



Orsted Hornsea Project Three (UK) Limited

**Non-Material Change Application
Consultation and Publicity Statement**



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Consultation and Publicity Statement

SECTION 153 OF THE PLANNING ACT 2008

CONSULTATION AND PUBLICITY STATEMENT UNDER REGULATION 7A OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011 (“THE 2011 REGULATIONS”)

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021 (SI 2021/599) AND AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM (AMENDMENT) ORDER 2023 (SI 2023/459) (“THE ORDER”)

1. Orsted Hornsea Project Three (UK) Limited (“**Orsted**”) (company number 08584210) of registered office 5 Howick Place, London, England, SW1P 1WG applied to the Secretary of State for Energy Security and Net Zero (the “**SoS**”) for consent to make a non-material change to the Order under Section 153 and paragraph 2 of Schedule 6 to the Planning Act 2008 (the “**PA 2008**”), on 4 January 2024 (the “**Application**”).
2. This document constitutes Orsted’s consultation and publicity statement pursuant to Regulation 7A of the 2011 Regulations.
3. A copy of the notice published under Regulation 6 of the 2011 Regulations (the “**Notice**”) is enclosed at Appendix A.
4. Orsted confirms that:
 - 4.1. As required under Regulation 6(1) of the 2011 Regulations, it published the Notice in each of the Eastern Daily Press, the Norwich Evening News, the North Norfolk News, Lloyd’s List and the Fishing News on the following dates:
 - 4 January 2024; and
 - 11 January 2024.
 - 4.2. Copies of extracts from each of the Eastern Daily Press, the Norwich Evening News, the North Norfolk News, Lloyd’s List and the Fishing News are enclosed at Appendix B.
5. Regulation 7(2) of the 2011 Regulations requires Orsted to notify and consult those persons specified in the 2011 Regulations, this being all those who were notified (in accordance with section 56 of the PA 2008) when the application for the Order was accepted by the SoS, as well as any other person who may be directly affected by the changes proposed in the Application. However, Regulation 7(3) of the 2011 Regulations also provides that Orsted need not consult a person or authority specified in the 2011 Regulations if they have the written consent of the SoS not to do so. Following the appropriate request from Orsted on 20 October 2023, the SoS confirmed on 29 November 2023 that the list of consultees for the Application could be narrowed to those listed in Appendix C (the “**Consultees**”).
6. Orsted sent the Notice to the Consultees by post and email on 4 January 2024. Appendix D provides the covering letters and the Notice as sent to the Consultees.
7. The deadline specified for representations to be submitted to the Planning Inspectorate was 11.59pm on 12 February 2024. Orsted notes that the copy of the Notice published for the first time in the above newspapers on 4 January 2024 gave a deadline of 9 February 2024 for representations. This deadline was corrected to 12 February 2024 in the copy of the Notice published for the second time in the above newspapers on 11 January 2024, in order to align with the time period given to



the Consultees and the SoS. In any event, all consultees had more than 28 days from date of receipt and/or final publication of the Notice to submit representations.

8. The Application documents have been made available to view on the Planning Inspectorate's website (<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=docs>). The Notice also invited recipients unable to access the website to request hard copies of the documents at the cost of £20 per copy.



Appendix A Copy of the published Regulation 6 Notice

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM
(AMENDMENT) ORDER 2023**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the **"Applicant"**) to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the **"Amended Order"**) under the Planning Act 2008 (the **"NMC Application"**).

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (**"Hornsea Three"**), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (**"HVAC"**) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures (**"ANS"**) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (**"Hornsea Three"**). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to remove the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse before Hornsea Three becomes operational (these three ANS have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of Hornsea Three.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate's website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS' website), you can request hard copies by contacting Orsted at HornseaProjectThree@orsted.com or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Appendix B Copies of the published Regulation 6 Notice in the various newspapers

Eastern Daily Press (4 January 2024)

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Seven
superb
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WHAT'S ON -
PAGES 18-21



Cash in...
£1,000
up for
grabs

Token on page 5



High and dry

Fears over crab fleet

ADAM BARKER

adam.barker@newsquest.co.uk

Cromer's crab fishermen are fearing for the future of their centuries-old industry after large areas of the seabed were closed off to them.

They claim they have been left high and dry by new measures banning them from parts of a reef where the town's famous crabs are caught.

Three areas of the Cromer Shoal Chalk Bed have been closed as part of a study to assess the damage caused by crab fishing, after Natural England raised concerns. But the move has angered fishermen, who say they have been left fearing the worst and that their impact is minimal.

"All of a sudden we're the bad guys and our industry is under threat," said John Davies, chairman of the North Norfolk Fishermen's Society.

Full story: Page 6



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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER:

THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021 (SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM (AMENDMENT) ORDER 2023

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the "Applicant") to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the "Amended Order") under the Planning Act 2008 (the "NMC Application").

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("Hornsea Three"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("HVAC") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures ("ANS") for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm ("Hornsea Three"). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to further shorten the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse (these have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of the authorised development.

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National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by 11.59pm on 9th February 2024.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

04 January 2024

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Eastern Daily Press (11 January 2024)

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Page 12

Wagner: 'We don't need more strikers'

Explore Norfolk's hidden gardens

WHAT'S ON: PAGES 18-21

Norwich link to Suffolk murder

Connection to notorious gang killing

The trial of two teenagers accused of murdering a 17-year-old in the centre of Ipswich has heard how the case is linked to a notorious gang murder in Norwich.

Alfie Hammett, 19, and Joshua Howell, 18, have been charged with the murder of Raymond James Quigley, from Wymondham, who was

JUDE HOLDEN

jude.holden@newsquest.co.uk

stabbed to death in the Suffolk town last January.

Yesterday, their trial was told of connections with the murder of Joe Dix, 18, who was stabbed to death on the streets of Norwich, exactly 12 months earlier.

The court heard that both Mr Dix and Hammett

were members of Norwich gang the Third Side, while Mr Quigley was a member of rival Norwich gang On The Money, members of which were convicted of Mr Dix's murder.

During a police search of Hammett's bedroom after he was arrested in connection with Mr Quigley's murder, officers found an order of service

for a memorial for Mr Dix.

There was also a picture of Hammett on a phone which showed him on Vale Green, the street in Mile Cross where Mr Dix was killed which has become a memorial site for him.

Hammett and Howell deny murder. The case continues.

Full story: Page 6

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OTHER

SOUTH NORFOLK COUNCIL

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015, NOTICE UNDER ARTICLE 13, PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

The following applications have been submitted to the Council:

2023/3856 STONE HOLY CROSS, Land At Norwich Main Substation, Mangreen Hall Lane – Underground point of connection cables (for battery storage development) located beneath non-operational land within the Norwich National Grid Main Substation. **Reason(s)**: Major development, **2023/3885 SHEL FANGER**, 1 The Old Chapel, Common Road – Replace current timber windows with new treated timber windows. The new windows will be made by joinery company and will be exactly the same as the existing windows. They will be painted and primed in the workshop. They will have slender fit glazing units, 4mm glass, 4mm gap 4mm glass, a total of 12mm. **Reason(s)**: Listed Building and/or curtilage.

2023/3630 PULHAM MARKET, Chapel Cottage, Ipswich Road – Extension to outbuilding and installation of solar panels to the main house. **Reason(s)**: Listed Building and/or curtilage.

2023/3823 PULHAM MARKET, Old Grange Farmhouse, Colegate End – Replacement garden room. **Reason(s)**: Listed Building and/or curtilage.

2024/0005 TIVETSHALLS, Green Pastures, The Street, Tivetshall St Mary – Erection of one self-build dwelling. **Reason(s)**: Does not accord with development plan.

2024/0006 TIVETSHALLS, Green Pastures, The Street, Tivetshall St Mary – Outline planning permission for two detached dwellings with garaging and new shared highways access with all matters reserved except for access and landscaping. **Reason(s)**: Does not accord with development plan.

2023/3828 ROYDON, Land East Of Birchwood, Snow Street – New four bedroom dwelling with associated driveway and double garage. **Reason(s)**: Does not accord with development plan. Listed Building and/or curtilage.

2023/3884 WYMONDHAM, 19 Fairland Street – Removal and replacement of existing pitched roofs including insertion of roof lights and raising of roof over rear wing. Removal and replacement of chimney, complete replacement of timber shop front and all windows with new. **Reason(s)**: Affects a Conservation Area. Listed Building and/or curtilage.

