



Department for
Business, Energy
& Industrial Strategy

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To:

Dogger Bank Offshore Wind Farm Project 3 Projco Limited
Natural England
Marine Management Organisation

Your Ref:
Our Ref:

Date: 2 March 2020

cc:

All interested parties

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Dogger Bank Offshore Wind Farm Project 3 Projco Limited (“the Applicant”) for variation to an Order granting Development Consent for the Dogger Bank Teesside A Offshore Wind Farm and associated offshore and onshore infrastructure (“the Teesside A Offshore Wind Farm”)

REQUEST FOR INFORMATION

I refer to the application to make Non-Material Changes to The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (as amended) (“the Application”) submitted by Dogger Bank Offshore Wind Farm Project 3 Projco Limited (“the Applicant”) on 15 November 2019, in respect of Teesside A (“the Project”).

The Secretary of State has been considering the representations received in response to the public consultation on the Application. As part of the decision-making process, he has undertaken a Habitats Regulations Assessment (“HRA”) to assess the effect of the Application on Natura 2000 sites. A draft HRA is enclosed for your consideration and comments are invited from the Applicant, Natural England (“NE”), the Marine Management Organisation (“the MMO”) and any other Interested Party. In view of the Secretary of State’s findings contained within the draft HRA, the Applicant, NE, the MMO and any other Interested Party are also invited to provide views on the following specific matters:

Southern North Sea Special Area of Conservation (“SNS SAC”)

In January 2017, the SNS SAC was designated under the EU Habitats Directive for the protection of harbour porpoise. When a new Special Area of Conservation is designated there is a statutory requirement for a review to be undertaken of certain projects.

The Secretary of State is currently undertaking a “Review of Consents” that were granted before the designation became effective to ensure that there will be no adverse effect on the integrity of the SNS SAC from existing energy infrastructure consents. The Review of Consents is a separate process to this Application and covers multiple Southern North Sea consents considered both alone and in combination with other plans and projects (including Teesside A). The Review also includes a detailed review of the impacts of underwater noise on the SNS SAC. The Secretary of State considers that the SNS SAC Review of Consents is the appropriate mechanism for ensuring there is no adverse effect from the Project (including the proposed amendments) on the integrity of the SNS SAC and that the full effects of the Project will be assessed within that process.

The Secretary of State provisionally considers that in order to ensure there can be no adverse effect on the integrity of the SNS SAC before the conclusion of the Review of Consents, the following additional Requirement should be included in any Amendment Order that he might decide to make in due course:

“(a) No Project A offshore works, or activities associated with them, that may have a significant effect on the Southern North Sea Special Area of Conservation may commence until the review of consents has been completed and the Secretary of State has affirmed, modified or revoked the decision in respect of the Project A offshore works or activities associated with them under regulation 33(4) of the Conservation of Offshore Marine Habitats and Species Regulations 2017 (S.I. 2017/1013).

“(b) In this Requirement, “review of consents” means the review of those consents granted prior to the designation of the Southern North Sea as a Special Area of Conservation.”

In the circumstances, the Secretary of State would welcome any comments that **the Applicant, Natural England and the Marine Management Organisation**, in particular, may have on the draft Requirement.

Other Natura 2000 Sites

Since The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 was granted, several other Natura 2000 sites have been designated by Government under the EU Habitats Directive. In view of this, the Secretary of State invites **Natural England** to advise if any of these sites (other than the two sites screened into the draft HRA) should be considered

further as part of this Application. Currently the two sites considered are the SNS SAC and the Flamborough and Filey Coast Special Protection Area.

The deadline for responses to be submitted is 17 March 2020.

The response should be submitted by email to: DBTeessideAB@planninginspectorate.gov.uk

Any hard copy responses should be sent to the Teesside A Offshore Wind Farm project team, Secretary of State of Business, Energy and Industrial Strategy, c/o The Planning Inspectorate, Eagle Wing 3/18, Temple Quay House, Temple Quay, Bristol, BS1 6PN. If you will have difficulty submitting a response by the consultation deadline, please inform the Project Team as soon as possible.

Responses will be published on the Teesside A Offshore Wind Farm project page of the Planning Inspectorate's National Infrastructure Planning Portal website as soon as possible after 17 March 2020.

This letter is without prejudice to the Secretary of State's decision whether or not to grant changes sought to The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (as amended) and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully

A solid black rectangular box used to redact the signature of Gareth Leigh.

Gareth Leigh
Head of Energy Infrastructure Planning