



Application by Equinor New Energy Limited for an Order Granting Development Consent for the Sheringham Shoal Offshore Wind Farm Extension Project and Dudgeon Offshore Wind Farm Extension Project

The Examining Authority's fourth written questions and requests for information (WQ4)

Published on Thursday 29 June 2023

This document sets out the Examining Authority's (ExA) Fourth Written Questions and requests for information (WQ4), in order to facilitate the conduct of the Examination. Responses are due by **Deadline 7, Monday 10 July 2023**.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues in the Rule 6 letter, Annex C [PD-006]. The questions relate to issues as they have arisen during the Examination through the review of application material, written submissions, site inspections and Hearings.

Column 1 sets out the unique reference number to each question which starts with 'Q4' (indicating that it is from WQ4), followed by an issue number, a sub-heading number and a question number. When you are answering a question, please start your answer by quoting the unique reference number.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. Please provide a substantive response to the questions directed at you, or indicate why the question is not relevant to you. You may also respond to questions that are not directed at you, should the question be relevant to your interests.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact sadep@planninginspectorate.gov.uk and include 'Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project' in the subject line of your email.

Responses are due by Deadline 7, Monday 10 July 2023.



List of abbreviations

AEoI	Adverse Effect in Integrity	EM	Explanatory Memorandum
ALARP	As Low As Reasonably Possible	ES	Environmental Statement
ALO	Agricultural Liaison Officer	ExA	Examining Authority
AONB	Area of Outstanding Natural Beauty	HDD	Horizontal Directional Drilling
AP	Affected Persons	HE	Historic England
CA	Compulsory Acquisition	HGV	Heavy Goods Vehicle
CAA	Civil Aviation Authority	HRA	Habitats Regulation Assessment
CAH	Compulsory Acquisition Hearing	IP	Interested Parties
D	Deadline in the Examination Timetable [PD-019]	ISH	Issue Specific Hearing
dDML	Draft Deemed Marine License	km	Kilometre
dDCO	Draft Development Consent Order	LA	Local Authority
DEP	Dudgeon Offshore Wind Farm Extension Project	LV	Light Vehicles
DEP-N	Dudgeon Offshore Wind Farm Extension Project North	m	Metre
DEP-S	Dudgeon Offshore Wind Farm Extension Project South	MCA	Maritime Coastguard Agency
DOW	Dudgeon Offshore Wind Farm	MCZ	Marine Conservation Zone
EA	Environment Agency	MEEB	Measures of Equivalent Environmental Benefit
EIA	Environmental Impact Assessment	MMMP	Marine Mammal Mitigation Protocol
		MMO	Marine Management Organisation



NATS	National Air Traffic Services	OWF	Offshore Windfarm
NCC	Norfolk County Council	PA2008	The Planning Act 2008
NE	Natural England	Project webpage	Project webpage of the National Infrastructure Planning website
NFU	National Farmers Union	R	Requirement in the dDCO
NH	National Highways	RSPB	Royal Society for the Protection of Birds
nm	Nautical Mile	s	Section of Parliamentary Legislation
NNDC	North Norfolk District Council	SAC	Special Area of Conservation
NPS	National Policy Statement	SEP	Sheringham Shoal Offshore Wind Farm Extension Project
NPS EN	National Policy Statement Energy Suite	SIP	Site Integrity Plan
NRA	Navigational Risk Assessment	SOCG	Statement of Common Ground
NRIDB	Norfolk Rivers Internal Drainage Board	SoS	Secretary of State
NSIP	Nationally Significant Infrastructure Project	SOW	Sheringham Offshore Windfarm
NSN	National Site Network	SPA	Special Protection Area
NT	National Trust	SSSI	Site of Special Scientific Interest
OCoCP	Outline Code of Construction Practice		
OCTMP	Outline Construction Traffic Management Plan		

Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the [Examination Library](#). The Examination Library will be updated regularly as the Examination progresses.



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Q4.1. General and Cross-topic Questions		
Q4.1.1 Planning Policy		
		No further questions in this section at this stage.
Q4.1.2 Planning Permissions		
		No further questions in this section at this stage.
Q4.1.3 Legislative Framework		
		No further questions in this section at this stage.
Q4.1.4 Miscellaneous		
Q4.1.4.1	<p>Applicant</p> <p>Natural England</p> <p>Royal Society for the Protection of Birds</p> <p>Marine Management Organisation</p> <p>Historic England</p> <p>Norfolk County Council</p> <p>National Trust</p> <p>National Highways</p> <p>Broadland District Council</p> <p>Environment Agency</p> <p>North Norfolk District Council</p> <p>Perenco</p> <p>Norfolk Wildlife Trust</p>	<p>Statements of Common Ground</p> <p>a) Applicant, submit final signed SoCG with electronic signatures at D8.</p> <p>b) Relevant parties, submit at D8 your confirmation that the final signed SoCG submitted by the Applicant is the version agreed with you. You may do so, by attaching to your submission the copy of the SoCG that is agreed with you.</p>

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	South Norfolk District Council Anglian Water National Farmers union Chamber of Shipping Marine Conservation Authority Trinity House Norwich Airport Eastern Inshore Fisheries and Conservation Authority Ministry of Defence	
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Q4.2. Alternatives and need		
Q4.2.1 Selection of Landfall Site		
		No further questions under this topic at this stage.
Q4.2.2 Selection of Substation Site		
		No further questions under this topic at this stage.
Q4.2.3 Viability of the grid connection and progress with other licences		
		No further questions under this topic at this stage.
Q4.2.4 The Need for this type of Energy Infrastructure, and specifically for the Proposed Development		
		No further questions under this topic at this stage.

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Q4.3. Benthic ecology, Intertidal, Subtidal and Coastal effects		
Q4.3.1 Effects on Marine Life and Benthic Habitats		
Q4.3.1.1	Applicant Natural England	<p>Response to NE Risk and Issue Log</p> <p>The NE issue and risk log [REP5-093] indicates that there are many points relating to coastal and physical processes, the MCZ and Benthic Ecology that Natural England still has concerns about, identified as red and amber in the log. However, the Applicant has responded to many of these points, particularly in the Applicant's comments on Natural England's Deadline 2 Submissions [REP3-107].</p> <p>a) In light of the Applicant's responses including [REP3-107], NE, submit an updated Issue and Risk Log addressing all the responses submitted by the Applicant, and if there is no change to the status, explain why. Please expand on any outstanding concerns, in addition to explaining why there has been no change.</p> <p>b) Applicant, provide an updated response to the most recent version of the Risk and Issue Log Deadline 5 Update [REP5-093], with the aim to resolve any remaining risks and issues remaining with NE.</p>
Q4.3.1.2	Marine Management Organisation Natural England Applicant	<p>Electro-Magnetic Fields</p> <p>The MMO [REP5-080] has stated that burial to 1.5m+ should prevent adverse impacts to benthic ecology receptors via electromagnetic field and/or heating. However, the Cable Burial Risk Assessment [APP-293] concludes with a recommendation that there should be a target depth of lowering of 1.0 m, with a proposed minimum of 0.6 m. What would be the consequences to benthic ecology where the depth of buried cable is less than 1m?</p>
Q4.3.1.3	Natural England Marine Management Organisation Applicant	<p>Outline Benthic Mitigation Plan/Scheme</p> <p>The Applicant has stated that "Details of the benthic mitigation that applies are provided in Tables 8-3 and 8-4 of the ES [APP-094]. No other forms of mitigation are proposed by the Applicant".</p> <p>a) For MMO and NE, does the proposed mitigation within these ES tables sufficiently cover the types and form of mitigation that would likely form part of a final mitigation scheme for any benthic habitats, or is there further mitigation that should be incorporated?</p>

