WRITTEN REPRESENTATIONS

Your reference number: EN010098

Interested Parties: Paul and Joanne Dransfield

Our reference number: DRA198/3

The Property: [redacted]

These are the written representations given on behalf of Paul and Joanne Dransfield. Given the way the Applicant has responded to our clients' Relevant Representation in table form, we thought it would most assist the panel to adopt the Applicant's table and insert our clients' further comments in the appropriate places. Please note that the required summary is included at the start, next to the Summary of the Applicant's response.

Gordons LLP
On behalf of Paul and Joanne Dransfield
29.03.2022

Ref	Relevant representation comment	Applicant's response	Further written representations
RR-013 summary		*Summary of Applicant's Response to RR-013* The Applicant has had due consideration of Mr and Mrs Dransfield's Relevant Representation, and a summary of the key points of response is set out below: • Clarification of the full list of correspondence between the Applicant's solicitors and Mr and Mrs Dransfield's solicitors, including numerous letters and emails which sought to address concerns raised, in addition to a conference call between the parties in 22 September 2020; • Clarification of adequacy of consultation, including a timeline of events and the way	***Summary of Mr and Mrs Dransfield's further written representations:*** • No matter how much subsequent correspondence there was (and just because there was correspondence does not necessarily make it useful), our clients were not included in the initial correspondence and therefore were not able to engage with the process until decisions had already been made. Our clients are extremely concerned that this failure to undertake the pre-requisite statutory consultation is being overlooked by the panel and that the comments being made by the Applicant about consultation are being accepted as correct without proper interrogation. A number of objectors have raised concerns about the consultation process, but it does not appear on the list of Principal Issues, which is very surprising given the entire legal basis of the DCO application is based on a pre-requisite of consultation. If the alleged failures in consultation are not properly interrogated

		the Applicant responded upon notification that Mr and Mrs Dransfield had not received notice of the statutory consultation carried out in 2019. This comprised sending a further notice in July 2020 to Mr and Mrs Dransfield pursuant to section 42 of the Planning Act 2008, to which Mr and Mrs Dransfield responded. The Applicant has had regard to that response in accordance with section 49 of the Planning Act 2008, in addition to the outcomes assessments and other representations received; • Rejection of the assertion that it was too late in the process for Mr and Mrs Dransfield to influence the design decision, noting that a change was made to the location of the junction on the A1079 to address concerns raised by Mr and Mrs Dransfield; the design of which was issued in draft to Mr and Mrs Dransfield's solicitors on 15 January 2021 inviting comments on the proposal, with a follow up reminder email sent on 19 February 2021; • Addressed comments regarding the 150 distance from the OnSS access road; • Acknowledgement the Relevant Representation as submitted differs from that sent in draft to the Applicant – noting that a number of point have been removed due to an early response by the Applicant; • Strong rejection of the assertion that Mr and Mrs Dransfield have been significantly prejudiced – at no point during the statutory consultation process were decisions made that were irreversible; • Confirmation that requested disclosures have been made; • Strong rejection of the suggestion that information contained in the DCO application is misleading or accurate;	by the panel it may render the DCO unlawful for failure to comply with the Planning Act 2008. • The proposed relocation of the substation access road has not been subject to a consultation process pursuant to s42 of the Planning Act 2008 despite similar modifications being subject to targeted consultations in July 2021. This total failure to consult renders the entire application unlawful and it appears that the Applicant has no answer to this. • The location of the access point was marginally amended (and it is a very minor change of no substantive importance to our clients), out of necessity due to the nearby road improvement scheme. The Applicant had no choice about this. To paint this minor and necessary change as the Applicant responding to our clients' consultation response is a very heavy exercise in public relations but makes no meaningful difference to any of the issues raised by our clients. • The inclusion of our clients on a mailing list does not in any way create a presumption that they would have received early consultation material and it is for the Applicant to provide evidence that the notices were (a) sent and (b) received. Detailed legal authority for this position is set out below. • The Applicant's suggestion that our client had filled out a questionnaire and subsequent acceptance that this was not the case when offered evidence to the contrary by solicitors, shows that the Applicant's record keeping was obviously defective, otherwise, even if the Applicant's new story is to be accepted, the mistake could never have occurred. Our clients invite to fully interrogate these irregularities. Consultation is a necessary pre-requisite to any DCO and if a DCO is made following a failure to properly consult it will leave the DCO subject to potential judicial review.

		• Location of meeting minutes in the DCO application; • Details of the noise assessment undertaken (including methodology and mitigation) and buffer zone adequacy at the Birkhill ancient woodland; • Details of the A1079 access design amendments and relevant work undertaken to inform the process, including correspondence with ERYC; • Correction regarding the interpretation of traffic and transport numbers; and Clarifications regarding the OnSS site selection process.	
RR-013	Letter from Gordons LLP: We act for Mr Paul Dransfield and Mrs Joanne Dransfield. Our clients reside at the above address and wish to become an Interested Party to take part in the Examination of the above application for development consent which has been submitted to the Planning Inspectorate. This letter, the enclosed letter from Mr Beynon of Quod and addended documentation is our clients' Relevant Representation as an Interested Party. We have been in correspondence with the Applicant and their legal representatives, Pinsent Masons, over the past sixteen months regarding the Development. Our clients are extremely concerned about a number of issues surrounding the Application. The Applicant only began a consultation process with our client during the third round of targeted S42 consultation in August	The Applicant refers to its response to representations made on behalf of Mr and Mrs Dransfield in the Consultation Report set out in pages 452 to 469 of B1.1.4 RP Volume B1 Annex 1.4 Applicant Regard to Section 42 Consultation Responses (APP-133). The Applicant also refers to the responses it provided to the Applicant's solicitors in November 2021 contained in Appendix 5 of the Relevant Representation. The Applicant notes that the relevant representation does not include or reference all of the correspondence between the Applicant's solicitors and Mr and Mrs Dransfield's solicitors. There have been numerous letters and emails sent on behalf of the Applicant including those dated 6 July 2020, 21 August 2020, 2 October 2020, 15 January 2021, 19 February 2021, 24 November 2021 and 9 December 2021 which sought to address Mr and Mrs Dransfield's concerns and provide the requested information. In addition, a conference call took place between the parties on 22 September 2020. The Applicant is not proposing	The relevant representation refers to the relevant correspondence. The response received from the Applicant's solicitors do not address Mr and Mrs Dransfield's principal concern; that they were excluded from initial consultation and then only consulted late, after the decision about the route of the substation access had been made. Although the Applicant has been in contact since our clients were put to the expense of instructing legal and planning advisers, nothing that has been said actually addresses this principal concern and it has not been demonstrated how our client's responses to the late consultation have actually been taken account of. Our clients do not consider that their comments could have been taken account of, as nothing of substance has changed and any changes would require wider consultation than just our clients, which has not occurred.