2023/3857 TACOLNESTON, Land West Of, The Fields – Development of 21 dwellings, garaging, open space, vehicular and pedestrian access, drainage and other associated works and infrastructure. **Reason(s)**: Major development. Applications can be viewed at The Horizon Centre Broadland Business Park, Peasmarsh Way Norwich NR7 0W or online at www.southnorfolkandbroadland.gov.uk. All comments must be received within 21 days of this Notice (excluding Bank Holidays) and can be sent to planning@southnorfolkandbroadland.gov.uk. Comments made will be open to public inspection and available to view on the Council's website. They will be forwarded to the Planning Inspectorate in the case of an Appeal. Please see our Privacy Notice on our website for further details.

Helen Mellors AD Planning

Dated: 11th January 2024

Taylor Wimpey

In March 2022, Taylor Wimpey submitted an outline planning application to develop the former airfield, North Rackheath.

Following feedback from the local community and key stakeholders in autumn 2023, further refinements to the masterplan have been made.

Have your say:

We will be holding two public exhibition events on the following dates and locations:

In Rackheath The Pavilion, Green Lane West, Rackheath, NR13 6LT

Monday 22nd January 2024, 2pm–8pm

In Salhouse Salhouse Jubilee Hall, 37 Lower Street, Salhouse, NR13 6RH

Friday 26th January 2024, 2pm–8pm

You can read more about our plans and have your say at www.taylorwimpey.co.uk/new-homes/norwich/land-north-of-rackheath

You can also email us at tw.northrackheath@taylorwimpey.com

OTHER

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

11 January 2024

PROBATE & Trustee

WENDY ELIZABETH BELLWARD (Deceased)

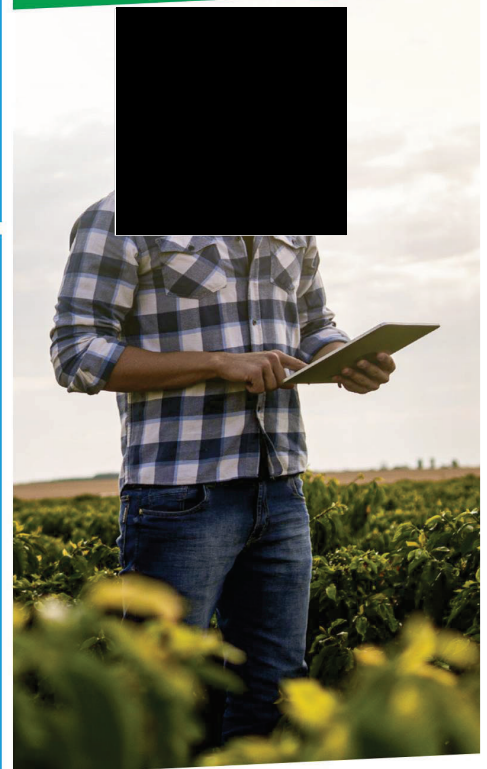
Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of 31 Broadwaters Road, Lowestoft, NR33 9HU, who died on 25/10/2023, are required to send written particulars thereof to the undersigned on or before 12/03/2024, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

Jack Ellwood, 37 Claydon Drive, Lowestoft NR32 3DZ

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Norwich Evening News (4 January 2024)

Norwich Evening News

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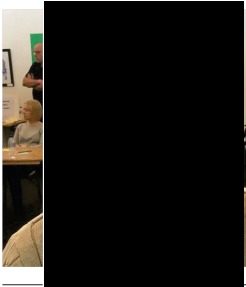
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Page 5

Fears were raised over crash road

Call for changes to dangerous crossing



The road where a woman was hit by a car on Christmas Eve had already been highlighted as dangerous, the *Evening News* can reveal.

The woman remains in Addenbrooke's Hospital with "serious injuries" following the incident in Holt Road.

Now it has emerged Norfolk County Council was made aware of fears about the safety of the road.

Councillor Tony Adams, left,

WILLIAM WARNES

william.warnes@newsquest.co.uk

said: "There have been a number of very close calls but – until Christmas Eve – no serious accidents.

"Nothing has been done. I think the county council should reconsider this."

A council spokesman confirmed discussions had taken place.

Full story: Page 4

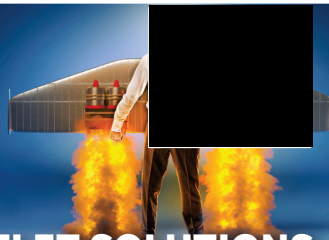
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	90/120	£1.83	£17.52	£41.80	£79.60
Beech	40/60	£1.11	£10.32	£24.80	£47.60
	60/90	£1.43	£13.52	£31.80	£59.60
	90/120	£2.07	£19.92	£47.80	£91.60
Privet	40/60	£1.19	£11.12	£25.50	£47.60
	60/90	£1.27	£11.92	£27.80	£51.60
	90/120	£2.23	£21.52	£51.80	£99.60
Cherry Laurel	40/60	£2.87	£26.32	£63.80	£123.60
	60/90	£3.75	£35.92	£87.80	£171.60
	90/120	£5.59	£51.92	£119.80	£278.60
Blackthorn	40/60	£0.87	£7.92	£18.80	£35.60
	60/90	£1.03	£9.52	£21.80	£39.60
	90/120	£1.99	£19.12	£45.80	£87.60

GENUS & SPECIES	SIZE	CODE
BEST SELLER! Mixed Native Hedging Bare root	40/60	500376
	60/90	500377
	90/120	500378

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER:

THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021 (SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM (AMENDMENT) ORDER 2023

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the "Applicant") to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the "Amended Order") under the Planning Act 2008 (the "NMC Application").

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("Hornsea Three"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("HVAC") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures ("ANS") for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm ("Hornsea Three"). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to further shorten the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse (these have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of the authorised development.

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Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/7ipcsection-docs>

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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by 11.59pm on 9th February 2024.

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04 January 2024

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Norwich Evening News (11 January 2024)

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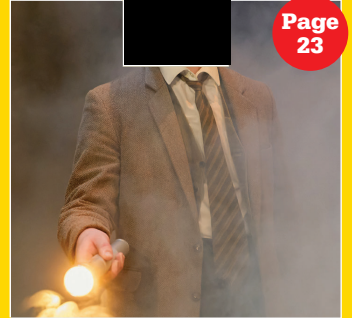
Great days
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Page
20



West End
hits set to
wow fans
in 2024

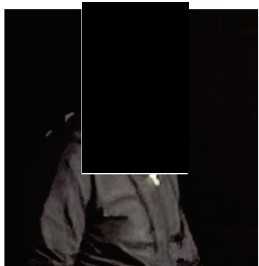
What's On



Page
23

Knife gang's rampage at house party

Teenager dodges long-stretch inside



Terrified partygoers were beaten with baseball bats and even stabbed when a masked gang raided a city home.

The 10-strong gang stormed the teenage party and nabbed phones, expensive trainers and a games console.

But yesterday one of the thugs escaped a lengthy spell inside when the judge said it would do Harry Winter, 18, more harm than good.

Instead Winter – left, who was

SIMON PARKIN

simon.parkin@newsquest.co.uk

recognised by one of the victims – was handed a rehabilitation order.

During the brutal ordeal, guests were hit over the head with bats and bottles while one was stabbed in the face with a 15in Rambo knife and a 15-year-old beaten, Norwich Crown Court heard.

Full story: Page 5

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North Norfolk News (4 January 2024)

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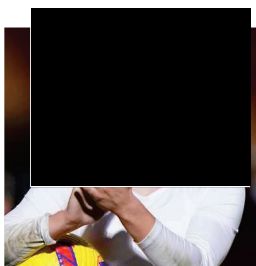
1993 disaster remembered

PAGE 4



Honours joy for inspiring set of heroes

Community and sporting stars praised



A firefighter, a football star and a charity founder from our region have been recognised in the King's New Year Honours list.

Stalham firefighter Geoff Lowe was awarded a British Empire Medal for services to the community. England Lioness Lauren Hemp, who grew up in

STAFF REPORTERS
newsdesk@newsquest.co.uk

North Walsham and is pictured, was made an MBE for services for football. Matt Willer, who lives near North Walsham, has been awarded the British Empire Medal for his services to young people.

