

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

### Appendix 4 to Deadline 6 Submission: Statement of Common Ground – Chamber of Shipping

Relevant Examination Deadline: 6

Submitted by Vattenfall Wind Power Ltd

Date: May 2019

Revision B

Date	Issue No.	Remarks / Reason for Issue	Author	Checked	Approved
20/12/2018	01	Draft for comment	GoBe	GoBe	VWPL
15/01/2019	02	Revised draft returned by CoS	CoS	CoS	CoS
15/01/2019	A	Original document submitted to the ExA	GoBe	GoBe	VWPL
03/05/19	03	Revised draft provided to CoS	GoBe	GoBe	VWPL
20/05/19	04	Revised draft returned by CoS	CoS	CoS	CoS
28/05/19	B	Revised document submitted to the ExA	GoBe	GoBe	VWPL

## Table of Contents

1	Introduction .....	4
1.1	Overview .....	4
1.2	Approach to SoCG .....	4
1.3	The Development.....	5
2	Chamber of Shipping’s Remit.....	7
3	Consultation .....	8
3.1	Application elements under the Chamber of Shipping’s remit .....	8
3.2	Consultation Summary.....	8
3.3	Post-application Consultation.....	9
4	Agreements Log .....	10
4.2	Shipping and Navigation .....	10
5	Matters under discussion .....	19
	Table 1: Consultation undertaken with the Chamber of Shipping pre-application .....	9
	Table 2: Consultation undertaken with the Chamber of Shipping post-application.....	9
	Table 3: Status of discussions relating to Shipping and Navigation. ....	11

## 1 Introduction

### 1.1 Overview

- 1 This Statement of Common Ground (SoCG) relates to the proposed development of the Thanet Extension Offshore Wind Farm (Thanet Extension). It has been prepared with respect to the application made by Vattenfall Wind Power Ltd (VWPL) (the Applicant) for a development consent order (DCO) to the Planning Inspectorate (PINS) under the Planning Act 2008 (the Application).
- 2 This SoCG with the Chamber of Shipping is a means of clearly stating any areas of agreement and disagreement between the two parties in relation to the Application. The SoCG has been structured to reflect the topics of interest to the UK Chamber of Shipping on the Application.
- 3 It is the intention that this document will help facilitate post application discussions between both parties and also give the Examining Authority (ExA) an early sight of the level of common ground between both parties from the outset of the examination process.

### 1.2 Approach to SoCG

- 4 This SoCG has been developed during the pre-examination phase of the Thanet Extension. In accordance with discussions between the Applicant and the Chamber of Shipping, the SoCG is focused on those issues raised by the Chamber of Shipping within its response to Section 42 consultation that has underpinned the pre-application consultation between the parties. It has also been cognisant of the request made by the Examining Authority within the 'Rule 6' letter published on the 9<sup>th</sup> November 2018 and the Rule 8 letter which followed the second Issue Specific Hearing on the 12<sup>th</sup> December 2018.
- 5 The structure of the SoCG is as follows:
  - Section 1: Introduction;
  - Section 2: Consultee's Remit;
  - Section 3: Consultation;
  - Section 4: Agreements Log; and

- Section 5: Matters under discussion.

