



Norfolk Boreas Case Team
Planning Inspectorate
NorfolkBoreas@planninginspectorate.gov.uk
(Email only)

MMO Reference: DCO/2017/00002
Planning Inspectorate Reference: EN010087
Identification Number: 20022925

12 October 2020

Dear Ms Fernandes,

Planning Act 2008, Norfolk Boreas Limited, Proposed Norfolk Boreas Offshore Wind Farm

MMO Deadline 18 Response

On 11 June 2019, the Marine Management Organisation (the “MMO”) received notice under section 56 of the Planning Act 2008 (the “PA 2008”) that the Planning Inspectorate (“PINS”) had accepted an application made by Norfolk Boreas Limited (the “Applicant”) for determination of a development consent order for the construction, maintenance and operation of the proposed Norfolk Boreas Offshore Wind Farm (the “DCO Application”) (MMO ref: DCO/2017/00002; PINS ref: EN010087).

The Applicant seeks authorisation for the construction, operation and maintenance of the DCO Application, comprising of up to 158 wind turbine generators together with associated onshore and offshore infrastructure and all associated development.

This document comprises the MMO comments in respect of the DCO Application submitted in response to Deadline 17.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

1. Comments on Deadline 17 responses

1.1 The MMO has no comments on any of the documents submitted at Deadline 17.

2. Southern North Sea (SNS) Regulators’ Group Update

2.1 The MMO attended a meeting on 1 October 2020 and discussed providing further information on the purpose of the activity tracker and guidance on its use to go alongside the activity tracker located on the Offshore Petroleum Regulator for Environment and Decommissioning (OPRED) website [here](#). This will be updated in due course.

2.2 To ensure transparency the group is looking to update the Terms of Reference and publish this in the same location on the OPRED website. This will be updated in due course.



2.3 The Regulators Group confirmed that Natural England and other Statutory Nature Conservation Bodies have been invited to the next meeting on 29 October 2020 and will be part of the discussions going forward.

3. Schedule 9 and 10: Condition 14(1)(m) and Schedule 11 and 12: Condition 9(1)(l)

3.1 The Department for Business, Energy and Industrial Strategy in consultation with the MMO has concluded the Review of Consents for the noise impacts to the SNS Special Area of Conservation (SAC) from offshore wind farm projects. This led to a Deemed Marine Licence (DML) variation for a number of consented offshore wind farm projects with the inclusion of an agreed condition.

3.2 The MMO wishes to highlight that for the Norfolk Boreas Project there is no requirement to add this condition into the Norfolk Boreas DMLs. The MMO is content with the current wording in Condition 14(1)(m) (Schedules 9 & 10) and Condition 9(1)(l) (Schedules 11 & 12) to manage in combination impacts on the SNS SAC. The MMO understands both Natural England and the Applicant are also content with this wording.

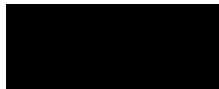
4. The MMO's Closing Position

4.1 The MMO and the Applicant have reached agreement on all the major issues raised during examination, the outstanding matters of disagreement are:

- The inclusion of wording within the Fisheries Liaison and Coexistence Plan to clarify that the MMO will not act as arbitrator in regard to compensation and will not be involved in discussions on the need for or amount compensation being issued; and
- The inclusion of the Haisborough Hammond and Winterton SAC Site Integrity Plan alternative for Schedule 11 and 12 Condition 9(1)(m).

4.2 The final version of the Statement of Common Ground between the MMO and the Applicant was submitted at Deadline 16 (REP16-009). This reflects the MMO's final position.

Yours Sincerely



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