Full story: Pages 10 & 11

PAGES 2 & 3



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	90/120	£2.29	£22.90	£52.25	£99.50
Beech	40/60	£1.39	£12.90	£31.00	£59.50
	60/90	£1.79	£16.90	£39.75	£74.50
	90/120	£2.59	£24.90	£59.75	£114.50
Privet	40/60	£1.49	£13.90	£32.25	£59.50
	60/90	£1.59	£14.90	£34.75	£64.50
	90/120	£2.79	£26.90	£64.75	£124.50
Cherry Laurel	40/60	£3.59	£32.90	£79.75	£154.50
	60/90	£4.69	£44.90	£109.75	£214.50
	90/120	£6.99	£64.90	£149.75	£274.50
Blackthorn	40/60	£1.09	£9.90	£23.50	£44.50
	60/90	£1.29	£11.90	£27.25	£49.50
	90/120	£2.49	£23.90	£57.25	£109.50

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OTHER

NORTH NORFOLK DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 – NOTICE UNDER ARTICLE 15 PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

I HEREBY GIVE NOTICE that North Norfolk District Council is dealing with the following applications:

ALBY WITH THWAITE PF/23/2665 Erection of single-storey dwelling to replace agricultural building that previously occupied the site; Abbey Farm, Alby Common, Alby, Norwich, Norfolk, NR11 7HG for Mr Adam Herculson; Reasons: **b)**

BLAKENEY PF/23/2642 Erection of two-storey front extension, raising of roof of single-storey side extensions, insertion of dormer windows on front and rear and external alterations; 29 The Pastures, Blakeney, Holt, Norfolk, NR25 7LJ for King; Reasons: **c) i)**

CROMER PF/23/2614 Installation of external flue associated with kitchen ventilation/extraction system; Shop 2, Marine View, Promenade, Cromer, Norfolk, NR27 9HE for Mr Chris Graveling; Reasons: **c)**

ERPINGHAM PF/23/2513 Erection of building for agricultural use (livestock building) with solar panels on south roof slope; formation of new farm tracks and hardstandings; Orchard Farm, Eagle Road, Erpingham, Norwich, Norfolk, NR11 7AD for Mr Ian Spinks; Reasons: **c)**

LEATHERINGSETT WITH GLANDORF LA/23/2629 Internal and external works associated with reconstruction of rear extensions at ground and first floor level and, erection of single-storey garden room; Glaven Farm, Thorneage Road, Leatheringsett, Holt, Norfolk, NR25 7JE for Mr James Hurrell; Reasons: **c) e)**

LEATHERINGSETT WITH GLANDORF PF/23/2628 Reconstruction/erection of single-storey rear extensions and external alterations; Glaven Farm, Thorneage Road, Leatheringsett, Holt, Norfolk, NR25 7JE for Mr James Hurrell; Reasons: **c) e)**

MUNDESELY PF/23/2635 Change of use from single dwellinghouse to a holiday let (retrospectively); Seaview Manor, Cromer Road, Mundesley, Norwich, Norfolk, NR11 8DU for Mr Charles Course; Reasons: **i)**

OVERSTRAND RV/23/2680 Single-storey side and rear extension without complying with condition 2 of planning permission PF/22/0047 to allow for reduction in width of approved rear extension; 39 Mundesley Road, Overstrand, Cromer, Norfolk, NR27 0NS for Mr Paul Phillips; Reasons: **c)**

RUNTON PF/23/2689 Partial demolition of existing roof structures, installation of replacement pitched roof to match existing, installation of replacement warm flat roof with 2 flat rooflights including parapet roof walling, installation of replacement windows, construction of oak framed porch, upgrade of external building materials and external landscaping; Sammys Bar and Grill, High Street, East Runton, Cromer, Norfolk, NR27 9NX for Stairs; Reasons: **c)**

The reasons for the advertisement are: **(a)** is a major development **(b)** is contrary to the provisions of the Development Plan **(c)** affects the character and appearance of a Conservation Area **(d)** affects the setting of a Conservation Area **(e)** affects a Listed Building **(f)** affects the setting of a Listed Building **(g)** affects a Right of Way **(h)** accompanied by an Environmental Statement **(i)** affects a public right of way **(j)** affect setting of Ancient Monument **(k)** in the Public Interest

The applications and plans may be inspected during normal office hours at the offices of the Council, Holt Road, Cromer, NR27 9EN. Any representations should be submitted in writing to the Council within 21 days of the date of this Notice. If the application is for household development and permission is refused, there will be no further opportunity to comment at the appeal stage if it is dealt with on the basis of representations in writing.

Mr Marilyn Fulcher,
Director for Planning and Climate Change
Dated 04-January-2024

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER:

THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021 (SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM (AMENDMENT) ORDER 2023

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The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("Hornsea Three"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherlands waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("HVAC") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

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<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipsection=dcs>

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Please note that representations must be received by the Planning Inspectorate by 11.59pm on 9th February 2024.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED
04 January 2024

PROBATE & Trustee

VALERIE COLLIN (Deceased)
Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of Appleford, Rectory Road, North Walsham, NR25 9TN, who died on 11/06/2021, are required to send written particulars thereof to the undersigned on or before 05/03/2024, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.
Richard Wood, Cohen Knights LLP,
St Georges Works, 51 Colegate, Norwich, Norfolk NR3 1DD (Ref:1110321 COLLIN)

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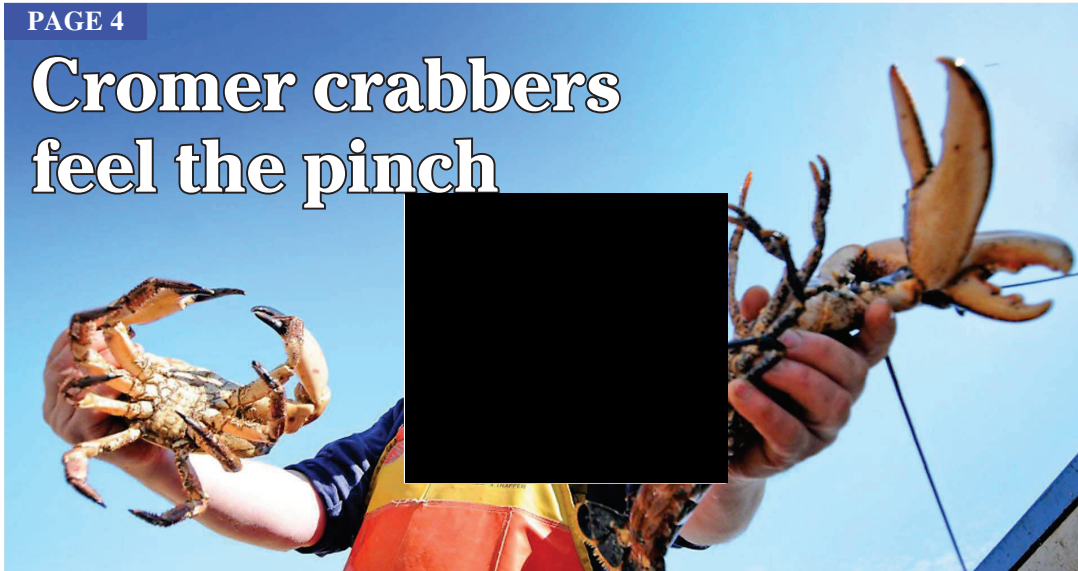
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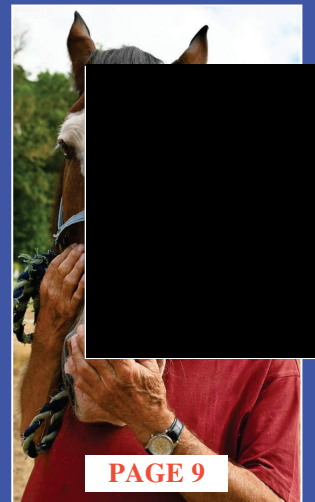
North Norfolk News (11 January 2024)

PAGE 4

Cromer crabbers feel the pinch



Horseman Derek dies aged 83



Parking loophole clampdown move



Fees set to rise in three district towns

Motorists parking in three north Norfolk towns are facing an increase in fees in a bid to end a loophole.

North Norfolk District Council wants to increase the cost of a seven-day ticket at 10 car parks across three towns.

The hike is to stop drivers

GEORGE THOMPSON
george.thompson@newsquest.co.uk

gaming the system and exploiting a flaw where the authority allows anyone with a weekly ticket to park at any of the council's car parks even those along the coast where the charge is higher.

Currently, the council

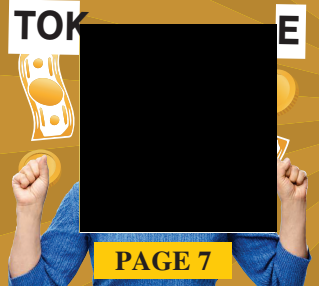
charges £24 for a week in North Walsham, Stalham and Fakenham but £34 in tourist areas, such as Cromer.