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		b) Applicant, explain with reasons what further mitigation might be needed in a final mitigation scheme for any benthic habitats.
Q4.3.1.4	Applicant	In-Principle Monitoring Plan Respond in full to [REP5-090], explaining your position and providing evidence or amendments to the document where possible to attempt to overcome NE's concerns.
Q4.3.2 Impact on subtidal chalk features		
Q4.3.2.1	Applicant	Monitoring of cables and actions to address exposed cables a) What types or methods of monitoring would be used to monitor cables. b) Outline typical actions if a cable becomes exposed and is identified through monitoring c) Where is this set out and how is it secured?
Q4.3.2.2	Natural England	Sub-cropping Chalk The Applicant is unable to confirm that the cable installation will not impact the sub-cropping chalk [REP5-049]. Do you have any objections if, at the end of Examination, the Applicant cannot confirm avoidance of impacts to sub-cropping chalk.
Q4.3.2.3	Applicant	HDD Exit Location How would the exact position of the offshore HDD exit be secured within the dDCO?
Q4.3.3 Physical Processes, Coastal erosion effects and coastal processes		
Q4.3.3.1	Natural England	Secondary Scour Whilst NE has stated that a Secondary Scour assessment would be best practice, what would be the consequences if this was not submitted by the end of Examination, and does the responses [REP3-107, for example] and the commitment to mitigation (such as the use of scour protection wherever scour will occur) [APP-092] made by the Applicant in their submissions address the possible impacts of secondary scour?
Q4.3.3.2	Applicant	Use of a barge to hold excavated sediment NE remains concerned about side-casting sediment excavated from the HDD offshore exit pits and have indicated a preference to barge storage. Does the Applicant agree to the use of a barge and how would this be secured?

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Q4.3.3.3	Applicant	<p>Impact on sediment transport and suspended sediments</p> <p>In relation to sandbanks/waves, sediment deposition, sediment transport, and suspended sediments, NE has welcomed the inclusion of additional bathymetric data and seabed profiles for all six sites within the DOW array area. However, NE has stated in the Risk and Issue Log [REP5-095] that this data does not cover a long enough time period, post-completion of DOW, to support the conclusion that observed changes are driven by naturally occurring processes alone. Respond to NE comments and provide any more evidence available which could overcome these concerns.</p>
Q4.3.3.4	Applicant Marine Management Organisation Natural England	<p>Micro-siting around sand waves and megaripples</p> <p>The ES [APP-092, Table 6-3] states that "<i>Route selection and micro-siting of the cables will be used to avoid areas of sea bed that pose a significant challenge to their installation, including for example areas of sand waves and megaripples. This will minimise the requirement for sea bed preparation (levelling) and the associated sea bed disturbance.</i>"</p> <p>a) Applicant, explain how this is secured through the dDCO? b) NE and MMO, are you satisfied that this mitigation would be secured based on the dDCO?</p>
Q4.3.3.5	Applicant	<p>Using sediment to backfill</p> <p>The ES [REP5-021, Paragraph 258] states that "<i>All excavated sea bed sediments will be temporarily stored alongside the works location and within the export cable corridor (i.e. sidecast), prior to being backfilled after cable installation</i>". How is this secured through the dDCO, for cables and offshore HDD exit pit?</p>
Q4.3.3.6	Applicant Marine Management Organisation	<p>Post-Consent Sampling</p> <p>The Applicant has committed to further contaminants sampling and analysis is being undertaken post-consent.</p> <p>a) Applicant, how this is secured post-consent? b) MMO, are you satisfied with how this is secured through the dDCO?</p>
<p>Q4.3.4 Effects on the Marine Conservation Zone</p>		
Q4.3.4.1	Natural England	<p>MEEB Requirement</p>

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	Applicant	<p>Much of the discussion as to whether a MEEB is required relates to whether cable protection is used within the MCZ.</p> <p>a) NE, are there other reasons why you would consider a MEEB is required, such as the impacts to mixed sediment areas or to sub-cropping chalk for example?</p> <p>b) Applicant may comment.</p>
Q4.3.4.2	Natural England Marine Management Organisation	<p>MEEB and the dDCO</p> <p>The Applicant has submitted the Proposal Without Prejudice DCO Drafting (Revision C) [REP5-008], which at Part 4 includes a section setting out the Measures of Equivalent Environmental Benefit. Consider the wording as set out and respond as to its adequacy if the MEEB is required, particularly with regards to:</p> <p>a) The timings as set out, such as the provision under paragraph 33 that there should be no external cable protection works may be commenced within the Cromer Shoal Chalk Beds MCZ until the MEEB implementation and monitoring plan has been approved by the SoS.</p> <p>b) And, whether it is appropriate that there would be no requirement to implement the MEEB implementation and monitoring plan if no external cable protection works are required within the Cromer Shoal Chalk Beds MCZ?</p>
Q4.3.4.3	Applicant Natural England	<p>Removal of Cable Protection</p> <p>The Applicant has committed to removal of any cable protection within the MCZ at the point of decommissioning.</p> <p>a) Applicant, explain how this is secured?</p> <p>b) NE, are you satisfied that this is secured though the dDCO?</p>
Q4.3.4.4	Natural England	<p>MCZ Conservation Advice Package</p> <p>Please provide a copy of the Cromer Shoals MCZ Conservation Advice Package for the Examination, highlighting any particular sections you feel are most relevant to this proposed development.</p>

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Q4.4. Civil and Military Aviation		
Q4.4.1 Effects on Radar and Defence Interests and Proposed Mitigation		
Q4.4.1.1	Applicant National Air Traffic Services Civil Aviation Authority	Mitigation with National Air Traffic Services Provide evidence of agreement between the Applicant and both NATs and Norwich Airport (along with CAA if applicable) on the necessary mitigation required relating to effects of the Proposed Development on radar and progress towards a mitigation plan, together with any corresponding change to the dDCO.
Q4.4.1.2	Applicant Ministry of Defence/ Defence Infrastructure Organisation	Defence radar mitigation progress Following the Applicant's submission, The Applicant's comments on Ministry of Defence Deadline 5 Submission [REP6-020], provide an update with specific timetable, setting out next steps and dates towards agreement within this Examination of a wording for a Requirement designed to secure the provision of appropriate mitigation of the impacts of the development on Air Defence radar systems.

Q4.5. Construction Effects Offshore		
Q4.5.1 Development Scenarios and Rochdale Envelope		
Q4.5.1.1	Natural England	Collision Risk due to layout Paragraphs 2.6.108 and 2.6.109 of NPS EN-3 state that " <i>Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk.</i> " Whilst it is for the ExA, and ultimately the SoS, to determine whether the Proposed Development complies with the NPS, what is Natural England's views if the Proposed Development complies with the NPS?
Q4.5.1.2	Applicant	Seasonal restrictions How would any seasonal restrictions, adopted to prevent impacts on fish, shellfish, marine mammal and offshore ornithology species, affect the overall offshore construction programme.

