

Date: 11th October 2019
Our Reference: AU-TPD-PM575-00002-063



Department for Business Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Attn: Naomi Williams

11th October 2019

Our Ref: AU-TPD-PM575-00002-063

Dear Ms Williams,

The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 (S.I. 2015/318) (the DCO) as corrected by The Dogger Bank Creyke Beck Offshore Wind Farm (Correction) Order 2015 (S.I. 2015/1742) (the Correction Order) and The Dogger Bank Creyke Beck Offshore Wind Farm (Amendment) Order 2019 (S.I. 2019/838) (the Amendment Order).

Creyke Beck A Offshore Wind Farm (Project A) – Doggerbank Offshore Wind Farm Project 1 Projco Limited (Projco 1) and Creyke Beck B Offshore Wind Farm (Project B) – Doggerbank Offshore Wind Farm Project 2 Projco Limited (Projco 2) (together the Projects and the Project Companies)

Please find enclosed an application (the **NMC Application**) for a non-material change to the DCO. The NMC Application is submitted in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (the **Regulations**).

The DCO, the Projects and the Project Companies

The DCO granted development consent for two offshore wind farms of up to 1.2 gigawatts comprising up to 200 wind turbine generators (Project A and Project B). The benefit of development consent for Project A was granted to Doggerbank Project 1 Bizco Limited (**Bizco 1**) and the benefit of Project B was granted to Doggerbank Project 4 Bizco Limited (**Bizco 4**). The DCO was made on 17 February 2015 and came into force on 11 March 2015, the Correction Order was made on 2 October 2015 and came into force on 3 October 2015 and the Amendment Order was made on 9 April 2019 and came into force on 10 April 2019.

As you will be aware from our application for the Amendment Order, the Projects were originally developed by Forewind, a consortium comprising SSE, Equinor (formerly Statoil), Innogy (formerly RWE) and Statkraft. Following the grant of the DCO, the Projects have been split between the parent companies. As part of this reorganisation,

Date: 11th October 2019
Our Reference: AU-TPD-PM575-00002-063



Bizco 1 was renamed as Projco 1 and Bizco 4 was renamed as Projco 2. Both of the Projcos are now jointly owned by SSE and Equinor.

Regulation 4 of the Regulations

The Project Companies are the applicants for the purposes of the NMC Application. The Project Companies' address is No.1 Forbury Place 43 Forbury Road, Reading, United Kingdom, RG1 3JH.

The Project Companies' agent for the purposes of the NMC Application is Royal HaskoningDHV. The Project Companies agent's address is Rightwell House, Bretton, Peterborough PE3 8DW.

Projco 1 has the benefit of development consent under the DCO in respect of Project A, and Projco 2 has the benefit of development consent under the DCO in respect of Project B. Projco 1 has the benefit of an agreement for lease with The Crown Estate in respect of the offshore elements of Project A and Projco 2 has the benefit of an agreement for lease with The Crown Estate in respect of the offshore elements of Project B.

The details of the proposed changes sought pursuant to the NMC Application and the supporting documentation submitted alongside the NMC Application are set out below.

The NMC Application

Since the grant of the DCO, there have been a number of advancements in technology that would make the Projects more efficient and cost effective. These advances are based on the size of wind turbine generators that are available, or that are likely to become available during the course of the development programme. The Amendment Order permitted an increase in the maximum permitted wind turbine generator rotor diameter from 215m to 280m.

The change sought pursuant to the NMC Application is to amend the stated gross electrical output capacity of up to 1.2 gigawatts for the Projects to a gross electrical output capacity of more than 100 megawatts, so that the description of the Projects no longer operates as a capacity cap. The reason for the reference to more than 100 megawatts is to make it clear that the Projects remain nationally significant infrastructure projects for the purposes of the Planning Act 2008.