Now its cabinet has agreed to level the cost in all areas as part of a review of fees and charges.

Full story: Page 17

WIN £500

NEXT TWO



PAGE 7

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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by 11.59pm on 12th February 2024.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

11 January 2024

NORTH NORFOLK DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

NOTICE UNDER ARTICLE 15

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
I HEREBY GIVE NOTICE that North Norfolk District Council is dealing with the following applications:

ALDBOROUGH PF/23/2677 Window/door alterations and additions; Millstone, Mill Lane, Aldborough, Norwich, Norfolk, NR11 7NS for Ms Louise Catling; Reasons: **e) j)**

ALDBOROUGH PF/23/2724 Replace 4 no. Rooflight facing North with 2 no. Conservation Rooflights facing South; The Granary, Mill Lane, Aldborough, Norwich, Norfolk, NR11 7NS for Mr Wells; Reasons: **e)**

CROMER PF/23/2699 Change of use from B88 to residential dwelling; 17 Macdonald Road, Cromer, Norfolk, NR27 9AP for Mrs Jill Boyle; Reasons: **c)**

CROMER PF/23/2716 Conversion of existing five-storey building into 4 no. self-contained flats and 1 no. commercial unit on the ground floor, including external terrace area to the rear; 29A Church Street, Cromer, Norfolk, NR27 9ES for Hollie Timm; Reasons: **e) j)**

MELTON CONSTABLE PF/23/2743 Re-roofing of main house including repairs and breathable insulation; Repairs to masonry; Installation of solar panels; Conversion of outbuilding for habitable use; Burgh Parva Hall, Holt Road, Melton Constable, Norfolk, NR24 2PU for Mr and Mrs Heat; Reasons: **c) e)**

MELTON CONSTABLE LA/23/2744 Internal and external alterations including re-roofing of main house including repairs and breathable insulation; Repairs to masonry; Installation of solar panels; Conversion of outbuilding for habitable use; Burgh Parva Hall, Holt Road, Melton Constable, Norfolk, NR24 2PU for Mr and Mrs Heat; Reasons: **e)**

MORSTON PF/23/27140 Conversion and renovation of existing outbuilding containing garage and unused stables to garage and holiday accommodation (part retrospective); Hall Farm House, The Street, Morston, Holt, Norfolk, NR25 7AA for Mr & Mrs Johnston; Reasons: **c)**

OVERSTRAND PF/23/2711 Replacement windows; Harnes Cottage, 60A High Street, Overstrand, Cromer, Norfolk, NR27 0AB for Mr Jason Stone; Reasons: **c)**

OVERSTRAND PF/23/2694 Replacement conservatory; 21 Lutyens Drive, Overstrand, Cromer, Norfolk, NR27 0FL for Mr Garland; Reasons: **c)**

STALHAM PF/23/2679 Alterations to boundary treatment to incorporate wrought iron fencing and new pedestrian access gate and re-installation of gates of original pedestrian access; Stalham Baptist Church, 146 High Street, Stalham, Norwich, Norfolk, NR12 9AZ for Mr Stewart Marsh; Reasons: **c)**

WICKMERE PF/23/2682 Rebuild and conversion of buildings to create 3 holiday units of accommodation on outside of north walled garden, together with repair of historic gateway and restoration of 19th century glasshouses; Walled Garden Walls South East Of Wollerton Hall, Wollerton Park, Wall Road, Wollerton, Norfolk for Mr Richard Ellis; Reasons: **c) e) f)**

WICKMERE LA/23/2683 Internal and external works to support the rebuild and conversion of the buildings on the outside of north walled garden, together with repair of historic gateway and restoration of 19th century glasshouses; Walled Garden Walls South East Of Wollerton Hall, Wollerton Park, Wall Road, Wollerton, Norfolk for Mr Richard Ellis; Reasons: **c) e) f)**

The reasons for the advertisement are: (a) is a major development (b) is contrary to the provisions of the Development Plan (c) affects the character and appearance of a Conservation Area (d) affects the setting of a Conservation Area (e) affects a Listed Building (f) affects the setting of a Listed Building (g) affects a Right of Way (h) accompanied by an Environmental Statement (i) affects a public right of way (j) effect setting of Ancient Monument (k) in the Public Interest. The applications and plans may be inspected during normal office hours at the offices of the Council, Holt Road, Cromer, NR27 9EN. Any representations should be submitted in writing to the Council within 21 days of the date of this Notice. If the application is for household development and permission is refused, there will be no further opportunity to comment at the appeal stage if it is dealt with on the basis of representations in writing.

Mr Marilyn Fulcher,
Director for Place and Climate Change

Dated 11 January 2024

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Lloyd's List (4 January 2024)

LEAD STORY:

Dark fleet operator Radiating World Shipping Services moves to evade UK sanctions

WHAT TO WATCH:

Reports of Houthi missiles fired on Malta-flagged boxship

Alternative fuel vessels made up nearly half of 2023 orderbook

MARKETS:

Latitude founders launch new London marine MGA

Marinakis trims stake in Capital Product ahead of rebranding

Louis Dreyfus Armateurs orders three ro-ros from China's Wuchang Shipbuilding to replace Airbus' fleet

IN OTHER NEWS:

Nine seafarers kidnapped in Gulf of Guinea

BIMCO promotes Ivo to number two slot

EU ETS kicks in as prices rebound

Avance Gas completes fleet renewal with \$66m sale of 2008-built VLGC

Dark fleet operator Radiating World Shipping Services moves to evade UK sanctions



ONE OF THE world's largest dark fleet* tanker operators and shipmanagers, Radiating World Shipping Services LLC, is moving more tankers to a newly formed company to avoid UK sanctions.

The Dubai-based company, along with another related company that was also sanctioned, Star Voyages Shipping Services, quickly amassed a fleet of around 26 elderly tankers over 2022 and 2023 to ship Russian oil.

Radiating World is now showing as having just four tankers remaining under commercial management. Star Voyages Shipping Services has only one of six tankers left, *Ocean Faye* (IMO: 9321689), shipping databases show.

Eleven days after the UK government sanctioned Radiating World Shipping Services on December 6, the company shifted commercial and shipmanagement of four tankers to One Moon Marine Services LLC.

These tankers were *Sea Fidelity* (IMO: 9285835), *Swiftsea Rider* (IMO: 9318539), *Ocean Amz* (IMO: 9394935) and *Fast Kathy* (IMO: 9408205).

Other vessels were shifted to Alqutb Ashamali Marine Services and Breath Shipping Services during November, weeks before sanctions were implemented.

In all cases the single-ship company of registered ownership did not change and tankers remain flagged with the Cook Islands. This suggests that beneficial ownership remains the same.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4th January 2024



Lloyd's List (11 January 2024)

LEAD STORY:

Owners can now refuse Red Sea orders, barristers believe

WHAT TO WATCH:

US and UK shoot down 18 Houthi drones, missiles in biggest-yet Red Sea attack

Red Sea attacks prompt 2m teu drop in Suez boxship traffic

Vehicle carrier operators divided over Suez route as more ships divert via South Africa

MARKETS:

Chinese EV giant BYD begins operating chartered car carrier

Russia oil exports uninterrupted by escalation in Houthi attacks

Marinakis and Fredriksen clinch VLCC slots at Dalian

Nakilat inks orders for six gas carriers at Hyundai Samho

Antwerp-Bruges throughput falls on economics and geopolitics pressures

IN OTHER NEWS:

Boxship fleet set to hit 30m teu this year

India plans P&I insurer

Cosco Shipping Holdings forecasts 78% profit drop for 2023 amid challenging market

Singapore to participate in Operation Prosperity Guardian

Correction: Red Sea EU ETS cost increases

Owners can now refuse Red Sea orders, barristers believe



THE THREAT TO shipping in the Red Sea has now reached a pitch at which many owners can likely refuse orders under standard BIMCO charterparty clauses, according to maritime law experts.

The development comes as attacks on shipping in the key waterway — essential for vessels using the Suez Canal either way — have escalated dramatically in recent days, with US and UK naval forces deployed under Operation Prosperity Guardian shooting down 18 Houthi drones on Tuesday night.

The issue remains a judgement call, with several leading law firms declining to comment on the record, as they wish to retain freedom to take cases either way.

Most lawyers believe that the situation is obviously at a point where owners have a credible case if they consider it too risky to make the trip.

But this is not cut and dry, they stressed, and sources indicated that disagreements between owners and charterers are already happening.

Some owners have instructed shipping specialist KCs to prepare legal opinions that they have the right to reroute, Lloyd's List understands.