	2020. As a result of this late engagement and the Applicant's failure to include our client in the first two rounds of consultation, our clients are extremely concerned that, important and irreversible decisions have already been made without their voices having been heard. Due to our clients being excluded from consultation in this way, they were unable to influence decisions that have now been made without the Applicant having proper (if any) regard to our clients' representations. To summarise our client's other primary concerns: 1. The Applicant has failed to engage with our clients, and/or provide them with the necessary information to allow them to do so; 2. The Applicant's noise assessment is inadequate to consider the true impact on the Property; and, 3. The "timeline of correspondence" the Applicant relies on is misleading and inaccurate — it asserts that the Applicant has sent documents to our clients, which they never received, and attended site visits when our clients were not in the country. During our correspondence with the Applicant and Pinsent Masons, we raised these serious issues. Our client reasonably requested the disclosure of certain documents to enable them to produce a Relevant Representation. The	to submit copies of this correspondence into the Examination, as the information is repeated in the Consultation Report and this response, but copies can be provided if it would assist the Examining Authority. The Applicant did not deliberately exclude Mr and Mrs Dransfield from the statutory consultation. As set out in Appendix 5 to the Relevant Representation, the Applicant became aware in June 2020 that Mr and Mrs Dransfield had not received a notice of the statutory consultation carried out in 2019 in accordance with section 42 of the Planning Act 2008. In response, the Applicant sent a further notice in July 2020 and consulted with Mr and Mrs Dransfield pursuant to section 42 of the Planning Act 2008. Mr and Mrs Dransfield submitted a response to that consultation notice. The Applicant has had regard to that response in accordance with section 49 of the Planning Act 2008 (as set out in the Consultation Report). However, as previously communicated to Mr and Mrs Dransfield, the Applicant also had to have regard to the outcomes of its own assessment and other representations received from ERYC, parish councils and residents of Cottingham regarding the location of access road to the OnSS. Taking into account all of these factors, the Applicant considered that it was preferable for the construction and operational access to the OnSS to be from the A1079. The Applicant rejects the assertion that it was too late in the process for Mr and Mrs Dransfield to influence design decisions. In fact, a change was made to the location of the junction on the A1079 to address the concerns raised by Mr and Mrs Dransfield regarding	"*As a result of this late engagement and the Applicant's failure to include our client in the first two rounds of consultation, our clients are extremely concerned that, important and irreversible decisions have already been made without their voices having been heard*." This comment remains true and unanswered. Our clients are extremely concerned that this failure to undertake the pre-requisite statutory consultation is being overlooked by the panel and that the comments being made by the Applicant about consultation are being accepted as correct without proper interrogation. A number of objectors have raised concerns about the consultation process, but it does not appear on the list of Principal Issues, which is very surprising given the entire legal basis of the DCO application is based on a pre-requisite of consultation. If the panel decides that the consultation has been inadequate then the application must be unlawful and the consultation process will need to start again. Our clients consider this to be the only lawful basis to proceed, so that meaningful consultation can occur and all voices can be heard and heard equally. The following Relevant Representations available on the portal also complain about consultation and lack thereof: • NATS • Lockington Parish Council • CMS Cameron McKenna Nabarro Olswang LLP on behalf of NEO Energy (SNS) Limited (NEO Energy (SNS) Limited) • The Ramblers, East Yorkshire & Derwent Area • RSPB Consultation failures are therefore a theme in the objections and it does need to be carefully considered and interrogated by the panel, if there is to be any chance of the proposed DCO being lawful. Our clients are willing to accept that the failure to include them in the initial consultation was a result of mistakes and poor record keeping rather than deliberate design, but when this error was discovered the full consultation process should have been re-started and it was not. As a result, our clients, and ostensibly other objectors, have been prejudiced. The Applicant's comment that a design decision was changed as a result of our clients' concerns is misleading. The reality is that, although our clients

	Applicant has still not adequately responded to our multiple disclosure requests or produced a substantive response to our letters. Our clients believe that the Applicant has not carried out the sufficient consultation and subsequently avoided meaningful (or indeed any) reconsideration of the development plans in light of our clients' concerns. Given this list of failings, and grave concern about the Applicant's approach to its statutory duty to consult, our clients instructed Quod, a planning consultant to prepare, their Relevant Representation as an Interested Party. We would highlight the points made in Quod's draft letter relating to the Engagement to Date (page 2 of Quod's letter). The Applicant still has not disclosed any evidence that our client was consulted before the third round of targeted S42 consultation in August 2020. The documents provided in the Applicant's 2 October 2020 and 24 November 2021 disclosures were not a sufficient response to our clients reasonable requests for disclosure. Specifically the disclosure does not evidence that our clients were not in receipt of any correspondence relating to the first and second rounds of consultation at all. It wasn't until one of our clients, Mr Dransfield, informed Dalcour Maclaren on 10 June 2020 that he had not received the section 42 notifications dated 8 August 2019, that some limited correspondence to our	the potential interaction between the access road to the OnSS and the new access to [redacted] as a result of the A164 Jock's Lodge Improvement Scheme. The Applicant's solicitors provided Mr and Mrs Dransfield's solicitors with details of the updated junction design on 15 January 2021 and invited comments on the proposal. A reminder was sent by email to Mr and Mrs Dransfield's solicitors on 19 February 2021. The Applicant considered a direct request for comments to be appropriate and proportionate for this type of change and in light of the ongoing discussions between the parties. The Applicant notes that no comments were received. The Applicant has provided Mr and Mrs Dransfield's solicitors with the requested documents.	did raise the apparent failure to consider a nearby road improvement scheme that interfered with the Applicant's proposed access, that design would have needed to change in any event to accommodate the improvement scheme. The Applicant had no choice about that and our clients' comments maybe helped them to realise that fact sooner than they might otherwise have done. The location and route of the access is predominantly unchanged and the prejudice to our clients and our clients' concerns about it remain unchanged and unanswered. Again, this is not unexpected, as any meaningful changes would have placed the Applicant in a position where others would say that late changes required further consultation with the full consultation pool, which evidently the Applicant was unwilling to undertake. This therefore serves to demonstrate the point that the consultation with our clients was undertaken after key decisions were made at a point when the Applicant could not make any meaningful changes in response to consultation with our clients for fear of having to re-consult with other interested parties. The Applicant has not provided Mr and Mrs Dransfield's solicitors with the requested documents and this statement in response is therefore incorrect and misleading. As stated in the relevant representation: "*The Applicant still has not disclosed any evidence that our client was consulted before the third round of targeted S42 consultation in August 2020. The documents provided in the Applicant's 2 October 2020 and 24 November 2021 disclosures were not a sufficient response to our clients reasonable requests for disclosure. Specifically the disclosure does not evidence that our clients were not in receipt of any correspondence relating to the first and second rounds of consultation at all*." This comment remains true and unanswered. Finally, the response from the Applicant ignores the following important (and emphasised) point in our client's relevant representation as follows: "*We would also emphasise the point made in Quod's draft letter that the proposed relocation of the substation access road (bullet point 1 on page 6 of Quod's letter) has not been subject to a consultation process pursuant to s42 of the Planning Act 2008 despite similar modifications being subject to targeted consultations in July 2021. Our clients consider this to be a significant failing. We enclose a further copy of our letter of 22 January*

	client was initiated. It is deeply concerning that the Applicant not only failed to notify our clients of the development prior to that date, but also that it was only our clients' actions that prompted any notification at all. We would also emphasise the point made in Quod's draft letter that the proposed relocation of the substation access road (bullet point 1 on page 6 of Quod's letter) has not been subject to a consultation process pursuant to s42 of the Planning Act 2008 despite similar modifications being subject to targeted consultations in July 2021. Our clients consider this to be a significant failing. We enclose a further copy of our letter of 22 January 2021, as this sets out our clients' concerns in more detail (we do not see the need to repeat them in full in this letter). Due to the Applicant's approach to the application for development consent, the serious procedural failings, including principally the failure to consult, our clients have had no option but to produce a comprehensive Relevant Representation which accurately reflects the events over the last 2 years. Our clients hope that the Planning Inspectorate understands the seriousness of this position and addresses their concerns urgently. Our clients believe that		*2021, as this sets out our clients' concerns in more detail (we do not see the need to repeat them in full in this letter). "* This total failure to consult renders the entire DCO application unlawful and it appears that the Applicant has no answer to this.