There are clear benefits in not imposing a capacity cap, because the Projects can then take advantage of technological progress in turbine design which would allow for increased electrical output (i.e. above and beyond the currently anticipated output) in order to maximise the delivery of renewable energy within the currently consented parameters (i.e. with no greater environmental effect than previously assessed). The benefits of removing the capacity cap can be demonstrated by some indicative examples within the project parameters of the turbines. For

Date: 11th October 2019
Our Reference: AU-TPD-PM575-00002-063



example, taking a rotor diameter of 180 m and using the total rotor-swept area stipulated in the DCO of 4.35 km², 170 turbines could be installed. If a:

1. 6 MW turbine was installed within those parameters, each Project could generate a gross electrical output capacity of 1,020 MW; but
2. 10 MW turbine was installed within those same parameters, each Project could generate a gross electrical output capacity of 1,700 MW. This is a 680 MW increase within the same Project envelope as a result of more efficient turbine technology.

There are no planning justifications for continuing to limit the capacity of either Project, as is demonstrated by the fact that capacity is not a constraint that is material to the environmental assessment and is only identified in the description of the authorised development. The DCO will continue to contain clearly defined and controlled parameters in respect of both Projects, and those parameters will continue to regulate the Projects. It is those parameters which have been environmentally assessed.

The consequential amendment to Requirement 4(2) is drafted to ensure that the constraint remains in place, and the wording reflects the wording within the Dogger Bank Teesside A and B Offshore Wind Farm Order 2015.

This change does not necessitate amendments to any other project parameters, and is only required in order to ensure that capacity does not operate as a restriction on the Projects whilst not being a parameter itself.

The environmental report and technical appendices which accompany this NMC Application demonstrate that it is appropriate for it to be consented as a non-material change to the DCO. In summary, and using the criteria in the DCLG's guidance (Planning Act 2008: Guidance on Changes to Development Consent Orders), the NMC Application should be treated as non-material and consented as a non-material change because the changes pursuant to it:

1. do not require an updated environmental statement (from that at the time the DCO was made). This is because the NMC Application does not give rise to new, or materially different, likely significant effects on the environment;
2. do not invoke a need for a Habitats Regulations Assessment (**HRA**) or a new or additional licence in respect of European Protected Species;
3. do not authorise the compulsory acquisition of any land, or an interest in or rights over land that was not authorised through the DCO; and
4. will have no effect on the local population.

In relation to the environmental statement and the HRA considerations, the environmental report demonstrates that the proposed changes will not give rise to new or materially different likely significant effects on the environment and that no new HRA is required. In particular, it is demonstrated that the conclusions of the environmental statement and its associated documents which supported the DCO application and the subsequent environmental report which

Date: 11th October 2019
Our Reference: AU-TPD-PM575-00002-063



supported the making of the Amendment Order are not affected by the proposed changes. Similarly, it is demonstrated that the conclusions of the HRA which underpin the DCO are not affected.

Please find enclosed in support of this NMC Application:

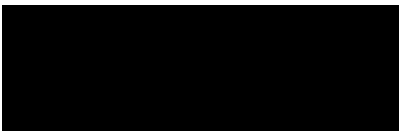
1. a Supporting Information report prepared by Royal HaskoningDHV;
2. a draft amendment order, containing the changes to the DCO that the Project Companies are seeking;
3. a tracked change version of the DCO, showing the effect of the amendment order on the DCO;
4. a copy of the Regulation 7(3) letter and accompanying appendices;
5. a copy of BEIS's response to the Regulation 7(3) letter;
6. a copy of the template letter issued to consultees; and
7. a copy of the Regulation 6 notice under the Regulations.

The Consultation and Publicity Statement which is required to be submitted in support of the NMC Application will be submitted once the Project Companies have complied with the consultation and publicity requirements of the Regulations.

The NMC Application will necessitate consequential variations to the four deemed marine licences that were granted pursuant to schedules 8 to 11 of the DCO. A separate request for a variation to the deemed marine licences will be submitted to the MMO.

Please do not hesitate to contact me if you have any queries in relation to the matters discussed above.

Yours sincerely,



Jonathan Wilson

Lead Consent Manager
Dogger Bank Offshore Wind Farm Project
Level 4, 1 Kingdom Street
Paddington
London, W2 6BD