## 1.3 The Development

- 6 The Application is for development consent for VWPL to construct and operate the Thanet Extension Offshore Wind Farm (Thanet Extension) under the Planning Act 2008.
- 7 Thanet Extension will comprise of wind turbine generators (WTGs) and all the infrastructure required to transmit the power generated to the national grid. A maximum of 34 WTGs will be installed with a power output of 340 MW. The project will install up to four offshore export cables and may require the installation of one Offshore Substation (OSS) and up to one Meteorological Mast.
- 8 The key offshore components of Thanet Extension are likely to include:
  - Offshore WTGs;
  - OSS (if required);
  - Meteorological Mast (if required);
  - Foundations;
  - Subsea inter-array cables linking individual WTGs;
  - Subsea export cables from the OWF to shore; and
  - Scour protection around foundations and on inter-array and export cables (if required).
- 9 The offshore elements of the project comprise an offshore export cable corridor (Work Area 3), and Work Areas 1 and 2. The latter are an area of 68.8 km<sup>2</sup> and comprise the Array Area (59.5 km<sup>2</sup>) and the Structures Exclusions Zone (9.3 km<sup>2</sup>). The latter being an area subject to restrictions on what can be placed within it, as described in Annex A of Appendix 7 of the Applicant's Deadline 5 Submission and Schedule 1, Part 3, Requirement 6 of the draft DCO. The Order Limits surround the existing Thanet Offshore Wind Farm (TOWF). It is located approximately 8 km Northeast of the Isle of Thanet, situated in the County of Kent. Each WTG will have a maximum blade tip height of 250 m above Mean High Water Springs (MHWS), a maximum diameter of 220 m and a minimum 22 m clearance between the MHWS and the lowest point of the rotor.

- 10 Electricity generated will be carried via a maximum of four high voltage subsea cables to the landfall site, situated at Pegwell Bay. Offshore cables will be connected to the onshore cables and ultimately the national grid network at Richborough Energy Park. The onshore cable corridor is 2.6 km in length at its fullest extent.
- 11 More details on the proposed development are described in the Environmental Statement (ES) Volume 2, Chapter 1: Project Description (Offshore) (PINS Ref APP-042/ Application Ref 6.2.1) and Volume 3, Chapter 1: Project Description (Onshore) (PINS Ref APP-057/ Application Ref 6.3.1) of the ES.

## **2 Chamber of Shipping's Remit**

- 12 The UK Chamber of Shipping is the trade association and voice of the UK shipping industry with more than 180 members from across the maritime sector covering some 20m gross tonnage and 100 vessels trading around the UK and across the world.

### 3 Consultation

#### 3.1 Application elements under the Chamber of Shipping's remit

- 13 Work Nos. 1 - 3A, detailed in Part 1 of Schedule 1 of the draft DCO describe the elements of Thanet Extension which may affect the interests of the Chamber of Shipping.
- 14 The Chamber of Shipping seek to deliver for their members trusted specialist expertise, lobbying and influence at a UK level on maritime issues across national, European and international government and governmental bodies.
- 15 The technical components of the DCO application of relevance to the Chamber of Shipping (and therefore considered within this SoCG) comprise:
- Volume 2, Chapter 1: Project Description (Offshore) (PINS Ref APP-042/ Application Ref 6.2.1);
  - Volume 2, Chapter 10: Shipping and Navigation (PINS Ref APP-051/ Application Ref 6.2.10); and
  - Volume 4, Annex 10-1: Navigational Risk Assessment (PINS Ref APP-089/ Application Ref 6.4.10.1);
  - Structures Exclusion Zone (PINS Ref REP4-018);
  - Thanet Extension Structures Exclusion Zone Consented Works Clarification Note (REP5-013);
  - Navigational Risk Assessment Addendum (Revision B)(PINS Ref REP5-039); and
  - Draft Development Consent Order (Appendix 13 to the Applicant's Deadline 5 Submission).

#### 3.2 Consultation Summary

- 16 This section briefly summarises the consultation that VWPL has undertaken with the Chamber of Shipping. Engagement during the pre-application phase, both statutory and non-statutory, is summarised in Table 1.



**Table 1: Consultation undertaken with the Chamber of Shipping pre-application**

Date & Type:	Detail:
December 2017	Engagement with Marico on initial concerns and information presented within the Preliminary Environmental Information Report
January 2018, S42 Consultation	Comments relating to the Preliminary Environmental Information Report

### 3.3 Post-application Consultation

17 VWPL has engaged with the Chamber of Shipping since the Thanet Extension development was accepted for examination by the Planning Inspectorate on 23<sup>rd</sup> July 2018. A summary of the post-application consultation with the Chamber of Shipping is detailed in Table 2.

