



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 10 dealing with matters relating to marine processes and ecology, excluding ornithology

Issue Specific Hearing 10:	Marine processes and ecology, excluding ornithology
Date:	Wednesday 20 July 2022
Arrangements Conference from:	09.15am ¹
Hearing start time:	09.30am ²
Location:	Virtual event via Microsoft Teams
Hearings Guidance:	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).

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 Website³ closer to the event.

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

² 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.

³ <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/hornsea-project-four-offshore-wind-farm>

Interested Parties are entitled to make oral representations at Hearings. However, this is subject to the power of the Examining Authority (ExA) to control the conduct and management of hearings.

The virtual event will be open 15 minutes prior to the start of the Hearing to enable a prompt start. The Hearing will be closed once the ExA deems that all relevant matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA 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 ExA 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 this marine processes and ecology ISH is to examine environmental issues relating to:

- marine geomorphology and process modelling;
- marine and coastal ecology and effects (including benthic habitats and species, fish, shellfish and marine mammals, but excluding ornithology);
- proposed activities in the intertidal and coastal zone and their effects;
- dredge sampling, characterisation and monitoring; and
- rock protection proposals.

Please note that:

- related matters in respect of marine ornithology and the Habitats Regulations Assessment will be examined in ISH11 and ISH12 respectively;
 - today's agenda for ISH10 includes matters relating to the ecology of, and effects on, fish and shellfish populations, but it will not deal with commercial fishing as a human activity;
 - 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

Title of meeting	Hornsea Project Four Offshore Wind Farm Issue Specific Hearing 10 on marine processes and ecology, excluding ornithology
Date	Wednesday 20 July 2022
Time	09.30 am
Venue	Online via Microsoft Teams invitation
Attendees	Invitees

1. Welcome, introductions, arrangements for the Hearing

2. Geomorphology and marine process modelling

- 2.1 Parties' positions on implications of, and allowance for, climate change.
- 2.2 The *Marine Processes Supplementary Report* [REP4-043], regulator reviews [REP5-114] and the *Clarification Note on Marine Processes Mitigation and Monitoring* [REP5a-017], with particular reference to:
 - Smithic Bank (to include report and review findings, rock protection, Dogger Bank A&B cable crossing and monitoring);
 - Flamborough Front, (to include report and review findings and monitoring proposals);
 - implications for the benthic ecology baseline and assessment.
- 2.3 Overview of Professor Elliot's peer review [REP5-066] and any matters arising.
- 2.4 Marine Management Organisation (MMO) view on the modelling and cumulative impact of cable crossings.
- 2.5 Natural England update on adequacy of scope of marine process receptors.

3. Fish and shellfish ecology

- 3.1 Updated regulator views on the proposed seasonal piling restriction to mitigate underwater noise and vibration effects on herring spawning.
- 3.2 Updated regulator views on potential effects of temporary increases in suspended sediment and redeposition on herring spawning grounds.
- 3.3 The Applicant's proposed shellfish ecology monitoring campaign.

4. Control of impacts on marine mammals

- 4.1 Assessment of the SELcum (sound exposure level) impact range and the instantaneous SPLpeak (sound pressure level) permanent threshold shift onset impact range.

5. Activities in the coastal and intertidal zone

- 5.1 Extent, assessment and monitoring of the proposed temporary access ramp.

5.2 Backfilling of the Horizontal Directional Drilling exit pits in the landfall area.

6. Dredge sampling, characterisation, contamination analysis and ongoing monitoring

6.1 Sampling, characterisation and analysis of sediments (to include the MMO's response to the Applicant's replies [REP5a-014] to the MMO's Deadline 5 questions [REP5-107]).

6.2 Ongoing monitoring of sediment samples.

6.3 Regulator responses to the Applicant's *Clarification Note on Drill Arisings and Deposited Sediments* [REP5-083].

7. Rock protection maximum design scenario

7.1 Updated positions relating to rock protection on and around Smithic Bank.

8. AOB

9. Action Points

10. Close of Hearing

Attendees:

All Interested Parties are welcome to attend the Hearing. However, the Examining Authority (ExA) 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 in its roles as the local planning and coastal defence authority;
- The Marine Management Organisation;
- Natural England; and
- RSPB.

The ExA notes that the Statement of Common Ground between the Applicant and the Holderness Fishing Industry Group and the National Federation of Fishermen's Organisations [REP5-052] has been completed and signed, but both organisations would also be welcome to attend if they wish.

The ExA acknowledges the 'Letter of Comfort' [REP5-067] between the Applicant and The Wildlife Trusts, and that both parties intend this to replace the Statement of Common Ground submitted at Deadline 1 [REP1-047]. The ExA notes that while The Wildlife Trusts has some outstanding concerns, it currently lacks sufficient resources to participate in the Examination and the parties will focus on engagement to discuss matters that are more strategic in scope. Nevertheless, the ExA would welcome any further representations from The Wildlife Trusts should circumstances change.

Conduct and Management of the Hearing

The Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 provide that the 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 webpage⁴ and any Interested Party may make a written submission on specific matters on the agenda or arising during at the Hearing by Deadline 6, Wednesday 27 July 2022.

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