

National Infrastructure Directorate  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

**Orsted Hornsea Project Four Limited**  
**Development Consent Order (DCO) Application for Hornsea Project Four**  
**Offshore Windfarm**  
**Application Reference: EN010098**

10 August 2022

Our ref. EN010098

## **Deadline 7 Submissions**

Dear Mr Johansson

We are pleased to enclosed the Applicant's responses to Deadline 6 along with the other requested deliverables.

Please note, the Rule 8(3) letter (PD-011) requested that at Deadline 7 a final draft DCO be submitted by the Applicant in the SI template with the SI validation report. The Applicant has confirmed with the Planning Inspectorate that work will be ongoing to the draft DCO up to Deadline 7 to ensure that the drafting reflects the most up to date commercial and technical positions. As the SI validation process requires up to three days to complete, the Applicant has agreed to provide the finalised DCO at Deadline 7 and the SI validation report at Deadline 8.

Further to the Applicant's response to the Rule 17 letter (REP6-044), the Crown Estate Commissioner's solicitors sent the Applicant's solicitors a draft letter of consent and associated draft Agreement of Undertaking on 8 August 2022. The Applicant's solicitors responded on 9 August 2022 to request a couple of amendments to the Undertaking to make the document consistent with the Undertaking with the Crown Estate on Hornsea Three. The Applicant has included two amendments to Article 43 in the draft DCO submitted at Deadline 7 requested by the Crown Estate as part of the consent letter. In light of recent progress, the Applicant remains hopeful that consent pursuant to s135 of the PA 2008 will be obtained prior to the close of the Examination.

As stated at CAH1 (REP3-044) and in the response to the Rule 17 letter (REP6-044), if Crown Consent was not issued for any reason, it would not be possible for the Applicant to be granted compulsory acquisition powers over any Crown land in respect of interests held by other persons. However, as these plots only cover the foreshore any other interests in the land are limited. Where such interests have been identified, the Applicant has entered into a voluntary agreement with the relevant landowners and occupiers (see REP5-041). Whilst it is appreciated that the ExA needs to make a recommendation based on the status of the s135 consent at the close of Examination, the Applicant reiterates its position that section 135 of the PA

2008 only requires the Crown Estate Commissioners to provide their consent prior to a decision being issued by the Secretary of State. The Applicant is aware that it is fairly typical, albeit not ideal, for such consent to be provided during the determination period.

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A total of 94 documents have been submitted. Please note the Applicant has submitted a 'tracked' and a 'clean' version of each of the documents that are being resubmitted with updates unless stated below.

Applicant Document Reference	Document Title
<b>Final Statements of Common Ground and Statements of Commonality</b>	
F3.1	Statement of Common Ground between Hornsea Project Four and East Riding of Yorkshire Council
F3.4	Statement of Common Ground between Hornsea Project Four and Natural England Derogation and Compensation Matters
F3.5	Statement of Common Ground between Hornsea Project Four and Natural England: Onshore
G1.12	Statement of Common Ground between Hornsea Project Four and Environment Agency
G1.13	Statement of Common Ground between Hornsea Project Four and Natural England Other Offshore Matters
G1.14	Statement of Common Ground between Hornsea Project Four and Historic England
G1.17	Statement of Common Ground between Hornsea Project Four and Marine Management Organisation
G1.18	Statement of Common Ground between Hornsea Project Four and Natural England Offshore and Intertidal Ornithology
G1.20	Statement of Common Ground between Hornsea Project Four and the UK Chamber of Shipping
G1.22	Statement of Common Ground between Hornsea Project Four and RSPB Ornithology, Derogation and Compensation
G1.32	Statement of Commonality of Statements of Common Ground
<b>An updated Guide to the Application</b>	
G2.4	Guide to the Application
G7.9	Rule 17 Guide to the Application
<b>An updated version of the draft DCO in clean, tracked and Word versions</b>	
C1.1	Draft DCO including Draft DML
C1.1	Draft DCO including Draft DML (tracked)
C1.1	Draft DCO including Draft DML (word)
C1.2	Explanatory Memorandum
<b>Schedule of changes to the draft DCO</b>	
C1.1.1	Draft DCO including Draft DML Schedule of Change
<b>An updated CA Schedule in clean and tracked versions</b>	
G2.5	Applicants Compulsory Acquisition Schedule (CA Schedule)
G2.5	Applicants Compulsory Acquisition Schedule (CA Schedule) (tracked)
<b>An Updated Book of Reference</b>	
E1.3	Book of Reference