Parts of the Red Sea have long been classified as war risk areas by the Joint War Committee of the Lloyd's and London companies markets, thereby attracting additional premiums, and the waters so designated were extended last month.

In charterparty terms, standard war risk clauses such as the Conwartime clauses seen in many dry bulk contracts or the Voywar

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

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Fishing News (4 January 2024)

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LAST WEEK FOR SCOTS QUOTA RESPONSES SEE PAGE 3

Two new cats join UK fleet

THE FINAL WEEKS OF 2023 saw the delivery of two catamarans from the Gerry Smyth yard in Killybeg to the opposite ends of the UK.

Welcomed into Newlyn by a 'totally unexpected' surprise party comprising friends, family and bottles of champagne, the Inter-Nos PZ 46, built for Cornish fisherman Will Treener, arrived on the Wednesday before Christmas, after a 30-hour steam. "The boat is a beast," he told FN. "We were pushing through a force six to seven for a while, and it didn't stop us having our first Christmas dinner!"

Lit up and suitably decorated with flags, the new arrival was christened with champagne before the guests were treated to a tour of the boat, which is expected to start ring-netting in the first week in January.

Meanwhile, in Orkney, Galathea K 112, for Paul and Adam Tulloch, was starting work (see page 3).

A full report on the two new vessels will be featured in a future edition of FN.



▲ Inter-Nos is welcomed home to Newlyn. (Photo: Laurence Hartwell)



▲ Galathea, the other Smyth cat to be delivered in the past few weeks, arriving home to Pierowall in Orkney.

Brighton trip for minister

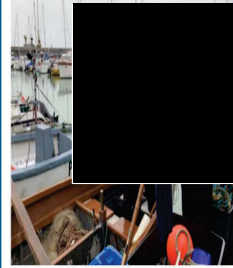
Deputy fisheries minister Mark Spencer made a visit to the inshore fleet in Brighton shortly before Christmas, 'to listen and to learn', as he put it to one of the fishermen he spoke to.

Attending with staff from both Defra and the MMO, he discussed a range of issues for inshore fishermen, ranging from continued concerns about the MLS and the MCA's under-15m safety code to issues with IPCA byelaws and the

effective closure of a targeted pollack fishery in 2024.

The minister said: "I'm delighted to be in Brighton to hear about the challenges and opportunities in inshore fisheries."

Full story on page 4



▲ Fisheries minister Mark Spencer speaking to Nigel Sayers, skipper of the Result SM 09 and a local champion of fishing gear recycling - another of the subjects that the minister discussed during his visit.

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Fishing News (11 January 2024)

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CLIMBDOWN ON VISA SALARY THRESHOLD

SEE
PAGE 2

Stormy start to new year



▲ Arella braved Shetland gales to land good trips either side of the New Year. (Photo: Ivan Reid)

FISH AUCTIONS restarted last Wednesday, 3 January, with a good showing of quality fish from those vessel owners and crews wanting to take advantage of early demand and willing to trade kilogram at home in the warmth for a good start to the year.

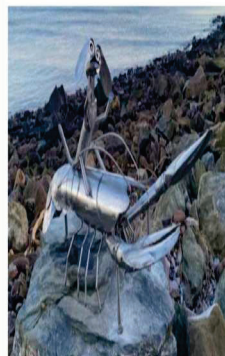
However, gales – and

winter snow in the north of Scotland – did get in the way of plans by some skippers to gain a really solid start to 2024. The few vessels that ventured out in the North East shortly after Christmas were forced to alternate between fishing and dodging through the worst of the storms, as a series of low-

pressure systems swept around the British Isles over the New Year week.

The Shetland vessel Arella LK 171 endured even wilder weather earlier that week, putting 320 boxes of prime into Culivoe on 30 December, and then another 350 boxes into Lerwick itself on 3 January.

Sculpture in nod to seafood saga



▲ Jim Malcolm's lobster sculpture on the shore at Stonehaven. (Photo: Seafood Botany)

A sculpture that pays a cheeky homage to a controversial seafood saga has been unveiled in Stonehaven.

Local sculptor and fisherman Jim Malcolm took inspiration for his lobster artwork from the unlikely source of a council meeting, which quickly became

the talk of the town.

Continues on page 5





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11 January 2024 FISHING NEWS | 1

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Please note that representations must be received by the Planning Inspectorate by 11.59pm on 12th February 2024.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED





Appendix C Consultee List

List of Consultees

Name of Consultee	Classification under Section 56 of the Planning Act 2008
Joint Nature Conservation Committee	s.42(1)(a) and s.56(2)(a)
Natural England	s.42(1)(a) and s.56(2)(a)
The Crown Estate	s.42(1)(a) and s.56(2)(a)
Marine Management Organisation	s.42(1)(aa) and s.56(2)(a)
Royal Society for the Protection of Birds	N/A (non-prescribed consultee)
Norfolk Wildlife Trust	s.42(1)(d)
Wildlife Trusts	N/A (non-prescribed consultee)
Norfolk Farming and Wildlife Advisory Group	N/A (non-prescribed consultee)



Appendix D Covering Letters and Regulation 6 Notice issued to Consultees



BY RECORDED DELIVERY AND EMAIL

Joint Nature Conservation Committee
Quay House
2 East Station Road, Fletton Quays, Peterborough
PE2 8YY

4 January 2024

Dear Lise, Julie, Danni

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Energy Security and Net Zero for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Original Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Original Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherlands waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Original Order required Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Original Order required four structures to be in place four full breeding seasons before Hornsea Three becomes operational.

On 12 January 2023, Orsted made an application for a non-material change ("**NMC1**") to the Original Order, the focus of which was to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid.

Pinsent Masons LLP

30 Crown Place London EC2A 4ES United Kingdom

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Pinsent Masons LLP is a limited liability partnership, registered in England and Wales (registered number: OC333653) authorised and regulated by the Solicitors Regulation Authority and the appropriate jurisdictions in which it operates. Reference to "Pinsent Masons" is to Pinsent Masons LLP and/or one or more of the affiliated entities that practise under the name "Pinsent Masons" as the context requires. The word "partner", used in relation to the LLP, refers to a member or an employee or consultant of the LLP or any affiliated firm, with equivalent standing. A list of members of Pinsent Masons, those non-members who are designated as partners, and non-member partners in affiliated entities, is available for inspection at our offices or at www.pinsentmasons.com. For a full list of the jurisdictions where we operate, see www.pinsentmasons.com

On 17 April 2023, the Secretary of State made the Hornsea Three Offshore Wind Farm (Amendment) Order 2023 (S.I. 2023 No. 459) (the “**Amended Order**”), granting NMC1 and reducing the time period the ANS need to be in place before operation of Hornsea Three.

Since the making of the Amended Order, three of the four required ANS have been constructed. Construction of the fourth ANS has not yet commenced.

Orsted proposes a second non-material change to the Amended Order, which seeks to remove the length of time the fourth ANS needs to be in place before operation. This non-material change is required to allow time for necessary rights for the construction of the fourth ANS to be obtained without impacting the programme for the operation of Hornsea Three and to meet the urgent need for decarbonisation and security of supply (“**NMC2**”). Three of the four ANS have already been implemented, and the drafting has been updated to reflect this, to allow for three breeding seasons for three of the structures.

Preliminary discussions on NMC2 have taken place between Orsted and Natural England (“**NE**”), with NE expressing in principle support for NMC2 at the Offshore Ornithological Engagement Group (“**OOEG**”) Steering Group meeting held on 10 October 2023, with the Royal Society for the Protection of Birds (“**RSPB**”) seeking clarity on the drafting which Orsted has sought to reflect in the wording at paragraph 3.1 of Appendix 1 to this letter. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Amended Order, so that construction and implementation of the Amended Order is in accordance with its conditions. No other changes are proposed to the Amended Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the final ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation, with three of the four required ANS already having been constructed.

The Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the final ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

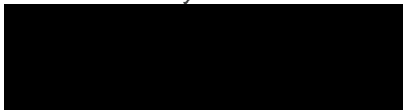
You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 29 November 2023, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP

On behalf of

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

5 Howick Place

London

England

SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 29 November 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM
(AMENDMENT) ORDER 2023**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the **"Applicant"**) to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the **"Amended Order"**) under the Planning Act 2008 (the **"NMC Application"**).