Q4.6. Construction Effects Onshore		
Q4.6.1 Development Scenarios		
Q4.6.1.1	Applicant	<p>Traffic and Transport Assumptions for Development Scenarios</p> <p>As discussed at CAH2 [EV-103] [EV-105] and following previous written questions [PD-10, Q1.6.1.2] [PD-012, Q2.6.1.3] [PD-017, Q3.6.1.1] and discussion at ISH2 [EV-019] [EV-023] and ISH4 [EV-057] [EV-061], the ExA is not content with the responses and information provided so far.</p> <p>The ExA's concerns relate primarily to the anticipated trip generation figures set out in the TA [APP-268, Table 5], which are generated from Annexes 9 and 10 of the TA [APP-269]. The ExA considers these suggest the concurrent trip generation figures are based on Scenario 4 (one workforce installing SEP and DEP at the same time) and not Scenario 1d (two workforces installing SEP and DEP separately). The ExA take this view for several reasons:</p> <ol style="list-style-type: none"> 1) The Applicant sets out [APP-269, Annex 10 Page 2 of 19 (Page 611 of APP-269)] the concurrent scenario figures are based 'on a tandem project installation'. This would suggest to the ExA that this assumes them being built together at the same (Scenario 4) and not separately (Scenario 1d). 2) The TA [APP-268, Table 5] shows that the anticipated generation figures for the vast majority of construction activities are the same (or only very marginally different) for the in isolation and concurrent construction scenarios. This strongly suggests to the ExA that it has been assumed only one workforce would be constructing the Proposed Development in both the isolation and concurrent scenarios. The ExA fails to see how the concurrent scenario figures would not be higher (both HGVs and LVs) than the in isolation scenario if it had been assumed that there were two active workforces (Scenario 1d) as opposed to one (Scenario 4). 3) The only major difference in the anticipated trip generation figures in the Transport Assessment [APP-268, Table 5] for in isolation and the concurrent scenario is associated with the onshore substation. This also suggests to the ExA that Scenario 4 has been modelled where a larger integrated onshore substation would be constructed for both SEP and DEP at the same time.

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		<p>a) Applicant, provide a thorough explanation of the assumptions used within Annex 10 for the concurrent scenario to demonstrate how it has incorporated Scenario 1d with two concurrent work forces. The Applicant’s previous response [REP5-049, Q3.6.1.1], which simply stated the figures were provided by an experienced contractor, is not an adequate response and will not satisfy the ExA. Further evidence or analysis of evidence already provided is required to satisfy the ExA that Scenario 1d with two concurrent work forces has been assessed in the ES. In doing so, also directly address in detail the ExA’s reasons for the concerns set out in 1) to 3) above and demonstrate how the figures referred to above accommodate Scenario 1d as opposed to Scenario 4.</p> <p>In the event that the ExA remains unconvinced following the above information and bearing in mind at CAH2 [EV-103] [EV-105] the Applicant set out that Scenario 1d was the worst case scenario:</p> <p>b) what implications does this have for the adequacy of the assessment of Traffic and Transport in the ES and its robustness, given that the trip generation figures underpin the subsequent modelling;</p> <p>c) does this mean that Scenario 1d with two concurrent work forces has not in fact been assessed in the ES;</p> <p>d) if the worst case scenario for Traffic and Transport has not been appropriately assessed in the ES should Scenario 1d be removed from the dDCO?</p> <p>e) for all other ES topics, particularly those that rely on transport modelling (such as noise and vibration and air quality) where the worst case is a concurrent scenario, confirm whether the assessment is based on Scenario 1d or Scenario 4 and where it is based on Scenario 1d, provide evidence to demonstrate this has been robustly assessed and the ES is adequate.</p>
<p>Q4.6.2 Approach to Construction, Compounds, Programme, Timing and Methods</p>		
<p>Q4.6.2.1</p>	<p>Applicant</p>	<p>Link Boxes</p> <p>The ExA understands from the NFU [REP5-083] that the Applicant is of the view that one of the roles of the ALO will be to discuss and agree the location of link boxes with landowners. Applicant, provide a revised OCoCP to reflect this.</p>
<p>Q4.6.3 Baseline survey and effects of Unexploded Ordnance</p>		

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		No further questions in this section at this stage.
Q4.6.4 Effects of construction works on human health		
		No further questions in this section at this stage.
Q4.6.5 Effects from emissions on air quality		
		No further questions in this section at this stage.
Q4.6.6 Adequacy of the Outline Code of Construction Practice		
		No further questions in this section at this stage.
Q4.6.7 Waste Management		
		No further questions in this section as this stage.

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Q4.7. Commercial Fisheries and Fishing		
Q4.7.1 Effects on Fishing Stocks		
Q4.7.1.1		No further questions on this subject
Q4.7.2 Effects on fishing enterprises as a result of navigational or special restrictions		
Q4.7.2.1	Applicant	Fishing related conditions and requirements It is understood that the potential justified disturbance payments to UK potters, as set out in the ES [APP-098] as a form of additional mitigation, is a tool within the Outline Fisheries Liaison and Co-existence Plan [APP-295]. However, explain how the ExA can be satisfied that in practice there is the mechanism to ensure that this form of mitigation and the justifiable payments are made to fishing crews/fleets where it is necessary?

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Q4.8. Compulsory Acquisition and Temporary Possession		
Q4.8.1 Updates on Negotiations and Funding Statement		
Q4.8.1.1	Applicant	Provide any further updates for close of Examination.
Q4.8.2 Affected Persons' Site-specific Issues		
Q4.8.2.1	Applicant	<p>Plot 27-006</p> <ul style="list-style-type: none"> a) Submit updated Land Plans and associated documents showing proposed amendments to Plot 27-006 to enable access ACC46. b) Are there any highways access or construction issues which may be associated with this amendment? c) Explain your approach and justification to the part of Plot 27-006 that is no longer needed for the Proposed Development, including the inclusion of 'white land' in the Land Plans as explained at CAH2 [EV-103] [EV-105]. d) Are there any recent DCO (or TWA Order) precedents for your approach and if so which? e) Submit a revised version of the EM to include your explanation, including citing any recent precedents. f) If you intend to continue to seek CA or TP on the part of Plot 27-006 that you have indicated is no longer needed for access ACC46, explain your justification to do so. g) Provide an update of discussions and agreements reached with the landowner for the land included within the Order limits that is no longer needed for access ACC46, and the land currently not included within the Order limits which would be required to enable access ACC46. h) What are the implications to the viability of the Proposed Development if agreement is not reached and if you are unable to acquire the land currently not included within the Order limits which would be required to enable access ACC46? i) Provide an updated SoR. j) Provide an update to your strategic case for CA.
Q4.8.3 Special Land		