E1.3	Book of Reference (tracked)	Our ref. EN010098
E1.3.1	Book of Reference Schedule of Changes	
Comments on any other submissions received at Deadline 6		
G7.2	Applicant's comments on other submissions received at Deadline 6	
G7.10	Applicant's comments on Harbours Deadline 6 submissions	
G7.11	Applicant's comments on Deadline 6 DCO comments	
Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules		
A4.4.6	Design Vision Statement	
F1.6	Statement of Need	
F1.6	Statement of Need (tracked)	
G7.14	Section 127 Statement	
Other		
A1.4	Project Description	
A1.4	Project Description (tracked)	
A2.2	Benthic and Intertidal Ecology	
A2.2	Benthic and Intertidal Ecology (tracked)	
A4.6.1	Compensation Project Description	
A4.6.1	Compensation Project Description (tracked)	
A4.6.3	Compensation Impacts Register	
A4.6.4	Compensation Commitments Register	
A4.6.5	Compensation EIA Annex Parts 1 - 6	
A4.6.5	Compensation EIA Annex Parts 1 - 6 (tracked)	
A5.2.1	Benthic and Intertidal Ecology Technical Report	
A5.2.1	Benthic and Intertidal Ecology Technical Report (tracked)	
B2.2.2	Habitats Regulations Assessment Compensation Measures Parts 1 - 2	
B2.2.2	Habitats Regulations Assessment Compensation Measures Parts 1 - 2 (tracked)	
B2.6	Compensation measures for FFC SPA: Overview	
B2.6	Compensation measures for FFC SPA: Overview (tracked)	
B2.7	Kittiwake compensation plan	
B2.7	Kittiwake compensation plan (tracked)	
B2.7.2	Compensation measures for FFC SPA: Kittiwake Offshore Artificial Nesting Roadmap	
B2.7.2	Compensation measures for FFC SPA: Kittiwake Offshore Artificial Nesting Roadmap (tracked)	
B2.7.4	Compensation measures for FFC SPA: Kittiwake Onshore Artificial Nesting Roadmap	
B2.7.4	Compensation measures for FFC SPA: Kittiwake Onshore Artificial Nesting Roadmap (tracked)	
B2.7.6	Outline Kittiwake Compensation Implementation and Monitoring Plan	
B2.7.6	Outline Kittiwake Compensation Implementation and Monitoring Plan (tracked)	
B2.8	FFC SPA: Guillemot and Razorbill Compensation Plan	
B2.8	FFC SPA: Guillemot and Razorbill Compensation Plan (tracked)	
B2.8.2	Compensation measures for FFC SPA: Guillemot and Razorbill Bycatch Reduction: Roadmap	
B2.8.2	Compensation measures for FFC SPA: Guillemot and Razorbill Bycatch Reduction: Roadmap (tracked)	
B2.8.4	Compensation measures for FFC SPA: Predator Eradication: Roadmap	
B2.8.4	Compensation measures for FFC SPA: Predator Eradication: Roadmap (tracked)	

B2.8.6	Compensation measures for FFC SPA: Fish Habitat Enhancement: Roadmap <small>Or ref. EN010098</small>
B2.8.6	Compensation measures for FFC SPA: Fish Habitat Enhancement: Roadmap (tracked)
B2.8.7	Outline Guillemot and Razorbill Compensation Implementation and Monitoring Plan
B2.8.7	Outline Guillemot and Razorbill Compensation Implementation and Monitoring Plan (tracked)
B2.10	Without Prejudice Derogation Funding Statement
B2.10	Without Prejudice Derogation Funding Statement (tracked)
E1.1	Funding Statement
E1.1	Funding Statement (tracked)
E1.1.1	Funding Statement Annex 1 - Dalcour Maclaren Letter
E1.1.1	Funding Statement Annex 1 - Dalcour Maclaren Letter (tracked)
E1.2.1	Statement of Reasons: Update on negotiations with landowners, occupiers, Statutory Undertakers and other utilities
E1.2.1	Statement of Reasons: Update on negotiations with landowners, occupiers, Statutory Undertakers and other utilities (tracked)
F2.7	Outline Marine Monitoring Plan
F2.7	Outline Marine Monitoring Plan (tracked)
F2.11	Outline Southern North Sea Special Area of Conservation Site Integrity Plan
F2.11	Outline Southern North Sea Special Area of Conservation Site Integrity Plan (tracked)
F2.15	Outline Cable Specification and Installation Plan
F2.15	Outline Cable Specification and Installation Plan (tracked)
G1.1	Overarching Acronyms List
G1.1	Overarching Acronyms List (tracked)
G1.10	Hornsea Four Clarification Note on Peak Herring Spawning Period and Seasonal Piling Restriction
G1.10	Hornsea Four Clarification Note on Peak Herring Spawning Period and Seasonal Piling Restriction (tracked)
G1.45	Overarching Glossary
G1.45	Overarching Glossary List (tracked)
G3.12	Without Prejudice Derogation Draft DCO Schedules
G3.12	Without Prejudice Derogation Draft DCO Schedules (tracked)
G6.18	Applicant's Schedule of Side Agreements
G6.18	Applicant's Schedule of Side Agreements (tracked)
G7.1	Applicant's Deadline 7 Cover Letter
G7.3	Platform Repurposing Transfer of Regulation
G7.4	Ornithology Closing Remarks
G7.5	Updated Onshore and Offshore Cumulative Assessment
G7.8	bp Closing Remarks
G7.12	NEO Protective Provisions Plan
G7.13	Johnston Protective Provisions Plan

Yours sincerely



**Julian Carolan**

For and on behalf of Orsted Hornsea Project Four Ltd.

Our ref. EN010098

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