

Application by Sofia Offshore Wind Farm Limited under paragraph 2 of Schedule 6 to the Planning Act 2008 in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for a non-material change to The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (“the DCO”).

Statement of Common Ground between Sofia Offshore Wind Farm and Natural England

Dated: 15 November 2018

EcoDoc Version	Date	Details
002766136-01	15 October 2018	First draft
002766136-02	15 November 2018	Final

This Statement of Common Ground is prepared jointly and agreed by Natural England and Sofia Offshore Wind Farm Limited

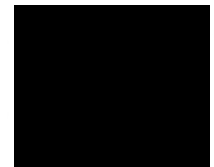
Signed by:

For and on behalf of Sofia Offshore Wind Farm Limited



Name: Harriet Thomas (Consent Manager)

Dated:



For and on behalf of Natural England

Name: Marija Nilova (Marine Lead Adviser)

Dated: 15 Nov. 2018

**Sofia Offshore Wind Farm Limited**

Windmill Hill Business Park • Whitehill Way • Swindon • Wiltshire • SN5 6PB

**Registered Office • Windmill Hill Business Park • Whitehill Way • Swindon • Wiltshire • SN5 6PB**

Registered in England and Wales no. 07791964

## 1. Introduction

### Purpose of this Statement of Common Ground

- 1.1 This Statement of Common Ground (“SoCG”) has been prepared by Sofia Offshore Wind Farm Limited (SOWFL) and Natural England in relation to the application (referred to as ‘the Application’) by SOWFL under paragraph 2 of Schedule 6 to the Planning Act 2008 in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for a non-material change to The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (“the DCO”). For the purpose of this SoCG, SOWFL and Natural England will jointly be referred to as the “Parties”.
- 1.2 The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (“the DCO”) (SI 2015 No. 1592) was granted on the 4 August 2015 and came into force on 26 August 2015. The Order granted development consent to two individual project companies and projects: “Bizco 2” for The Dogger Bank Teesside A project (“Teesside A”) and “Bizco 3” for The Dogger Bank Teesside B project (“Teesside B”). The DCO grants development consent for each project (A&B) for an offshore wind farm with a maximum installed capacity of 1.2 GW comprising up to 200 wind turbine generators as well as associated onshore and offshore development.
- 1.3 In August 2017, the Forewind Limited consortium, owning Bizco 2 and Bizco 3, was split:
  - 1.3.1 SSE and Statoil now own 50% each of Teesside A under a new consortium, Doggerbank Offshore Wind Farm Project 3 Projco Limited (“Project 3 Projco”).
  - 1.3.2 Innogy now owns 100% of Teesside B under a new subsidiary, the Sofia Offshore Wind Farm Limited (“SOWFL”) and has renamed Teesside B to Sofia Offshore Wind Farm (“the Project”).
- 1.4 SOWFL has applied to the Secretary of State under paragraph 2 of schedule 6 to the Planning Act 2008 for a non-material change to the DCO in order to amend certain parameters relating to the Project controlled by requirements under the DCO, comprising an increase in the consented:
  - 1.4.1 rotor diameter from 215m to 288m;
  - 1.4.2 to enable construction of offshore platforms using monopole foundations;
  - 1.4.3 hammer energy during installation of monopole foundations from 3,000kJ to 5,500kJ; and
  - 1.4.4 an increase in maximum generating capacity from 1.2 gigawatts (GW) to 1.4 GW
- 1.5 Preparation of this SoCG has been informed by discussions between the Parties during a teleconference on 26 September 2018. The purpose of this SoCG is to set out agreed factual information about the Application. It is intended that this SoCG will provide information to facilitate the smooth and efficient determination of the Application.
- 1.6 This SoCG relates to the following reports submitted as part of the Application (see Table 1).

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**Table 1 Reports supporting the Application**

Document title	Ecodoc reference	Appendices	Ecodoc reference	Appendices	Ecodoc reference
Sofia Offshore Wind Farm Non-Material Change Application: Environmental report	002642083-03	Appendix A-Offshore ornithology: Updated impact assessment for increased wind turbine blade diameter	002632249-02		
		Appendix B- Environmental appraisal of increased hammer energy	002636963-02	Appendix A- Additional underwater noise modelling at Sofia offshore wind farm, Dogger Bank	002669687-01
				Appendix B - Auditory Injury Assessment: cumulative exposure to piling noise	002668408-01
				Appendix C - Environmental Appraisal of Increased Hammer Energy Addendum: Assessment of fish receptors	002668403-01

