



THE PLANNING ACT 2008
THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010

NORFOLK BOREAS OFFSHORE WIND FARM

Planning Inspectorate Reference: EN010087

Deadline 7

**Natural England's response to Examining Authority's
third round of Written Questions**

31st March 2020

Our Ref: NE.NB.D7.11.ExWQ3

Abbreviations used:

AEOI	Adverse Effect on Integrity	OCoCP	Outline Code of Construction Practice
ASI	Accompanied Site Inspection	OLEMS	Outline Landscape and Ecological Management Strategy
CoCP	Code of Construction Practice	OSES	Outline Skills and Employment Strategy
DAS	Design and Access Statement	OTMP	Outline Traffic Management Plan
dDCO	Draft Development Consent Order	OWSI	Outline Written Scheme of Investigation
DML	Deemed Marine Licence	R	Requirement
EA	Environment Agency	RIES	Report on the Implications for European Sites
EIA	Environmental Impact Assessment	SAC	Special Area of Conservation
EM	Explanatory Memorandum	SES	Skills and Employment Strategy
ES	Environmental Statement	SI	Statutory Instrument
ExA	Examining Authority	SoCG	Statement of Common Ground
FFC	Flamborough and Filey Coast Special Protection Area	SoS	Secretary of State
HBMCE	Historic England	SPA	Special Protection Area
HDD	Horizontal Directional Drilling	SPZ	Source Protection Zone
HHW	Haisborough, Hammond and	SSSI	Site of Special Scientific Interest
SAC	Winterton Special Area of Conservation	TMP	Traffic Management Plan
IROPI	Imperative Reasons of Overriding Public Interest	USI	Unaccompanied Site Inspection
ISH	Issue Specific Hearing	WSI	Written Scheme of Investigation
LIG	Land Interest Group	WTG	Wind Turbine Generator
LIR	Local Impact Report		
LSE	Likely Significant Effect		
MHWS	Mean High Water Springs		
MLWS	Mean Low Water Spring		
MMO	Marine Management Organisation		
MoU	Memorandum of Understanding		
NE	Natural England		
NCC	Norfolk County Council		
NNDC	North Norfolk District Council		
NPS	National Policy Statement		
NSIP	Nationally Significant Infrastructure Project		
OAMP	Outline Access Management Plan		

Index	
1. Archaeology and Heritage Assets	5
1.0 Offshore and intertidal archaeology	5
1.1 Onshore archaeology	5
1.2 Onshore heritage assets	5
2. Biodiversity, Biological Environment and Ecology	5
2.0 Offshore benthic and marine mammals	5
Onshore ecology	6
2.1 Offshore ornithology	6
3. Compulsory Acquisition	9
3.0 Compulsory Acquisition	9
4. Cumulative effects of other proposals	17
4.0 General cumulative effects, including phasing	17
4.1 Onshore cumulative effects of other proposals (construction)	17
5. Development Consent Order and Deemed Marine Licences	17
5.0 General	17
5.1 Articles	18
5.2 SCHEDULE 1 PART 1: Authorised Development	19
5.3 SCHEDULE 1 PART 3: Requirements	19
5.4 OTHER REQUIREMENTS	25
5.5 SCHEDULES 9 to 13: Deemed Marine Licences	25
5.6 SCHEDULE 15: ARBITRATION RULES	27
5.7 SCHEDULE 16: PROCEDURE FOR DISCHARGE OF REQUIREMENTS	27
5.8 SCHEDULE 17: PROTECTIVE PROVISIONS	28
5.9 CONSENTS, LICENCES AND OTHER AGREEMENTS	29
6. Fishing and fisheries	29
7. Grid connection	30
8. Habitats Regulation Assessment	30
8.0 River Wensum SAC	31
8.1 Norfolk Valley Fens SAC	31
8.2 Southern North Sea SAC	31
8.3 Haisborough, Hammond and Winterton SAC	31
8.4 Offshore ornithology	34
8.5 Greater Wash SPA	36
8.6 Flamborough and Filey Coast SPA, Alde-Ore Estuary SPA and Haisborough Hammond and Winterton SAC	37
8.7 Flamborough and Filey Coast SPA	38
9. Landscape and Visual Effects	38
9.0 The Applicant's landscape and visual assessment	38
9.1 The Applicant's visual assessment	38
9.2 Alternatives considered	39
9.3 Landscape effects	39
9.4 Visual effects	40
9.5 Outline Landscape and Ecological Management Strategy (OLEMS)	40
9.6 Good design	40
9.7 Matters arising from the accompanied site inspection (ASI) on Thursday 23 January 2020	43
10. Marine and Coastal processes	44
11. Navigation	44
11.0 Marine Navigation and Shipping	44
11.1 Aviation and Radar	44
12. Onshore construction effects	44
12.0 Cable corridor and ducting	44
12.1 Mobilisation areas	46
12.2 Noise and Vibration	46
12.3 Construction Hours	50

13. Socio-economic effects.....	50
13.0 Skills and Employment Strategy	50
13.1 Jobs.....	50
13.2 Tourism.....	50
13.3 Land use and Agriculture	51
13.4 Public Health.....	51
13.5 Other offshore industries and activities.....	52
14. Traffic and transportation	52
14.0 Outline Traffic Management Plan (OTMP)	52
14.1 Highway Intervention Scheme for Link 34 (B1145 through Cawston)	52
14.2 Cable Logistics Area (CLA) along Link 68 in Oulton.....	56
14.3 Link 69 Little London Road in North Walsham from the B1145 Lyngate Road to an access point 210m east	56
14.4 Outline Access Management Plan and Access to Works plan	56
15. Water Resources and Flood Risk	57
16. General and cross-topic questions	61
16.0 General	61
16.1 Environmental Statement (ES)	62
16.2 Ground conditions and contamination.....	62

ExQ3	Question to:	Question:	Natural England's Response
1. Archaeology and Heritage Assets			
1.0 Offshore and intertidal archaeology			
		No questions	
1.1 Onshore archaeology			
		No questions	
1.2 Onshore heritage assets			
Q3.1.2.1	The Applicant	Cawston Conservation Area and listed buildings What if anything is being undertaken to address Broadland District Council's ongoing concerns regarding vibration effects which could affect the Cawston Conservation Area and listed buildings fronting High Street [REP5-053, Table 1] and [REP6-026, Table 6 and Appendix 2]?	
Q3.1.2.2	The Applicant Broadland District Council	Noise and vibration effects on the Cawston Conservation Area and listed buildings Parties to provide any additional information to assist the ExA in reaching its recommendation to the SoS.	
2. Biodiversity, Biological Environment and Ecology			
2.0 Offshore benthic and marine mammals			
Q3.2.0.1	The Applicant	Marine Mammal Monitoring: The Applicant to comment on NE's wording in [REP6-050] to be included in the Generation DMLs Schedules 9 and 10, which would link with the marine mammal monitoring requirements within the IPMP.	
Q3.2.0.2	Applicant	Sandeel:	

ExQ3	Question to:	Question:	Natural England's Response
	Marine Management Organisation	<ol style="list-style-type: none"> 1. Applicant to state its position regarding MMO's request for a further update to the IPMP for sediment sampling for particle size analysis in respect of habitat suitability for sandeel. 2. The Applicant and MMO to provide any additional information to assist the ExA in making its recommendation regarding sediment sampling to the SoS. 	
Onshore ecology			
		No questions	
2.1 Offshore ornithology			
Q3.2.1.1	The Applicant, IPs	<p>PVA Modelling:</p> <ol style="list-style-type: none"> 1. The Applicant and IPs to state their final position on PVA modelling, and whether agreement is possible within the Examination. 2. The Applicant and IPs to provide any additional information to assist the ExA in making its recommendation to the SoS. 	<p>Natural England has advised the Applicant (in an email dated 03/03/2020) that version 2 of the PVA Tool has been uploaded and a link to the new version was sent to the Applicant. The guidance documents etc. have also been updated and are available from the links sent to the Applicant. In REP6-014 the Applicant states that they propose to attempt to re-run models where Natural England has indicated insufficient simulations were conducted (i.e. fewer than 1,000), which Natural England welcomes. The Applicant also notes in REP6-014 that they have attempted to re-run the PVA models and the same errors have been encountered i.e. the model runs successfully for smaller numbers of simulations (e.g. 500) but fails for higher numbers (e.g. 1,000). The Applicant has contacted Natural England to discuss this matter, and Natural England has provided advice on potential solutions to this. We understand from a discussion with the Applicant on 24th March that these have now been updated for the kittiwake EIA</p>

ExQ3	Question to:	Question:	Natural England's Response
			<p>scale and guillemot at the Flamborough and Filey Coast (FFC) SPA based on 5,000 simulations, where previously only 500 simulations had been run. We will respond on the suitability of these updated models following review of the Applicant's Deadline 7 submission.</p>
Q3.2.1.2	The Applicant, IPs	<p>Headroom:</p> <ol style="list-style-type: none"> 1. The Applicant and IPs to state their final position on headroom, and whether agreement is possible within the Examination. 2. The Applicant and IPs to provide any additional information to assist the ExA in making its recommendation to the SoS. 	<p>Natural England's position on headroom in ornithological cumulative/in-combination collision assessments has been set out in our Deadline 6 response [REP6-049] and our Deadline 7 response (Our Ref: NE.NB.D7.06.Ornithology) to the Applicant's headroom position statement submitted in REP6-021.</p> <p>In summary, Natural England acknowledges the work that the Norfolk Boreas Applicant and their consultants have done to consider potential headroom in the in-combination/cumulative collision risk figures by assessing the 'as built' rather than the worst case scenario (WCS). Natural England recognises that headroom is a significant issue, however it is a highly complex one, and it is important to note that there is not yet an agreed way forward at present. The Applicant's approach has also not been subjected to judicial scrutiny. There are issues/uncertainties associated with the Applicant's proposed approach, and issues with the approach developed by MacArthur Green for The Crown Estate (TCE), and hence Natural England's advice that it is not used. Until these issues are addressed and an industry wide approach is agreed we recommend that the default 'standard' approach is appropriate. We do not disagree that there is likely to be some headroom; however the exact extent of any potential</p>

