

# Norfolk Boreas Offshore Wind Farm Submissions on the implications for the Norfolk Boreas Application arising from other relevant offshore wind farm applications awaiting SoS determination

Applicant: Norfolk Boreas Limited  
Document Reference: ExA.AS-1.D9.V1  
Deadline 9

Date: April 2020  
Revision: Version 2  
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*Photo: Ormonde Offshore Wind Farm*

Date	Issue No.	Remarks / Reason for Issue	Author	Checked	Approved
29/04/20	01D	Final draft for Deadline 9	WBD	JT, JH	JL



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## 1 Introduction

1. In accordance with the amended examination timetable issued on 19 March 2020, the Examining Authority (ExA) requested submissions on the implications for the Norfolk Boreas application of the representations made in relation the Secretary of State's (SoS) consultation of the Norfolk Vanguard application and any other relevant offshore wind farm application. On 28 April 2020, the ExA made a further revision to the examination timetable which instead requested comments on the implications of any SoS decisions on relevant offshore wind farm applications.

## 2 Implications of relevant SoS decisions

2. The Applicant submitted comments on the implications of SoS decisions on relevant offshore wind farm applications at Deadline 3 [REP3-012]. Since Deadline 3 the date for determination of relevant applications currently before the Secretary of State, being Norfolk Vanguard, Hornsea Project Three and Thanet Extension Offshore Wind Farm, has been extended to 1 June 2020. As at 29 April 2020 no decision on any of those applications has been made by the Secretary of State. Accordingly, the Applicant's position on the implications remains as set out in [REP3-012], which is that until the Applicant and the ExA know the basis on which these applications are determined, and the conclusions on relevant impacts, it is not possible to establish the implications of these decisions for the Norfolk Boreas examination.

## 3 Implications of representations made – Hornsea Project Three

3. Hornsea Project Three and other interested parties were invited to submit responses to the Secretary of State's request for additional information by 14 February 2020. These responses were published on 2 March 2020, with comments invited by 16 April 2020, subsequently extended to 22 April 2020. Comments received were published on 24 April 2020. These comments predominantly relate to the submission of additional survey data, mitigation measures and a derogation case (including compensatory measures) by Hornsea Project Three.
4. From the Applicant's perspective, the only matters of potential relevance to Norfolk Boreas relate to in combination impacts for offshore ornithological receptors. All other submissions relate to impacts for which there is no cumulative or in combination impact with Norfolk Boreas.
5. In relation to offshore ornithological receptors, whilst Hornsea Project Three has submitted additional survey data to inform offshore ornithological assessments, Natural England has responded to confirm that their position on the lack of baseline data, and inability to make assessments derived from that data, remains unchanged.

6. As a result, whilst further mitigation to reduce offshore ornithological impacts has been presented by Hornsea Project Three, Natural England has stated that the absolute level of reduction cannot be agreed and, further, that the measures are unlikely to fully exclude collision impact such that in combination considerations remain relevant.
7. On this basis, the Applicant considers that no updates to the in combination assessments for offshore ornithology for Norfolk Boreas are required and the position remains as previously presented at the Norfolk Boreas examination.
8. Whilst Natural England has also responded to state that it does not agree that the measures proposed by Hornsea Project Three to compensate for kittiwake impacts at the Flamborough and Filey Coast SPA are suitable, the measures proposed by Hornsea Project Three are different to those proposed by Norfolk Boreas (and Norfolk Vanguard), such that the Applicant considers this not to have any implications for the in-principle compensatory measures presented by the Applicant or the Norfolk Boreas examination more generally.

#### 4 Implications of representations made – Norfolk Vanguard

9. Norfolk Vanguard and other interested parties were invited to submit responses to the Secretary of State's request for additional information by 28 February 2020. These responses were published on 10 March 2020, with comments invited by 9 April 2020, subsequently extended to 27 April 2020.
10. Whilst a number of representations were submitted by interested parties by 28 February 2020, the Applicant considers that these representations raise no new matters which have not already been raised within the context of the Norfolk Boreas examination, and as such have no implications for the Norfolk Boreas examination beyond those matters which are already the subject of examination.
11. Comments were published late afternoon on 29 April 2020, the Norfolk Boreas Deadline 9 submission day, and therefore the Applicant has not had an opportunity to consider whether those comments may have implications for the Norfolk Boreas application. However, given that the issues raised by the SoS for Norfolk Vanguard have also been raised by the ExA during the Norfolk Boreas examination, and that the responses submitted by Norfolk Vanguard to the SoS align with the additional information submitted by the Applicant for the Norfolk Boreas application, principally relating to further areas of agreement reached, further mitigation measures and a derogation case including in-principle compensatory measures, it seems highly unlikely that any representations made for Norfolk Vanguard will not also be made for Norfolk Boreas during the course of the Norfolk Boreas examination (to the extent that such submissions have not already been made).

## 5 Implications of representations made – Thanet Extension

12. Whilst the Secretary of State requested further information in respect of Thanet Extension, the matters raised by the Secretary of State are not relevant to the Norfolk Boreas examination. For the avoidance of doubt, the Secretary of State made no request for a derogation case (or therefore compensatory measures) from Thanet Extension. Accordingly, the Applicant considers that the representations made have no implications for the Norfolk Boreas examination.

## 6 Conclusion

13. In summary:
- The date set for determination by the Secretary of State of other relevant offshore wind farm decisions is 1 June 2020, and to date no decisions have been made. Therefore it is not possible to establish the implications of these decisions for the Norfolk Boreas examination.
  - Whilst comments have been published for the Hornsea Project Three application, these do not have any implications for the Norfolk Boreas examination because Natural England and Hornsea Project Three have not been able to reach agreement on offshore ornithological impacts. In addition, compensatory measures proposed by Hornsea Project Three, none of which are agreed by Natural England, differ from the in-principle measures proposed by the Applicant (and Norfolk Vanguard).
  - Comments were published for Norfolk Vanguard late afternoon on 29 April 2020, therefore the Applicant did not have an opportunity to consider these in responding to Deadline 9. However, the Applicant's view is that it is unlikely that any relevant matters have not, or will not, be made in the course of the Norfolk Boreas examination given that the ExA has already addressed the points raised in the SoS's request for further information.
  - The matters raised by the Secretary of State for Thanet Extension have no relevance to, or therefore implications on, the Norfolk Boreas examination.