	the only way they can be properly consulted is for a full consultation to be run together with a real willingness on the part of the Applicant to take representations into account and to alter its proposals accordingly.		
RR-0130-APDX:A-A	Letter from Quod: Relevant Background [redacted] is currently accessed from the west via a junction with the A164 that provides both ingress and egress. These arrangements are subject to change under a recent planning permission granted by East Riding of Yorkshire Council (ERoYC) for highways improvements to both the A1079 and A164 (ref. 20/01073/STPL). This would amend the existing access route from the A164 to egress only, with a new access created from an existing layby on the A1079 to the north. As part of the DCO, access to the onshore substation is proposed via a new route that extends south/south-east from the above-mentioned layby on the A1079 via a new left-in, left-out junction. This access road would route around [redacted] and at its closest be just c. 100m east of the property boundary. As originally proposed, the substation access road from the lay-by required it to cross the new access road to [redacted] that is consented by the	The Applicant agrees with this summary of the factual situation. It is noted that the OnSS access road is located more than 150m from the habitable buildings at [redacted]. A plan detailing this distance was provided to Mr and Mrs Dransfield's solicitors on 2 October 2020. The location of the proposed access road to the OnSS included in the DCO Application is as notified on 15 January 2021.The location of the access point was marginally amended to directly account for consultation feedback issued to the Applicant by Mr Dransfield and Mrs Dransfield. As set out above, an updated draft design was issued for review and comment. As shown in Appendix 5 of the Relevant Representation, the Applicant took time to respond to each of the points raised in the draft Relevant Representation provided in advance by Mr and Mrs Dransfield's solicitors. It is noted that a number of points have been amended or removed as a result of the Applicant's response, demonstrating that certain points were satisfactorily addressed. The Applicant maintains its position that it has adequately responded to the points raised on behalf of Mr and Mrs Dransfield.	We note that the Applicant agrees with facts presented by Quod on behalf of our clients. This means that the Applicant agrees that the access road "would route around[redacted] and at its closest be just c. 100m east of the property boundary." As set out above, the location of the access point was marginally amended (and it is a very minor change of no substantive importance to our clients), out of necessity due to the nearby road improvement scheme. The Applicant had no choice about this. To paint this minor and necessary change as the Applicant responding to our clients' consultation response is a very heavy exercise in public relations but makes no meaningful difference to any of the issues raised by our clients. Our clients have focused their relevant representation and written representations on the most important points. Unfortunately and regrettably due to the responses received, our clients are not able to accept that the Applicant has satisfactorily addressed any points raised by our clients in the absence of evidence to the contrary. Certainly our clients' principal concern about consultation has not been addressed.

	above planning consent. Orsted have since notified my client on 15 January 2021 that the substation access road will be marginally relocated south-east, avoiding the need to cross this access (see plan at Appendix 2). On 24 November 2021, after much chasing and correspondence going back more than a year. Orsted's solicitors provided a document called "HOW04 – Response to comments on behalf of Mr and Mrs Dransfield" (Appendix 5 – referred to as HOW04). This document purports to address some of the points raised in this objection but in our view fails to do so.		
RR-0130-APDX:A-B	Engagement To Date As part of the pre-application engagement, Orsted undertook four rounds of public consultation pursuant to Section 42 of the Planning Act 2008 as follows: (i) formal consultation between August and September 2019; (ii) targeted consultation in March 2020; (iii) further targeted consultation in August 2020; and (iv) a final targeted consultation in July 2021. Despite being an interested and affected party, and therefore subject to a statutory duty on the promoters to be consulted as part of the DCO process, my client was only formally consulted and made aware of the proposals through the third round of consultation, i.e. the targeted S42 consultation in	It is noted that the Applicant has identified Mr and Mrs Dransfield as potential Category 3 interests due to the proximity o [redacted] to the Order limits. The Applicant is not seeking to acquire any land or interests belonging to Mr and Mrs Dransfield. The Applicant has entered into a voluntary agreement with the owner of the land where the access road to the OnSS is to be located. The decision to include Mr and Mrs Dransfield as potential Category 3 interests was taken on a precautionary basis. With the mitigation measures identified in the ES and secured by the DCO in place, the Applicant does not consider it likely that Mr and Mrs Dransfield will have grounds to make a relevant claim. (as defined in section 44 of the Planning Act 2008). As set out in Appendix 5, Mr Dransfield and Mrs Dransfield were included in the mailing list for consultees pursuant to section 44(4) of the Planning Act 2008 and should have received	Section 44(4) of the Planning Act 2008 states: "*(4)A person is within Category 3 if the Applicant thinks that, if the order sought by the proposed application were to be made and fully implemented, the person would or might be entitled—* *(a)as a result of the implementing of the order,* *(b)as a result of the order having been implemented, or* *(c)as a result of use of the land once the order has been implemented, to make a relevant claim...*" The Applicant has identified our clients having Category 3 interests and this has been confirmed in correspondence. It is not lawful for the Applicants to now retrospectively attempt to row back from that by introducing the new term of "*potential* Category 3 interests". Again the Applicant appears to be focussing more on appearance than substance and this new nomenclature clearly is intended to mislead the tribunal into thinking that our clients have a lesser interest than previously confirmed and identified. This is unlawful and misleading. Either our clients hold category 3 interests under the Act or they do not and that decision was made a considerable time ago – our clients hold category 3 interests and were so identified by the Applicant early in the process. The Applicants have confirmed this to be the case on numerous occasions and were right to do so. The suggestion that the decision to include our clients was taken on a

