



# The Planning Inspectorate

## Planning Act 2008 – Section 91

### Application by Ørsted Hornsea Project Four Limited for an Order granting Development Consent for the Hornsea Project Four Offshore Wind Farm

### Agenda for Issue Specific Hearing 4 dealing with matters relating to marine environment, excluding ornithology

<b>Issue Specific Hearing 4:</b>	The marine environment, excluding ornithology
<b>Date:</b>	Wednesday 27 April 2022
<b>Arrangements Conference from:</b>	9:30am <sup>1</sup>
<b>Hearing start time:</b>	10:00am <sup>2</sup>
<b>Location:</b>	Virtual event via Microsoft Teams <sup>3</sup>
<b>Hearings Guidance:</b>	Please see Annex A of this agenda

### Issue Specific Hearings

Interested Parties who wished to speak at this event were required to provide notification by Deadline 1, Tuesday 8 March 2022. In order to receive the joining instructions to participate in this virtual Issue Specific Hearing (ISH) can you please complete and submit the following [form](#). Alternatively, you can contact the Inspectorate's Case Team for further information about the event: ([HornseaProjectFour@planninginspectorate.gov.uk](mailto:HornseaProjectFour@planninginspectorate.gov.uk)).

If you wish to observe the Hearing then you do not need to register: a link to the livestream will be made available on the project page of the National Infrastructure Website closer to the event.

Interested Parties are entitled to make oral representations at Hearings, subject to the Examining Authority's power of control

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<sup>1</sup> Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.

<sup>2</sup> If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

<sup>3</sup> Full instructions on how to join online or by phone will be sent to parties registered to attend shortly before the meeting.

The virtual event will be open 30 minutes prior to the start of the Hearing to enable a prompt start. The Hearing will be closed once the Examining Authority deems that all relevant matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The Examining Authority may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration. Any lack of discussion of a particular issue at the Hearing does not preclude further examination of that issue, including through further written questions.

Every effort will be made to ensure that issues are discussed on the scheduled day. Should consideration of these issues take less time than anticipated, the Examining Authority may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to a subsequent Hearing or further written questions.

## **Agenda**

The main purpose of the marine environment ISH is to examine environmental issues relating to:

- marine processes;
- marine geology and geomorphology;
- oceanography;
- marine and coastal ecology (including benthic habitats and species, fish, shellfish and marine mammals); and
- marine underwater noise.

Please note that:

- related matters in respect of marine and coastal ornithology and the Habitats Regulations Assessment will be examined in ISH5 and ISH6 respectively;
  - today's agenda for ISH4 includes matters dealing with the ecology of, and effects on, fish and shellfish populations, whereas the commercial fishing of some of these species as a human activity is dealt with in ISH3;
  - while many of the matters to be discussed overlap with matters relating to the draft Development Consent Order (DCO), the form, content and layout of the DCO will be examined in ISHs relating to the draft DCO and in any allied written questions.
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# Agenda

<b>Title of meeting</b>	Hornsea Project Four Offshore Wind Farm Issue Specific Hearing 4 on the marine environment, excluding ornithology
<b>Date</b>	Wednesday 27 April 2022
<b>Time</b>	10.00 am
<b>Venue</b>	Online via Microsoft Teams invitation
<b>Attendees</b>	Invitees

## **1. Welcome, introductions, arrangements for the Hearing**

## **2. Activities in the coastal and intertidal zone**

- 2.1 Location, assessment and monitoring of the proposed temporary access ramp.
- 2.2 Location of Horizontal Directional Drilling (HDD) exit pits and assessment of any intertidal habitat effects.
- 2.3 Clarification of the nature and effects of the coffer dams associated with the HDD exit pits.

## **3. Dredge sampling, characterisation, monitoring and disposal site**

- 3.1 Sampling and characterisation of the dredged sediments.
- 3.2 Definition of a preferred dredgings disposal site.
- 3.3 Ongoing monitoring of sediment samples.

## **4. Further geophysical surveys**

- 4.1 Clarification of geophysical surveys that were programmed for 2021, and any requirement for further, pre-construction surveys.

## **5. Piling maximum design scenario**

- 5.1 Clarification of the position around monopiling schedule and rate.

## **6. Control of impacts on marine mammals**

- 6.1 The Outline Marine Mammal Mitigation Protocol in relation to underwater noise: should mitigation focus solely on instantaneous SPLpeak (sound pressure level) permanent threshold shift onset ranges, or should it also look at SELcum (sound exposure level) impact ranges?
- 6.2 Detail and commitment to marine mammal noise mitigation at source.

## **7. Impacts on herring spawning**

- 7.1 Requirement for, and definition of, the proposed seasonal piling restriction to mitigate underwater noise and vibration effects on herring.
- 7.2 The assessment of the magnitude of impact on herring spawning grounds through direct damage and temporary increases in suspended sediment.

## **8. Baseline surveys and modelling**

- 8.1 Use and interpretation of biotope modelling.
- 8.2 Bathymetry and marine and coastal processes baseline – Smithic Bank and coastline.
- 8.3 Bathymetry and marine and coastal processes baseline – Flamborough Front.

## **9. Identification of marine and coastal processes receptors**

- 9.1 Progress towards agreement of full scope of marine process receptors including Hills and Outer Silver Pit and any protected sites.

## **10. Other points and AOB**

- 10.1 Turbine cleaning during maintenance.
- 10.2 Definitions of magnitude used in the Environmental Statement.
- 10.3 AOB.

## **11. Action Points**

## **12. Close of Hearing**

### **Attendees:**

All Interested Parties are welcome to attend the Hearing. However, the Examining Authority would particularly welcome participation by representatives of the following parties as their submissions raise or contribute to issues that may need to be explored at the Hearing:

- The Applicant;
- East Riding of Yorkshire Council (ERYC) in its roles as the local planning and coastal defence authority;
- The Environment Agency;
- The Marine Management Organisation;
- Natural England;
- The RSPB; and
- The Wildlife Trusts.

### Conduct and Management of the Hearing

The Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 provide that the Examining Authority (ExA) will probe, test and assess evidence at Hearings through direct questioning of persons making oral representations.

Questioning at this Hearing will therefore be led by the ExA. Cross-questioning of the person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. Parties wishing to make a representation will be invited to do so at the ExA's discretion.

The ExA will begin the Hearing with opening comments and introductions, then will run through any housekeeping matters and explain how the Hearing will be conducted. The ExA's expectation is that each session will typically last for one to two hours. However, the actual duration will depend on the progress made on the day and will be subject to the ExA's powers of control over the conduct of the Hearing.

The agenda may be amended by the ExA at the start of the Hearing or throughout its course. The ExA may wish to raise matters arising from oral submissions, Relevant Representations or Written Representations, or pursue lines of inquiry that are not listed on the agenda in the course of the discussion.

The Hearing is being held at the discretion of the ExA to consider matters that it considers to be important and relevant to the effective and robust examination of the application. Consequently, the business of the Hearing will be limited to the matters identified in the agenda or otherwise raised by the ExA.

Active participation is at the invitation and discretion of the ExA. Oral submissions must address the matters and questions on the hearing agenda or raised by the ExA at the Hearing. Oral submissions on other subject matters or from persons who have not been invited to speak by the ExA may only be heard at the discretion of the ExA, who may decide that such matters should not be heard in the interests of relevance, efficiency or fairness.

A recording and transcript of the Hearing will be published by the Planning Inspectorate on the project webpage<sup>4</sup> and any Interested Party may make a written submission on specific matters on the agenda or arising during at the Hearing by Deadline 4, Tuesday 10 May 2022.

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<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/hornsea-project-four-offshore-wind-farm>