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Q4.8.3.1	Applicant	<p>Public Open Space</p> <p>a) Provide an update on negotiations.</p> <p>b) Provide evidence of final agreements for close of Examination.</p> <p>c) If final agreements are not received for close of Examination, provide updates expected and corresponding timescales after close of Examination in Signed Final SoCG or a similar joint signed statement.</p>
Q4.8.3.2	Applicant National Trust	<p>NT Land</p> <p>ExA understands that there remains disagreement over whether there is a need for an easement in perpetuity [REP5-088], though reasoning for this has been provided to NT by the Applicant. Provide an update on progress with these negotiations and provide an explanation as to your position with regards the issue of the length of time the easement is requested for.</p>
Q4.8.3.3	Applicant	<p>Crown Land</p> <p>a) Provide an update on negotiations.</p> <p>b) Provide evidence of final agreements for close of Examination.</p> <p>c) If final agreements are not received for close of Examination, provide updates expected and corresponding timescales after close of Examination in Signed Final SoCG or a similar joint signed statement.</p>
Q4.8.3.4	Applicant	<p>Statutory Undertaker Land</p> <p>a) The ExA has seen the Current Status of Statutory Undertaker Negotiations [REP5-037] and requests an update at Deadline 7.</p> <p>b) Provide evidence of final agreements for close of Examination.</p> <p>c) If final agreements are not received for close of Examination, provide updates expected and corresponding timescales after close of Examination in signed final SoCG or a similar joint signed statement.</p>
Q4.8.4 Applicant's Strategic Case for CA and TP		
		See related question in Affected Persons' Site-specific Issues.
Q4.8.5 General		

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Q4.8.5.1	Applicant Parties in Schedule 14 of the dDCO	Protective Provisions a) Applicant and relevant party, for each set of Protective Provisions that is not agreed, provide jointly with the relevant party copies of Applicant’s proposed drafting and the drafting required by the party, highlighting the areas of difference. Update this at D8. b) Applicant and relevant party, for Protective Provisions where final agreements is not likely for close of Examination, provide updates expected and corresponding timescales after close of Examination in signed final SoCG or a similar joint signed statement.
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Q4.9. Cumulative Effects		
Q4.9.1 Scope and Extent		
		No further questions in this section as this stage.

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Q4.10. Design		
Q4.10.1 Design Principles		
		No further questions in this section at this stage.
Q4.10.2 Design Development Process		
		No further questions in this section at this stage.

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Q4.11. Draft Development Consent Order		
Q4.11.1 General and cross-cutting		
Q4.11.1.1	Applicant	Format of Providing the dDCO and Explanatory Memorandum with Track Changes Provide the track change version of the dDCO and EM that shows all the changes made since the submissions of the application for all versions provided until the close of the Examination.
Q4.11.2 Content		
Q4.11.2.1	Applicant	Applicant's Confirmation of Final Review at the final Examination Deadline Provide the review as indicated [REP5-051, DC1.1.2.1].
Q4.11.2.2	Applicant Norfolk County Council	Discharging Requirements and Conditions Provide update and agreed drafting for R26.
Q4.11.3 Article 2 Interpretation		
Q4.11.3.1	National Highways	Pre-commencement works Confirm the Applicant's understanding that you no longer seek any further amendments to R19, if Protective Provisions are agreed [REP5-051, DC1.2.1.1].
Q4.11.3.2	Applicant	HDD Works at Night and Emergency Works See related question in Noise and Vibration.
Q4.11.4 Article 5 Benefit of Order		
Q4.11.4.1	Applicant Marine Management Organisation	The role of MMO and other drafting edits proposed in the dDCO a) MMO, provide the update as indicated [REP6-026, paragraph 3]. b) Applicant and MMO, indicate either in the draft SoCG or here if matters are subsequently agreed with the Applicant, or remain in dispute.
Q4.11.5 Article 6 Disapplication and modification of legislative provisions		
Q4.11.5.1	Applicant	Update

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	Environment Agency	<p>a) Is there an agreement regarding the disapplication of the relevant legislation and the Protective Provisions or provide an update [REP1-111] [REP2-040, Q1.11.3.3] [REP5-078] [REP5-051, DC1.3.2.1]?</p> <p>b) Can you explain, the implications of Protective Provisions not being agreed? What objections (if any) would remain outstanding and where do you feel the EA's interests are protected by the Environmental Permitting (England and Wales) Regulations 2016 [REP3-129]?</p>
Q4.11.6 Requirement 1 Time limits		
Q4.11.6.1	Applicant	<p>Assumptions on Working Crews</p> <p>Provide suitable wording, corresponding explanation in the EM, and any corresponding changes to the ES in relation to your response to related question in Construction Effects Onshore.</p>
Q4.11.7 Requirements 17 and 19		
Q4.11.7.1	Applicant Environment Agency Lead Local Flood Authority Norfolk Rivers Internal Drainage Board	<p>Update</p> <p>The latest draft of the SOCG with NCC and the Applicant [REP5-033] notes that the wording of R17 and R19 of the dDCO is still under discussion. Provide an update on such discussions.</p>
Q4.11.8 Schedules		
Q4.11.8.1	Applicant Natural England	<p>Schedules 12 and 13 Part 2 Condition 19</p> <p>See related questions in Benthic ecology, Intertidal, Subtidal and Coastal effects.</p>
Q4.11.8.2	Applicant Natural England Marine Management Organisation	<p>Post construction monitoring and subsequent remediation</p> <p>a) Do the dDML post construction monitoring conditions (Schedule 10, Part 2, Condition 20; Schedule 11, Part 2, Condition 20; Schedule 12, Part 2, Condition 19; and Schedule 13, Part 2, Condition 19) [REP6-002] or any other part of the dDCO bind the undertaker to take action should this post construction monitoring highlight any particular impacts that need remediation or further mitigation works?</p>

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		b) Highlight is any further provisions or drafting edits that could be required in the dDCO to ensure remediation or further mitigation works are undertaken on the basis of findings in the post construction monitoring.
Q4.11.8.3	Marine Management Organisation	Deemed Marine Licences and Marine Mammals and Monitoring Detail any remaining concerns regarding the dDMLs and the management of marine mammals.
Q4.11.8.4	Natural England Marine Management Organisation	Deemed Marine Licences and Benthic Ecology Are you satisfied that the mitigation relevant to benthic ecology (including offshore physical processes/ marine geology) are all included with appropriate wording within the dDCO and dDMLs, including through the Requirements and Conditions?

