

Hornsea Offshore Wind Farm

Project Two

The Applicant's Submission of 4 December 2015

Application Reference: EN010053

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CONTENTS

Clause

Page No

1. Proposed refinement to the Project's Rochdale Envelope

4

TABLE OF APPENDICES TO THE RESPONSE

A	Tabular Review of EIA Conclusions in response to the amendments to the Project Design Envelope
B	Collision Risk Modelling Note

1. Proposed refinement to the Project's Rochdale Envelope

- 1.1 As noted in the Applicant's response to Deadline VI, as a result of continued discussions between the Applicant and Natural England, Natural England have advised that there is no potential for an adverse effect on the integrity of the kittiwake feature of the Flamborough Head and Bempton Cliffs SPA and the Flamborough and Filey Coast pSPA from the Project alone, subject to a commitment by the Applicant to mitigate collision effects on kittiwake through a reduction in the Project's design envelope, specifically:
- 1.1.1 The removal of the 5MW wind turbine generator (WTG) option (the smallest capacity is now a 6MW WTG); and
 - 1.1.2 Increasing the minimum blade tip height from 26m relative to lowest astronomical tide (LAT) to 29.97m relative to LAT (noting, however, the proposed further increase now proposed at paragraph 1.3 below).
- 1.2 The Applicant undertook to make these amendments to Version 8 of the draft DCO to be submitted at Deadline VII. For reference, the full details of the proposed changes to Version 7 of the draft DCO were set out at Table 1 of Appendix G to the Applicant's response to Deadline VI.
- 1.3 Subsequent to the Applicant's response to Deadline VI and in view of the Ex. A's Rule 17 Letter dated 26 November 2015, the Applicant and Natural England have continued discussions in relation to the potential effect of the Project on the kittiwake feature of the Flamborough Head and Bempton Cliffs SPA and the Flamborough and Filey Coast pSPA in-combination with other plans and projects. As a result of these discussions, the Applicant has proposed a further refinement to the Project's envelope, which represents a further increase to the minimum blade tip height relative to LAT. Specifically, the Applicant would now propose to increase the minimum blade tip height from 26m relative to LAT to 34.97m above LAT. This represents an additional 5m increase to that detailed at Deadline VI and a total increase of 8.97m from the initial parameter specified in Requirement 2(1)(d) of the draft DCO submitted with the Application. In addition and by consequence, the Applicant would further propose to reduce the maximum rotor diameter from 250m to 241.03m, ensuring that the maximum blade tip height specified in the draft DCO (276m relative to LAT – see Requirement 2(1)(b) of Part 3 of the draft DCO) is not exceeded. For the avoidance of doubt, both of these proposed refinements represent reductions to the Project's Rochdale Envelope and remain within the parameters of the original assessment.
- 1.4 This further mitigation reduces the Applicant's (a) Project alone and (b) in-combination assessment predictions to an annual mortality of (a) 0.8 and (b) 108 kittiwake associated with the SPA and pSPA respectively (based on what the Applicant's consultants consider to be a realistic and balanced assessment), and Natural England's equivalent predicted figures to an annual mortality of (a) 14.2 (from the Project alone) and (b) 314 (from the Project in-combination) kittiwake respectively associated with the SPA and pSPA.
- 1.5 Natural England considers that the level of in-combination mortality under consideration here is such that an adverse effect on integrity of the Flamborough Head and Bempton Cliffs SPA and the Flamborough and Filey Coast pSPA cannot be ruled out (the Applicant currently estimates Natural England's in-combination position, in light of the additional mitigation, to be approximately 314 collisions per annum). However, on the basis of this further mitigation, Natural England have confirmed to the Applicant their view that the effect of the additional predicted mortality from the Project alone (14.2 based on Natural England's calculation), while not *de minimis*, is so small as to not materially alter the significance of the overall in-combination mortality figure or the likelihood of an adverse effect on the integrity of the SPA or pSPA arising from such an in-combination level of mortality. Natural England and the Applicant will set out their positions fully at Deadline VII.

- 1.6 For sake of completeness, the Applicant confirms that this additional increase in the minimum distance from LAT to the lowest point of the WTG's rotating blade (from the original 26m (and subsequent 29.97m committed to at Deadline VI) to the proposed 34.97m), together with the reduction in the maximum rotor diameter (from 250m to 241.03m), do not increase the worst case scenarios presented within the Project's ES and HRA, nor alter the assessment conclusions presented therein.
- 1.7 In further support of this proposed refinement to the Project's design envelope, the Applicant has prepared a summary table to identify (for each relevant EIA parameter) the effect on each of the relevant EIA conclusions (see Appendix A of this Submission). To confirm, this Appendix A represents an update to the previous equivalent table produced at Appendix G of the response to Deadline VI, which addressed the proposed mitigations discussed at that Deadline and referenced at paragraph 1.1 above. The Applicant can confirm that the table illustrates that there will be a number of areas within the assessment that will result in a reduced worst case scenario compared to the original Application Project Envelope (and therefore, reduction in the magnitude of the effect). The Applicant can also confirm that the mitigation commitment will not result in the prediction of any significant effects where none had previously been identified.
- 1.8 The Applicant would propose to incorporate these proposed refinements to the Project's design envelope within Version 8 of the draft DCO to be submitted at Deadline VII. However, for immediate purposes, the full details of the proposed changes to Version 7 of the draft DCO are set out at Table 1 of Appendix A to this Submission.
- 1.9 The Applicant does not consider these proposed amendments to be "material" and would make the following observations in support of this assertion:
 - 1.9.1 The proposed amendments represent a reduction to the Project's design envelope (as explained in more detail above);
 - 1.9.2 Only minor changes are required to the draft DCO as a result of the proposed mitigations (as more particularly detailed in Table 1 of Appendix A of this Submission);
 - 1.9.3 As noted above, the proposed amendments do not increase the worst case scenarios presented within the Project's ES and HRA, nor alter the assessment conclusions presented therein (as confirmed within Appendix A to this Submission); and
 - 1.9.4 The proposed mitigations have been agreed in consultation with Natural England.
- 1.10 On this basis, the Applicant considers the proposed amendments to be non-material and requests that they be formally accepted into the examination.
- 1.11 Finally, the Applicant has provided at Appendix B to this Submission an update to the collision risk modelling for the suite of species considered in a HRA or EIA context. The modelling incorporates the refinements to the Project envelope as detailed in paragraph 1.3 above and presents annual calculations for each species based on the advocated option(s) within Band (2012) by both the Applicant and Natural England.