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Project  
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By email only: [REDACTED]@sse.com

11 November 2021

Dear Mr Scott,

## **The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 – proposed Non-material Change Application**

### **Regulation 7(3) – Written consent from the Secretary of State for not consulting a person or authority**

Thank you for your letter of 28 October 2021 which sets out proposals for changes to the consented Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 (“the 2015 Order”). The proposed changes refer to an increase in piling hammer energy for the pin piles (to be used on the offshore platforms) from 1,900 kilojoules (kJ) to 3,000 kJ; and, an increase in hammer energy for the monopiles from 3,000 kJ to 4,000 kJ. The letter requests the Secretary of State’s written 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 and focused scope of consultation for the proposed Application from that carried out in respect of the acceptance of the application for the 2015 Order.

The Secretary of State has considered the request under regulation 7(3) of the 2011 Regulations. In Appendix 2 of your letter “Proposed list of stakeholders that wouldn’t be consulted on the non-material change application” the Secretary of State considers that there is insufficient justification provided by the Applicant to omit some of those organisations. The Secretary of State is of the view that where the reason given is “No response to previous non-material change application” or “NMC does not alter comments previously made” this does not in itself provide sufficient reason for excluding those persons or organisations from the current consultation. In particular, it is noted that at least one of those organisations has previously expressed concern regarding potential noise impacts. Therefore, the Secretary of State considers those stakeholders listed in Appendix

2 that he considers demonstrate insufficient justification should be consulted on the proposed non-material change application and therefore moved to Appendix 1 “Proposed list of stakeholders that would be consulted on the non-material change application”. Please see Annex on page 3 below.

The Secretary of State agrees that those stakeholders that remain in Appendix 2 “Proposed list of stakeholders that wouldn’t be consulted on the non-material change application” need not be consulted as they are not directly affected, either because the changes proposed will not affect their interests or because their interests relate to a different part of the scheme.

Accordingly, the Secretary of State gives written consent, to the extent set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

In taking this decision the Secretary of State notes that while certain of those persons in the Appendix 2 List of Consultees will not be consulted directly in relation to the change proposals, there will also be public consultation in line with the requirements in regulation 20 of the 2011 Regulations.

Finally, 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 Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,

A solid black rectangular box used to redact the signature of the Head of Planning.

Head of Planning  
Energy Infrastructure Planning

## Annex

Stakeholders to be moved from Appendix 2 “Proposed list of stakeholders that wouldn’t be consulted on the non-material change application” to Appendix 1 “Proposed list of stakeholders that would be consulted on the non-material change application”.

- East Anglia Offshore Wind Ltd (SPR, Vattenfall):
- German Federal Maritime and Hydrographic Agency (Bundesamt fuer Seeschifffahrt und Hydrographie).
- Joint Nature Conservation Committee (JNCC)
- Orsted (Hornsea zone)
- RWE (formerly Innogy)
- The Parkmead Group / Bridge Energy UK
- Hydrographic Office
- Northern Gas Works Ltd
- Modus Seabed Intervention Ltd