Q4.12. Habitats and Ecology Offshore		
Q4.12.1 Effects on Ornithology		
Q4.12.1.1	Royal Society for the Protection of Birds	<p>Outstanding concerns / final position</p> <p>The ExA is sympathetic to the circumstances of the RSPB in being able to engage with the Examination and all its related material. Nonetheless, a number of concerns were raised in the Written Representation [REP1-161] and the ExA wishes to know which, if any, still remain. Can the RSPB provide the ExA with an update on the current, and final, position of the organisation in relation the Proposed Development.</p>
Q4.12.1.2	Applicant	<p>Operation and Maintenance Vessels</p> <p>a) Is the Applicant any closer to confirming the port that would be used to service the Proposed Development?</p> <p>b) Is the Applicant able to confirm that operations and maintenance vessels from the port of Great Yarmouth, or going to the DEP part of the Proposed Development from another port, would not go through the Greater Wash SPA?</p>
Q4.12.1.3	Natural England Royal Society for the Protection of Birds	<p>Cumulative Effects</p> <p>Are there any remaining concerns regarding the Applicant’s assessment of cumulative effects (EIA-scale)? Explain with reasons.</p>
Q4.12.1.4	Applicant	<p>Offshore In-Principle Monitoring Plan</p> <p>Natural England has asked for a comprehensive review and amendment to the approach used for the IPMP [REP5-090]. In this respect:</p> <p>a) Provide an updated IPMP;</p> <p>b) Where NE’s changes are accepted and incorporated, signpost these in a separate document to identify where such amendments have been made.</p> <p>c) Where NE’s changes are not accepted, explain with reasons.</p>
Q4.12.1.5	Applicant	<p>Certified Documents and Updates</p> <p>It was suggested in ISH5 that some of the technical studies for ornithology (and indeed for marine mammals) may be amalgamated into the existing chapters of the ES, thus forming part of the suite of certified documents in the dDCO. In others respects, technical studies would be listed. The ExA note that ES Chapter 4 was provided at Deadline 5 [REP5-021]</p>

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		but no other ES Chapter updates are recorded. Provide an updated list of certified documents at D7 alongside the updated chapters of the ES (as necessary or applicable) to demonstrate all important and relevant information and mitigation is appropriately incorporated.
Q4.12.2 Effects on Aquatic Wildlife including Mammals, Fish and Shellfish		
Q4.12.2.1	Natural England	Environmental Impact Assessment perspective NE's Issues and Risks Log [REP5-093, point D1, D5, D6 and D10 in particular] raised some outstanding issues with regards to marine mammal modelling information. Can NE set out the nature and scope of any perceived remaining deficiencies in the data, methodology, assumptions or modelling information and what, at this late stage, are the implications for the Applicant's conclusion/assessment?
Q4.12.2.2	Applicant Natural England	Mitigation for harbour porpoise NE [REP5-093, point D18] suggests the risk of a significant adverse effect on harbour porpoise could be mitigated through various commitments including a seasonal restriction. a) Is the Applicant willing to make the commitments and, if so, identify where the commitments are made and secured. If not, explain with reasons. b) NE confirm if, subject to mitigation, the risk of a significant adverse impact is sufficiently dealt with.
Q4.12.2.3	Natural England Applicant	Mitigation for grey seal NE [REP5-093, point D19] suggests a potential significant impact on grey seal that requires mitigation. Set out fully the situation including what mitigation is being considered, is required, is or is not being provided and where mitigation measures will be secured if to be used?
Q4.12.2.4	Applicant	Full response to Natural England Using the same headings as NE, respond to each and every point raised by NE in its response to the marine mammals technical note [REP6-029].
Q4.12.2.5	Applicant Marine Management Organisation	Cockles and brown shrimp State the final positions of the parties on the issues on cockles and brown shrimp [REP6-026].

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Q4.13. Habitats and Ecology Onshore		
Q4.13.1 Effects on Protected and Priority Species		
		No further questions in this section at this stage.
Q4.13.2 Effects on Ancient Woodland, Trees and Hedgerows		
		No further questions in this section at this stage.
Q4.13.3 Effects on Rivers and River-Based Wildlife		
		No further questions in this section at this stage.

Q4.14. Habitats Regulation Assessment		
Q4.14.1 Effect of the Proposed Development on its own and In-combination with Other Plans and Projects		
Q4.14.1.1	Applicant Natural England	<p>Conclusions to be drawn</p> <p>The Applicant has provided a table [REP3-103, Q2.14.1.1] listing European sites and features, and whether agreement had been reached on the AEOI position. A number of items were labelled 'To Be Confirmed' whilst the Applicant explained that a further table would be provided covering marine mammals [REP3-101, Q2.14.1.1] at Deadline 5. This information has not been forthcoming. Please produce the marine mammals table and submit it to the Examination, as well as update the original table submitted at Deadline 3 with final positions expressed. It is imperative that the ExA and the SoS understands fully those areas where an AEOI cannot be ruled out and where there is disagreement, which can be explored further in Q4.14.1.2.</p>
Q4.14.1.2	Natural England	<p>Conclusions to be drawn part 2</p> <p>The ExA, and the SoS, must be confident, where the derogations are engaged, compensatory measures must be taken to ensure that the overall coherence of the National Site Network is protected. Following the exercise in the above question Q4.14.1.1, the ExA ask for final detailed information regarding:</p> <ol style="list-style-type: none"> a) Guillemot and Razorbill – reasons why an AEOI can/cannot be ruled out AND, if it cannot be, whether the ExA and SoS can have confidence in the compensatory measures provided by the Applicant. b) Red-Throated Diver - reasons why an AEOI can/cannot be ruled out AND, if it cannot be, what position that leaves the Examination without any preliminary submissions regarding compensatory measures. c) Grey seal, Harbour seal, Harbour porpoise - reasons why an AEOI can/cannot be ruled out AND, if it cannot be, what position that leaves the Examination without any preliminary submissions regarding compensatory measures. d) In relation to c) above, the ExA has already seen your reasons regarding concerns over the SIP process but ask specifically why the MMMP and SIP together are not enough to minimise the adverse impact to a point that AEOI can be ruled out (depending, of course, on your earlier conclusions).

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Q4.14.1.3	Applicant	<p>Sandwich Tern Compensation Document</p> <p>Provide the updated sandwich tern compensation / implementation documents to the Examination.</p>
Q4.14.1.4	Applicant Natural England	<p>Kittiwake Tower</p> <p>The HRA Derogations Update [REP6-010, plate 2] shows the designs of the kittiwake tower, with the preferred solution being installing new panels underneath the existing panels.</p> <p>a) Applicant, in the newly proposed arrangement in plate 2, are the quantity of benefits (chick yields) the same or equivalent to the benefits arising from the initial design concept with plate 1 as predicted in the quantity of benefits document [REP3-088]? If not, explain with reasons.</p> <p>b) NE, the ExA believes NE has yet to see the designs for the kittiwake tower shown in Plate 2 [REP6-010]. Provide comments on the designs and if there are any concerns regarding the anticipated success of these.</p>
Q4.14.1.5	Applicant	<p>Guillemot and Razorbill compensatory measures</p> <p>Notwithstanding that NE may conclude an AEoI could be ruled out and that the compensatory measures are submitted on a without prejudice basis, the ExA requests an update to the Examination on the progress regarding finalising the measures for these two species, including what further evidence is available to demonstrate the measures are robust, feasible and viable.</p>
Q4.14.1.6	Applicant	<p>Derogation Funding</p> <p>During Examination, the package of compensatory measures has changed and varied with different locations and measures being explored. Submit an up-to-date derogation funding statement to reflect these changes.</p>
Q4.14.1.7	Natural England Royal Society for the Protection of Birds National Trust	<p>Issue Specific Hearing 7 questions</p> <p>Firstly, refer to the agenda for ISH7 and then review the transcripts and recordings [EV-092] to [EV-102]. Subsequently, please answer the following regarding the newly identified sandwich tern compensatory measures at Blakeney (rat eradication):</p> <p>a) Does this compensatory measure have both merit and your support?</p>

