

National Infrastructure Planning  
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By Email: [HornseaProjectFour@planninginspectorate.gov.uk](mailto:HornseaProjectFour@planninginspectorate.gov.uk)

25 July 2022

Dear Sirs

**Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010**  
**Application by Ørsted Hornsea Project Four Limited ("the Applicant") for an Order granting Development Consent for the proposed Hornsea Project Four Offshore Wind Farm ("HOW4")**


We refer to our letter dated 16 June 2022, in response to the proposal by BP Exploration Operating Company Limited (bp) to include protective provisions in the Order which would have the effect of disapplying the Interface Agreement, to which The Crown Estate is party.

We have seen bp's response to the Applicant's Deadline 5 submissions and in particular bp's revised approach to the protective provisions in section 6 of Annex 2 of that response. Before commenting further on bp's latest position, we wish to see the detail of the updated version of bp's protective provisions, which we understand will be submitted for Deadline 6.

In relation to the question of whether The Crown Estate's consent will be required for the revised protective provisions under Section 135(2) Planning Act 2008, it remains our view that this will be necessary, even assuming the rights of The Crown Estate are not directly affected; this is because the Interface Agreement and any provisions affecting the Interface Agreement relate to Crown land (i.e., the seabed in the Overlap Zone).

Yours faithfully

24 July 2022

  
Simon Goodwin  
Head of Marine Delivery