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (**"Hornsea Three"**), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (**"HVAC"**) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures (**"ANS"**) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (**"Hornsea Three"**). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to remove the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse before Hornsea Three becomes operational (these three ANS have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of Hornsea Three.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate's website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS' website), you can request hard copies by contacting Orsted at HornseaProjectThree@orsted.com or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

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National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

**THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").**

**PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the
Application")**

**REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED
TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION**

1. Thank you for your letter of 20 October 2023 on behalf of Orsted Hornsea Project Three (UK) Limited ("the Applicant"), which sets out proposals for changes to the Order. The letter requests the Secretary of State's consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.
2. Paragraph 2.5 of the 20 October 2023 letter states that the changes that will comprise the Application are as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The list of consultees proposed by the Applicant is:
 - 1) the Marine Management Organisation;
 - 2) Natural England;
 - 3) the Royal Society for the Protection of Birds;
 - 4) the Crown Estate;
 - 5) the Joint Nature Conservation Committee;
 - 6) the Norfolk Wildlife Trust;
 - 7) The Wildlife Trusts; and,
 - 8) the Norfolk Farming and Wildlife Advisory Group.
4. Paragraph 3.2 of the 20 October 2023 letter states that *“taking a proportionate approach, only the same consultees as were consulted on NMC1 should be consulted on the NMC2 application given the nature of the change is substantially the same, and in light of the Secretary of State’s agreement to those proposed consultees for NMC1 in his letter of 21 December 2022. The Applicant will also publicise the application in accordance with Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) 2011.”*
5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero



BY RECORDED DELIVERY AND EMAIL

Natural England
County Hall
Spetchley Road
Worcester
WR5 2NP

4 January 2024

Dear Emma, Martin, Emma, Richard

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

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Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 29 November 2023, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

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As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP

On behalf of

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

5 Howick Place

London

England

SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").

PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the Application")

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

1. Thank you for your letter of 20 October 2023 on behalf of Orsted Hornsea Project Three (UK) Limited ("the Applicant"), which sets out proposals for changes to the Order. The letter requests the Secretary of State's consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.
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Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The list of consultees proposed by the Applicant is:
 - 1) the Marine Management Organisation;
 - 2) Natural England;
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5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero



BY RECORDED DELIVERY AND EMAIL

The Crown Estate
1 St James' Market
London
SW17 4AH

4 January 2024

Dear Louise, Sion

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Energy Security and Net Zero for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Original Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Original Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherlands waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Original Order required Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Original Order required four structures to be in place four full breeding seasons before Hornsea Three becomes operational.

On 12 January 2023, Orsted made an application for a non-material change ("**NMC1**") to the Original Order, the focus of which was to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid.

Pinsent Masons LLP

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On 17 April 2023, the Secretary of State made the Hornsea Three Offshore Wind Farm (Amendment) Order 2023 (S.I. 2023 No. 459) (the “**Amended Order**”), granting NMC1 and reducing the time period the ANS need to be in place before operation of Hornsea Three.

Since the making of the Amended Order, three of the four required ANS have been constructed. Construction of the fourth ANS has not yet commenced.

Orsted proposes a second non-material change to the Amended Order, which seeks to remove the length of time the fourth ANS needs to be in place before operation. This non-material change is required to allow time for necessary rights for the construction of the fourth ANS to be obtained without impacting the programme for the operation of Hornsea Three and to meet the urgent need for decarbonisation and security of supply (“**NMC2**”). Three of the four ANS have already been implemented, and the drafting has been updated to reflect this, to allow for three breeding seasons for three of the structures.

Preliminary discussions on NMC2 have taken place between Orsted and Natural England (“**NE**”), with NE expressing in principle support for NMC2 at the Offshore Ornithological Engagement Group (“**OOEG**”) Steering Group meeting held on 10 October 2023, with the Royal Society for the Protection of Birds (“**RSPB**”) seeking clarity on the drafting which Orsted has sought to reflect in the wording at paragraph 3.1 of Appendix 1 to this letter. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Amended Order, so that construction and implementation of the Amended Order is in accordance with its conditions. No other changes are proposed to the Amended Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the final ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation, with three of the four required ANS already having been constructed.

The Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the final ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 29 November 2023, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP

On behalf of

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

5 Howick Place

London

England

SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 29 November 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM
(AMENDMENT) ORDER 2023**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the **"Applicant"**) to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the **"Amended Order"**) under the Planning Act 2008 (the **"NMC Application"**).

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (**"Hornsea Three"**), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (**"HVAC"**) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures (**"ANS"**) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (**"Hornsea Three"**). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to remove the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse before Hornsea Three becomes operational (these three ANS have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of Hornsea Three.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate's website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS' website), you can request hard copies by contacting Orsted at HornseaProjectThree@orsted.com or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").

PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the Application")

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

1. Thank you for your letter of 20 October 2023 on behalf of Orsted Hornsea Project Three (UK) Limited ("the Applicant"), which sets out proposals for changes to the Order. The letter requests the Secretary of State's consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.
2. Paragraph 2.5 of the 20 October 2023 letter states that the changes that will comprise the Application are as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

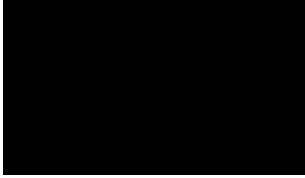
"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The list of consultees proposed by the Applicant is:
 - 1) the Marine Management Organisation;
 - 2) Natural England;
 - 3) the Royal Society for the Protection of Birds;
 - 4) the Crown Estate;
 - 5) the Joint Nature Conservation Committee;
 - 6) the Norfolk Wildlife Trust;
 - 7) The Wildlife Trusts; and,
 - 8) the Norfolk Farming and Wildlife Advisory Group.
4. Paragraph 3.2 of the 20 October 2023 letter states that *“taking a proportionate approach, only the same consultees as were consulted on NMC1 should be consulted on the NMC2 application given the nature of the change is substantially the same, and in light of the Secretary of State’s agreement to those proposed consultees for NMC1 in his letter of 21 December 2022. The Applicant will also publicise the application in accordance with Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) 2011.”*
5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero



BY RECORDED DELIVERY AND EMAIL

Marine Management Organisation
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

4 January 2024

Dear Adam, Pip

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Energy Security and Net Zero for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Original Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Original Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Original Order required Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Original Order required four structures to be in place four full breeding seasons before Hornsea Three becomes operational.

On 12 January 2023, Orsted made an application for a non-material change ("**NMC1**") to the Original Order, the focus of which was to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid.

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Orsted proposes a second non-material change to the Amended Order, which seeks to remove the length of time the fourth ANS needs to be in place before operation. This non-material change is required to allow time for necessary rights for the construction of the fourth ANS to be obtained without impacting the programme for the operation of Hornsea Three and to meet the urgent need for decarbonisation and security of supply ("**NMC2**"). Three of the four ANS have already been implemented, and the drafting has been updated to reflect this, to allow for three breeding seasons for three of the structures.

Preliminary discussions on NMC2 have taken place between Orsted and Natural England ("**NE**"), with NE expressing in principle support for NMC2 at the Offshore Ornithological Engagement Group ("**OOEG**") Steering Group meeting held on 10 October 2023, with the Royal Society for the Protection of Birds ("**RSPB**") seeking clarity on the drafting which Orsted has sought to reflect in the wording at paragraph 3.1 of Appendix 1 to this letter. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Amended Order, so that construction and implementation of the Amended Order is in accordance with its conditions. No other changes are proposed to the Amended Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the final ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation, with three of the four required ANS already having been constructed.

The Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the final ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the "**2011 Regulations**").

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National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP

On behalf of

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

5 Howick Place

London

England

SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 29 November 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").

PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the Application")

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

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2. Paragraph 2.5 of the 20 October 2023 letter states that the changes that will comprise the Application are as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

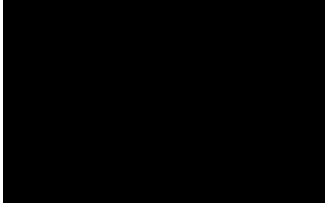
"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

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 - 4) the Crown Estate;
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 - 6) the Norfolk Wildlife Trust;
 - 7) The Wildlife Trusts; and,
 - 8) the Norfolk Farming and Wildlife Advisory Group.
4. Paragraph 3.2 of the 20 October 2023 letter states that *“taking a proportionate approach, only the same consultees as were consulted on NMC1 should be consulted on the NMC2 application given the nature of the change is substantially the same, and in light of the Secretary of State’s agreement to those proposed consultees for NMC1 in his letter of 21 December 2022. The Applicant will also publicise the application in accordance with Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) 2011.”*
5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero



BY RECORDED DELIVERY AND EMAIL

Royal Society for the Protection of Birds
The Lodge
Potton Road
Sandy
SG19 2DL

4 January 2024

Dear Aly, Andrew

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Energy Security and Net Zero for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Original Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Original Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherlands waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Original Order required Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Original Order required four structures to be in place four full breeding seasons before Hornsea Three becomes operational.