	August 2020. Objections were submitted to this later consultation by Quod and Gordons on behalf of my client (enclosed at Appendix 3 to this letter). It should be noted that it was not util my client informed Dalcour Maclaren on 10 June 2020 (and the subsequent correspondence from my client's solicitors) that correspondence was initiated. It was, therefore, only as a result of my client's actions that they were subject to any consultation at all. My client was also notified of the subsequent and final (fourth) targeted consultation process although did not submit representations as it was of no relevance to their interests. Importantly, however, no notification was given to my client of the first two stages of the consultation process. In HOW04, Orsted accept that it "does not have any evidence that the section 42 notifications were received". Orsted states that notifications were sent by first class post, but my client is certain that they were not received, and no evidence has been provided to demonstrate that the notifications were sent as Orsted claimed. Orsted's solicitors have provided some images to demonstrate that the notifications were sent as Orsted claimed. Orsted's solicitors have provided some images showing alleged mailing lists in the form of excel spreadsheets, which include	notification of the statutory consultation between August and September 2019 pursuant to section 42 of the Planning Act 2008 (as shown on the extract from the mailing list sent to Mr and Mrs Dransfield's solicitors). There is no statutory requirement for section 42 notifications to be sent by registered or recorded post. The section 42 notifications were sent by first class post and therefore the Applicant does not have any evidence that the section 42 notifications were received. In addition, Mr Dransfield and Mrs Dransfield were on the community mailing list (as shown on extracts from the mailing list sent to Mr and Mrs Dransfield's solicitors). The community letters and newsletters were not sent by registered or recorded post and therefore the Applicant does not have any evidence that these communications were received. The Applicant provided the screen shots of the mailing lists in response to a direct request for such documents from Mr and Mrs Dransfield's solicitors. We note that Mr Dransfield did receive a copy of the Intrusive Survey Licence sent on 15 February 2019 as he sent an email regarding the terms of the licence to the Applicant's land agents, Dalcour Maclaren, on 19 February 2019. Mr Dransfield also received a copy of the Non Intrusive Survey Licence sent on 24 May 2019 as he sent an email regarding the terms of the licence to Dalcour Maclaren on 3 June 2019. It is therefore not correct to state that correspondence relating to Hornsea Four was first initiated in June 2020.	precautionary basis is new and our clients consider it is rather late in the process to be making these comments without any evidence to support them. Our clients hereby request disclosure of contemporaneous records of the decision taken and that it was done so on a "precautionary basis". In the absence of disclosure, our clients require these unsupported comments from the Applicants to be withdrawn. The failure to consult with Mr and Mrs Dransfield is the responsibility of the Applicant. It is trite law that as a matter of common law a notice is only validly served where it is actually received (see for example *Holwell Securities v Hughes* [1974]1 WLR 155 at 157-158). In *Beanby Estates v Egg Stores (Stamford Hill) [2003] 1 WLR 2064*, at p 2075 Neuberger J said that the notice in question was "*not served merely by putting it in the post…*" Where the server of a notice does not take any steps to ensure that the notices are either (a) sent out or (b) received, the server bears the risk of non-receipt. The Applicant must accept this to be the case, otherwise there would have been no need for the late consultation exercise it attempted with our clients. Our clients have requested evidence that any of the correspondence prior to July 2020 was actually sent out on many occasions, but it is clear there is no such evidence. It is therefore surprising that the Applicants keep saying that our clients "*were included in the mailing list*" as if that somehow would be sufficient to prove that the notices were (a) sent and (b) received. The survey licence demonstrates that when our clients did receive correspondence from the Applicant, they engaged with it, even though it was entirely unrelated to consultation. It is therefore unfortunate that the Applicant did not take more care in complying with its statutory consultation requirements, as the failings in consultation render the entire application unlawful for failure to comply with the statutory pre-requisites.

	my client's names; however, Orsted are seeking to rely on these images as definitive evidence that letters were sent to my client, which is contrary to my client's understanding. These images are not sufficient evidence as they do not show; (1) when the names were added; (2) when the spreadsheet was created; or (3) if the spreadsheet was actually used. My clients therefore did not have the opportunity to comment on any aspects of the DCO at this stage, meaning that the proposals had become defined by the time my client was formally notified. These procedural failings are set out in correspondence from my client's solicitors, Gordons LLP, which have been provided at the same time as this letter and should be treated. That correspondence from Gordons LLP forms part of my client's objection and is supplemental to this letter. Following the submission of representations to the targeted consultation (Appendix 3), my client and their advisors met with representatives of Orsted. Further information was subsequently requested from Orsted by Gordons LLP, although as explained below not all this information has been provided and many of our objections remain unresolved. Gordons LLP received a letter on	In May 2020, the Applicant sent out a Community Newsletter informing the local community of the Applicant's decision to make the access road to the OnSS from the A1079 permanent, removing the temporary construction access to the OnSS from the south. In addition, the newsletter confirmed that the location of the access road would be moved to west (closer to [redacted] The Applicant understands that Mr Dransfield did not receive a copy of this newsletter. he Applicant understands that Mr Dransfield spoke to Andrew Acum (the community liaison officer listed on the community newsletter) and Dalcour Maclaren and sent an email with a number of queries on 20 May 2020. The Applicant's land agent responded to these queries in a letter dated 4 June 2020. On 10 June 2020 Mr Dransfield informed Dalcour Maclaren that he had not received the section 42 notifications dated 8 August 2019. On 31 July 2020, in conjunction with a further round of Targeted Consultation, Mr Dransfield and Mrs Dransfield were sent the section 42 notifications by recorded delivery providing them with an opportunity to comment on the whole Project (in addition to the matters that were subject of the Targeted Consultation). A response to the consultation was submitted on behalf of Mr Dransfield and Mrs Dransfield. The Applicant has had regard to the comments made in accordance with section 49 of the Planning Act 2008. Details of how the Applicant has had regard and	This demonstrates that our clients did engage with consultation when it was actually properly notified to them. It is regrettable that the consultation at that point was not wider and that the relevant decisions had already been taken and could not / would not be changed. There is no evidence that the Applicant has had regard to the comments made and indeed it would be impossible for the Applicant to have regard to the

	02 October 2020 which included a limited number of the requested documents. This disclosure mainly consisted of links to generic newsletters and leaflets on the Hornsea Project Four website. Our client was not provided with any of the requested documents which specifically related to their individual concerns. As such, we do not consider this to be adequate disclosure. This remains the case notwithstanding that a preliminary draft of this objection was provided to Orsted and its lawyers on 15 October, but that only prompted some minimal disclosure on 24 November. There have been serious procedural failings in this consultation process. Most importantly, there was a complete failure to consult with my client until after the first two consultation stages had closed and important decisions about the development (such as the location of the permanent access to the substation) had already been decided. The example of the access location is an important one, as that decision was taken after feedback from local residents about the location of the originally proposed permanent access to the south. If my client had been able to voice its own concerns as part of that process, alternatives, such as access from the	responds to the comments are set out in pages 452 to 469 of B1.1.4: Applicant Regard to Section 42 Consultation Responses (APP-133). It is considered that the responses provided are comprehensive and robust and include a design change to the OnSS access as a result of Mr and Mrs Dransfield's response to the statutory consultation. Paragraph 51 of the Guidance Note "Planning Act 2008: guidance on the pre-application process for major infrastructure projects" acknowledges that interests may emerge after an Applicant has concluded statutory consultation. In such a situation, the Applicant should provide a proportionate opportunity to the person to make their views known on the application. The Applicant considers that it has given Mr Dransfield and Mrs Dransfield a proportionate opportunity to make their views known. The Applicant has also had sufficient time (over 12 months) to have proper regard to representations made on behalf of Mr and Mrs Dransfield prior to submission of the DCO. Mr and Mrs Dransfield's representations were considered in the context of the outcome of the site selection process, environmental impact assessment and other representations received from the local highway authority, parish councils, landowners and other local residents. Having regard to all of the information available, the Applicant concluded that it would not change the design of the OnSS access from the A1079 to the A164. The Applicant strongly rejects the assertion that Mr and Mrs Dransfield have been	comments made without a much wider consultation taking place, but by that stage it was too late, unless the Applicant was willing to redo the consultation process properly, which evidently it was not. We have already dealt with this point in detail above. Our clients' interest did not emerge after consultation had concluded. Our clients were identified at the outset and then not consulted until after the rest of the consultation process had been concluded. The guidance therefore simply does not apply. Even if it did, it is not proportionate to undertake an empty post-decision process where in reality there is no prospect of any key decisions, such as the route of the substation access, being changed. Given the Applicant had so much time it is very regrettable that the Applicant did not choose to run the consultation properly and in a way that would have enabled our clients' concerns to be taken into account when making decisions about the substation access road. The possibility of changing the access road would have required further and wider consultation, which the Applicant was never prepared to undertake. Our clients strongly reject the statement: "*At no point during the statutory consultation process were irreversible decisions made related to site selection*". The evidence shows that the decisions about site selection