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		<p>b) Would this new measure at Blakeney offer suitable resilience and be of a suitable scale to cover for any mortality debt accrued whilst the Loch Ryan proposals are establishing?</p> <p>c) Is the measure sufficiently developed to carry weight in the decision-making process and reassure you that the harm caused by the Proposed Development would be offset?</p> <p>d) Any other comments regarding this compensatory measure that are important and relevant for the Examination?</p>
Q4.14.1.8	National Trust Natural England RSPB	<p>Derogation case in the round</p> <p>Whilst the SoS, as the competent authority, is to secure compensatory measures (as required), the ExA must be confident that the overall package of compensatory measures are taken to ensure the coherence of the NSN is protected. To this extent, we would like to hear the final positions of the parties as to whether the derogations case, with the compensatory measures, as a whole, is justified and would ensure that the coherence of the NSN is maintained. Refer to any legislation, guidance and national policy as necessary.</p>
Q4.14.1.9	Natural England	<p>Confirmation of Position</p> <p>If the Hornsea Project Four DCO was refused by the SoS, would your position regarding AEOI on any species (bird or marine mammal) change? Explain with reasons.</p>
Q4.14.1.10	Natural England	<p>Red-throated Diver and SEP</p> <p>In terms of concerns about physical displacement and disturbance to red-throated divers, much of the proposed new windfarm at SEP would be positioned to the northeast of the existing windfarm of SOW. To that extent, would not the displacement and disturbance effect have already occurred and therefore any effects from SEP would not have any greater influence? (for instance, would the divers already be avoiding that part of the GWSPA because of the physical presence of SOW and, with SEP being further away, that means the extent of the disturbance/displacement would not cause a further reduction?)</p>
Q4.14.1.11	Applicant Natural England	<p>Hornsea Project Four</p> <p>The Applicant reports [REP5-043, paragraph 38] that the Hornsea Project Four applicant strongly objected to the 'bespoke approach' to assessment advocated by NE. At several other times in that document, it is highlighted that the Hornsea Project Four applicant held strong reservations for the 'bespoke approach.' The ExA notes that Natural England have advocated the same/ similar approach in this instance.</p>

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		<p>Applicant</p> <p>a) In simple terms, do you share the same concerns as the Hornsea Project Four applicant?</p> <p>b) What weight, if any, do you feel the ExA should give to the 'bespoke approach' and the ultimate results of it on your assessments?</p> <p>NE</p> <p>c) Set out clearly the reasoning, rationale and justification for using the 'bespoke approach' when it appears, from the evidence before this Examination, to deviate significantly from your standard approach and guidance.</p>
Q4.14.1.12	Applicant Natural England	<p>Pink Footed Geese</p> <p>Provide a concluding statement which fully summarises the progress made on agreeing a pink-footed geese management plan. If a management plan cannot be agreed before the close of the Examination, explain with reasons why this will not be possible. In addition, set out specific areas where agreement has not been reached and explain what is required in order for both parties to reach agreement on a management plan.</p>

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Q4.15. Historic Environment and Cultural Heritage		
Offshore Matters		
Q4.15.1 Adequacy of Baseline Surveys and Environmental Information		
Q4.15.1.1	Applicant Historic England	Statement of Common Ground Submit a SoCG in a format agreed between the Applicant and HE or provide detailed reasoning which explains why a SoCG cannot be submitted and which highlights the areas where agreement has not been reached, the reasons for this and steps being taken to resolve any outstanding matters of disagreement.
Q4.15.1.2	Historic England	Response in Lieu of Attendance at ISH7 Please review the agenda for ISH7 [EV-092] and the recording [EV-104] of the Hearing and provide responses in full, where appropriate, to the matters discussed.
Onshore Matters		
Q4.15.2 Adequacy of baseline surveys and information		
		No further questions in this section at this stage.
Q4.15.3 Effects on Designated and Non-designated Heritage Assets		
		No further questions in this section at this stage.

Q4.16. Land Use		
Q4.16.1 Effect on Agricultural Land and Businesses and Recreational Assets		
Q4.16.1.1	Applicant National Farmers Union	<p>Outline Management Plan for Agricultural Matters</p> <p>a) The ExA notes [REP5-083, Q3.16.1.1] that the Construction Practice Addendum is still under discussion between the Applicant and the NFU. Provide an update on the latest position and whether an agreement will be reached before the close of examination.</p> <p>b) The Applicant has committed in the Draft SOCG with the NFU [REP6-011] that the final agreed wording in the Construction Practice Addendum will be included in the final CoCP post consent. Applicant, provide a revised OCoCP that also makes this commitment.</p> <p>c) The NFU is of the view [REP5-083, Q3.16.1.1] that it is very important that the wording is agreed in the OCoCP because its provisions will be incorporated into contracts for the construction of the project. Applicant, explain fully why you do not agree with this.</p> <p>d) The NFU has raised concerns [REP5-083, Q3.16.1.1] that there are no details on how field drainage will be reinstated, if a private or mains supply is affected how this will be reinstated on a temporary or permanent basis and that there is no mention of irrigation within the OCoCP. The ExA considers more detail is required for these areas for it to be content that they can be suitably managed and mitigated. Applicant, provide further detail in a revised OCoCP.</p>
Q4.16.2 Soils and Soil handling, Ground Conditions, Contamination and Minerals		
		No further questions in this section as this stage.

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Q4.17. Landscape and Visual Effects		
Q4.17.1 Effect on Landscape Character and Views		
		No further questions in this section as this stage.
Q4.17.2 Effects on designated and historic landscapes, including Areas of Outstanding Natural Beauty and Ancient Woodlands		
		No further questions in this section as this stage.
Q4.17.3 Effectiveness of mitigation proposals		
		No further questions in this section as this stage

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Q4.18. Seascape and Visual Effects		
Q4.18.1 Effects on Designated and Historic Landscapes		
Q4.18.1.1	Natural England Norfolk Coast Partnership	Effects on the statutory purpose of the Norfolk Coast AONB NE refers to further clarification on this subject from Norfolk Coast Partnership, expected at D6 [REP6-028]. No further information has been submitted. Provide final concluding statements, or a joint concluding statement, setting out your position on this subject.
Q4.18.2 Cumulative Effects		
		No further questions in this section as this stage.

