p>	
Q2.12.0.4	The Applicant	<p>Cable corridor working width, running track and permanent accesses:</p> <ol style="list-style-type: none"> 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? 	
<p>12.1 Mobilisation areas</p>			
Q2.12.1.1	The Applicant	<p>Mobilisation Areas and Trenchless Crossing Compounds:</p>	

ExQ2	Question to:	Question:	
		<p>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> <ol style="list-style-type: none"> 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? 2. It would add consistency if the OLEMS were to be updated with reference to the reinstatement of areas used temporarily during construction. 	
Q2.12.1.2	The Applicant	<p>Reinstatement of Mobilisation Areas:</p> <p>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>	
Q2.12.1.3	The Applicant Breckland Council Broadland District Council North Norfolk District Council	<p>Temporary facilities:</p> <p>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> <ol style="list-style-type: none"> 1. If the worst-case scenario assessed is that the height of welfare facilities and storage units 	

ExQ2	Question to:	Question:	
		<p>would be 3m [REP2-030, para 11], where is this secured? Why would this not be included in the dDCO?</p> <p>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 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>12.2 Noise and Vibration</p>			
Q2.12.2.1	Broadland District Council	<p>Noise Sensitive Receptors: 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>	
Q2.12.2.2	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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>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>	
Q2.12.2.3	The Applicant	<p>Ivy Todd Farm: Respond to the request [REP3-030] to include Ivy Todd Farm as an NSR.</p>	
Q2.12.2.4	The Applicant Breckland Council	<p>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.</p>	
Q2.12.2.5	The Applicant Norfolk County Council Breckland Council Broadland District Council North Norfolk District Council	<p>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.</p> <p>1. Applicant to clarify how it would be determined whether enhanced mitigation would be required during construction? 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>	
12.3 Construction Hours			
Q2.12.3.6	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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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? 2. NNDC to comment.	
Q2.12.3.7	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.	
13. Socio-economic effects			
13.0 Skills and Employment Strategy			
		No questions.	
13.1 Jobs			
		No questions.	
13.2 Tourism			
Q2.13.2.1	The Applicant	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: " <i>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.</i> "	
Q2.13.2.2	Norfolk County Council	Compensation Fund: 1. NCC to elaborate on its request for a	

ExQ2	Question to:	Question:	
		compensation fund for residents and businesses affected by construction in the Relevant Representations [RR-037] and in the LIR [REP2-085].	
13.3	Land use and agriculture		
		No questions.	
13.4	Public Health		
Q2.13.4.1	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 <i>"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."</i> Do you agree with this statement? If not, why not?</p>	
Q2.13.4.2	Broadland District Council Breckland District Council North Norfolk	<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</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
	District Council	Impact Report [REP2-065, paragraphs 5.1 and 5.2]? 2. Comments also invited from other District Councils	
Q2.13.4.3	The Applicant	Fire Hazard: 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.	
13.5	Other offshore industries and activities		
		No questions.	
14.	Traffic and transportation		
14.0	Outline Traffic Management Plan (OTMP)		
Q2.14.0.1	Norfolk County Council Interested Parties	1. Response to ExA's Written Questions [REP2-084, Q14.0.1] states that, <i>"The OTMP was updated by the applicants at Deadline 1 but is still not acceptable."</i> 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	Highway Intervention Scheme for Link 34 (B1145 through Cawston)		
Q2.14.1.2	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.	
Q2.14.1.3	The Applicant	Trimming and pruning regime:	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		Provide further details about the trimming and pruning regime for vegetation in the revised Highway Intervention Scheme [REP4-016].
Q2.14.1.4	The Applicant	<p>Speed restriction:</p> <p>Provide further detail about the location of change to speed from 50mph to 30mph for traffic approaching Cawston Village.</p>
Q2.14.1.5	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 <i>"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"</i>.</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?
Q2.14.1.6	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> <ol style="list-style-type: none"> 1. Without prejudice to the ongoing dialogue

ExQ2	Question to:	Question:	
		<p>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>	
Q2.14.1.7	<p>The Applicant Norfolk County Council Broadland District Council Cawston Parish Council</p>	<p>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.</p>	
<p>14.2 Cable Logistics Area (CLA) along Link 68 in Oulton</p>			
Q2.14.2.8	<p>The Applicant</p>	<p>1. It was stated at the ISH Hearing [EV6002 – EV6-005] and in the post hearing note [REP4-013, page 10] that <i>“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.”</i> 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>	
Q2.14.2.9	<p>The Applicant</p>	<p>Cycle Routes</p>	