	west along the cabling route, might have been considered. What actually happened was that a decision was taken to route the access in the currently proposed location without any input from my client and then my client was belatedly (after legal correspondence_ invited to comment and give representations about a decision Orsted had already taken. My client has been significantly prejudiced in having to provide its observations after the relevant decisions had already been taken. This has made it very difficult for my client's representations to be taken into account or given proper regard. Following my client's representations (Appendix 3), Orsted made very modest modifications only to the substation entrance to avoid conflict with the emerging Jocks Lodge scheme; however, the fundamental principles underpinning the specific location and route of the substation access were already established by the time my client was afforded the opportunity to engage. Unfortunately, it is still difficult to see how my client's representations have been taken in to account or given proper regard. HOW04 states: "Details of how the Applicant has had regard to the comments are set out In pages 452 to 469 of B1.1.4 RP Volume B1 Annex 1.4 Applicant Regard to Section 42 Consultation Responses". Examination of these pages does not reveal "how	significantly prejudiced. At no point during the statutory consultation process were irreversible decisions made related to site selection or design. Each phase of consultation provided opportunity for changes to be made and decisions to be altered and this is demonstrated by project changes being made after this point in time. On receipt of Mr and Mrs Dransfield's comments, the Applicant had regard to those comments by internally reviewing the decisions it had made regarding the OnSS location and access approach to establish whether those decisions remained valid in light of the new information. As mentioned above, the Applicant concluded that the comments received from Mr and Mrs Dransfield did not outweigh other considerations and as a result a change to the location of the OnSS or access approach was not considered necessary. The Applicant does not agree with the suggestion that there may have been a different outcome regarding the OnSS location or access approach if consultation responses had been made earlier. In respect of the requested disclosure, the Applicant maintains its position that it has provided the requested information. The Applicant notes that Mr and Mrs Dransfield's professional advisers continue to request copies of documents that the Applicant has either already provided or confirmed do not exists (for example, the Applicant has provided a copy of the minutes of a meeting with Natural England on 1 April 2020 regarding the 15m buffer with Birkhill Wood but has confirmed several times that there is no further correspondence with Natural England on this point).	clearly were irreversible and indeed, nothing has been reversed and the possibility of any reversal in response to comments from our clients was never posited. Our clients' position on this is set out very clearly above. We have dealt with the position on disclosure above and comprehensively in the Relevant Representation.

	the Applicant has had regard to the comments." Instead there is a defensive explanation of how each decision has been taken. This serves to demonstrate that the relevant decisions had already been taken and my client did not have the ability to engage with the process. When consultation was attempted, it was too late and all that ensued was a description of how the relevant decisions were made. It was not possible for the Applicant to have regard for my client's representations without being prepared to reconsider existing decisions and the document referred to demonstrates that no such reconsideration took place. The decisions had already been taken.		
RR-0130-APDX:A-C	Objections to the DCO Consultation My client has not been adequately consulted upon in accordance with statutory requirements and was excluded from the first two rounds of consultation during the preapplication stage.	See comments provided by the Applicant for a similar comment entitled 'Engagement to date', reference RR-0130-APDX:A-B.	
RR-0130-APDX:A-D	Orsted suggest that my client was consulted during these initial consultation rounds and have provided a consultation form allegedly filled in by my client as evidence of this. This is addressed further in the enclosed correspondence from Gordons LLP, but in summary my client has no knowledge of this consultation taking place and can prove that they were not in the United	The Applicant has not suggested that Mr Dransfield signed a consultation document. The Applicant's land agent visited [redacted] on 24 July 2019 to complete the Land Interest Questionnaire (LIQ). During the site visit the LIQ was updated to confirm that the land was residential. A copy of the unsigned Land Interest Questionnaire (LIQ) referred to in a letter from the Applicant's solicitors, Pinsent Masons LLP, dated 6 July 2020 was sent to Gordons LLP by	The Applicant certainly did suggest this. The Applicant's agent said in a letter dated 4 June 2020 addressed to our clients (Appendix 6): "*I understand you filled in a Land Interest Questionnaire on 24 July 2019*". As described in the Quod letter forming part of the Relevant Representation, the Applicant has changed its story about this following our clients proving their initial version could not be correct. The fact is that the Applicant's record keeping was obviously defective, otherwise, even if the Applicant's new story is to be accepted, the mistake could never have occurred.

	Kingdom on the date that Orsted allege that their input was provided. In HOW04, however, Orsted now tells a different story. First, they say: "The Applicant has never suggested that Mr Dransfield signed a consultation document." This is misleading. The Applicant's agent said in a letter dated 4 June 2020 addressed to my client (Appendix 6): "I understand you filled in a Land Interest Questionnaire on 24 July 2019". On 10 June 2020 the Applicant's agent provided a copy of this form, filled out by hand, as evidence to support this untrue suggestion that my client "filled in a Land Interest Questionnaire on 24 July 2019" (Appendix 7). Since my client demonstrated that he was out of the country at the time the Land Interest Questionnaire was allegedly filled in, Orsted's position changed to the one now outlined in HOW04. This position simply is not credible and is entirely reactive to the discovery on Orsted's part that there may have been some dishonesty on the part of its agents who were carrying out the consultation on its behalf. This suggests that (1) the Applicant's account of its consultation process cannot be relied upon; and (2) the Applicant's record keeping, which is essential to accurate and effective consultation is likely to be wholly defective. My client feels very strongly that	email on 3 August 2020. The person who undertook the site visit no longer works at Dalcour Maclaren so the Applicant was unable to clarify the matter internally. It had incorrectly been assumed that Mr Dransfield or Mrs Dransfield had been present at the site visit but the Applicant now knows that not to be the case and has accepted this error. However, the Applicant strongly rejects any suggestion of dishonesty or wider defective record keeping and requests that Mr and Mrs Dransfield's representatives withdraw these allegations.	Not only do our client not withdraw their comments, but they would again emphasise their concerns to the panel and invite these concerns to be properly interrogated. Consultation is a necessary pre-requisite to any DCO and if a DCO is made following a failure to properly consult it will leave the DCO subject to potential judicial review.

