

Doggerbank Offshore Windfarm  
1 Waterloo Street  
Glasgow  
G2 6AY

17 December 2021

Our Ref: LF500013-CST-RHD-LET-0005 / LF600013-CST-RHD-LET-0003

Denise Libretto  
Head of Planning  
Energy Infrastructure Planning  
Level 3, Orchard 2  
1 Victoria Street  
London SW1H 0ET

Dear Denise Libretto,

**The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 (S.I. 2015/318) as amended by The Dogger Bank Creyke Beck Offshore Wind Farm (Correction) Order 2015 (S.I. 2015/1742), The Dogger Bank Creyke Beck Offshore Wind Farm (Amendment) Order 2019 (S.I. 2019/838) and The Dogger Bank Creyke Beck Offshore Wind Farm (Amendment) Order 2020 (S.I. 2020/329) (the "DCO")**

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

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, and the Correction Order was made on 2 October 2015 and came into force on 3 October 2015. Two subsequent applications for non-material changes to the DCO have been submitted and approved.<sup>1</sup> This NMC Application seeks to increase the maximum hammer energy that can be employed to install the driven pin piles and monopiles.

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, Bizco 1 was renamed as Projco 1 and Bizco 4 was renamed as Projco 2. Both Projco 1 and Projco 2 are now jointly owned by SSE (40%), Equinor (40%) and ENI (20%).

---

<sup>1</sup> The Dogger Bank Creyke Beck Offshore Wind Farm (Amendment) Order 2019 (S.I. 2019/838) and The Dogger Bank Creyke Beck Offshore Wind Farm (Amendment) Order 2020 (S.I. 2020/329).

## **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.

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 a lease with The Crown Estate in respect of the offshore elements of Project A and Projco 2 has the benefit of a lease with The Crown Estate in respect of the offshore elements of Project B. The NMC Application only relates to the offshore elements of the DCO.

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**

This NMC application is for an increase to the consented parameters for the maximum hammer energy that can be used for the installation of pin-piles for the offshore platforms (OSPs) and the monopiles for the WTG foundations. An increase in the hammer energy is required as the pile driveability assessment for the pin-piles and monopiles has indicated a potential risk of refusal and therefore the increased hammer energy is required to ensure piles can be successfully driven.

Therefore, the Project Companies are making this NMC Application to change certain parameters within the DCO that are controlled by the requirements within Part 3 of Schedule 1 to the DCO. The NMC Application seeks to increase the maximum permitted hammer energy during installation:

1. from 3,000 kilojoules to 4,000 kilojoules in the case of driven piles forming part of any wind turbine generator foundation structure; and
2. from 1,900 kilojoules to 3,000 kilojoules in the case of driven piles forming part of any offshore platform foundation structure.

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 and technical appendices demonstrate 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 are not affected by the

proposed changes, the conclusions of the HRA which underpin the DCO are not affected, and the conclusions of the BEIS RoC 2020<sup>2</sup> are not affected. To inform this conclusion, an assessment of the underwater noise modelling impact ranges and impact significances was made to enable comparison between the Projects as currently consented under the DCO and the Projects with the proposed changes.

Additionally, a letter was submitted to the Marine Management Organisation on the 4<sup>th</sup> November 2021 (Letter ref: LF500013-CST-RHD-LET-0003), outlining the Project's approach to the approved DBA & DBB Site Integrity Plan (SIP) and the DBA Marine Mammal Mitigation Protocol (MMMP) (which is planned to be submitted to the MMO for approval the week commencing 20<sup>th</sup> December 2021). This letter set out the proposed approach to reflecting any changes as a result of the NMC, to the SIP and the MMMP.

### **Approach to the SIP**

As per guidance from the Statutory Nature Conservation Bodies (SNCBs), the SIP is based on Effective Deterrent Ranges (EDRs), rather than modelling impact ranges for the consented hammer energy. Therefore, the impact ranges in the SIP are regardless of the consented and actual hammer energies to be useful. Therefore, the increase in hammer energies would not result in any updates being required to the impact ranges and subsequent assessments in the SIP. The calculations and conclusions in the approved SIP would remain valid.

Only Tables 4-1 and 4-2, which provide the project design parameters and compares actual design parameters (including hammer energies) with the Review of Consents (RoC) parameters, would need to be updated to reflect what will be the new consented hammer energies (4,000 kJ for monopiles and 3,000 kJ for pin piles). Therefore, once the NMC is determined by BEIS and if approved, the Projects will make the consequential update to Tables 4-1 and 4-2 in the main SIP document, as a revision, which would be provided to the MMO (via MCMS) for information purposes rather than for a formal consultation and approval process, to ensure it reflects the latest project parameters.

### **Approach to the MMMP**

The MMMPs for DBA and DBB are currently being produced and will be submitted to the MMO for approval after the NMC application is submitted, but before a decision is made on the NMC. The MMMPs are documents that need to be approved by the MMO prior to any related construction works commencing, in this case pile driving. As piling at DBA is planned to commence in June 2022, the current version of the DBA MMMP, which will be the version submitted to the MMO for approval during the week commencing 20<sup>th</sup> December 2021, is based on the existing consented maximum hammer energies of 3,000 kJ for the monopiles and 1,900 kJ for the pin piles. The DBB MMMP will be submitted separately at a later date, closer to the time of construction commencing at DBB.

As the proposed increased hammer energies that are being applied for are not yet consented, these will not be reflected in the current version of the DBA MMMP. This is due to the potential for foundation installation to commence at DBA prior to the NMC for an increase in hammer energy being determined, as not all foundation locations will require the increase in hammer energy for pile installation to be achieved. As such, the Projects need to ensure that all management plans are in place prior to June 2022 to allow installation to commence regardless of whether the NMC application has been determined. Therefore, once the NMC is determined and if approved, the Projects proposed to the MMO that an

---

<sup>2</sup> Review of Consented Offshore Wind Farms in the Southern North Sea Harbour Porpoise SAC.  
Page 3 of 4

addendum to the DBA MMMP (and DBB MMMP, if this is submitted to the MMO prior to the NMC being determined) is submitted to the MMO for approval, which will outline any changes in the mitigation measures first included in the MMMP(s) and seek approval of the revised MMMP(s). Whilst this is progressing, the existing approved DBA MMMP will still be in place to allow piling to continue, if it has commenced. Once the revised MMMP(s) is approved, the Projects would implement and comply with this revised MMMP when larger hammer energies are in use. Any increase in hammer energies would not be utilised on the Project until the updated MMMP(s) has been approved.

Please find enclosed in support of this NMC Application:

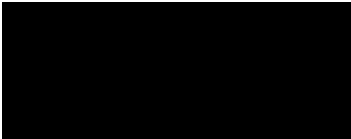
1. an Environmental Report, together with Appendix 1 which comprises a Marine Mammal Technical Report and Appendix 2 which comprises an Underwater Noise Assessment;
2. a draft amendment order, containing the changes to the DCO that the Project Companies are seeking;
3. a tracked change version of the DCO, showing the effect of the amendment order on the DCO;
4. a copy of BEIS' Regulation 7(3) letter and accompanying appendices;
5. a list of consultees, detailing who will be consulted on the NMC;
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 application fee to the sum of £6,891.00, has been provided separately to BEIS on 17<sup>th</sup> December 2021.

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.

Yours sincerely,



David Scott

Consent Team Manager  
Dogger Bank Offshore Wind Farm Project  
1 Waterloo Street  
Glasgow  
G2 6AY