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Q4.19. Navigation and Shipping		
Q4.19.1 Navigational Risk and Effect on Navigational Safety		
Q4.19.1.1	Applicant	<p>Collision Risk for Outer Dowsing Channel</p> <p>Provide a collision risk assessment for the Outer Dowsing Channel (west of DEP-North) alone, including base data and calculations, setting out the difference in collision risk both with and without the DEP-N proposed wind farm. The results should be set out as per Table 7.1 of the Navigational Safety Technical Note [REP3-031] (to include the 10% and 20% additional traffic) and also set out as a percentage difference from existing to the situation with DEP-N.</p>
Q4.19.1.2	Marine and Coastguard Agency	<p>Size of Ships</p> <p>The Applicant has stated that the route west of DEP-N (Outer Dowsing Channel) has mainly smaller or mid-sized ships traversing through the area. How does this effect the assessment of collision risk through this area and does it allow more flexibility for routes through for example?</p>
Q4.19.1.3	Maritime Coastguard Agency	<p>Frequency of Ships Passing</p> <p>The Navigational Safety Technical Note [REP3-031] states that there are on average 13 ships passing through the Outer Dowsing Channel (west of DEP-N). This could mean that for most times it is unlikely that there would be more than one ship travelling though this channel adjacent to DEP-N at any one time. How has this been considered in your assessment that concluded that the navigational risk created by the DEP-N site is unacceptable?</p>
Q4.19.1.4	Trinity House UK Chamber of Shipping	<p>Passage Planning Guide</p> <p>Provide a copy of The Passage Planning Guide referred to by Trinity House/UK Chamber of Shipping in ISH7 [EV-095 and EV-099] highlighting relevant sections, including that regarding the nautical mile clearance to wind farms.</p>
Q4.19.1.5	Applicant	<p>Calculations for Sensitivity Modelling</p> <p>Provide more detail of calculations and modelling used which resulted in the 3% difference for collision risk data for the area between developing DEP-N and not developing DEP-N to be provided, as set out in the Navigational Safety Technical Note [REP3-031]</p>

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<p>Q4.19.1.6</p>	<p>Applicant Maritime and Coastguard Agency</p>	<p>Without prejudice mitigation wording</p> <p>At ISH7 [EV-096] [EV-100] it was suggested that a potential mitigation would be an exclusion of wind turbines and any other associated infrastructure from an area in between and to the west of the Mid-Outer Dowsing buoy and Dudgeon buoy, thus allowing greater sea room. The ExA acknowledges that the Applicant strongly opposes this measure and would not wish it to be proposed. Nonetheless, to aid the ExA’s understanding of the possibilities before it, and to inform the SoS’s decision, provide the following information without prejudice:</p> <ul style="list-style-type: none"> a) Applicant and MCA, show this exclusion zone on a map/diagram with an easily recognisable title. b) In its post Examination considerations, if the ExA considers it is essential to include a provision for an infrastructure free zone in line with MCA’s representations (as outlined in Section 7 and Figure 2 (Recommended Boundary Amendment) of their submission at Deadline 5) [REP5-081], Applicant and MCA advise if the map/diagram would need to be included as a certified document or if it should be included in the ES or the Offshore Project Environmental Management Plan. c) Applicant and MCA, provide dDCO drafting, be it a new article, new requirement or amendment to an existing requirement, and any relevant definitions that puts the exclusion zone into effect. d) Applicant, provide any details of how this restriction may or may not affect the ability of DEP-N to be developed on its own (i.e. does this mean the full quantum of turbines for DEP could no longer be delivered solely in DEP-N, regardless of any commercial decision?) e) Applicant, provide an assessment of how the exclusion would affect any assessment provided in the ES. Provide any corresponding amends to the ES as relevant. f) Applicant and MCA, to provide responses to the above questions in agreement in a joint statement.
<p>Q4.19.1.7</p>	<p>Applicant</p>	<p>Navigation Routes</p> <p>Provide evidence from regulators/shipping companies, of the routes that they use or intend to use post development of DEP-N, including charts showing these routes in respect of proximity to existing and proposed wind farms.</p>

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Q4.19.1.8	Applicant	Adverse Weather Route Submit evidence that there are shipping vessels which use the Outer Dowsing channel route as an adverse weather route.
Q4.19.1.9	Applicant	Opinions/Concerns of Shipping Operators Following the Applicant's suggestion in ISH7 [EV-092 to EV-102] that there are no significant concerns from shipping operators with use of the Outer Dowsing Channel, particularly if DEP-N is built out as a wind farm, provide evidence to this effect including any correspondence from such shipping operators.
Q4.19.1.10	Applicant Marine and Coastguard Agency	Joint Position Statement ExA requires a joint position statement from both parties to set out what is a mutually agreeable position to alleviate any navigational risk to ALARP.
Q4.19.2 Impact on Radar, Search and Rescue		
		No further questions in this section at this time.

Q4.20. Noise and Vibration		
Q4.20.1 Adequacy of the Assessments for Construction		
		No further questions in this section as this stage.
Q4.20.2 Construction Effects on Sensitive Receptors		
Q4.20.2.1	Applicant	<p>HDD Works – Solar Park</p> <p>The revised OCoCP [REP5-029, Paragraph 186] sets out that a worst-case scenario could occur requiring night time working for the HDDs at the Solar Park. However, the Applicant has set out [REP5-049, Q3.20.2.1] that other than the specific crossings of Stakeholders’ apparatus, such as Network Rail who stipulate continuous HDD for safety reasons, the HDDs are not required to be continuous and will follow the agreed site working hours set out in Requirement 20 (Construction hours) of the dDCO (Revision H).</p> <p>a) Confirm definitively whether HDD works are required at the Solar Park at night other than in an emergency.</p> <p>b) If not, should the mitigation be more generic about avoiding emergencies necessitating HDD works at night for all such crossings, as well as at the Solar Park.</p>
Q4.20.2.2	Applicant	<p>HDD Works – Assessment</p> <p>The Applicant noted [REP3-101, Q2.20.4.1] that the longest proposed drill is approximately 600m; hence, the absolute maximum duration of night-time emergency HDD works is 6.25 days and night-time emergency HDD works would not last for more than 10 days in any 15 consecutive days. It is consequently considered in accordance with the criteria presented in ES [APP-109, Section 23.4.3.3], the associated noise effects will be not significant. Section 23.4.3.3 notes that based on the guidance in BS 5228-1, construction noise levels above the Threshold Value for less than 10-days (or 10-evenings/weekends or nights) in any 15, or 40-days or less (or 40 evenings/weekends or nights) in any 6-month period would not normally be considered significant. However, it also notes that with regards to the timing of the effect, night time impacts being more likely to be considered significant than daytime impacts.</p> <p>a) Given the above, provide further justification that 6 consecutive nights of HDD drilling would not have significant adverse effects on sensitive receptors.</p>

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		<p>b) Is the Applicant suggesting that as emergency HDD works would not last for more than 10 days in any 15 consecutive days it would not seek to implement mitigation to minimise impacts as far as possible to sensitive receptors at night?</p> <p>c) Provide further evidence about what mitigation could be used should emergency HDD works be required at night to minimise impacts on sensitive receptors and include this in a revised draft of the OCoCP.</p>
Q4.20.2.3	Applicant	<p>HDD Works in the dDCO</p> <p>Having regard to the Applicant’s reply to DC1.2.1.2 [REP5-051], the ExA consider that as currently drafted R20 (2)(d) [REP5-005] would allow all HDD works to be undertaken at night. This would run contrary to the Applicant’s reply to Q2.20.4.2 [REP3-101]. To avoid potentially significant impacts from noise, the ExA remains of the view that R20 (2)(d) of the dDCO should make clear that such works only relate to the A11 (RDX048), Cambridge to Norwich Railway (RLX002) and North Norfolk Railway line (RLX001) crossings. Applicant, provide such wording.</p>
Q4.20.2.4	Applicant	<p>Crossing Schedule</p> <p>The ExA note [REP6-025] that changes have been made to the Crossing Schedule [REP5-025] and, amongst others, the crossing technique has been altered for the Solar Park (Crossing 200) and The Street (Crossing 202). Explain the reason for each change in the revision and what implications there are for the ES.</p>
Q4.20.3 Cumulative Effects Assessment		
		No further questions in this section as this stage.
Q4.20.4 Adequacy and Design of Proposed Mitigation		
		No further questions in this section as this stage.