ExQ2	Question to:	Question:	
		<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> <ol style="list-style-type: none"> 1. What assessment has been undertaken of the use of Link 68 by Non-Motorised Users (NMU) including cyclists? 2. What mitigation is proposed to ensure the safe passage of NMUs at this location and where is this secured? 	
Q2.14.2.10	The Applicant	<p>Non-standard Construction Hours</p> <ol style="list-style-type: none"> 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 "<i>essential activities</i>" for this specific location? 2. Confirm that cable drums would not require nighttime delivery? Where and how would this be secured? 	
<p>14.3 Link 69 Little London Road in North Walsham from the B1145 Lyngate Road to an access point 210m east</p>			
Q2.14.3.11	The Applicant	<p>Cable crossing of Little London Road</p> <ol style="list-style-type: none"> 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. 2. Provide a method statement to explain the cable crossing of Little London Road (TC14a/b, TC14a, 	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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?	
Q2.14.3.12	The Applicant	<p>Communications Plan</p> <ol style="list-style-type: none"> 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>North Norfolk District Council states that [REP4-031]: <i>"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."</i></p> <ol style="list-style-type: none"> 2. How does the Applicant propose these matters should be addressed? 3. How would the implementation of the Communications Plan reduce pedestrian severance and amenity in relation to Link 69? 	
15. Water Resources and Flood Risk			
Q2.15.0.1	Norfolk County Council	Proposed disapplication of secondary consent, in relation to drainage:	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
	Water Management Alliance (Internal Drainage Board) Breckland District Council Broadland District Council North Norfolk District Council	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?	
Q2.15.0.2	Environment Agency (EA)	<p>Cumulative residual adverse impacts to Water Resources and Flood Risk:</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?	
Q2.15.0.3	Environment Agency (EA)	<p>Update on the EA concerns about potential impacts on water environment:</p> Referring to Applicant responses at Deadlines 3 and 4, EA to provide update on its concerns regarding: <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; 3. Potential for significant impact at any shallow 	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		wells in close proximity to the excavations.
O2.15.0.4	The Applicant	<p>Identification of groundwater abstractors, risk assessment and monitoring: Explain [REP3-003 table 16.2]:</p> <ol style="list-style-type: none"> 1. How does the OCoCP secure compliance with the EA's request that the Applicant provides the EA with '<i>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</i>'. 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?
O2.15.0.5	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>
O2.15.0.6	The Applicant	<p>SuDS drainage design and management principles across various plans: 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</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:
		appended to the SoCG with Breckland Council [REP2-039].
Q2.15.0.7	The Applicant	<p>Flood Risk Assessment on proposed National Grid substation extension</p> <p>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?</p>
Q2.15.0.8	The Applicant	<p>Reinstatement of small watercourse channels to pre-construction depths:</p> <p>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'.</p> <p>Confirm where this methodology is secured.</p>
Q2.15.0.9	The Applicant	<p>Flood Warning and Evacuation Plan:</p> <p>The Flood Risk Assessment [APP-586] para 247 states that '<i>it is anticipated that the project will require a comprehensive Flood Warning and Evacuation Plan</i>'.</p> <p>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.</p>
Q2.15.0.10	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</p>

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>channels, reinstatement of suitable bed substrate, installation of sediment traps, in-channel habitat enhancements and marginal planting).</p> <ol style="list-style-type: none"> 1. How would the 'pre-disturbance' state of river channels be determined and how would this be secured? 2. How would the best approach to ecological enhancement/reinstatement of watercourses be determined? 3. Outline the process to finalising enhancement details for each water crossing site and how this would be secured. 	
Q2.15.0.11	The Applicant	<p>Monitoring of residual adverse impacts on the water environment:</p> <p>What monitoring of residual adverse impacts on the water environment is proposed and how would it be secured?</p>	
16. General and cross-topic questions			
16.0 General			
Q2.16.0.1	The Applicant	<p>Climate Change Adaptation:</p> <p>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>	
Q2.16.0.2	The Applicant Breckland Council	<p>SoCG with Breckland Council:</p> <p>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>	
Q2.16.0.3	The Applicant	<p>Applicant's Response to Relevant Representations:</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		<p>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>16.1 Environmental Statement (ES)</p>			
Q2.16.1.1	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 [APP-218] and dDCO Requirement 16(13).</p> <p>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>	
Q2.16.1.2	The Applicant	<p>Types of mitigation:</p> <p>The ES EIA Methodology [APP-219, para 37] explains the difference between <i>“embedded mitigation”</i> and <i>“additional mitigation”</i>. The updated Schedule of Mitigation [REP2-006] brings in to use the terms <i>“standard mitigation”</i> (for noise) (also in the Applicant’s response to Q12.0.1 [REP2-021]), <i>“further mitigation”</i> (for wintering birds) and <i>“enhanced mitigation”</i> (for noise and traffic). The updated OCoCP uses <i>“enhanced mitigation”</i> [REP1-019, section 9.1.2]. In places <i>“additional mitigation”</i> used in the OCoCP would seem to have the common language meaning of ‘additional’ not that defined in the EIA methodology.</p>	

ExQ2: 12 February 2020

Responses due by Deadline 5: Wednesday, 26 February 2020

ExQ2	Question to:	Question:	
		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.	
Q2.16.1.3	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>	Natural England notes that decommissioning is not a consented activity under the DMLs and that there will be a need to seek a new Marine Licence prior to decommissioning. This will ensure environmental impacts are assessed and appropriately mitigated prior to the works.
16.2 Ground conditions and contamination			
Q2.16.2.4	Environment Agency	<p>Response to contents of the Terra Land reports:</p> <p>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?</p>	
Q2.16.2.5	The Applicant Environment Agency	<p>Consultation with the EA on contamination assessment and any remedial works:</p> <p>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?</p>	