

4 June 2020

Our Ref: AU-PM763-001-00008

Attn: Keith Welford
Department for Business Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Dear Keith

The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (S.I. 2015/1592) (the DCO) as amended by The Dogger Bank Teesside A and B Offshore Wind Farm (Amendment) Order 2019 (S.I. 2019/699) (the Amendment Order)

The Dogger Bank Teesside A Offshore Wind Farm (Teesside A) and Doggerbank Offshore Wind Farm Project 3 Projco Limited (the Project Company)

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, Teesside A and the Project Company

The DCO granted development consent for two offshore wind farms of up to 200 wind turbine generators (Teesside A and the Dogger Bank Teesside B Offshore Wind Farm (Teesside B)). The benefit of development consent for Teesside A was granted to Doggerbank Project 2 Bizco Limited (Bizco 2) and Bizco 2 has subsequently been renamed as the Project Company. The DCO was made on 4 August 2015 and came into force on 26 August 2015, and the Amendment Order was made on 25 March 2019 and came into force on 26 March 2019.

Teesside B is now known as the Sofia Offshore Wind Farm (Sofia). In relation to Sofia, the DCO was subsequently amended by the Amendment Order in March 2019. The Amendment Order did not make any amendments to Teesside A: it only made amendments to Sofia.

SSE and Equinor were two of four companies comprising the original Forewind Limited consortium that applied for, and was granted, the DCO. As you will be aware, since the DCO was granted the consortium has split: SSE and Equinor now own 50% each of Teesside A through the Project Company and have the benefit of the DCO in respect of Teesside A; and Sofia Offshore Wind Farm Limited (SOWFL) now owns 100% of Sofia and has the benefit of the DCO in respect of Sofia. The Project Company is a Joint Venture between SSE and Equinor, which has been set up to take forward the development of Teesside A.

The Project Company is seeking a non-material change to the DCO (as amended) in respect of Teesside A for an increase in the maximum hammer energy for monopiles from 3,000 kJ up to 4,000 kJ for the wind turbine generators. This change

relates to the use of monopiles only, there is no change to the maximum hammer energy for pin piles in the event that multileg foundations are utilised.

The Project Company is also seeking a change to the DCO (as amended) to clarify that inter-array cables may be laid directly between the turbine generators and the offshore platforms, as well as between the offshore platforms. This aligns with the intention of the original DCO as these connections were assessed within Chapter 5 of the ES.

The proposed changes are relevant to the offshore works in respect of Teesside A and no changes are being sought to the onshore works in respect of Teesside A or to any works in respect of Sofia.

Regulation 4 of the Regulations

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

The Project Company's agent for the purposes of the NMC Application is Royal HaskoningDHV. The Project Company's agent's address is 74/2 Commercial Quay, Commercial Street, Edinburgh, United Kingdom, EH6 6LX.

The Project Company has the benefit of development consent under the DCO in respect of Teesside A. The Project Company has the benefit of an agreement for lease with The Crown Estate in respect of the offshore elements of Teesside A. The NMC Application only relates to the offshore elements of Teesside A.

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

A NMC application has already been submitted for an increase in turbine rotor diameter and removal of the stated gross electrical output capacity of up to 1.2 gigawatts (currently awaiting determination) as well as a NMC application to reflect that the Sofia and Teesside A projects are being taken forward by separate project companies and make the necessary changes to the DCO to facilitate the delivery of the projects and clarify responsibilities (also awaiting determination).

A further NMC application is now being sought for the Project to increase the consented maximum hammer energy for monopiles.

Therefore, the Project Company is making this NMC Application to increase in the maximum hammer energy for monopiles from 3,000 kJ up to 4,000 kJ.

For the avoidance of doubt, this application does not relate to Sofia or the Shared Works and no substantive changes should be made to the DCO as it relates to Sofia or the Shared Works (save for the changes that split the requirements between the projects). For the avoidance of doubt, the Project Company is not the applicant or a successor in title of the applicant in respect of Sofia, does not have an interest in land in respect of Sofia and does not have the benefit of the DCO in respect of Sofia. Furthermore, this application is not made on behalf of Sofia.

The change sought is to increase this maximum parameter in the DCO to ensure that Teesside A contains the necessary flexibility to respond to technological advancements to enable the Project to be constructed in the most efficient and cost-effective manner. This change will require an amendment to the relevant requirement within part 3 of schedule 1 to the DCO. We note the approach to drafting of the proposed amendment order would allow Sofia to apply for a similar amendment.

Whilst the Project Company is seeking to increase the monopile hammer energy permitted by the DCO, the Project Company is not seeking to increase the maximum number or dimensions of monopiles. Therefore, the total number of monopiles which can be installed will continue to be constrained by the existing DCO parameters. Furthermore, there are no changes proposed to the maximum hammer energy for pin piles in the event that multileg foundations are utilised.

The Project Company is also seeking a change to the DCO (as amended) to clarify that inter-array cables may be laid directly between the turbine generators and the offshore platforms, as well as between the offshore platforms. This aligns with the intention of the original DCO as these connections were assessed within Chapter 5 of the ES.

Materiality

The environmental report and technical appendix which accompany this NMC Application demonstrate that it is appropriate for this amendment 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 appendix demonstrates that the proposed change 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.

To inform this conclusion, a comparison with Teesside A on a like for like basis was undertaken to allow for a direct comparison between Teesside A as currently consented under the DCO and Teesside A with the proposed changes.

Please find enclosed in support of this NMC Application:

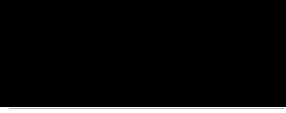
1. an Environmental Report, together with Appendix 1 which comprises a Marine Mammal Technical Report;
2. a draft amendment order, containing the changes to the DCO that the Project Company is seeking; and
3. a tracked change version of the DCO, showing the effect of the amendment order on the DCO.

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

The NMC Application will necessitate consequential variations to the two deemed marine licences that were granted pursuant to schedule 8 and schedule 10 to the DCO. A separate request for a variation to the deemed marine licence will be submitted to the MMO.

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

Yours sincerely



Jonathan Wilson

Lead Consent Manager
Dogger Bank Offshore Wind Farm Project
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Paddington, London, W2 6BD