On 12 January 2023, Orsted made an application for a non-material change ("**NMC1**") to the Original Order, the focus of which was to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid.

Pinsent Masons LLP

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Pinsent Masons LLP is a limited liability partnership, registered in England and Wales (registered number: OC333653) authorised and regulated by the Solicitors Regulation Authority and the appropriate jurisdictions in which it operates. Reference to "Pinsent Masons" is to Pinsent Masons LLP and/or one or more of the affiliated entities that practise under the name "Pinsent Masons" as the context requires. The word "partner", used in relation to the LLP, refers to a member or an employee or consultant of the LLP or any affiliated firm, with equivalent standing. A list of members of Pinsent Masons, those non-members who are designated as partners, and non-member partners in affiliated entities, is available for inspection at our offices or at www.pinsentmasons.com. For a full list of the jurisdictions where we operate, see www.pinsentmasons.com

On 17 April 2023, the Secretary of State made the Hornsea Three Offshore Wind Farm (Amendment) Order 2023 (S.I. 2023 No. 459) (the “**Amended Order**”), granting NMC1 and reducing the time period the ANS need to be in place before operation of Hornsea Three.

Since the making of the Amended Order, three of the four required ANS have been constructed. Construction of the fourth ANS has not yet commenced.

Orsted proposes a second non-material change to the Amended Order, which seeks to remove the length of time the fourth ANS needs to be in place before operation. This non-material change is required to allow time for necessary rights for the construction of the fourth ANS to be obtained without impacting the programme for the operation of Hornsea Three and to meet the urgent need for decarbonisation and security of supply (“**NMC2**”). Three of the four ANS have already been implemented, and the drafting has been updated to reflect this, to allow for three breeding seasons for three of the structures.

Preliminary discussions on NMC2 have taken place between Orsted and Natural England (“**NE**”), with NE expressing in principle support for NMC2 at the Offshore Ornithological Engagement Group (“**OOEG**”) Steering Group meeting held on 10 October 2023, with the Royal Society for the Protection of Birds (“**RSPB**”) seeking clarity on the drafting which Orsted has sought to reflect in the wording at paragraph 3.1 of Appendix 1 to this letter. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Amended Order, so that construction and implementation of the Amended Order is in accordance with its conditions. No other changes are proposed to the Amended Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the final ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation, with three of the four required ANS already having been constructed.

The Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the final ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 29 November 2023, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 29 November 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM
(AMENDMENT) ORDER 2023**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the **"Applicant"**) to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the **"Amended Order"**) under the Planning Act 2008 (the **"NMC Application"**).

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (**"Hornsea Three"**), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (**"HVAC"**) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures (**"ANS"**) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (**"Hornsea Three"**). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to remove the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse before Hornsea Three becomes operational (these three ANS have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of Hornsea Three.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate's website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS' website), you can request hard copies by contacting Orsted at HornseaProjectThree@orsted.com or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").

PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the Application")

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

1. Thank you for your letter of 20 October 2023 on behalf of Orsted Hornsea Project Three (UK) Limited ("the Applicant"), which sets out proposals for changes to the Order. The letter requests the Secretary of State's consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.
2. Paragraph 2.5 of the 20 October 2023 letter states that the changes that will comprise the Application are as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The list of consultees proposed by the Applicant is:
 - 1) the Marine Management Organisation;
 - 2) Natural England;
 - 3) the Royal Society for the Protection of Birds;
 - 4) the Crown Estate;
 - 5) the Joint Nature Conservation Committee;
 - 6) the Norfolk Wildlife Trust;
 - 7) The Wildlife Trusts; and,
 - 8) the Norfolk Farming and Wildlife Advisory Group.
4. Paragraph 3.2 of the 20 October 2023 letter states that *“taking a proportionate approach, only the same consultees as were consulted on NMC1 should be consulted on the NMC2 application given the nature of the change is substantially the same, and in light of the Secretary of State’s agreement to those proposed consultees for NMC1 in his letter of 21 December 2022. The Applicant will also publicise the application in accordance with Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) 2011.”*
5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero



BY RECORDED DELIVERY AND EMAIL

Norfolk Wildlife Trust
Bewick House
22 Thorpe Road
Norwich
NR1 1RY

4 January 2024

Dear Mike

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Energy Security and Net Zero for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Original Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Original Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Original Order required Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Original Order required four structures to be in place four full breeding seasons before Hornsea Three becomes operational.

On 12 January 2023, Orsted made an application for a non-material change ("**NMC1**") to the Original Order, the focus of which was to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid.

Pinsent Masons LLP

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Orsted proposes a second non-material change to the Amended Order, which seeks to remove the length of time the fourth ANS needs to be in place before operation. This non-material change is required to allow time for necessary rights for the construction of the fourth ANS to be obtained without impacting the programme for the operation of Hornsea Three and to meet the urgent need for decarbonisation and security of supply (“**NMC2**”). Three of the four ANS have already been implemented, and the drafting has been updated to reflect this, to allow for three breeding seasons for three of the structures.

Preliminary discussions on NMC2 have taken place between Orsted and Natural England (“**NE**”), with NE expressing in principle support for NMC2 at the Offshore Ornithological Engagement Group (“**OOEG**”) Steering Group meeting held on 10 October 2023, with the Royal Society for the Protection of Birds (“**RSPB**”) seeking clarity on the drafting which Orsted has sought to reflect in the wording at paragraph 3.1 of Appendix 1 to this letter. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Amended Order, so that construction and implementation of the Amended Order is in accordance with its conditions. No other changes are proposed to the Amended Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the final ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation, with three of the four required ANS already having been constructed.

The Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the final ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 29 November 2023, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP

On behalf of

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

5 Howick Place

London

England

SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 29 November 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM
(AMENDMENT) ORDER 2023**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the **"Applicant"**) to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the **"Amended Order"**) under the Planning Act 2008 (the **"NMC Application"**).

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (**"Hornsea Three"**), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (**"HVAC"**) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures (**"ANS"**) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (**"Hornsea Three"**). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to remove the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse before Hornsea Three becomes operational (these three ANS have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of Hornsea Three.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate's website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three offshore-wind-farm/?ipcsection=docs>

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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

**THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").**

**PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the
Application")**

**REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED
TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION**

1. Thank you for your letter of 20 October 2023 on behalf of Orsted Hornsea Project Three (UK) Limited ("the Applicant"), which sets out proposals for changes to the Order. The letter requests the Secretary of State's consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.
2. Paragraph 2.5 of the 20 October 2023 letter states that the changes that will comprise the Application are as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

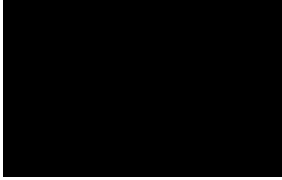
"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The list of consultees proposed by the Applicant is:
 - 1) the Marine Management Organisation;
 - 2) Natural England;
 - 3) the Royal Society for the Protection of Birds;
 - 4) the Crown Estate;
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 - 6) the Norfolk Wildlife Trust;
 - 7) The Wildlife Trusts; and,
 - 8) the Norfolk Farming and Wildlife Advisory Group.
4. Paragraph 3.2 of the 20 October 2023 letter states that *“taking a proportionate approach, only the same consultees as were consulted on NMC1 should be consulted on the NMC2 application given the nature of the change is substantially the same, and in light of the Secretary of State’s agreement to those proposed consultees for NMC1 in his letter of 21 December 2022. The Applicant will also publicise the application in accordance with Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) 2011.”*
5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero



BY RECORDED DELIVERY AND EMAIL

The Wildlife Trusts
The Kiln
Mather Road
Newark
NG24 1WT

4 January 2024

Dear Tania, Christina

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Energy Security and Net Zero for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Original Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Original Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherlands waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Original Order required Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Original Order required four structures to be in place four full breeding seasons before Hornsea Three becomes operational.

On 12 January 2023, Orsted made an application for a non-material change ("**NMC1**") to the Original Order, the focus of which was to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid.