ExQ3	Question to:	Question:	Natural England's Response
			<p>headroom is not agreed.</p> <p>We again note that if this is conducted simply on a project-by-project basis this has significant risks of inconsistency of approach across applications. Therefore, we consider that this issue needs to be addressed strategically on behalf of the whole sector, including developing consensus on an approach. However we do recognise that this is not possible in timescale for the Norfolk Boreas examination.</p>
Q3.2.1.3	The Applicant, Marine Management Organisation, Natural England	<p>Turbine Parameters:</p> <ol style="list-style-type: none"> 1. In [REP6-024] the Applicant bases its CRM assessment on either 158 x 11.55 MW turbines or 124 x 14.7MW turbines. There is no explicit commitment to a minimum turbine size in the DCO [REP5-003], which states "Up to and including 14.6 MW". In theory, the Applicant could implement the maximum number of smaller turbines. The Applicant to confirm whether this would invalidate the CRM. 2. Should the DCO refer to a minimum turbine size of 11.55MW as this is the design basis? 3. Similarly, the Applicant could currently, in theory, implement a lower number of higher output turbines, if technology allows it. The Applicant states 14.7MW option results in a higher collision mortality than the 11.5MW option. Without stipulating a maximum turbine output in the DCO, is there a risk of higher mortality than has been predicted? Can the Applicant provide assurance that this is not the case? 4. Given the rate at which technology advances - is it sensible to apply a given draught height to a given WTG generating capacity? On what 	<p>As noted in our Deadline 7 response to the Applicant's updated collision risk modelling (CRM) assessment for the project alone [REP5-059], as Norfolk Boreas are in REP5-059 committing to removing the 9MW, 10MW and 11MW options from their design envelope, Natural England again suggests that the DCO needs to clearly indicate that turbines smaller than 11.55MW turbines cannot be installed. Therefore, as per our comments on the updated DCO at deadline 7, the minimum turbine size should also be captured within the DCO.</p> <p>Natural England notes that the 14.7MW option results in a higher collision mortality prediction than the 11.55MW turbine option largely due to the larger turbines having a lower minimum draught height. Whilst in theory, it is possible that the Applicant could implement a lower number of larger turbines than the revised WCS in REP5-059 of 124 14.7MW if technology allows. If the minimum clearance of the blades of such turbines above the water is maintained (i.e. the 30m minimum clearance stated by the Applicant in REP5-059), Natural England considers it likely that fewer larger turbines would be likely to have a smaller environmental impact than</p>

ExQ3	Question to:	Question:	Natural England's Response
		assumptions are these draught heights and capacities made?	the WCS smaller turbines. However, if turbines larger than 14.7MW were to be installed and were to have a lower minimum clearance of blades above the water than 30m, then there would be the potential for a higher collision mortality prediction.
3. Compulsory Acquisition			
3.0 Compulsory Acquisition			
Q3.3.0.1	The Applicant	<p>Summarise the case for Compulsory Acquisition and Temporary Possession (referring to relevant references in the Examination Library) indicating how the following matters are addressed:</p> <ul style="list-style-type: none"> a) whether the purposes for which the compulsory acquisition powers are sought comply with statutory and policy tests under s122 of PA 2008 and DCLG Guidance related to procedures for the compulsory acquisition of land; b) how Article 1 and Article 8 of the First Protocol to the European Convention on Human Rights has been considered; and c) Having regard to section 122(3) of the PA 2008, whether there is a compelling case in the public interest for the compulsory acquisition in relation to: <ul style="list-style-type: none"> i. The need in the public interest for the project to be carried out. ii. The private loss to those affected by compulsory acquisition. 	
Q3.3.0.2	The Applicant	Provide a detailed, track change update of the	

ExQ3	Question to:	Question:	Natural England's Response
	NFU/LIG Affected Persons	Compulsory Acquisition Objections Schedule [REP6-023] in relation to the status of negotiations.	
Q3.3.0.3	The Applicant	Explain in detail the approach taken to identify Category 3 Parties [REP5-007] including the steps taken to keep this information up to date during the course of the Examination.	
Q3.3.0.4	The Applicant The NFU/LIG Affected Persons	<p>The NFU [REP5-074] indicates that landowner Dillington is identified on the Compulsory Acquisition Objections Schedule [REP6-023] at Row 32 and that discussions are ongoing over access matters. The Applicant states at Deadline 6 [REP6-014] that it considers a way forward has been agreed in relation to access and that Heads of Terms have been signed.</p> <p>a) Confirm whether Dillington is included in the Schedule and if not, please add a new row with all relevant details.</p> <p>b) By reference to the Access to Works plans [APP-011] confirm which access is the subject of ongoing discussion and for what reason.</p> <p>c) Confirm whether or not agreement has been reached in relation to outstanding matters and if not, what the matters are that are preventing agreement.</p>	
Q3.3.0.5	The Applicant The NFU/LIG Affected Persons	The NFU [REP5-074] indicates that landowner James Keith is not identified on the Compulsory Acquisition Objections Schedule [REP6-023] and that discussions are ongoing over access matters. The Applicant states at Deadline 6 [REP6-014] that it considers a way forward has been agreed in relation to access	

ExQ3	Question to:	Question:	Natural England's Response
		<p>and that Heads of Terms have been signed.</p> <ul style="list-style-type: none"> a) Add James Keith to the Schedule. b) By reference to the Access to Works plans [APP-011] confirm which access is the subject of ongoing discussion and for what reason. c) Confirm whether or not agreement has been reached in relation to outstanding matters and if not, what the matters are that are preventing agreement. 	
Q3.3.0.6	The Applicant The NFU/LIG Affected Persons	<p>The NFU [REP5-074] indicates that landowner Bawdeswell is not identified on the Compulsory Acquisition Objections Schedule [REP6-023] and that discussions are ongoing over access matters. The Applicant states at Deadline 6 [REP6-014] that it considers a way forward has been agreed in relation to access but Heads of Terms have not been signed.</p> <ul style="list-style-type: none"> a) Add Bawdeswell to the Schedule. b) By reference to the Access to Works plans [APP-011] confirm which access is the subject of ongoing discussion and for what reason. c) Are Heads of Terms likely to be signed before the end of the Examination and what steps are being taken to achieve this? 	
Q3.3.0.7	The Applicant The NFU/LIG Affected Persons	<p>The NFU [REP5-074] indicates that discussions are ongoing over access matters with landowner Padulli (Row 27 of the Compulsory Acquisition Objections Schedule [REP6-023]). The Applicant states at Deadline 6 [REP6-014] that Heads of Terms for an option agreement have been agreed but not yet</p>	

ExQ3	Question to:	Question:	Natural England's Response
		<p>signed and that it is anticipated that these will be signed in the near future, following which discussions will commence to negotiate the form of Option and Deed documentation.</p> <p>a) By reference to the Access to Works plans [APP-011] confirm which access is the subject of ongoing discussion and for what reason.</p> <p>b) Are Heads of Terms now signed and if not, what are the factors that are preventing this?</p>	
Q3.3.0.8	The Applicant The NFU/LIG Affected Persons	<p>The NFU [REP5-074] indicates that discussions are ongoing over access matters with landowner Siely (Row 14 of the Compulsory Acquisition Objections Schedule [REP6-023]. The Applicant states at Deadline 6 [REP6-014] that Heads of Terms have been agreed and signed.</p> <p>a) By reference to the Access to Works plans [APP-011] confirm which access is the subject of ongoing discussion and for what reason.</p> <p>b) Confirm the position.</p>	
Q3.3.0.9	The Applicant The NFU/LIG Affected Persons	<p>The NFU [REP5-074] indicates that discussions are ongoing over access matters with landowner Mutimer (Row 38 of the Compulsory Acquisition Objections Schedule [REP6-023]. The Applicant states at Deadline 6 [REP6-014] that agreement has been reached and Heads of Terms signed.</p> <p>a) By reference to the Access to Works plans [APP-011] confirm which access is the subject of ongoing discussion and for what reason.</p> <p>b) Confirm the position.</p>	

ExQ3	Question to:	Question:	Natural England's Response
Q3.3.0.10	The Applicant The NFU/LIG Affected Persons	<p>The Applicant states at Deadline 5 [REP5-045] that Carrick (Row 34 of the Compulsory Acquisition Objections Schedule [REP6-023] that Heads of Terms for an option agreement have been issued by the Applicant and negotiations are ongoing and that the Applicant considers that it will be possible to reach agreement in due course.</p> <p>a) By reference to the Access to Works plans [APP-011] confirm what access is the subject of ongoing discussion.</p> <p>b) What are the detailed arrangements that would enable the land subject to temporary possession for access purposes, where this land is used by others for access purposes, to be used by others during the period of temporary possession? How would this be secured?</p> <p>c) Are Heads of Terms likely to be signed before the end of the Examination, what are the matters of dispute and what steps are being taken to achieve this?</p>	
Q3.3.0.11	The Applicant The NFU/LIG Affected Persons	<p>The plots identified for Albanwise Ltd, Row 39 of the Compulsory Acquisition Objections Schedule [REP6-023] appears not to include 12/03 & 12/05- Acquisition of Permanent New Rights.</p> <p>a) By reference to the Land Plans, please confirm the position.</p> <p>b) Update the Compulsory Acquisition Objections Schedule as necessary.</p>	

ExQ3	Question to:	Question:	Natural England's Response
Q3.3.0.12	The Applicant The NFU/LIG Affected Persons	<p>The plots identified for Christopher S Wright, Row 49 of the Compulsory Acquisition Objections Schedule [REP6-023] appears not to include 24/05, 24/10, 24/16 & 25/04 - Acquisition of Permanent New Rights.</p> <p>a) By reference to the Land Plans, please confirm the position.</p> <p>b) Update the Compulsory Acquisition Objections Schedule as necessary.</p>	
Q3.3.0.13	The Applicant The NFU/LIG Affected Persons	<p>The Trustees of Stinton Hall Trust, Row 42 of the Compulsory Acquisition Objections Schedule [REP6-023] do not seem to be included in the Book of Reference [REP1-011].</p> <p>a) By reference to the Book of Reference, please confirm the position.</p> <p>b) Update the Book of Reference and Compulsory Acquisition Objections Schedule as necessary.</p>	
Q3.3.0.14	The NFU/LIG Affected Persons	<p>In addition to the accesses referred to in Questions Q3.2.0.4 - Q3.2.0.10, are there any other accesses that are of particular concern and if so, what are the specific details of that concern? Indicate by reference to the Access to Works Plan [APP-011].</p>	
Q3.3.0.15	The Applicant The NFU/LIG Affected Persons	<p>With reference to the Access to Works plans [APP-011] confirm what arrangements would be in place that would enable temporary possession for access purposes as well as enable the land to be used by others during the period of temporary possession? How would these arrangements be secured?</p>	

ExQ3	Question to:	Question:	Natural England's Response
Q3.3.0.16	The Applicant The Crown Estate	Update progress in securing written consent under s135(2) from the Crown Estate for inclusion of the Crown plots in the dDCO [REP5-045, Q2.3.0.9].	
Q3.3.0.17	The Applicant	Indicate with reference to the Access to Works plans [APP-011] all other locations within the application where land subject to temporary possession for access purposes, is used by others for access purposes. What are the detailed arrangements that would enable the land to be used by others during the period of temporary possession? How would this be secured?	
Q3.3.0.18	The Applicant	<p>What is the latest position regarding:</p> <ul style="list-style-type: none"> a) progress in reaching agreement with the Statutory Undertakers identified in the Compulsory Acquisition Objections Schedule; b) whether protective provisions are in a satisfactory form that is agreed with relevant parties and if not, what steps are required to avoid serious detriment to the carrying on of their undertakings; c) the position of Highways England in relation to property agreements as per Question 2.3.0.12 [REP6-014 Applicant's Comments on Responses to the ExA's Further Written Questions]. 	
Q3.3.0.19	The Applicant	What would be the implications for compulsory acquisition if the SoS decided that trenchless installation techniques should be used to pass under either the B1149 and/ or Church Road, Colby?	

ExQ3	Question to:	Question:	Natural England's Response
Q3.3.0.20	Statutory Undertakers	Are there any matters that you wish to raise in relation to an objection or issue that is relevant to the effects of the Proposed Development on your undertaking, apparatus or land?	
Q3.3.0.21	The Applicant	Whilst the ExA acknowledges that in relation to National Trust land, the National Trust has withdrawn its objection [REP2-078], the ExA still needs to decide whether what is applied for, is necessary. Provide a summary of the case in relation to s130 – National Trust land including references to the Examination Library as appropriate.	
Q3.3.0.22	The Applicant	Summarise the case in relation to s132 – Open Space with reference to documents in the Examination Library.	
Q3.3.0.23	The Applicant	What is the latest position regarding progress with securing final, signed copies of the Funding Agreement [APP-025] between the Applicant, (Norfolk Boreas Limited), the Company (Vattenfall Wind Power Limited) and the Parent Company (Vattenfall AB) and submitting these into the Examination and timescale for submitting signed agreement into the Examination?	
Q3.3.0.24	The Applicant	Confirm whether the funding agreement covers the costs of implementing the project and the funding required for Compulsory Acquisition and temporary possession. If not, how would the funding be secured?	

ExQ3	Question to:	Question:	Natural England's Response
Q3.3.0.25	The Applicant	Confirm how security of funding would be ensured in the event that any or all of the benefit of the Order is transferred to another person (Article 6).	
Q3.3.0.26	The Applicant	The ExA notes the answer provided at REP5-045, Q2.3.0.21 in relation to Article 24 – Acquisition of subsoil and airspace only. Explain why this should apply to the entirety of the Order Land particularly given that overhead electricity lines and the laying of cables do not extend throughout the Order land.	
4. Cumulative effects of other proposals			
4.0 General cumulative effects, including phasing			
		No questions	
4.1 Onshore cumulative effects of other proposals (construction)			
		No questions	
5. Development Consent Order and Deemed Marine Licences			
5.0 General			
Q3.5.0.1	The Applicant Marine Management Organisation	Outstanding matters in the dDCO of concern to MMO Provide an update on progress in resolving issues raised by the Marine Management Organisation (MMO) [REP6-014] related to ExA Written Question 2.5.0.2: - Cable Crossings; - Disposal Site queries and references;	

ExQ3	Question to:	Question:	Natural England's Response
		- Definition of Inert.	
5.1 Articles			
Q3.5.1.1	The Applicant	<p>dDCO Article 15(3) wording regarding Internal Drainage Boards:</p> <p>Respond to the Water Management Alliance (WMA) [REP5-057] concern that the use of the word 'belong' in dDCO Article 15(3) does not apply to WMA Member Boards who regulate and maintain but do not own watercourses.</p>	
Q3.5.1.2	The Applicant The National Farmers' Union	<p>Article 16: Authority to survey and investigate the land onshore</p> <p>As neither party has responded specifically to the suggestion in Q2.5.1.6 and repeated their former positions, parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.</p>	
Q3.5.1.3	The Applicant The National Farmers' Union	<p>Article 26: Temporary use of land for carrying out the authorised project</p> <p>Both parties have now set out examples of other applications for, and made DCOs which make the case for 14 days' (the Applicant) and 28 days' (the NFU) notice periods before entering on and taking temporary possession of land under Article 26(2) [REP6-014, responses to Q2.5.1.7 and Q2.5.1.8].</p> <p>1. Parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.</p>	

ExQ3	Question to:	Question:	Natural England's Response
		<p>Article 27: Temporary use of land for maintaining authorised project Refer to questions under Requirement 19.</p>	
5.2	SCHEDULE 1 PART 1: Authorised Development		
		No questions	
5.3	SCHEDULE 1 PART 3: Requirements		
Q3.5.3.1	The Applicant	<p>Requirement 15: Scenarios, stages and phases of authorised development onshore Provide your proposed wording for sequential post-consent approvals for stages if required, ensuring it takes on board comments from Breckland Council and NNDC regarding avoiding a disjointed approach [REP5-045, response to Q2.5.1.5] and [REP6-014, response to responses to Q2.5.1.5 and Q2.5.7.1].</p>	
Q3.5.3.2	The Applicant	<p>Requirement 15: Scenarios, stages and phases of authorised development onshore Your response to NNDC's suggested wording for R15 additions [REP6-014, response to NNDC response to Q2.5.1.5] refers to its suggestion regarding proposed additions of timetables for discharge of Requirements, but is not clear regarding the proposal to include "<i>an indication as to when each stage is expected to commence and complete</i>". Provide a response.</p>	
Q3.5.3.3	North Norfolk District Council	<p>Requirement 15: Scenarios, stages and phases of authorised development onshore 1. Comment on the Applicant's view that</p>	

ExQ3	Question to:	Question:	Natural England's Response
		<p>programmes for submission and timetables for discharge would be better dealt with in the PPA? [REP6-014, response to NNDC response to Q2.5.1.5]</p> <p>2. Are you still of the view that an indication of stage commencement and completions should be included in Requirement 15?</p>	
Q3.5.3.4	The Applicant North Norfolk District Council	<p>Requirement 15: Scenarios, stages and phases of authorised development onshore</p> <p>Parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.</p>	
Q3.5.3.5	Breckland Council Broadland District Council Norfolk County Council	<p>Requirement 15: Scenarios, stages and phases of authorised development onshore</p> <p>Submit any comments on NNDC's suggestions, the Applicant's response and/ or whether you would want to see some or all of NNDC's suggestions incorporated in R15.</p>	
Q3.5.3.6	The Applicant	<p>Requirement 16 (10): Levels set for the National Grid substation extension</p> <p>Should Requirement 16(10) of the dDCO set out different existing ground levels for Scenarios 1 and 2?</p>	
Q3.5.3.7	The Applicant	<p>Requirement 16 (13): Trenchless installation techniques</p> <p>1. Are there any updates required for the Clarification Note Trenchless Crossings B1149 and</p>	

ExQ3	Question to:	Question:	Natural England's Response
		<p>Church Road, Colby [REP4-017] in the light of D5, D6 representations, and subsequent discussions with NCC?</p> <p>2. How can the Clarification Note Trenchless Crossings B1149 and Church Road, Colby [REP4-017], which sets out more details for open cut trenches in these two locations, be secured if trenchless crossings are not recommended for the purpose of passing under the B1149 and Church Road, Colby?</p> <ul style="list-style-type: none"> ▪ Would the entire document or parts of it be required to be secured? ▪ If part, provide a new document containing the relevant parts. <p>3. Without prejudice, set out appropriate wording to be included in the dDCO and any other relevant documents, including securing any further details, which would enable the SoS to include the use of trenchless installation techniques to pass under either or both of these locations, for scenario 2, if so required.</p> <p>There are further questions related to technical and land related aspects of both crossings in Section 12 of these questions.</p>	
Q3.5.3.8	Norfolk County Council North Norfolk District Council Broadland District Council	<p>Requirement 16 (13): Trenchless installation techniques</p> <p>1. Provide any comments on the points above.</p> <p>2. Regarding point 3. above, provide responses to the Applicant's D7 response at D8.</p>	
Q3.5.3.9	North Norfolk	<p>Requirement 19: Implementation and maintenance of landscaping</p>	

ExQ3	Question to:	Question:	Natural England's Response
	District Council	<p>The ExA notes that discussion is ongoing regarding how a ten-year replacement period could be secured [REP6-036, Pages 47 to 54].</p> <ol style="list-style-type: none"> 1. Is agreement with the Applicant over a way of achieving replacement planting over a ten-year period (if required), which would avoid net loss in a worst case scenario, through wording in the OLEMS (or elsewhere other than the dDCO) likely to be reached in the timescale of this Examination? 2. If so, what is it? 3. If not, submit any additional information to assist the ExA in reaching its recommendation to the SoS. 	
Q3.5.3.10	The Applicant	<p>Requirement 19: Implementation and maintenance of landscaping</p> <ol style="list-style-type: none"> 1. How can a ten-year obligation that would rely upon landowners providing consent for replacement planting be secured? 2. In your opinion can this be achieved by amending Requirement 19(2) and Article 27(12) as suggested by NNDC? 3. What would be the implications for Schedule 6? 4. How would the six tests in relation to Requirements be met (necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects)? 5. Respond to NNDC's points regarding the process you would go through to secure that landowner consent for replacement planting, what happens if this consent cannot be secured, whether 	

ExQ3	Question to:	Question:	Natural England's Response
		<p>additional tree planting could be delivered/ secured in other location(s) where landowner agreement has been/ can be secured?</p> <p>6. As well as the agreed addition to the OLEMS para 147, suggested by NNDC [REP6-043, para 2.11] and updated SoCG [REP6-036, Page 52] have you included further wording as suggested to set out the process? If so what, and is it agreed with NNDC?</p> <p>7. Submit any additional information to assist the ExA in reaching its recommendation to the SoS.</p>	
Q3.5.3.11	The Applicant	<p>Requirement 20: Hydrogeological Risk Assessment for abstractions within 250m of works:</p> <p>Note question below in Section Q3.15.0 Water Resources and Flood Risk.</p>	
Q3.5.3.12	The Applicant	<p>Requirement 20: Monitoring of residual adverse impacts on the water environment:</p> <p>Note question below in Section Q3.15.0 Water Resources and Flood Risk.</p>	
Q3.5.3.13	The Applicant	<p>Requirement 20: Refined conceptual site modelling for each watercourse crossing:</p> <p>Note question below in Section Q3.15.0 Water Resources and Flood Risk.</p>	
Q3.5.3.14	The Applicant	<p>Requirement 20: Risk Assessment based on chemical testing in the ground investigation reports:</p>	

ExQ3	Question to:	Question:	Natural England's Response
		Note question below in Section Q3.15.0 Water Resources and Flood Risk.	
Q3.5.3.15	The Applicant	<p>Requirement 20: Consultation on contamination and approval of remediation:</p> <p>Note question below in Section Q3.15.0 Water Resources and Flood Risk.</p>	
Q3.5.3.16	The Applicant	<p>Requirement 20: OCoCP in relation to Agricultural Private Water Supplies:</p> <p>Note question below in Section Q3.13.3 Land Use and Agriculture.</p>	
Q3.5.3.17	The Applicant	<p>Requirement 20: OCoCP</p> <p>Note question below in Section Q3.13.2.1 regarding Tourism Mitigation Strategy.</p>	
Q3.5.3.18	The Applicant	<p>Requirement 21: Traffic</p> <p>Note question below in Section Q3.14.1.5 regarding Cumulative traffic effects in Cawston.</p>	
Q3.5.3.19	The Applicant	<p>Requirement 25- definition of secondary consent bodies:</p> <p>Note question below in Section Q3.15.0 Water Resources and Flood Risk.</p>	
Q3.5.3.20	The Applicant	<p>Requirement 25: Attenuation capacity at substations allowance for climate change:</p> <p>Note question below in Section Q3.15.0 Water</p>	

ExQ3	Question to:	Question:	Natural England's Response
		Resources and Flood Risk.	
5.4 OTHER REQUIREMENTS			
		No questions	
5.5 SCHEDULES 9 to 13: Deemed Marine Licences			
Q3.5.5.21	Marine Management Organisation Natural England	DML Schedule 9/10/13 Part 4 Condition 15 (4): The MMO and NE to review the further comments from the Applicant at [REP6-014] on time periods for approvals including in relation to CfD timescales and provide further comments at Deadline 7.	NE has reviewed the comments made with regard contracts for difference timescales and maintains its position that six months is a more appropriate timescale. Given the wide Rochdale envelope of the project and the remaining uncertainties on the impact to several designated sites it is essential that we have sufficient time to review and discuss this key documentation to ensure the impacts are appropriately mitigated or potentially that compensatory measures are agreed.
Q3.5.5.1	The Applicant Marine Management Organisation Natural England	Prospects for agreement on DML Schedule 9/10/13 Part 4 Condition 15 (4): It appears unlikely that agreement will be reached between the Applicant, NE and MMO regarding four- or six-month submission periods in Schedule 9/10/13 Part 4 Condition 15 (4). The Applicant, MMO and NE to provide any additional information to assist the ExA in making its recommendation to the Secretary of State.	Natural England has no further comment to make on this issue. However, maintains its position that a period of six months is needed.
Q3.5.5.2	The Applicant	Prospects for agreement on DML Conditions for notice to mariners period and cable laying plan: Confirm whether agreement is likely to be reached with Trinity House (TH) prior to Deadline 8 and provide any additional information to assist the ExA	

ExQ3	Question to:	Question:	Natural England's Response
		<p>in making its recommendation to the Secretary of State in regard to matters below remaining to be agreed, as noted in the SoCG [REP6-039], including:</p> <ol style="list-style-type: none"> 1. The Applicant's request to replace a 10 day period for notice to mariners prior to commencement instead of 14 days [dDCO/DMLs Schedule 9 Part 4 9 (8), Schedule 10 Part 4 9 (8), Schedule 11 Part 4 4 (8), Schedule 12 Part 4 4 (8), Schedule 13 Part 4 3 (8)] to ensure consistency with the draft Norfolk Vanguard DCO. <p>TH request to add to DML conditions [Schedule 9 Part 4 14 (1)(g) Schedule 10 Part 4 14 (1)(g), Schedule 11 Part 4 9(1)(g) , Schedule 12 Part 4 9(1)(g) , Schedule 13 Part 4 7(1)(f)] suggested text [REP6-039] commencing "... a detailed cable laying plan of the Order limits...".</p>	
Q3.5.5.3	The Applicant	<p>Schedules 9 and 10 Part 4, Conditions 14 (1) (c), (d), (g,) (j), 18, 19, 20 and 22:</p> <p>Note questions below in Section Q2.6.0 Fishing and Fisheries.</p>	
Q3.5.5.4	The Applicant	<p>Schedules 11 and 12 Part 4, Conditions 9 (1) (c), (d), (g,) (j), 13, 14, 15 and 17:</p> <p>Note questions below in Section Q2.6.0 Fishing and Fisheries.</p>	
Q3.5.5.5	Marine Management Organisation (MMO)	<p>Alternative to Schedule 11 &12 Part 4 Condition 9 (1) (m):</p> <p>The MMO and NE to comment on the alternative condition proposed by the Applicant [REP6-</p>	NE has provided comment on the DCO documents within our response at deadline 7.

ExQ3	Question to:	Question:	Natural England's Response
	Natural England (NE)	016(ExA.AS-2.D6.V1 Alternative to the Grampian condition for the HHW SAC)] which would secure a Cable Specification, Installation and Monitoring Plan that would contain all of the elements of the HHW SIP, but would not defer the conclusion of AEOI to post consent.	
Q3.5.5.6	The Applicant	<p>Schedule 13 Part 4, Conditions 7 (1) (c), (d), (g), (j), 11, 12, 13 and 15:</p> <p>Note questions below in Section Q2.6.0 Fishing and Fisheries.</p>	
<p>5.6 SCHEDULE 15: ARBITRATION RULES</p>			
		No questions	
<p>5.7 SCHEDULE 16: PROCEDURE FOR DISCHARGE OF REQUIREMENTS</p>			
Q3.5.7.1	The Applicant	<p>Table of requirements, discharge authorities and consultees and discharge process map</p> <p>Should the Timetable of requirements, discharge authorities and consultees and the Discharge process map [REP6-043, Appendix B and Appendix C] be certified documents, referred to in Schedule 16?</p>	
Q3.5.7.2	Breckland Council Broadland District Council, Norfolk County Council,	<p>Table of requirements, discharge authorities and consultees and discharge process map</p> <p>Provide any comments on NNDC's Timetable of requirements, discharge authorities and consultees and the Discharge process map [REP6-043, Appendix B and Appendix C].</p>	

ExQ3	Question to:	Question:	Natural England's Response
Q3.5.7.3	Norfolk County Council	<p>Schedule 16 2. (2) and (3): Deadlines for responses</p> <p>Are you content with the Applicant's response regarding the flexibility that would be provided by the ability to agree longer periods (Schedule 16: 1. (3) (c))?</p>	
Q3.5.7.4	<p>The Applicant Breckland Council Broadland District Council, Norfolk County Council, North Norfolk District Council</p>	<p>Schedule 16</p> <p>Parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.</p>	
Q3.5.7.5	<p>The Applicant Breckland Council Broadland District Council, Norfolk County Council, North Norfolk District Council</p>	<p>Planning Performance Agreements</p> <p>Provide any update on matters since the response to responses to further written questions provided by the Applicant [REP6-014, responses to Q2.5.7.1].</p>	
<p>5.8 SCHEDULE 17: PROTECTIVE PROVISIONS</p>			
Q3.5.8.6	The Applicant	<p>dDCO Schedule 17 paragraph 71(3) (c): security for consent for additional water volume and additional cost recovery under IDB Byelaws:</p>	

ExQ3	Question to:	Question:	Natural England's Response
		With reference to the 'reasonable requirements' of Schedule 17 paragraph 71 (3) (c), respond in detail to the Water Management Alliance (WMA) [REP5-057] request for assurance how Schedule 17 secures safeguarding of the provisions of Byelaws 3 and 28 of the Broads 2006 Internal Drainage Board and the Norfolk Rivers Internal Drainage Board for consent to any increase in total volume of water to enter the Internal Drainage District and partial recovery of additional costs incurred by the WMA Member Board resulting from additional flows so consented.	
Q3.5.8.7	The Applicant Environment Agency	Provide an update on discussions with the EA over protective provisions. Has agreement been reached? If not, provide any additional information to assist the ExA in making its recommendation to the SoS.	
5.9 CONSENTS, LICENCES AND OTHER AGREEMENTS			
		No questions	
6. Fishing and fisheries			
Q3.6.0.1	National Federation of Fishermen's Organisation (NFFO)	NFFO investigation of the impact of seals: Advise the status of NFFO investigation of the impact of seals on commercial fishing and any recommendations that may have emerged.	
Q3.6.0.2	The Applicant	Export cable siting restrictions in relation to MPA Byelaw Restricted Area 36: Provide update on whether agreement with Eastern IFCA is likely to be reached by Deadline 8 on export	

ExQ3	Question to:	Question:	Natural England's Response
		cable route restrictions in relation to MPA Byelaw Restricted Area 36 and confirm the Applicant's final position if agreement is not reached.	
Q3.6.0.3	The Applicant	<p>Matters not yet agreed with NFFO/Visned:</p> <p>Provide an update on whether any further agreement with NFFO/VisNed is likely to be reached by Deadline 8 on the following matters of disagreement recorded in the SoCG at Deadline 6, and if agreement is not reached, what the Applicant's final position is:</p> <ol style="list-style-type: none"> 1. assessment of impact by subgroupings of vessels; 2. spacing between structures to facilitate resumption of fishing activity; 3. effects of 500m safety zones around Service Operation Vehicles (SOV) for maintenance activities; 4. gear snagging risk mitigation including notification of shallow burial of cables when discovered; 5. cumulative impact assessment of losses of fishing activity in relation to assumptions on resumption of towed gear fishing activities. 	
7. Grid connection			
Q3.7.0.1	The Applicant	<p>Offshore Ring Main (ORM):</p> <p>Further to the written question [REP5-045, ExQ2.7.0.1], respond to the specific point regarding any consideration given to include options for any future connection into an ORM.</p>	
8. Habitats Regulation Assessment			

ExQ3	Question to:	Question:	Natural England's Response
8.0 River Wensum SAC			
		No questions	
8.1 Norfolk Valley Fens SAC			
		No questions	
8.2 Southern North Sea SAC			
Q3.8.2.1	Marine Management Organisation	<p>Discussions with Regulators Group: MMO to provide further details of discussions with Regulators Group [REP6-045], to include:</p> <ol style="list-style-type: none"> 1. How the management tool will work in practice? 2. Is it a tool just for an in-combination assessment to be undertaken or for MMO to use for the actual management of various activities? 3. When will this be finalised? 	
8.3 Haisborough, Hammond and Winterton SAC			
Q3.8.3.1	The Applicant	<p>Alternative to the Site Integrity Plan: The Applicant has proposed an alternative Cable Specification, Installation and Monitoring Plan (CSIMP) to the SIP [REP6-016] to address the concerns expressed by NE and MMO throughout the Examination. The Applicant to explain:</p> <ol style="list-style-type: none"> 1. The Applicant has submitted the SAC position paper [REP6-016] which contains new mitigation commitments and the CSIMP as an Appendix. The SAC position paper is referred to in the updated SIP [REP6-011], but not in the dDCO itself. How would the CSIMP therefore be certified and secured? 	

ExQ3	Question to:	Question:	Natural England's Response
Q3.8.3.2	Natural England, Marine Management Organisation, other IPs	<p>Alternative to the Site Integrity Plan: All IPs to provide any additional information regarding the CSIMP or SIP that will assist the ExA in making its recommendation to the SoS.</p>	Please see NE's Detailed response as submitted at Deadline 7
Q3.8.3.3	The Applicant, Natural England	<p>Cable Specification, Installation and Monitoring Plan: The Applicant [REP6-019] commits to decommission cable protection at the end of the Norfolk Boreas project life. If Sabellaria spinulosa colonised over the cable during operation:</p> <ol style="list-style-type: none"> 1. Is there the potential that removing cable protection could result in more damage than leaving it in-situ? 2. Should there be some flexibility in the CSIMP for removal to take place unless discussion with the relevant SNCB conclude otherwise? 	<p>Please see NE's detailed response as submitted at Deadline 7, in response to Applicants HHW SAC position paper D6. Natural England reiterates that the current SNCB view is that <i>Sabellaria spinulosa</i> on artificial substrata and not substrate which it was designated to be on is not adding to the favourable condition on the habitat.</p> <p>1-However, it is recognised that decommissioning cable protection could have wider impacts and be damaging to Annex I features in its own right.</p> <p>2-It is appropriate for there to be some flexibility unless it is considered to be a necessary mitigation measure to remove AEOI. Given the uncertainties in relation to decommissioning cable protection this could be a moot point. Furthermore it should be noted that a new EIA and application would need to be presented at the time of decommissioning the flexibility may not be required as it would be considered again as part of that application.</p>
Q3.8.3.4	The Applicant	<p>Alternative Cable Routes: The Applicant has in its Position Paper on Derogation [REP6-025] addressed alternatives for the project. Can the Applicant explain if there are alternatives for the marine cable route to be routed around the SAC</p>	

ExQ3	Question to:	Question:	Natural England's Response
		to avoid impacts altogether?	
Q3.8.3.5	The Applicant	<p>Relationship of historic environment, sandbank and reef features in SAC:</p> <p>The Clarification note on optimising cable routing through the HHW SAC [REP4-022] provides an overlay plan of Archaeological Exclusion Zones (AEZs), A2 seabed anomalies of potential archaeological interest and areas to be managed as S. Spinulosa reef.</p> <p>Provide a further composite plan overlaying on the above features within the red line boundary in addition any sandbank features of conservation significance in the HHW SAC.</p>	
Q3.8.3.6	Marine Management Organisation (MMO) Natural England (NE) Historic England (HBMCE)	<p>Micrositing within the HHW SAC:</p> <p>In [REP5-073] the MMO noted that it still has concerns that micrositing may not be possible at the time of construction and would like this to be dealt with at consenting stage rather than post consent; and also that NE have queried how the MMO would make a decision between the potential impacts to Annex 1 reef and Archaeological interest features.</p> <p>In order to assist the ExA in assessing the likelihood of successful micrositing to avoid these composite constraints, MMO, NE and HBMCE to comment on the Applicant's response to these concerns [REP6-013] claiming that "micrositing is possible at present and that there is unlikely to be any discernible difference in extent or location of the different constraints when final cable routing is undertaken" with specific reference to the reconciliation of multiple constraints</p>	NE is currently in the process of reviewing the final NVG documents in order to provide our statutory advice to the SoS. As set out by the ExA for Boreas the proposals for Boreas are an extension to those of NVG; we do not wish to prejudice our advice on either project therefore we will provide further advice on this after the 27th April NVG deadline (i.e. Boreas Deadline 9).

ExQ3	Question to:	Question:	Natural England's Response
		including any additional constraints that may be presented by the presence of sandbanks in the cable corridor.	
8.4 Offshore ornithology			
Q3.8.4.1	Natural England	<p>Elements of Precaution: NE to respond to the Applicant's comments [REP6-042] regarding the combination of individual elements of precaution.</p>	<p>Please see our responses in REP4-039, REP4-040 and REP4-043 regarding individual elements of precaution in offshore ornithology assessments. Please also see our responses in REP4-040, REP4-043 and our response to ExA second round question 2.8.4.4 in REP5-077 regarding the combination of individual elements of precaution in offshore ornithology assessments.</p> <p>As noted in our responses in REP4-040 and REP4-043 there are also elements where the assessment may not be precautionary (e.g. the potential limitations in recording of site-specific data on seabird flight heights may have the potential to lead to underestimates of potential collisions and hence assessments may be lacking in precaution in this aspect). Further, the level of uncertainty in the assessment is high and therefore there is a requirement to be precautionary in our assessment of impacts.</p> <p>With specific respect to the Applicant's comments regarding precaution in REP6-042, the Applicant makes specific reference of precaution in assessments in terms of:</p> <ul style="list-style-type: none"> • Overly precautionary apportioning of kittiwake and lesser black-backed gull (LBBG) collisions due to use of the full breeding season and over-estimated apportioning rates; and,

ExQ3	Question to:	Question:	Natural England's Response
			<ul style="list-style-type: none"> • Use of consented rather than as built wind farm designs in cumulative/in-combination collision assessments. <p>With regard to apportionment of kittiwake and LBBG collisions to relevant SPA colonies, Natural England notes that Norfolk Boreas is located within the foraging range of LBBG from the Alde-Ore Estuary SPA, we consider that the full breeding season in Furness (2015) is the most appropriate for assigning monthly impacts to the breeding season. The tracking data of kittiwake from the FFC SPA up until 2015 suggests low connectivity of the Norfolk Boreas site with foraging birds from the colony. However, further tagging of kittiwakes from the FFC SPA colony has been undertaken in 2017 and the results of this does indicate that some birds from the FFC SPA do forage within the Boreas site (Aitken et al. 2017; Wischnewski et al. 2018). Therefore, we again consider that the full breeding season in Furness (2015) is the most appropriate for assigning monthly impacts to the breeding season.</p> <p>In terms of breeding season apportionment rates, we note that there is uncertainty in exact figures to use and this uncertainty should therefore be considered in assessments and a range based approach is considered entirely appropriate. In terms of the upper rates of these ranges used, we have acknowledged in REP4-040 that these are likely to be precautionary and we have in our Deadline 4 [REP4-040] and Deadline 7 advice, considered the Norfolk Boreas collision predictions alone and in the in-combination totals using both the Natural England precautionary rates and the Applicant's preferred rates for Norfolk Boreas (and also for Norfolk</p>

ExQ3	Question to:	Question:	Natural England's Response
			<p>Vanguard for in-combination).</p> <p>With regard to use of consented rather than as built wind farm designs, please see our Deadline 6 [REP6-049] and Deadline 7 responses regarding the Applicant's approach/position regarding headroom and our response to the ExA third round question 3.2.1.2 above. It is true that if the CRM it conducted on what will be built rather than the Rochdale envelope worst case scenario that is assessed for each project then the collision predictions will come down. However, if the collision model or the density estimates are totally wrong they might be a lot higher for example.</p>
Q3.8.4.2	Natural England	<p>In-combination Assessment: NE to comment on the Applicant's updated in-combination collision risk modelling [REP6-024].</p>	<p>Please see our Deadline 7 response (NE.NB.D7.08 CRM) to the Applicant's updated in-combination collision risk modelling presented in REP6-024.</p>
<p>8.5 Greater Wash SPA</p>			
Q3.8.5.1	Natural England	<p>Little gull: Table 1 of NE's Deadline 4 representation [REP4-040] states that NE is unable to rule out an AEOI to little gull of the Greater Wash SPA from in-combination collision mortality when Hornsea Projects Three and Four are included. However, section 7.2 of the same document states that NE agrees an AEOI can be ruled out. Further to the Applicant's revised in-combination assessment submitted at Deadline 6 [REP6-024], can NE clarify its position in this regard.</p>	<p>Please see our updated advice in our Deadline 7 response (NE.NB.D7.08 CRM) to the updated assessment submitted by the Applicant in REP6-024, namely that we agree with the Applicant that an AEOI of the little gull feature of the Greater Wash can be ruled out for in-combination collision impacts irrespective of whether Hornsea 3 and Hornsea 4 are included in the totals or not.</p>

ExQ3	Question to:	Question:	Natural England's Response
8.6 Flamborough and Filey Coast SPA, Alde-Ore Estuary SPA and Haisborough Hammond and Winterton SAC			
Q3.8.6.1	The Applicant Natural England	<p>Derogation:</p> <p>The Applicant submitted an initial Position Paper on Derogation for relevant qualifying features at Flamborough and Filey Coast (FFC) SPA, Alde-Ore Estuary SPA and Haisborough Hammond and Winterton SAC [REP6-025]. While the ExA is aware that compensatory measures have been proposed for Norfolk Vanguard, it reminds the Applicant that compensatory measures for Norfolk Boreas should be specifically for this project.</p> <ol style="list-style-type: none"> 1. Without prejudice, can the Applicant provide the necessary information for the SoS to consider whether the project can pass the IROPI test for each site? 2. Can the Applicant state when it will submit its fuller derogation cases? <p>What are NE's comments on compensation measures proposed?</p>	<p>Natural England is currently in the process of reviewing the Norfolk Vanguard and Hornsea Project 3 documents in order to provide our statutory advice to the SoS. As set out by the ExA for Boreas the proposals for Boreas are an extension to those of Norfolk Vanguard ; we do not wish to prejudice our advice on either project therefore we will provide further advice on this once we have submitted to both the other examinations (i.e. Boreas Deadline 9).</p>
Q3.8.6.2	Royal Society for the Protection of Birds, Natural England	<p>CRM for gannet and lesser black backed gull (LBBG):</p> <ol style="list-style-type: none"> 1. The RSPB has previously stated that it cannot agree no AEOI of gannet of the FFC SPA and LBBG of Alde-Ore Estuary SPA from collision mortality from Norfolk Boreas alone. Further to the Applicant's revised CRM at Deadline 5 [REP5-059], can the RSPB provide an update on its position in relation to these features and collision impacts from Norfolk Boreas alone. If the RSPB is unable to rule out an AEOI, please can it provide its 	

ExQ3	Question to:	Question:	Natural England's Response
		reasons.	
8.7 Flamborough and Filey Coast SPA			
Q3.8.7.1	Natural England	AEoI: NE [REP6-051] cannot agree to no AEoI for gannet, guillemot and razorbill when Hornsea 3 and 4 are included. Accepting that uncertainty of the Hornsea projects are outside of the Applicant's control, are there further measures the Applicant could provide to satisfy NE on no AEoI?	Natural England is currently in the process of reviewing the Norfolk Vanguard and Hornsea Project 3 documents in order to provide our statutory advice to the SoS. As set out by the ExA for Boreas the proposals for Boreas are an extension to those of Norfolk Vanguard ; we do not wish to prejudice our advice on either project therefore we will provide further advice on this once we have submitted to both the other examinations (i.e. Boreas Deadline 9).
Q3.8.7.2	The Applicant	Derogation: The Applicant to explain why gannet, razorbill and guillemot are not included in the Position Paper on Derogation [REP6-025].	
9. Landscape and Visual Effects			
9.0 The Applicant's landscape and visual assessment			
		No questions	
9.1 The Applicant's visual assessment			
Q3.9.1.1	The Applicant	Sensitivity of receptor Explain how the motorists along the A47 are assessed as having the same sensitivity as residents represented by other viewpoints [APP-242], eg Viewpoints VP4, VP5, VP6, VP8, VP9, VP10.	
Q3.9.1.2	The Applicant	Visual assessment terminology	

ExQ3	Question to:	Question:	Natural England's Response
		Provide clarity on the visual assessment process in terms of "value of view", "value of receptor", "susceptibility to change", "sensitivity of visual receptor", "sensitivity of view", "overall sensitivity to change" [APP-677, Section 6]. Specifically clarify if "overall sensitivity to change" and "sensitivity of view" are the same.	
9.2 Alternatives considered			
Q3.9.2.1	The Applicant	Top Farm Confirm whether the Top Farm site was considered as an alternative site, if this is different from Top Farm being "reviewed as an alternative site". If so when was it considered/ reviewed [REP2-021, response to Q2.2.8(2)]?	
Q3.9.2.2	The Applicant	Top Farm Clarify the heights mentioned regarding the comparison made between the Top Farm site and the proposed onshore project substation site (proposed site 65m to 70m and Top Farm 65m to 75m) [REP2-021, response to Q2.2.8(2)] in light of the dDCO secured "existing ground levels" set at 73m AOD (Scenario 1) and 72m AOD (Scenario 2) in Requirement 16 (8)(a) and (b) [REP5-003].	
9.3 Landscape effects			
Q3.9.3.1	The Applicant	Landfall zone Provide an aerial image of the landward part of the landfall zone clearly marking the England Coast Path, the 125m line from the cliff edge, and the proposed	

ExQ3	Question to:	Question:	Natural England's Response
		landfall compound zone, indicative landfall compounds and onshore cable route.	
9.4 Visual effects			
		No questions	
9.5 Outline Landscape and Ecological Management Strategy (OLEMS)			
		No questions	
9.6 Good design			
Q3.9.6.2	The Applicant	<p>Design and Access Statement (DAS)</p> <p>Submit an updated DAS in which consideration has been given to the following:</p> <ul style="list-style-type: none"> ▪ Reference to the National Infrastructure Commissions' Design Principles for National infrastructure; ▪ Reference to and inclusion of the examples of the "agricultural style" typology submitted to the Examination [REP5-0047, Appendix 9.2]; ▪ Reference to the proposed district-wide post consent DASs, ▪ Clarity and certainty over the involvement of Necton Parish Council (at its request) (eg in para 70); ▪ Reference to an overall design approach or vision, not just mitigation (para 65); ▪ Whether an additional aim is also to assist in seeking approvals under Requirement 18; ▪ Whether there should be a statement about Scenario 1 and Scenario 2 in the DAS, in terms of cumulative effects and what could be achieved in Scenario 1, when the Norfolk Vanguard substations would be constructed; 	

ExQ3	Question to:	Question:	Natural England's Response
		<ul style="list-style-type: none"> ▪ The NFU's suggestion in the updated SoCG with the Applicant [REP6-032, Pages 6 to 7] that a statement to confirm that cut and fill (for the proposed onshore project substation) would be undertaken at the midpoint to minimise landscape impact should be included in the DAS; ▪ Whether materials and colours of the small control buildings associated with Work No. 10A should be included in the Design Guide; ▪ Checking the proposed National Grid substation extension indicative mitigation planting Scenario 2 drawing is consistent with that in the ES. 	
Q3.9.6.3	The Applicant	<p>Design and Access Statement</p> <p>Address seeming inconsistencies in what is intended regarding the design process and Design Guide's role with regards some of the architectural features, such as materials and colour bearing in mind NPS EN-1's requirement to take into account function and aesthetics:</p> <ul style="list-style-type: none"> ▪ Whether the wording "<i>landscape design rather than the substation architecture</i>" gives the wrong impression of what is intended as set out in Appendix 1; ▪ Whether the Design Guide content (Appendix 1) should state that functionally non-negotiable aspects of the architecture (such as converter hall height, footprint etc) which would be driven by function, would be set out in the Design Guide; ▪ Whether the Design Guide should make a link to the OLEMS, by which the materials and colour of the onshore project substation are secured (R18(2)(j)); 	

ExQ3	Question to:	Question:	Natural England's Response
		<ul style="list-style-type: none"> ▪ Whether some of the references to colour should also state materials; ▪ Whether it would be a colour and materials comparison study (Appendix 1), and whether some of the testing of this would actually occur outside in the vicinity of the proposed onshore project substation, clarifying the penultimate paragraph of Appendix 1. 	
Q3.9.6.4	The Applicant	<p>Use of Design and Access Statement</p> <p>Would the Design and Access Statement be used in the contractor procurement process?</p>	
Q3.9.6.5	Breckland Council Necton Parish Council The National Farmers' Union NSAG Other IPs	<p>Design and Access Statement: further comments</p> <p>Further to comments at Deadline 5, the SoCG between the Applicant and the NFU [REP6-032] and Breckland Council's future role which would be responsible for post consent approvals:</p> <ol style="list-style-type: none"> 1. Provide any comments on the DAS submitted at Deadline 5 [REP5-013] to [REP5-017]. 2. Provide any views on any of the points in the two questions above and/ or any further points you consider should be included or amended. 	
Q3.9.6.6	The National Farmers' Union	<p>DAS: Consultation with landowners</p> <ol style="list-style-type: none"> 1. Further to comments in the SoCG between the Applicant and the NFU [REP6-032] are you content with the DAS wording regarding landowner involvement [REP5-013, para 66 and 72]? 2. If not propose amended wording for either of 	

ExQ3	Question to:	Question:	Natural England's Response
		<p>these paragraphs or additional wording.</p> <p>3. Confirm if your request relates to all landowners affected by the proposed onshore project substation.</p> <p>4. Do comments also relate to any aspects of the proposed National Grid substation extension?</p>	
Q3.9.6.7	Breckland Council	<p>Future approvals</p> <p>1. How would you ensure the right skills to engage in the design process (as set out in REP5-013, Plate 4) and to consult, amend if necessary and approve would be available to the Council?</p> <p>2. Do you have any further comments on the DAS wording regarding future engagement [REP5-013, para 72] whereby you and the Applicant would determine which stakeholders would be engaged in the design process in light of the information in the Design Guide?</p> <p>3. Is there anything further you would wish to see incorporated regarding Scenario 1, where the Norfolk Vanguard substations may have preceded the design process described in the DAS for the Norfolk Boreas proposed development?</p>	
<p>9.7 Matters arising from the accompanied site inspection (ASI) on Thursday 23 January 2020</p>			
Q3.9.7.1	The Applicant	<p>Provide updated contour drawings at Deadline 7, with contours visible under colour shadings for substation and other assets [REP5-047, Appendix 9.1, Figures 1b and 2b].</p>	

ExQ3	Question to:	Question:	Natural England's Response
10.	Marine and Coastal processes		
11.	Navigation		
11.0	Marine Navigation and Shipping		
		No questions	
11.1	Aviation and Radar		
		No questions	
12.	Onshore construction effects		
12.0	Cable corridor and ducting		
Q3.12.0.1	The Applicant	Workfront strategy Should the explanation provided at [REP5-045, ExA2.12.0.1] be included in the Outline Landscape and Ecological Management Strategy (OLEMS)? If not, why not?	
Q3.12.0.2	The Applicant Norfolk County Council	B1149 Crossing The ExA notes the arguments presented by the Applicant in the Clarification Note Trenchless Crossings B1149 and Church Road, Colby [REP04-017], by NCC in its D5 submission [REP5-066], and by the Applicant in its response [REP6-013]. 1. Parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.	
Q3.12.0.3	The Applicant	B1149 Crossing Provide an aerial image(s) clearly marking the full	

ExQ3	Question to:	Question:	Natural England's Response
		<p>extent of the traffic management proposals at the B1149 crossing (AC89) including the access point AC90, diversion lane, extent of the required resurfacing and the cable corridor. If it helps clarity mark the south western verge and the north eastern verge on separate copies of the aerial image.</p>	
Q3.12.0.4	Broadland District Council	<p>B1149 Crossing (open cut trench/ trenchless crossing) Provide your views on the effect on hedgerows and trees in relation to the trenchless crossing and proposed diversion lane under discussion for the B1149, as mentioned by NCC [REP5-066, final page].</p>	
Q3.12.0.5	The Applicant	<p>Church Road, Colby (open cut trench/ trenchless crossing) Further to NNDC's update, in which it is stated that you are considering the NNDC option presented, provide your comments [REP6-043].</p>	
Q3.12.0.6	Norfolk County Council	<p>Church Road, Colby (open cut trench/ trenchless crossing) Comment on the highways aspects of the Applicant's reasoning for not adopting NNDC's suggested alternative accesses which would enable a trenchless crossing [REP6-014, response to NNDC's response to Q2.9.3.1] regarding the introduction of new junctions, their proximity to each other and to an existing junction, their location opposite the farm access, the bend in the road and visibility, the HGV movements and the timescale (as set out in the second two bullet points). In responding include</p>	

ExQ3	Question to:	Question:	Natural England's Response
		reference to and comparison with the Applicant's proposal, which also includes an access near the same bend in the road [APP-011, Sheet 13 of 42, AC59] and [REP4-017].	
Q3.12.0.7	The Applicant North Norfolk District Council	Church Road, Colby (open cut trench/ trenchless crossing) Parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.	
12.1 Mobilisation areas			
Q3.12.1.1	North Norfolk District Council	Mobilisation Areas Are you content with the additional wording which the Applicant has added to the OCoCP [REP5-011, Section 3.2.1]?	
Q3.12.1.2	The Applicant	1. Respond to NNDC's point that there are other matters which relate more to visual amenity impacts, beyond the remit of environmental protection issues [REP6-043, response to Q2.12.1.3]. 2. Is the term " <i>neighbouring communities</i> " [REP5-011, para 61] sufficiently wide to cover all relevant types of sensitive receptors – eg the Quaker Burial Ground adjacent to Trenchless crossing zone 14a/b and Mobilisation area MA10?	
12.2 Noise and Vibration			
Q3.12.2.1	The Applicant North Norfolk	Noise Sensitive Receptors The ExA notes the Joint Position Statement with	