	this is something the Inspectorate should investigate in greater detail, not only concerning my client's position but also the veracity of the consultation process as a whole.		
RR-0130-APDX:A-E	In relation to the access road, it is our client's position that due to the lack of adequate consultation, the Applicant has not sufficiently evaluated alternative options. application process. The significant consultation undertaken across the entire project footprint has enabled amendments to the project Order Limits, additional and amended commitments and input on design at the OnSS. The Applicant has received positive feedback during consultation events, including the final OnSS Parish Council Webinar, held on 23 June 2021, at which the comprehensiveness and quality of consultation was specifically commented upon by attendees (brief minutes are provided in B1.1.33: Stakeholder Working Group Meetings Letters of Comfort and Letters of No Objection (APP-162).	The Applicant strongly rejects the suggestion that information contained in the DCO application is misleading or inaccurate. The Applicant considers that the DCO Application was prepared properly and that consultation was not only carried out adequately, but indeed played a key role in the pre-application process. The significant consultation undertaken across the entire project footprint has enabled amendments to the project Order Limits, additional and amended commitments and input on design at the OnSS. The Applicant has received positive feedback during consultation events, including the final OnSS Parish Council Webinar, held on 23 June 2021, at which the comprehensiveness and quality of consultation was specifically commented upon by attendees (brief minutes are provided in B1.1.33: Stakeholder Working Group Meetings Letters of Comfort and Letters of No Objection (APP-162).	
RR-0130-APDX:A-F	Disclosure Despite requesting further information from Orsted, the following has not been provided: • Copies of all consultation responses and engagement between Orsted	Further to a meeting between the parties on 22 September 2020 and a subsequent email from Gordons LLP on 23 September 2020, some additional data and documents were provided in a letter from Pinsent Masons LLP to Gordons LLP dated 2 October 2020.	The Applicant appears to be dealing with the requests for disclosure by noting that where these were not disclosed to our clients, they have now been included in the Consultation Report accompanying the DCO application. This is too late for it to make any meaningful difference to our clients and the consultation process (for what it is worth) has long since concluded.

	and ERoYC regarding the access road, relationship with the consented works under 20/01073/STPL and evaluation of alternative options. • A noise assessment of the impacts within the [redacted] demise itself. The specific noise implications arising from both the construction and operational phases upon my client's land are therefore unknown and unproven. • Correspondence between Orsted and Natural England regarding the ecological impacts of the proposals, which was referenced by Orsted in their discussions with my client. • As mentioned above, the disclosure Gordons LLP received on 02 October 2020 included a link to a report on the general Hornsea Project Four website: Preliminary Environmental \information Report (PEIR) Volume 3, Chapter 3: Ecology and Nature Conservation. This was not the correspondence our client requested but a generic report about the project as a whole. • We have not had sight of any correspondence between the Applicant and Natural England. We have only been provided with one set of restricted minutes of a meeting "Hornsea Four Evidence Plan: Onshore Ecology Technical Panel Meeting 6 – dated 01 April 2020". We do not consider this sufficient disclosure, or that it has met our reasonable request for the correspondence between	In response to a letter from Gordons LLP dated 22 January 2021, copies of minutes of meetings with ERYC that informed the selection and location of the access road were provided by Pinsent Masons LLP to Gordons LLP on 19 February 2021. No response was received in respect of this information until 15 October 2021. The minutes related to meetings with ERYC on: • 21 November 2018; • 7 January 2019; • 1 May 2019; • 2 October 2019; and • 29 April 2020. Further details of the consultation process can be found in B1.1: Consultation Report (APP-129) which accompanies the DCO Application. All of the meeting minutes with ERYC that took place under the evidence plan process can be found in Appendix C of Annex 1 of the Consultation Report (APP-130). All the meeting minutes in relation to the Onshore Substation Consultation Group (OSCG), alongside meetings from minutes with parish councils and working groups can be found in Annex 1.33 of the Consultation Report (APP-162). In addition, the Applicant attended a number of other meetings with ERYC on various topics relating to Hornsea Four. A full list of these meetings can be found in Section 2 of the Statement of Common Ground with ERYC (APP-255). However, the Applicant provided the minutes of the meetings that related to access to the OnSS on 19 February 2021.	Our clients' comments in relation to Natural England, in particular, are not answered by the Applicants' response. We note that the Applicant has no evidence that any of the early consultation correspondence was sent to our clients or received by them. We have already set out the law on this point above.

	Orsted and Natural England regarding the ecological impacts of the proposals. • Further evidence that consultation documents were provided to my client for the first two rounds of consultation. In the absence of any further evidence beyond that references in HOW4, it appears that no additional evidence exists. The above has noted flaws in the Applicant's record keeping during the consultation process, and it is impossible to know definitively whether it has met (or even come close to) the statutory requirements as a consequence.	A3.8: Noise and Vibration (APP-032) outlines the assessment of noise, inclusive of impacts within the [redacted] demise. Minutes of the meeting with Natural England where details of the woodland buffer were discussed and agreed were also provided on 19 February 2021. No response was received in respect of this information until 15 October 2021. The Applicant does not recall referring to any other correspondence with Natural England on the buffer at the meeting on 22 September 2020. The Applicant referred to a guidance note, the details of which were set out in the letter dated 2 October 2020. The Applicant can confirm that there is no further correspondence with Natural England on the buffer. In light of the comments received by Mr and Mrs Dransfield, agreement with Natural England on this matter has be documented at G3.5 – 4.1.3 in F3.5: SoCG between Hornsea Project Four and Natural England (APP-258). As stated above, the Applicant does not have any evidence that the section 42 notifications were received by Mr and Mrs Dransfield in August 2019 as the notices were sent by first class post.	
RR-0130-APDX:A-G	Relocation of Access Road The proposed relocation of the substation access road (Appendix 2) has not been subject to a statutory targeted consultation process pursuant to S42 of the Planning Act 2008. This is despite similar modifications to the A164 being subject to a targeted S42 consultation in July 2021. In HOW04 the Applicant	It is acknowledged that the Applicant amended the location of the OnSS access road from the A1079 in direct response to concerns raised on behalf of Mr Dransfield and Mrs Dransfield, due to the interaction with the A164 Jocks Lodge works and new access to [redacted] Whilst designs were available to retain the existing access location, work was undertaken to move the access road to the south-east to address these concerns. The	It is not correct to say that the minor change to the access road was a "direct response" to concerns raised by our clients. As set out above, the location of the access point was marginally amended (and it is a very minor change of no substantive importance to our clients), out of necessity due to the nearby road improvement scheme. The Applicant had no choice about this, but we note that this is now being presented to make it appear that all of our clients' concerns were given due regard, which cannot be correct given the point is so minor and so specific.