## 2. The Application

- 2.1 The Application was submitted on 15 June 2018. The Application was accompanied by the reports detailed within Table 1 above.
- 2.2 It is agreed between the Parties that the Application only relates to the offshore elements of the Project consented by the DCO and does not relate to the onshore elements of the Project nor does it relate to either the onshore or offshore elements of Teesside A within the DCO.
- 2.3 It is agreed between the Parties, that in accordance with DCLG Planning Act 2008: Guidance on Changes to Development Consent Orders guidance (2015), from an EIA context, a non-material change application must focus on establishing whether the proposed changes are likely to result in any new or materially different likely significant effects from the original application. The process is therefore, focused solely on those effects to which the proposed change relates.

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### 3. Matters Agreed between the Parties

#### 3.1 Introduction

3.1.1 The Parties are AGREED on all matters and in particular are AGREED on the following points.

#### 3.2 Screening

3.2.1 It is agreed between the Parties that the only topics that required consideration for the Application were ornithology, marine mammals, benthic ecology, and fish and shellfish.

#### 3.3 Ornithology

3.3.1 It is agreed between the Parties that the approach taken to consider the ornithological collision risks of the Application using a “like for like” basis pursuant with the approach in the Environmental Statement (ES) (that informed the grant of the DCO) is appropriate.

3.3.2 It is agreed between the Parties that, in respect of the ornithological effects of the Project, the Application does not alter the worst-case scenario as assessed pursuant to the ES. It is agreed that it has been demonstrated that no new, materially different, significant effects arise for collision risk when the larger rotor diameter of the turbines proposed within the NMC application is considered. Therefore, the Application would not give rise to any new, or materially different, likely significant ornithological effects compared to the consented scheme.

#### 3.4 Benthic ecology

3.4.1 It was agreed between the Parties, that the Application would not result in any change to the worst case assumptions presented within the original ES for benthic ecology and therefore, no further assessment is required for the Application.

#### 3.5 Marine Mammals

3.5.1 It is agreed between the Parties that the use of NOAA thresholds and the most recent population density data for the updated marine mammal impact assessment is appropriate.

3.5.2 It is agreed between the Parties, that the increase in hammer energy results in no new, materially different, likely significant effects on grey seal (*Halichoerus grypus*), harbour porpoise (*Phocoena phocoena*), minke whale (*Balaenoptera acutorostrata*) and white-beaked dolphin (*Agenorhynchus albirostris*).

3.5.3 It is agreed between the parties that 26 km Effective Deterrence Radius is appropriate for the purposes of assessing impacts on harbour porpoise within this Application.

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- 3.5.4 It is agreed between the Parties, that the Marine Mammal Mitigation Protocol (MMMP), required under the DCO and deemed Marine Licences (dMLs), will address mitigation for noise propagation for the Project and note that this may include noise reduction measures.

### 3.6 Fish and shellfish

- 3.6.1 It was agreed between the Parties, that the Application would not result in any change to the worst case assumptions presented within the original ES for fish and shellfish and therefore, no further assessment is required for the Application.

### 3.7 Habitats Regulation Assessment and Appropriate Assessment

- 3.7.1 It is agreed between the Parties that the conclusions of the Secretary of State's Habitats Regulation Assessment (HRA) and Appropriate Assessment (AA) that underpinned the DCO are not affected by the proposed changes to the DCO. The proposed changes to the DCO will not result in new, materially different, likely significant effects alone or in-combination on any of the European sites already assessed in the HRA and AA. As such, it is agreed that no new HRA or AA is required in respect of any of the European sites considered in the Secretary of State's HRA and AA.
- 3.7.2 It is therefore agreed between the Parties, that following further analysis of the information provided by SOWFL, that the conclusions of the Secretary of State's HRA and AA are not affected by the proposed changes to the DCO and an updated HRA and AA is not required for ornithology.
- 3.7.3 It is therefore agreed between the Parties, that following further analysis of the information provided by SOWFL, that the conclusions of the Secretary of State's HRA and AA for the recommended Southern North Sea draft Special Area of Conservation (SAC) (now the Southern North Sea cSAC and Site of Community Importance (SCI)) are not affected by the proposed changes to the DCO and an updated HRA and AA is not required for marine mammals.
- 3.7.4 An assessment of the impacts of the Project (alone and in-combination) on the Southern North Sea cSAC/SCI will be required as part of BEIS Review of Consents.

## 4. Matters not Agreed

- 4.1 The Parties confirm that there are no areas of the Application that are NOT AGREED by the Parties.