ExQ3	Question to:	Question:	Natural England's Response
	District Council Broadland District Council	<p>North Norfolk DC on Noise Sensitive Receptors [REP6-022]. The ExA also notes unresolved matters with Broadland DC in the updated Statement of Common Ground (SoCG) [REP6-026], regarding the appropriateness of the position of sensitive receptors.</p> <ol style="list-style-type: none"> 1. The Applicant, North Norfolk DC and Broadland DC to submit a joint position statement regarding Noise Sensitive Receptors, as an update to the submissions [REP6-022] and [REP6-026]. Joint Position Statement to include detail on the process for reaching agreement (if agreement has not been reached) including implications if no agreement reached before close of Examination. 2. The dDCO [REP5-044] defines noise sensitive locations (Noise Sensitive Locations) (NSL) as those in Table 25.27 of ES chapter 25 [APP-238]. Provide an updated table 25.27 in light of the joint position statement with North Norfolk DC and Broadland DC. 3. Should the definition of NSLs in the dDCO [REP5-044] be updated to refer to the definition in the ES Chapter 25 [APP-238]? If not, is there a potential for confusion between NSLs as defined in the dDCO and NSRs as defined in the ES? 	
Q3.12.2.2	The Applicant Broadland District Council	<p>Old Railway Gatehouse</p> <p>The SoCG with Broadland DC [REP6-026] states that the mitigation of cumulative noise, vibration and air quality effects along The Street at Oulton are captured within "<i>section 4.3.2 of the Outline Traffic Management Plan (OTMP) [APP-699] and secured through dDCO Requirement 21</i>".</p> <ol style="list-style-type: none"> 1. The Applicant to update the section and document 	

ExQ3	Question to:	Question:	Natural England's Response
		<p>reference in light of the revised OTMP [REP5-026] submitted to this Examination.</p> <ol style="list-style-type: none"> 2. Confirm if the proposed alterations to Old Railway Gatehouse (identified as optional measures to further minimise disturbance) are part of the mitigation measures that reduce the cumulative adverse effects on the property to non-significant. 3. Provide evidence of consent or progress of receiving consent from the property owner to implement measures to further minimise perceived disturbance impacts. If this consent is not yet achieved, then how can the proposed mitigation be given weight in the ExA's consideration? 4. Broadland DC, clarify what you mean by "<i>the cumulative impacts on living conditions for the occupier need to be assessed further</i>" in the SoCG [REP6-026]? 5. Broadland DC, given that the principles of the mitigation measures specified are acceptable, specify the imperative to revise the working in the OTMP and how. 	
Q3.12.2.3	<p>North Norfolk District Council Broadland District Council Breckland District Council Norfolk County Council</p>	<p>Enhanced Mitigation</p> <p>The Outline Code of Construction Practice (OCoCP) version 3 [REP5-011, para 131], refers to potential requirement for enhanced mitigation to be identified for specified receptors.</p> <ol style="list-style-type: none"> 1. North Norfolk DC and other discharging authorities to comment if "<i>potential requirement</i>" should be strengthened, and if so, propose wording. 	

ExQ3	Question to:	Question:	Natural England's Response
Q3.12.2.4	The Applicant	<p>Enhanced Mitigation</p> <p>With reference to your response regarding noise barriers [REP2-021], highlight where in the revised OCoCP version 3 [REP5-011], is the commitment to assessing impacts of the noise barriers secured? Confirm if reference to section 3.7 (artificial lights) remains accurate in the revised OCoCP version 3 [REP5-011].</p>	
Q3.12.2.5	The Applicant North Norfolk District Council Broadland District Council Breckland District Council Norfolk County Council	<p>Enhanced Mitigation</p> <ol style="list-style-type: none"> 1. North Norfolk DC and other discharging authorities, should the OCoCP [REP5-011, section 9.1.2.2] include a commitment for noise barrier locations to be agreed with relevant local planning authorities? 2. Should there be a commitment for the assessment of the impact of noise barriers be carried out in consultation with the relevant local planning authorities? 3. Applicant to comment. 	
Q3.12.2.6	The Applicant	<p>Enhanced Mitigation</p> <ol style="list-style-type: none"> 1. Do you agree with the suggestion from North Norfolk DC [REP6-043] that selecting Category A would be more appropriate to protect receptors from night-time noise disturbance? 2. If not, why not? 3. If there is agreement, provide a commitment in OCoCP. 	

ExQ3	Question to:	Question:	Natural England's Response
12.3	Construction Hours		
		No questions	
13.	Socio-economic effects		
13.0	Skills and Employment Strategy		
		No questions	
13.1	Jobs		
		No questions	
13.2	Tourism		
Q3.13.2.1	The Applicant North Norfolk District Council	<p>Tourism Mitigation Strategy</p> <p>The ExA notes that there is agreement between the Applicant and North Norfolk DC that the long-term effect on the long-term effects of the cable route on the tourism economy will be not significant. The ExA further notes that the disagreement between the parties is on the impact of cable corridor construction phase on local tourism businesses, the need for a tourism and associated business impact mitigation strategy, and securing this through a requirement in the dDCO.</p> <ol style="list-style-type: none"> 1. The Applicant to provide a brief summary of its assessment to the specific point about the impact of the cable corridor construction phase (including 150m workfronts, location and duration of installation of mobilisation area compounds, and landfall location) on local tourism and associated businesses. 2. The Applicant to provide, without prejudice, wording for a dDCO Requirement relating to tourism and associated businesses in case the SoS 	

ExQ3	Question to:	Question:	Natural England's Response
		<p>decides to include such a Requirement</p> <p>3. Parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.</p>	
13.3 Land use and Agriculture			
Q3.13.3.2	The Applicant The National Farmers' Union (NFU)	<p>OCoCP in relation to Agricultural Private Water Supplies:</p> <ol style="list-style-type: none"> 1. Provide an update on progress resolving outstanding disagreement in the SoCG with the NFU [REP6-032] relating to wording in the OCoCP regarding interference to Agriculture Private Water Supplies. 2. If agreement is not reached before the end of the Examination, what would be the consequences for the application? 	
13.4 Public Health			
Q3.13.4.1	Public Health England	<p>Effects of electromagnetic fields (EMF)</p> <ol style="list-style-type: none"> 1. Repeated question as no response yet received from PHE. 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? 2. 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</i> 	

ExQ3	Question to:	Question:	Natural England's Response
		<p><i>available evidence from studies of humans and animals has been reviewed by Public Health England and internationally by the World Health Organisation and the International Agency for Research on Cancer. None of these expert bodies has identified any health risk for humans or animals exposed to DC magnetic fields." Do you agree with this statement? If not, why not?</i></p>	
13.5 Other offshore industries and activities			
		No questions	
14. Traffic and transportation			
14.0 Outline Traffic Management Plan (OTMP)			
Q3.14.0.1	Norfolk County Council	<p>Outline Traffic Management Plan Update your position on the OTMP [REP5-024 - REP5-028] and highlight any matters that remain unresolved.</p>	
14.1 Highway Intervention Scheme for Link 34 (B1145 through Cawston)			
Q3.14.1.2	Norfolk County Council	<p>Highway Intervention Scheme What are your views on the suitability of the revised Highway Intervention Scheme (HIS) [REP5-028, appendix 6] to mitigate the effects of construction traffic on link 34 Cawston Village, in light of the Road Safety Audit (RSA) and the Applicant's responses to the recommendations [REP5-055].</p>	

ExQ3	Question to:	Question:	Natural England's Response
Q3.14.1.3	The Applicant	<p>Highway Intervention Scheme Submit the updated HIS [REP4-016] for Link 34 taking on board the recommendations of the RSA [REP5-055].</p>	
Q3.14.1.4	The Applicant Norfolk County Council	<p>Highway Intervention Scheme Provide any additional information to assist the ExA in making its recommendation to the SoS in respect of the Highway Intervention Scheme.</p>	
Q3.14.1.5	The Applicant Norfolk County Council	<p>Road Safety Audit</p> <ol style="list-style-type: none"> 1. Would the proposed maintenance regime of grass cutting of visibility splays, address the problem highlighted in the RSA of ongoing maintenance and how would overhanging vegetation be managed? 2. Provide any additional information to assist the ExA in making its recommendation to the SoS in respect of the Highway Intervention Scheme. 	
Q3.14.1.6	The Applicant	<p>HGV delivery period restrictions Clarify the discrepancy in the HGV delivery period restrictions in the Outline Traffic Management Plan (OTMP) (Version 3) [REP5-026], between the timings set out on page 29, table 3.4 and page 38 para 122.</p>	
Q3.14.1.7	The Applicant Norfolk County Council	<p>Cumulative traffic effects in Cawston The revised OTMP [REP5-026, para 125] states: <i>"Norfolk Boreas Limited is committed to adopting the scheme under both Scenario 1 and Scenario 2 and the principle that the first project (either Hornsea Project Three or Norfolk Boreas) to proceed to construction would deliver the full scheme of mitigation and the final project would be responsible</i></p>	

ExQ3	Question to:	Question:	Natural England's Response
		<p><i>for removing the measures once all project's construction phases are complete."</i></p> <ol style="list-style-type: none"> 1. In order to account for both scenarios, should the reference to the 'first project' include Norfolk Vanguard, alongside Norfolk Boreas and Hornsea Project Three? <p>The joint statement in the SoCG with Orsted [REP6-037, page 7] states: <i>"The Applicant and Hornsea Project Three (UK) Ltd have committed to the implementation of the outline scheme at The Street, Oulton, and the B1145, Cawston which would be sufficient to mitigate impacts for either the Applicant alone, Hornsea Project Three (UK) Ltd alone, or for these projects together. All of the identified measures to mitigate cumulative construction traffic impacts on shared road links will be captured in each Projects' Outline (Construction) Traffic Management Plans (OTMPs) (see document reference 8.8 of the Application, APP-699 for the Norfolk Boreas project). The details and development of the schemes are ongoing, but the scheme in principle is agreed."</i></p> <ol style="list-style-type: none"> 2. The Applicant to update the document reference for the OTMP to reflect the most recent OTMP (Version 3) [REP5-026]. 3. In light of the colour coding in the SoCG [REP6-037] and the final line in the above statement, set out what specific matters are still under consideration. Provide any additional information to assist the ExA in making its recommendation to the SoS 4. The Applicant to consider revised wording for the 	