	accepts that this proposed relocation has not been subject to a statutory targeted consultation process. The explanation provided appears to be that my client is not significant to merit proper consultation, but that is not my understanding of the statutory framework – a formal consultation was necessary. This further demonstrates a failure of the Applicant to properly comply with their statutory consultation requirements.	updated design was sent to Gordons LLP on 15 January 2021, providing an opportunity for Mr Dransfield and Mrs Dransfield to comment on the design. A reminder was sent by email to Gordons LLP on 19 February 2021. It is noted that no comments were received. Consultation on the A1079 access road change was focussed on three affected parties, ERYC, the landowner and Mr Dransfield and Mrs Dransfield. Due to the nature of the change, no other stakeholders would be materially affected by the change. The Applicant is not clear what is meant by "proper consultation" in the Relevant Representation as Mr and Mrs Dransfield were sent the information and asked to comment on it. However, the Applicant considers that it has complied with the requirements set out in the Planning Act 2008 and associated guidance. The A164 access change was subject to a formal section 42 consultation as it constituted a larger change (in comparison to the A1079 change) and had the potential to impact more individuals and stakeholders that were unknown without a wider consultation distribution, such as users of the proposed cycle way and non-agricultural user track.	The failures in consultation here mean that the Applicant has not complied with the consultation requirements in the Planning Act 2008, which makes proceeding with the DCO unlawful. Consulting informally with only three parties meant that the outcome of any consultation was a foregone conclusion. No changes could have been contemplated, as such changes may have affected other parties who were not part of that process, meaning that the informal attempt to engage with three parties only was a façade: it would be impossible to have due regard to any concerns raised in that engagement for fear of the need to consult more widely.
RR-0130-APDX:A-H	It is not apparent, therefore, whether the relocated substation access road (Appendix 2) is technically appropriate, given that this moves the substation access closer to the lay-by entry from the A1079. Whilst a Stage 1 Road Safety Audit (RSA) was provided by Orsted (Appendix 4) in addition, the RSA makes no reference to breaking distances required to enter the access road,	The layby revision and entry lane has been designed to National Highways standards, Design Manual for Roads and Bridges (DMRB), CD169 The design of lay-bys, maintenance hard standings, rest areas, service areas and observation platforms (March 2021)) – for a design speed of 120Kph. The designs for the amendment of the A1079 layby and OnSS access have been shared and agreed with ERYC (Statement of Common Ground, Reference G3.1:9.2 (APP-255)), as well as being subject to an independent Stage 1 Road	These comments were provided for the fist time on 8 March 2022. It is now too late for our clients to engage with those comments, as the opportunity for engagement and consultation has passed. This is why consultation in accordance with the requirements of the Planning Act 2008 is so important. The failure to comply with those requirements means that the only lawful way to proceed will be to start the consultation again involving all interested parties, which will allow our clients to instruct Highways experts to comment more fully on the plans.

	nor does it consider the implications of parked vehicles upon the ability to enter safely (other than stating that swept path analysis should be undertaken – Quod are not aware that this has been completed). It also does not consider the impact of vehicles simultaneously using this layby to access the substation and [redacted] HOW4 suggests this information will be confirmed by a subsequent Stage 2 RSA, although the potential impacts are at best unproven at the current time. In Volume A1, Chapter 3: Site Selection and Consideration of Alternatives, Paragraph 3.10.2 Post Scoping to PEIR Search Refinement Area, various consultation events are mentioned. The stated intention of these events was to allow "residents and landowners to comment on the proposed boundary. Their responses allowed for greater refinement of the location of the OnSS post-scoping." The dates for these instances of consultation are: October 2018, 12 March 2019, and 21 May 2019. Again this was before our client initiated correspondence with the Applicant on 10 June 2020 during the Section 42 consultation stage. Thus our client's interests were not given adequate consideration in the earlier stages of ONSS Refinement, site selection and consideration of alternatives. In 2020 these decisions had already been made without any input from our client.	Safety Audit (RSA). The RSA Team has identified all 'problems' [the term problem is used in road safety audits to identify aspects of a scheme that could give rise to collisions] associated with the design and breaking distance was not identified. Appropriate parking controls will be developed during the detailed design stage in consultation with the extent of any controls informed by swept path analysis. The detailed design and supporting swept path analysis would form part of a package of drawings to be agreed with the East Riding of Yorkshire Council (ERYC) through the finalisation of the CTMP. The detailed design package would be subject to an independent Stage 2 Road Safety Audit. This commitment to producing a final CTMP is supported by inclusion of Requirement 18 of the draft DCO (C.1.1: Draft DCO including draft Deemed Marine Licence (DML) (APP-203)). See comments provided by the Applicant above for a similar comment entitled 'Engagement to date', reference RR-0130-APDX:A-B.	
RR-0130-APDX:A-I	Several technical aspects of Quod's previous objections (Appendix 3) remain	The Applicant has worked closely with ERYC to develop a design that can accommodate	These responses do not appear to address the comments made. Several aspects of Quod's previous objections remain unproven, as set out.

	unproven, including: • There is a lack of consideration of the 'dual use' of the A1079 lay-by to support both [redacted] and the substation during the construction (in particular, as traffic will be considerably higher) and operational periods. • The consented highways works pursuant to 20/01073/STPL, particularly on the A1079, have not informed the technical appraisal of access options. This means an unproven requirement for a substation access in this location, and a substation location that is not founded on sound evidence. • There is a lack of analysis of the vehicular movements during construction and operation and particularly the associated amenity impacts upon [redacted], given the proximity of the access road to my client's property. By way of example, the number of anticipated vehicle movements during construction equates to 1.3 oneway movements every two minutes within c. 100m of my client's demise (assuming a construction period of 8am to 6pm). • No assessment appears to have been carried out to determine if the proposed access could be delivered from the A164 alongside the construction of the cabling route, to limit the impact to a single area. • Orsted's assumption that access from the A1079 is "mandatory" is	both the proposed new access to [redacted] and the proposed access to Hornsea Four. Various access and route options were considered previously for the OnSS access road prior to stakeholder consultation; however, ERYC has stated a clear preference for an access off the A1079, rather than the A164. Relevant meeting minutes were provided previously summarising the conversations held. Agreement on the location and design of the access road can be found in F3.1: Statement of Common Ground between Hornsea Project Four and East Riding of Yorkshire Council (APP-255), notably agreement numbers G3.1:1.7 and G3.1:9.2. Additionally, local stakeholders have indicated a clear preference for access to be taken and retained from the north. To manage the interaction between both proposed accesses, an access strategy was developed to ensure that the access road to the Hornsea Four OnSS was located east of the proposed access to [redacted]. This access strategy is to ensure that Hornsea Four traffic would not need to cross the access road to [redacted], thus removing a potential point of conflict. To achieve this access strategy, the Applicant has made the commitment to lengthen the layby and to ensure both accesses can be accommodated. The detailed design of the layby and OnSS would be agreed with the ERYC as part of the finalisation of the CTMP, which is secured by the inclusion of Requirement 18 of the draft DCO (C.1.1: Draft DCO including draft Deemed Marine Licence (DML) (APP-203)). It should be noted that upon completion of construction of Hornsea Four, operation and	To the extent new information has been provided or signposted on 8 March 2022, it is now far too late and there is far too little time for our clients to take professional advice on that information and to make a meaningful contribution. If the consultation requirements of the Planning Act 2008 had been duly followed, then this might have been avoided.