Pinsent Masons LLP

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Pinsent Masons LLP is a limited liability partnership, registered in England and Wales (registered number: OC333653) authorised and regulated by the Solicitors Regulation Authority and the appropriate jurisdictions in which it operates. Reference to "Pinsent Masons" is to Pinsent Masons LLP and/or one or more of the affiliated entities that practise under the name "Pinsent Masons" as the context requires. The word "partner", used in relation to the LLP, refers to a member or an employee or consultant of the LLP or any affiliated firm, with equivalent standing. A list of members of Pinsent Masons, those non-members who are designated as partners, and non-member partners in affiliated entities, is available for inspection at our offices or at www.pinsentmasons.com. For a full list of the jurisdictions where we operate, see www.pinsentmasons.com

On 17 April 2023, the Secretary of State made the Hornsea Three Offshore Wind Farm (Amendment) Order 2023 (S.I. 2023 No. 459) (the “**Amended Order**”), granting NMC1 and reducing the time period the ANS need to be in place before operation of Hornsea Three.

Since the making of the Amended Order, three of the four required ANS have been constructed. Construction of the fourth ANS has not yet commenced.

Orsted proposes a second non-material change to the Amended Order, which seeks to remove the length of time the fourth ANS needs to be in place before operation. This non-material change is required to allow time for necessary rights for the construction of the fourth ANS to be obtained without impacting the programme for the operation of Hornsea Three and to meet the urgent need for decarbonisation and security of supply (“**NMC2**”). Three of the four ANS have already been implemented, and the drafting has been updated to reflect this, to allow for three breeding seasons for three of the structures.

Preliminary discussions on NMC2 have taken place between Orsted and Natural England (“**NE**”), with NE expressing in principle support for NMC2 at the Offshore Ornithological Engagement Group (“**OoEG**”) Steering Group meeting held on 10 October 2023, with the Royal Society for the Protection of Birds (“**RSPB**”) seeking clarity on the drafting which Orsted has sought to reflect in the wording at paragraph 3.1 of Appendix 1 to this letter. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Amended Order, so that construction and implementation of the Amended Order is in accordance with its conditions. No other changes are proposed to the Amended Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the final ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation, with three of the four required ANS already having been constructed.

The Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the final ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

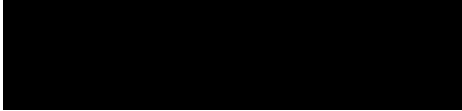
You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 29 November 2023, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 29 November 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM
(AMENDMENT) ORDER 2023**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the **"Applicant"**) to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the **"Amended Order"**) under the Planning Act 2008 (the **"NMC Application"**).

The Amended Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (**"Hornsea Three"**), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (**"HVAC"**) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Amended Order requires the Applicant to construct four artificial nesting structures (**"ANS"**) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (**"Hornsea Three"**). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to remove the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse before Hornsea Three becomes operational (these three ANS have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of Hornsea Three.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate's website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS' website), you can request hard copies by contacting Orsted at HornseaProjectThree@orsted.com or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").

PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the Application")

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

1. Thank you for your letter of 20 October 2023 on behalf of Orsted Hornsea Project Three (UK) Limited ("the Applicant"), which sets out proposals for changes to the Order. The letter requests the Secretary of State's consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.
2. Paragraph 2.5 of the 20 October 2023 letter states that the changes that will comprise the Application are as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

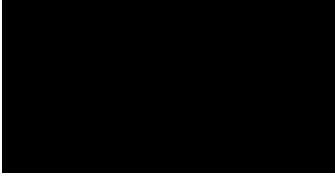
"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The list of consultees proposed by the Applicant is:
 - 1) the Marine Management Organisation;
 - 2) Natural England;
 - 3) the Royal Society for the Protection of Birds;
 - 4) the Crown Estate;
 - 5) the Joint Nature Conservation Committee;
 - 6) the Norfolk Wildlife Trust;
 - 7) The Wildlife Trusts; and,
 - 8) the Norfolk Farming and Wildlife Advisory Group.
4. Paragraph 3.2 of the 20 October 2023 letter states that *“taking a proportionate approach, only the same consultees as were consulted on NMC1 should be consulted on the NMC2 application given the nature of the change is substantially the same, and in light of the Secretary of State’s agreement to those proposed consultees for NMC1 in his letter of 21 December 2022. The Applicant will also publicise the application in accordance with Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) 2011.”*
5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero



BY RECORDED DELIVERY AND EMAIL

Norfolk Farming and Wildlife Advisory Group
Macgregor Building
Norfolk Showground
Dereham Road
Easton Norwich
NR5 0TT

4 January 2024

Dear Clarke

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Energy Security and Net Zero for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Original Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Original Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

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On 12 January 2023, Orsted made an application for a non-material change ("**NMC1**") to the Original Order, the focus of which was to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid.

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Orsted proposes a second non-material change to the Amended Order, which seeks to remove the length of time the fourth ANS needs to be in place before operation. This non-material change is required to allow time for necessary rights for the construction of the fourth ANS to be obtained without impacting the programme for the operation of Hornsea Three and to meet the urgent need for decarbonisation and security of supply (“**NMC2**”). Three of the four ANS have already been implemented, and the drafting has been updated to reflect this, to allow for three breeding seasons for three of the structures.

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The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the final ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation, with three of the four required ANS already having been constructed.

The Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the final ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 29 November 2023, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 12th February 2024. Therefore, the deadline for receipt of your views about the application is **11:59pm on 12th February 2024**.

Yours faithfully



Pinsent Masons LLP

On behalf of

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

5 Howick Place

London

England

SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 29 November 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599) AND AS AMENDED BY THE HORNSEA THREE OFFSHORE WIND FARM
(AMENDMENT) ORDER 2023**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the **"Applicant"**) to the Secretary of State for Energy Security and Net Zero to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 and as amended by the Hornsea Three Offshore Wind Farm (Amendment) Order 2023) (the **"Amended Order"**) under the Planning Act 2008 (the **"NMC Application"**).

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The Amended Order requires the Applicant to construct four artificial nesting structures (**"ANS"**) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (**"Hornsea Three"**). Paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order requires two structures to be in place to allow three full kittiwake breeding seasons, and the other two structures to be in place to allow two full kittiwake breeding seasons, to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to reflect that three structures have already been implemented and to remove the length of time the fourth ANS needs to be in place before Hornsea Three becomes operational. Specifically, the change will require three structures to be in place to allow three full kittiwake breeding seasons to elapse before Hornsea Three becomes operational (these three ANS have already been implemented), and for the final fourth structure to be delivered prior to the final commissioning of Hornsea Three.

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<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three offshore-wind-farm/?ipcsection=docs>

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National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **12th February 2024**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

4 January 2024



Amy Stirling
Pinsent Masons LLP
30 Crown Place, Earl Street
London
EC2A 4ES

29 November 2023

Dear Ms Stirling,

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED)
("the Order").

PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO ("the Application")

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

1. Thank you for your letter of 20 October 2023 on behalf of Orsted Hornsea Project Three (UK) Limited ("the Applicant"), which sets out proposals for changes to the Order. The letter requests the Secretary of State's consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.
2. Paragraph 2.5 of the 20 October 2023 letter states that the changes that will comprise the Application are as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 3(c):

"an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of three artificial nest structures prior to the operation of any turbine forming part of the authorised development, and for the fourth artificial nest structure to be delivered prior to final commissioning of the authorised development."

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Amended Order and insert the following new text as a new paragraph 4:

"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of

three of the artificial nest structures and no final commissioning of the authorised development must take place until the fourth artificial nest structure has been implemented. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The list of consultees proposed by the Applicant is:
 - 1) the Marine Management Organisation;
 - 2) Natural England;
 - 3) the Royal Society for the Protection of Birds;
 - 4) the Crown Estate;
 - 5) the Joint Nature Conservation Committee;
 - 6) the Norfolk Wildlife Trust;
 - 7) The Wildlife Trusts; and,
 - 8) the Norfolk Farming and Wildlife Advisory Group.
4. Paragraph 3.2 of the 20 October 2023 letter states that *“taking a proportionate approach, only the same consultees as were consulted on NMC1 should be consulted on the NMC2 application given the nature of the change is substantially the same, and in light of the Secretary of State’s agreement to those proposed consultees for NMC1 in his letter of 21 December 2022. The Applicant will also publicise the application in accordance with Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) 2011.”*
5. On 20 November 2023, the Secretary of State requested that the Applicant provide a full list of section 42, section 56, section 57 (under the Planning Act 2008) and non-prescribed consultees, to be accompanied by the rationale for including or excluding each identified party. On 23 November 2023, the Applicant provided the list as requested.
6. The Secretary of State is satisfied that the eight consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
7. In respect of the Application, the Secretary of State considers that those other consultees identified in the list sent on 23 November 2023 and not included in the Applicant’s list as set out at paragraph 3 above need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of consultees as specified in the paragraphs above.
9. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations.
10. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order,

which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero