



The Planning Inspectorate

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

Hearing Action Points arising from Issue Specific Hearing 1 dealing with matters relating to the draft Development Consent Order held virtually on Tuesday 12 April 2022

Action	Description	Action by	When
1	Update the draft Development Consent Order (DCO) to incorporate any changes as a result of the Applicant's review of the recent Secretary of State decisions on East Anglia ONE North and East Anglia TWO (the EAs).	Applicant	Deadline (D) 3
2	Review the Applicant's response to ExQ1 DCO.1.24 [REP2-038] in regard to Schedule 1 Part 1 and confirm if now satisfied.	Marine Management Organisation (MMO)	D3
3	Applicant to review the definition of 'bridge link' and in particular whether 'permanent offshore installation' assets should be defined or more specifically described.	Applicant	D3
4	Add 'under Article 38' at the end of the definition of commitments register.	Applicant	D3
5	Review the different definition for Marine Management Organisation provided in the Draft DCO and the Deemed Marine Licences (DMLs) and amend so the definition used is compatible between the DCO and the DML.	Applicant	D3
6	Review whether NATS should be defined in Article 2 or in Requirement 28(3) and amend the draft DCO in light of that review.	Applicant	D3
7	Review whether a definition of 'intrusive' needs to be included within Article 2 as per the recent decisions on the EAs.	Applicant	D3
8	Provide copies/ further details of the Section 106 agreements defined in Article 2 for which disapplication is sought.	Applicant	D4

Action	Description	Action by	When
9	Review the operations that are contained within the definition of "onshore site preparation works" in article 2.	Applicant and ERYC	D3
10	Review Applicant's response to ExQ1 DCO.1.10 [REP2-038] and comment on the updated changes in article 8 of the draft DCO [REP2-061].	ERYC	D3
11	Amend Article 10 (7) to 56 days.	Applicant	D3
12	Review/ amend/ respond as to whether Work No 2 should include the wording 'in the event that the mode of transmission is HVDC' or whether HVDC should be referred to at the relevant point in the alphabetical list.	Applicant	D3
13	Review and respond to the use of Lowest Astronomical Tide (LAT) rather than Highest Astronomical Tide (HAT) in the Project Description and elsewhere, in light of the comments made at ISH1 by Trinity House (TH) and the Maritime and Coastguard Agency (MCA).	Applicant	D3
14	Review/ amend / respond to whether the phrase 'been submitted to and approved in writing' is required given Requirement 29, and either retain the wording and delete Requirement 29 or delete the wording and retain Requirement 29; review all DCO Requirements to ensure consistency.	Applicant	D3
15	Review/ amend/ respond to whether Requirement 7 should be amended to reflect Requirement 12 (detailed design parameters onshore) of the DCO for EA ONE North, for the purposes of precision and enforceability.	Applicant	D3
16	Amend Article 2 to include a definition for Historic England and amend Requirement 8 and 16 and the relevant conditions in the DMLs to refer to 'Historic England' rather than the 'Historic Buildings and Monuments Commission for England'	Applicant	D3
17	Provide updated comments on the wording of Requirement 9 in regard to the five-year aftercare period for landscaping.	ERYC	D3

Action	Description	Action by	When
18	Amend Requirement 11(2) to include lighting, signage and relevant safety measures.	Applicant	D3
19	Review/ amend/ respond as to whether the details required by Requirement 13 (2) should be submitted at prior to commencement.	Applicant	D3
20	Amend Requirement 15(2)(b) to add 'include'.	Applicant	D3
21	Review Requirement 16(2) and 15(3) to see whether both elements are required and amend/ respond accordingly.	Applicant	D3
22	Consider and propose content and form of draft plans which are referenced in the outline code of construction practice but for which there is currently no outline (eg communications plan, construction lighting plan).	Applicant	D3
23	Review/ amend/ respond as to whether Requirement 24(1) should be amended to include 'in consultation with the Environment Agency' in light of its concerns about the effect of decommissioning on flood defences.	Applicant	D3
24	Review/ amend/ respond to whether Part 4 (2)(1) period should run from the day after the application has been submitted or the day the application was validated.	ERYC and Applicant	D3
25	To confirm how the commitment that maintenance / jack-up vessels would not impinge on the gap between the Proposed Development and the Hornsea 2 array would be secured.	Applicant	D3
26	To amend Article 2 of Schedules 11 and 12 to include a definition for 'Order Limits'.	Applicant	D3
27	To confirm the position on drill arisings and precedent in recently made DCOs.	Applicant	D3
28	Review/ amend/ respond to Historic England's request to amend Condition 13(1)(c) [REP2-076].	Applicant	D4
29	Confirm Condition 13(1) in schedule 11 and schedule 12 differential	Applicant	D3

Action	Description	Action by	When
	regarding ornithological monitoring plan and amend accordingly.		
30	Insert condition title for Condition 14.	Applicant	D3
31	Condition 14(1) delete reference to outline in plans listed (a)- (d).	Applicant	D3
32	Review definitions in Part 1(1) to ensure consistency between Schedules 11 and 12 and review whether additional definitions are required for MHWS, MLWS, HVAC, HVDC and chart datum would be needed.	Applicant	D3
33	Review Applicant's Deadline 2 response to ExQ1 DCO.1.10 [REP2-038] regarding Article 8 and confirm if now satisfied.	MMO	D3
34	Review Applicant's Deadline 2 response to ExQ1 DCO.1.24 [REP2-038] regarding Article 10(7) and confirm if it is now satisfied.	MMO	D3
35	Review the recording of ISH1 and respond to any relevant points made by the Applicant or any other IPs. In particular: <ul style="list-style-type: none"> • In regard to Article 5 transfer of benefit (approx. 01:30:00); • In regard to proposed timescales (approx. 02:45:00); • In regard to the Commitments Register being a signposting tool (approx. 03:10.00). 	MMO	D3
36	Provide a justification as to why MMO is seeking different wording than that which has been contained in other recently-made DCOs, eg Norfolk Vanguard, Norfolk Boreas, East Anglia ONE North and East Anglia TWO.	MMO	D3
37	Update the drafting of the Protective Provisions (Schedule 9) to reflect the latest changes arising out of the on-going negotiations and to include a Provision for NEO Energy	Applicant	D3
38	Review Schedule 9 in light of the comments submitted by the MMO at D2 [REP2-077].	Applicant	D3
39	Note that if Protective Provisions have not been agreed by D7 (10	Applicant	D7

Action	Description	Action by	When
	August 2022) submission of a section 127/ 138 case as an update to Appendix C of the Statement of Reasons [REP2-022] as suggested by the Applicant in response to ExQ1 CA.1.7 is not considered by the ExA to be sufficient.		
40	On a without prejudice basis, for the securing of HRA compensation measures (should the ExA consider that the measures would be required) provide (combined in one document) similar draft schedules (in both PDF and word formats) to those set out in Schedule 16 so that they could be easily attached to a recommended DCO.	Applicant	D4
41	Clarify what would the Wind Turbine spacing be for the overlap area in an unfettered situation to minimise wake effects and what would be the differential in spacing between 14 MW and 15MW output Wind Turbines?	Applicant	D4
42	Provide additional evidence on the choice of HVAC versus HVDC and in particular explaining the constraint of 1.2GW multiples as a deciding factor over which technology to use and the effects this would have on competitiveness in Contract for Difference auction.	Applicant	D4
43	Provide a comparative table of the size and output of existing and consented wind farms, including where available details of the number of turbines that have been constructed versus the number consented.	Applicant	D4
44	Provide response on implications for foundation design of potential ground heave [Para 7.2.3, REP1-057].	Applicant	D4
45	Provide a response to BP's submission [REP1-057] on the comparative carbon abatement potential of the Endurance and Hornsea 4 projects related to the overlap area of the seabed.	Applicant	D4
46	Submit to the Examination information from North Sea	BP	D3

Action	Description	Action by	When
	Transition Authority on consenting timescales.		
47	BP to review whether its suggested protective provision needs to include drafting that the obligations or the provision would no longer have effect if consent for Endurance was not forthcoming.	BP	D3
48	Applicant to review timescale of Paragraph 5 of its proposed protective provision in light of the proposed timescale for consenting for Endurance.	Applicant	D3
49	Consider writing to The Crown Estate to get its consent to the Interface Agreement (IA) being submitted into the Examination	ExA	Action superseded following the Applicant advising that consent to submit the IA has been secured.
50	Set out the timelines for responses from both the Applicant and BP regarding the proposed setting aside of the Interface Agreement.	ExA	ASAP
51	When producing reports that consist of collating a number of different reports into one document consider using different ways of numbering paragraphs to ease navigation of the documents and reporting.	All Parties	Ongoing