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Q4.21. Oil, Gas and Other offshore infrastructure and activities		
Q4.21.1 Helicopter Access		
Q4.21.1.1	Perenco	<p>Take Off Space Required</p> <p>Provide a view, following the discussions at ISH 7 [EV-097 to EV-101], of whether 1.01nm is sufficient distance to allow for One Engine Inoperable take-offs.</p>
Q4.21.1.2	Perenco	<p>Required Approach Distance</p> <p>Please provide a view, following the discussions at ISH 7 [EV-097 to EV-101], of whether 1.34nm for the approach is necessary and the effects on flights if it is less than 1.34nm.</p>
Q4.21.1.3	Applicant	<p>dDCO amendments</p> <p>Provide any amendments necessary to reflect the calculated 1.01nm considered necessary by the Applicant within the dDCO, as referred to at ISH 7 [EV-097 to EV-101].</p>
Q4.21.1.4	Perenco Applicant	<p>Joint Statement</p> <p>Whilst it is apparent that there have been negotiations between Perenco and the Applicant, with a hope of an agreed negotiated position before the end of examination, at D7 please provide a joint statement setting out each party's position at that time and any remaining points of dispute, together with identified steps to a potential resolution within the Examination.</p>
Q4.21.2 Effectiveness of Proposed Mitigation		
		No further questions in this section as this stage.

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Q4.22. Socio-economics effects		
Q4.22.1 Effects on recreation, tourism and business		
		No further questions in this section as this stage.
Q4.22.2 Effects on jobs and skills		
		No further questions in this section as this stage.
Q4.22.3 Effects on Individuals and Communities		
		No further questions in this section as this stage.
Q4.22.4 Inter-related Effects on Human Health and Community Well-being		
		No further questions in this section as this stage.

Q4.23. Traffic and Transport		
Q4.23.1 Effects from Construction Vehicles on the Highway Network and Living Conditions		
Q4.23.1.1	Applicant National Highways	Driver Delay, Capacity and Assessment Methodology NH has raised queries [REP5-085, Q3.23.1.1] in relation to the driver delay, capacity and assessment methodology. Subsequently, the Applicant provided at technical note titled, 'Junction Modelling Clarifications' a) Applicant, please provide this document. b) NH, please provide your review of this document and explain in full if any highway safety concerns remain.
Q4.23.2 Traffic Management Proposals and Impacts on the Highway Network		
		No further questions in this section as this stage.
Q4.23.3 Cumulative Traffic Effects with Other Local Projects		
		No further questions in this section as this stage.
Q4.23.4 Effects on Recreational Routes, such as Public Rights of Way		
		No further questions in this section as this stage.
Q4.23.5 Suitability of Access Strategy		
Q4.23.5.1	Applicant	Accesses ACC25 and ACC25b Revision D of the OCTMP [REP5-027] does not appear to fully reflect the detailed mitigation set out by NCC [REP5-069, Q3.23.5.2] for accesses ACC25 and ACC25b. Please provide a revised OCTMP to address this matter.
Q4.23.5.2	National Highways	Amendments to Access Strategy NH, are you content with amendments to the access strategy to remove the requirement to provide a new access (ACC48) from the north of Church Lane and instead utilise the existing Food Enterprise Park access?

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Q4.23.5.3	Norfolk County Council	<p>Access to the North of the A47</p> <p>NH has recommended [REP3-138] the Applicant considers the implications to their construction programme of a 2-year period of no access to the north of the A47 or if access from Church Lane in the east is required to mitigate the risk. Are NCC content that Church Lane could be used in such an event?</p>
<p>Q4.23.6 Effectiveness of Proposed Mitigation Measures</p>		
Q4.23.6.1	Norfolk County Council	<p>Monitoring and Enforcing Maximum Vehicle Trips Across the Study Area</p> <p>The Applicant has set out [REP5-049, Q3.6.1.1] that mitigation measures to manage traffic movements are included within the OCTMP to ensure that the assessed construction traffic parameters are not exceeded. Is it realistic for NCC to monitor and enforce the maximum daily vehicle trips set out in Annex A of the OCTMP on all links across the entire study area?</p>
Q4.23.6.2	Applicant National Highways	<p>Protective Provisions</p> <p>See related question in Compulsory Acquisition and Temporary Possession.</p>
Q4.23.6.3	National Highways	<p>Mitigation for the Strategic Road Network</p> <p>Further to discussion at CAH2 [EV-104] [EV-106], confirm (for both scenarios where protective provisions are agreed and not agreed by the end of the examination) whether mitigation measures in the dDCO and OCTMP are sufficient (without the need for a co-operation agreement, which is not before the Examination) to ensure there would be no unacceptable highway safety or capacity impacts on the strategic road network.</p>

Q4.24. Water Quality and Resources		
Q4.24.1 Effects on Flood Risk and Drainage, including Adequacy of Sequential and Exception Tests		
Q4.24.1.1	Lead Local Flood Authority	<p>Onshore Substation Hydraulic Modelling – Sensitivity Testing</p> <p>The ExA understand [REP5-049, Q3.24.1.2] that further clarification on one element of the sensitivity testing, namely infiltration losses has been sought by the LLFA. The Applicant has provided an updated version of the Onshore Substation Hydraulic Modelling Report (Revision C) [REP5-045]. Confirm if this has addressed your outstanding concern in this regard?</p>
Q4.24.2 Effects on Water Resources and Water Quality, including Measures to Prevent Pollution of Aquifers		
		No further questions in this section as this stage.
Q4.24.3 Effects on Rivers, Streams, Canals and Ditches from Proposed Construction Methods and Crossing		
Q4.24.3.1	Applicant	<p>Crossing Schedule</p> <p>The NRIDB has [REP6-030] has identified an error in the Crossing Schedule [REP5-025]. Applicant, provide a revised schedule to correct this error.</p>
Q4.24.3.2	Applicant	<p>Statutory Undertakers Position Statement</p> <p>The NRIDB has [REP6-030] has requested some changes to the Applicant’s Statutory Undertakers Position Statement [REP5-037]. Applicant, are these acceptable to you and if so, provide a revised Statutory Undertakers Position Statement to accommodate them.</p> <p>See related question in Compulsory Acquisition and Temporary Possession.</p>
Q4.24.4 Effectiveness of Mitigation Measures		
Q4.24.4.1	Applicant Environment Agency Lead Local Flood Authority	<p>Protective Provisions</p> <p>Provide an update on discussions to finalise the protective provisions still under discussion [REP5-049, Q3.24.4.1]. If agreement will not be reached by the end of the examination, please set out in full your reasons for any disagreements.</p>

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	Norfolk Rivers Internal Drainage Board	See related question in Compulsory Acquisition and Temporary Possession.
Q4.24.4.2	Applicant	Outline Code of Construction Practice The NRIDB has requested [REP6-030] several changes to the OCoCP [REP5-029, Paragraphs 126, 127 and 135]. Applicant, are these acceptable to you and if so, provide a revised OCoCP to accommodate them.