	therefore unfounded and must be substantiated further with regard to reasonable alternatives. • Despite our previous requests, there has been no assessment of the potential noise impacts directly upon the [redacted] demise, only those extrapolated from the surrounding area. Indeed, [redacted] is only mentioned once in this context at paragraph 8.11.1.16 of A3.8: Noise and Vibration. Our client is of the opinion that their single and brief mention within a 76-page technical report, is a direct a direct response to their robust objection. Our client is extremely concerned that other potentially interested parties' views have not been considered, particularly if these parties were unable to make similarly vigorous objections. As such, our client believes these parties' views have likely not been given any consideration at all, not even limited consideration our client received from the Applicant. • As mentioned previously we have received extremely limited disclosure. Very few of the documents our client requested have been disclosed. In particular, the correspondence between Orsted and Natural England regarding the ecological impacts of the proposals has not been disclosed. Considerably further disclosure was received by Gordons LLP on 09 December 2021. However, these documents still do not	maintenance will be largely preventative and corrective, with remote monitoring of the OnSS facilitating much of the activity, and as such vehicle movement will be negligible. It can be confirmed that the A164 Jocks Lodge Highways Improvement scheme was included in the cumulative effects assessment (CEA) for Hornsea Four. The assessments can be found in the relevant sections of onshore ES Chapters in Volume A3 (APP-025 to -034) of the DCO application. Analysis of vehicle movements arising from Hornsea Four has been included in A3.7: Traffic and Transport (APP-031). A comprehensive assessment of vehicle movements has been included in A3.7: Traffic and Transport (APP-031) of the DCO application. The Applicant does not recognise the numbers quoted. It is identified (Appendix F of A6.7.1: Traffic and Transport Technical Report (APP-125)) that during the peak construction phase there could be worst case of up to 244 two-way HGV movements per day via access AP_025 (via the access road to the OnSS). This is equivalent to approximately 12 arrivals and 12 departures per hour (i.e. one, two-way HGV movement every two and half minutes). It is however noteworthy that this represents the peak period, average two-way HGV movements are forecast to be 138 per day (Appendix F of A6.7.1: Traffic and Transport Technical Report (APP-125)), equivalent to approximately seven arrivals and seven departures per hour (i.e. one, two-way HGV movement every 4 - 5 minutes).	

	sufficiently deal with the matters raised in our client's multiple disclosure requests. As such, we do not consider this adequate disclosure. • Additionally as you will be aware, a disclosure at this date leaves less than 5 working days for our client to review the documents and make a Relevant Representation. Our client does not feel that this behaviour is in the spirit of the statutory consultation process.	An assessment of the Hornsea Four construction traffic movements upon pedestrian amenity is included within A3.7: Traffic and Transport (APP-031). No significant residual pedestrian amenity impacts are identified. 'Mandatory' is a reference to the absolutes expressed by statutory consultee and has been covered comprehensively in past correspondence, including a phone call with Mr Dransfield and legal and consultant team. As detailed in table 1.1 and section 11.6 of B1.1: Consultation Report (APP-129), statutory consultees and numerous members of the public, including nearby residents, requested that all temporary and permanent access was removed from the south of the OnSS site and that the proposed access road to the north of the OnSS, off the A1079, to remain permanent for the lifetime of the project. The Applicant has committed to the adherence of several commitments relating to the control of noise during the construction and operation phases of the Hornsea Four project. Noise impacts at noise sensitive receptors will be controlled through implementation of the appropriate noise mitigation measures secured through for example, but not limited to, Co123 (which secures the commitment that where noise has the potential to cause significant effects, mufflers and acoustic barrier will be used). This is secured via the Code of Construction Practice under Requirement 17 of C1.1: Draft DCO including Draft DML (APP-203), and outline of which is provided at F2.2: Outline Code of Construction Practice (APP-237).	

		Paragraph 8.11.1.15 to 8.11.1.19 of A3.8: Noise and Vibration (APP-032) presents the assessment of construction traffic noise impacts on [redacted] (where SAR1 is assigned to [redacted]). The assessment concludes that the impact is negligible, and this is not significant in EIA terms. Operational noise impacts from the OnSS will be controlled by Co159 (secured via Requirement 21 of C1.1: Draft DCO including Draft DML (APP-203)) which ensures that operational noise levels will be no more than 5 dB above the background noise level at any identified sensitive receptor, which includes [redacted]. On this basis, significant operational noise effects are not anticipated to be experienced at [redacted] As presented in A3.3: Ecology and Nature Conservation (APP-027), Birkhill Wood is acknowledged as being designated an Ancient Woodland. The Applicant has consulted with Natural England regarding the potential impacts to Birkhill Wood as part of the Evidence Plan Process. Agreements have been obtained between The Applicant and Natural England at the Technical Panel Meeting held on the 1 April 2020 that an appropriate buffer of 15 m would be implemented between the proposed permanent OnSS access road and Birkhill Wood. This avoids any impact on the root protection area of the outermost trees associated with Birkhill Wood and is in accordance with Natural England's standing advice on Ancient Woodland. This position is confirmed as agreement G3.5 – 4.1.3 in F3.5: SoCG between Hornsea Project Four and Natural England (APP-258), which	

		demonstrates an agreement with Natural England on this matter. As mentioned above, the Applicant considers that it has provided the requested information. The documents provided on 9 December 2021 included copies of three letters: two community letters from 2018 and 2019 and a copy of a reminder letter for the LIQ in 2019 all of which Mr and Mrs Dransfield claimed not to have received. The correspondence on 9 December 2021 also included copies of documents that had previously been sent to Mr and Mrs Dransfield's solicitors but had been requested again. The Applicant rejects any suggestion of not acting in the spirit of the statutory consultation process.	
RR-0130-APDX:A-J	A significant proportion of my client's objection does not arise from comments on Orsted's analysis that has been made publicly available as part of the various consultation stages. Rather, it arises because Orsted has failed to carry out or provide (upon request) the relevant analysis. Coupled with Orsted's failure to properly carry out the required statutory consultation, this suggests that the DCO comprises a development that is not properly considered or prepared. This is a grave concern for a development of this scale and we trust that the Planning Inspectorate will have due regard to this when considering the DCO application more widely, given the extraordinary significantly potential technical and environmental aspects of the entire scheme.	The Applicant provided copies of the requested documents by email on 19 February 2021. The Applicant considers that it has carried out the relevant analysis and undertaken proper statutory consultation. The information requested was provided on 19 February 2021. No response was received in respect of this information until 15 October 2021. For the reasons set out above, the Applicant considers that the DCO Application has been properly prepared and considered.	This is not accepted and the reasons for this are set out in detail above.

	I trust that these objections will be given due regard and consideration, and we look forward to engaging further through the DCO process. Should you have any queries regarding this letter and its enclosures, please do not hesitate to contact me.		