

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol BS1 6PN

Our ref: AE/2019/124323
Your ref: ENO10087
Date: 6 May 2020

Via email:

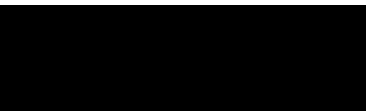
Dear Sir/Madam

**APPLICATION BY NORFOLK BOREAS LIMITED FOR THE NORFOLK BOREAS
OFFSHORE WINDFARM
THE EXAMINING AUTHORITY'S FURTHER WRITTEN QUESTIONS AND
REQUESTS FOR INFORMATION (EXQ3)**

I write in response to the Examining Authority's further written questions and requests for information – ExQ4 issued 28 April 2020.

As requested, we are presenting our response in a table which is appended to this letter.

Yours faithfully



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<p>Q4.3.0.16 (d)</p>	<p>Following on from the response provided at [ExQ3.3.0.18, REP7-017], provide a further update regarding: d) Confirm whether agreement has been or is likely to be reached with the Environment Agency over its position in relation to deemed refusal [REP7-062].</p>	<p>There is no likelihood of agreement being reached. The Environment Agency's position remains that the Protective Provisions should reflect the principles of the environmental permitting regime and default to deemed refusal. This issue is addressed in the final Statement of Common Ground submitted at Deadline 9.</p>
<p>Q4.15.0.1</p>	<p>Hydrogeological Risk Assessment for abstractions within 250m of works: Confirm satisfaction or otherwise with the revised wording of the OCoCP [REP8-003 & 004]</p>	<p>The Environment Agency is content that the revised wording at paragraphs 110 -112 inclusive, commits the applicant to identify sensitive receptors, conduct investigations and carry out consultations with us in compliance with our recommendations.</p>
<p>Q4.15.0.2</p>	<p>Mitigation and compensation for adverse ecological effects of culvert installation: Confirm satisfaction or otherwise with the revised wording of the OCoCP [REP8-003 & 004]</p>	<p>The Environment Agency is satisfied that the revised wording at paragraphs 149 and 150 of the OCoCP provides a method and means to ensure that that mitigation and compensation of effects arising from watercourse crossings is properly addressed. It should be noted however, that due to use of the Rochdale envelope approach, it is not possible to be completely certain that the scheme submitted (and secured by Requirement 25) will be deemed satisfactory by all consultees. It is hoped that this is not the case but, it must be recognised as residual risk and the ExA should take a view accordingly.</p>
<p>Q4.15.0.3</p>	<p>Monitoring of residual adverse impacts on the water environment: Confirm whether the post-construction monitoring requirement for watercourse crossings has been included is adequately secured in the updated OCoCP to the satisfaction of EA and NE.</p>	<p>The Environment Agency is satisfied that the revised wording at paragraphs 149 and 150 of the OCoCP provides a method to enable that the provision of post-construction monitoring. There is comfort given through the identification of the Environment Agency as a consultee for the approval of the relevant scheme. It should be noted however, that due to use of the Rochdale envelope approach, it is not possible to be completely certain that the scheme submitted (and secured by Requirement 25) will be deemed satisfactory by all consultees. It is hoped that this is not the case but, it must be recognised as residual risk and the ExA should take a view accordingly.</p>