ExQ3	Question to:	Question:	Natural England's Response
		<p>dDCO:</p> <p><i>"(4) The traffic management plan referred to at subparagraph (1)(a) must include the final detailed scheme of traffic mitigation for impacts of the authorised development alone, and any relevant cumulative impacts identified, in respect of Link 34 as referred to in Chapter 24 of the environmental statement (Link 34). The final scheme must be approved in writing by the relevant planning authority in consultation with the highway authority".</i></p>	
Q3.14.1.8	<p>The Applicant Norfolk County Council Broadland District Council Cawston Parish Council</p>	<p>Alternative traffic movement through Cawston</p> <ol style="list-style-type: none"> 1. The Applicant to submit separate drawings for Options 2, 3 and 4 [REP5-054] for the Alternative Cawston Access Options. Provide any further information for all three options that can help understand the options as discussed with IPs. 2. Does the Applicant intend to develop further any of the Options 2 or 3 or 4 or all three? What is the process for reaching an agreement between Applicant, NCC, Broadland DC and Cawston PC over Options 2 or 3 or 4 for the movement of construction traffic, and implications if no agreement reached before close of Examination? 3. The Applicant to respond to the concerns raised by NCC regarding Option 5 [REP5-054] as further mitigation alongside Option 1 (current HIS). 4. The Applicant to set out the possibility of using Option 5 as further mitigation alongside Option 1 (current HIS), including timescales for addressing NCC's concerns, consulting with IPs, and submission into the Examination? How could this be agreed with Vanguard and Hornsea Three and 	

ExQ3	Question to:	Question:	Natural England's Response
		secured in the DCO?	
14.2 Cable Logistics Area (CLA) along Link 68 in Oulton			
	Norfolk County Council	<p>Cycle Routes</p> <p>Are you convinced that the Highway Mitigation Scheme for Link 68 [REP5-026] [REP5-045] is adequate to enable NMUs to continue using The Street and Heydon Road, safely? The ExA acknowledges that this location has no national, regional or local designation as a cycle route/walking route. However, in your response take into account the ExA's observations at USI on 20 January 2020 [EV2-003], and Oulton PC's submission [REP6-044].</p>	
14.3 Link 69 Little London Road in North Walsham from the B1145 Lyngate Road to an access point 210m east			
		No questions	
14.4 Outline Access Management Plan and Access to Works plan			
Q3.14.4.9	The Applicant Norfolk County Council	<p>Types of accesses</p> <ol style="list-style-type: none"> 1. Distinguish between the types of accesses included in Outline Access Management Plan (OAMP) [APP-701] and the Access to Works plan [APP-011]? 2. Provide a full list of the different types of accesses by reference to appropriate plans. 3. Identify and justify all anomalies and exclusions. For instance, explain why some access routes, such as AC11, which appears to be a point of access to the onshore cable route [APP-701, para 3, bullet 3] is not in Table 2.1, and access routes such as AC131, which appears to be an access to 	

ExQ3	Question to:	Question:	Natural England's Response
		<p>works, is included in Table 2.1.</p> <p>4. Update the OAMP accordingly to include the explanations provided in 1-3 above, and any additional information as relevant.</p> <p>5. NCC to comment.</p>	
Q3.14.4.10	The Applicant	<p>Access AC 133 Swanton Morley</p> <p>The ExA observed the narrow and restricted width of Access AC133 at the USI on 16 March 2020 [EV2-004]. Applicant to explain the adequacy of this access for its defined purpose.</p>	
15. Water Resources and Flood Risk			
Q3.15.0.1	The Applicant	<p>Hydrogeological Risk Assessment for abstractions within 250m of works:</p> <p>Clarify if and how and when the dDCO and OCoCP will respond to the EA note in response to Q2.15.03 that all abstractions within 250 m of the works should be reported to the EA along with an Hydrogeological Risk Assessment rather than the current OCoCP [REP5-010] wording of "<i>all private water supplies within the construction area</i>".</p>	
Q3.15.0.2	The Applicant	<p>Mitigation and compensation for adverse ecological effects of culvert installation:</p> <p>1. Provide a detailed response to the specific part of EA comment [REP5-070] to Q2.15.0.2 that the impact of ecological discontinuity caused by effects of permanent culverts (e.g. for species that do not like to move through culverts) should be compensated by enhancing marginal and in-</p>	

ExQ3	Question to:	Question:	Natural England's Response
		<p>channel habitats in the vicinity.</p> <p>2. Explain how mitigation of ecological effects from installation and removal of temporary culverts is secured.</p> <p>3. The Applicant to provide any additional information to assist the ExA in making its recommendation to the Secretary of State.</p>	
Q3.15.0.3	Environment Agency (EA) Natural England (NE)	<p>Monitoring of residual adverse impacts on the water environment:</p> <p>Confirm satisfaction with or comment on the Applicant's answer [REP5-045] to Q2.15.0.11 regarding monitoring of residual adverse impacts on the water environment; in particular whether the post-construction monitoring requirement for watercourse crossings that has been covered in the updated OCoCP submitted at Deadline 5 is adequately secured to the satisfaction of EA and NE.</p>	<p>Natural England note the additional text included in OCOCP with regards a pre-construction survey of each crossing location. Please can the Applicant clarify if pre construction surveys will include a phase 1 survey. We would also welcome the inclusion of the term ecological enhancements, to differentiate between flood risk and sediment management enhancements.</p> <p>Natural England would welcome further definition of post construction ecological monitoring to be included on the OCOCP, to include detail of what will be monitored and at what time intervals (we not that more detail was provided in the response to Ex WQ 2.15.0.11 but that this does not appear to have been incorporated into the DCO documents as yet.).</p>
Q3.15.0.4	Environment Agency (EA)	<p>Refined conceptual site modelling for each watercourse crossing:</p> <p>Confirm satisfaction with the updated OCoCP [REP5-010] commitment to develop a scheme and programme for each watercourse crossing, diversion and reinstatement, particularly whether this adequately addresses the EA expectation for provision of refined conceptual site modelling for each watercourse crossing to be included in each site</p>	

ExQ3	Question to:	Question:	Natural England's Response
		specific CoCP.	
Q3.15.0.5	Environment Agency (EA)	<p>Risk Assessment based on chemical testing in the ground investigation reports:</p> <p>Confirm satisfaction with or comment on the Applicant's response [REP6-014] to EA's comments on Q2.16.2.4 regarding Risk Assessment based on chemical testing in the ground investigation reports that showed detections of 'low level hydrocarbons which is unexpected given the land uses in the area of the crossings'; in particular whether the commitment to additional groundwater protection and undertaking more detailed hydrogeological risk assessments has been adequately covered and secured through the updated OCoCP submitted at Deadline 5 to the satisfaction of EA and NE.</p>	
Q3.15.0.6	Environment Agency (EA)	<p>Consultation on contamination and approval of remediation:</p> <p>Confirm satisfaction with or comment on the Applicant's response [REP6-014] to EA's comments on Q2.16.2.5 regarding consultation and approval procedures for remediation of suspected contamination or spills, in particular the adequacy and extent of application of proposed wording for a future update of the OCoCP Section 13 Environmental Incident and Response and Contingency to include that the 'Environment Agency incident response teams must be notified where an environmental incident could cause spillage or contamination into a watercourse including drains'.</p>	

ExQ3	Question to:	Question:	Natural England's Response
Q3.15.0.7	North Norfolk DC (NNDC) Natural England	<p>Definition of secondary consent bodies:</p> <p>Comment on the Applicant's response at [REP6-014] to NNDC comment [REP5-067] on Q2.15.0.1 (that dDCO Requirement 25, in relation to watercourse crossings, refers specifically to some but not all secondary consent bodies) "<i>all parties who would be involved in the secondary consenting associated with watercourse crossings are captured and consulted under Requirement 25, these are the Environment Agency, Norfolk County Council as Lead Flood Authority and Internal Drainage Board (captured under relevant drainage authorities).</i>"</p>	<p>Natural England would wish to be consulted and are content that this is incorporated within Requirement 25 with the text '<i>and the relevant statutory nature conservation body</i>', and that this commitment is secured through para 143 of the OCoCP Version 3 D6 '<i>This scheme will be submitted to and approved by the relevant planning authority in consultation with Natural England</i>'.</p>
Q3.15.0.8	The Applicant Environment Agency Norfolk County Council Breckland Council Water Management Alliance	<p>Attenuation capacity at substations allowance for climate change:</p> <p>The Flood Risk Assessment [APP-586] para 229 states that 'the outline drainage design' includes capacity for attenuation of 40% above that required for the 1 in 100 year event (i.e. provides a 20% margin of safety beyond a 20% allowance for climate change) but the OODP [APP-712] only refers to 20% proposed allowance for climate change, which appears to have been conceded by Norfolk CC as Lead Local Flood Authority in SoCG [REP6-035] on the basis of a 35-year operational life of the development.</p> <p>The Applicant to explain:</p> <ol style="list-style-type: none"> 1. how at the end of the operational life of the development the infiltration rate of the entire footprint of the project substations and the National Grid substation extension will in practice be restored to the same as the present-day and 	

ExQ3	Question to:	Question:	Natural England's Response
		<p>how this is secured by the DCO; 2. how risks discussed in [REP6-035] of SuDS drainage features performing sub-optimally if designed for additional capacity could be mitigated by design and management in order to maintain the 40% additional aggregate attenuation capacity during operation that was included in the FRA.</p> <p>The Environment Agency, Water Management Alliance and Breckland Council are asked to comment on this proposed relaxation from the 40% figure that was included in the Flood Risk Assessment, in relation to both the project substation and the National Grid substation.</p>	
16. General and cross-topic questions			
16.0 General			
Q3.16.0.1	The Applicant	<p>Climate Change: Accepting that the Applicant has designed in accordance with UKCP18, but considering the number of extreme events which have occurred over the last few months, the Applicant to expand on its response to Further Written Question 2.16.0.1 [REP5-045] to provide assurance that adaptation for offshore, landfall and onshore elements of the proposed project will be resilient to climate events more extreme than those considered in UKCP18.</p>	
Q3.16.0.2	The Applicant	<p>Sulfur hexafluoride (SF6): SF6 is the most powerful of the greenhouse gases. The Applicant to provide a statement detailing the use of SF6 in the project and how leaks of SF6 will be</p>	

ExQ3	Question to:	Question:	Natural England's Response
		avoided.	
Q3.16.0.3	All Interested Parties	<p>Norfolk Vanguard Offshore Wind Farm responses to the Secretary of State's consultation letter dated 6 December 2019</p> <p>Submit anything from the Norfolk Vanguard Offshore Wind Farm responses to the Secretary of State's consultation letter dated 6 December 2019, published on the National Infrastructure Planning website, which is considered relevant to this Examination, and not already submitted, with an explanation of why it is of relevance.</p>	
Q3.16.0.4	All Interested Parties	<p>Effects on local community</p> <p>Interested Parties are invited to submit any additional information to assist the ExA in reaching its recommendation to the SoS not covered previously in the Examination, or in the responses provided above.</p>	
16.1 Environmental Statement (ES)			
		No questions	
16.2 Ground conditions and contamination			
		No questions	