**Table 2: Consultation undertaken with the Chamber of Shipping post-application**

Date/ Type:	Detail:
Liaison through the examination process	Receipt of the relevant representations.
27 <sup>th</sup> February 2019 – All IPs	Shipping workshop post-hearings to discuss sea room requirements.

## 4 Agreements Log

- 18 The following section of this SoCG identifies the level of agreement between the parties for each relevant component of the application material (as identified in Section 3.1). In order to easily identify whether a matter is “agreed” or indeed “not agreed” a colour coding system of green and orange is used in the “final position” column to represent the respective status of discussions.

### 4.1 Shipping and Navigation

- 19 The Project has the potential to impact upon Shipping and Navigation and these interactions are duly considered within Volume 2, Chapter 10: Shipping and Navigation (PINS Ref APP-051/ Application Ref 6.2.10) of the ES. In addition, the NRA is presented within Volume 4, Annex 10-1: Navigational Risk Assessment (PINS Ref APP-089/ Application Ref 6.4.10.1) and the Navigational Risk Assessment Addendum (Revision B) (PINS Ref REP5-039). Table 4 identifies the status of discussions relating to this topic.

**Table 3: Status of discussions relating to Shipping and Navigation.**

Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
Study area	It is agreed that the study area used to inform the assessment of the project on shipping and navigation receptors was appropriate.	The chamber agrees that the study area used to inform the assessment of the project was appropriate.	Agreed
Red Line Boundary revision	It is agreed that the revision made to the red line boundary following Section 42 consultation reduces interaction in the primary area of concern.	The chamber agrees that the revision to the Red Line Boundary reduces interaction in the primary area of concern, however, we do not agree that the reduction is sufficient to mitigate the risk.	
Consultation	It is agreed that throughout the pre-application process the level of consultation and the provision of information has been sufficient in informing consultees of the development of the project and the predicted impacts on shipping and navigation.	The chamber has been consulted by the applicant on a number of occasions.	Agreed
SEZ	It is agreed that the SEZ accurately reflects and exceeds the searoom requirements for passing vessels as detailed within the IALA spatial planning guidance (and MGN543) for calculating sea room.	The chamber agrees that the SEZ accurately reflects and exceeds the searoom requirements for passing vessels as detailed within the IALA spatial planning guidance (and MGN543) for calculating sea room but reserves the right to comment on the realistic impact this will have on shipping activities and movements within this area.	

Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
SEZ	It is agreed that the IALA guidance is based on case studies for ports and port approaches busier than those present within the study area of concern and is therefore suitably precautionary.	The chamber agrees that guidance based on busier ports has been used but wishes to highlight that traffic movements and density change on a daily basis, as do other contributing factors i.e. weather, and with the area of concern being located so close to the coastline, this document, whilst useful, cannot account for every individual port and their approaches. This should be taken into account when considering the use of this guidance within this proposed project.	
SEZ	It is agreed that the introduction of the SEZ provides 2nm clear sea room with a 1nm buffer in relation to the NE Spit pilot diamond. Furthermore, it is agreed that in the area of greatest pilotage density this searoom is 3.4nm. These distances are agreed to be adequate for both transit and pilotage boarding.	The chamber agrees that the SEZ provides 2nm clear sea room with a 1nm buffer in relation to the NE Spit pilot diamond.	
SEZ	It is agreed that the SEZ provides 2.5nm sea room between the NE Spit Racon buoy and the turbines, and that this is adequate due to it being an area of lower pilot activity. These distances	The chamber agrees that the SEZ provides 2.5nm sea room between the NE Spit Racon buoy and the turbines. The chamber is of the opinion that 2.5nm of available sea room for transiting between turbines and the NE Spit Racon buoy is	

Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
	are agreed to be adequate for both transit and pilotage boarding.	sufficient for the activity in the area but would encourage as much sea room as possible to be afforded to this area to allow pilot movements to be undertaken as safely as possible.	
SEZ	It is agreed that the SEZ provides 2.1nm between the Elbow buoy and the turbines, and that this is adequate due to it being an area of lower pilot activity and complexity. These distances are agreed to be adequate for both transit and pilotage boarding.	The chamber agrees that the SEZ provides 2.1nm between the Elbow buoy and the turbines but does not support this distance as being sufficient to ensure, so far as possible, safety of navigation within the area.	
SEZ	It is agreed that the distance between Elbow buoy and the turbines represents the narrowest distance for the inshore route, and that sea room widens out either side of this transect and therefore the available searoom increases at all other locations.	The chamber agrees that the distance between Elbow buoy and the turbines represents the narrowest distance for the inshore route but does not support that the sea room widens out either side of this transect sufficiently enough to support the suggestion of increased searoom at all other locations nor that it adequately reflects the impact this may have on the traffic using the inshore route safely.	
SEZ	It is agreed that introduction of the SEZ provides the necessary sea room to ensure safety of navigation.	The chamber supports the introduction of the SEZ but further clarification as to the terms of the SEZ need to be provided. The chamber does not agree that the risk has been reduced to a	

Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
		tolerable amount to ensure safety of navigation within the concerned area.	
SEZ	It is agreed that introduction of the SEZ provides the necessary sea room to minimise the effect on vessel activities, subject to other controls.	The chamber agrees that the introduction of the SEZ provides a compromise for a potential resolution to this proposed extension but believes there are further clarifications required before agreement can be given.	
Approach to NRA	It is agreed that the Navigational Risk Assessment has been undertaken in line with the requirements set out in the Marine Guidance Note (MGN) 543 – Guidance on UK Navigation Practice, Safety and Emergency Response Issues.	<p><i>For transparency it should be noted that the MCA have agreed this position with the Thanet Extension project. The position of Chamber of Shipping may agree or disagree with that position.</i></p> <p>The chamber accepts the view of the MCA that the NRA has been undertaken in line with the requirements of MGN 543</p>	
Approach to NRA	It is agreed that the Hazard Log adequately identifies the relevant risks.	The chamber agrees that the Hazard Log adequately identifies the relevant risks.	Agreed

Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
Approach to NRA	It is agreed that the Hazard Log adequately quantifies and scores the relevant risks.	The chamber disagrees that the Hazard Log adequately quantifies and scores the relevant risks.	
Approach to NRA	It is agreed that the scores presented within the Hazard Log are accurate	The chamber disagrees that the scores presented within the Hazard Log are accurate	
NRA addendum - approach	It is agreed that the approach to the NRA addendum and the hazard workshop was presented to CoS in advance for comment. The approach taken by the Applicant is appropriate and matches NRA standard practice.	The chamber received the NRA addendum and hazard workshop information before the meeting.	
NRA addendum - approach	It is agreed that a project should not be regarded as unacceptable by reason only that it would increase navigational risk; and that the judgment on whether a project is acceptable in terms of navigational safety should be determined on the basis of whether ALARP can be achieved.	The chamber agrees that this approach was taken in determining whether the project acceptable in terms of navigational safety on the basis of whether ALARP can be achieved.	
NRA addendum – baseline data	It is agreed that the consideration of the baseline data presented in Appendix 27 to Deadline 4 presents an adequate characterisation of the receiving environment.	The chamber agrees that the baseline data presented in Appendix 27 to Deadline 4 is a more adequate representation of the receiving environment.	
NRA addendum – approach to hazard workshop	It is agreed that the approach to the hazard workshop was presented to CoS in advance for comment.	The chamber was provided with information on the Hazard Workshop but limited information on the format of the day was received.	

Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
NRA addendum – hazard log	It is agreed that the hazard categories were agreed in the hazard workshop with clear confirmation of hazards to include/preclude from discussion.	The chamber was not present at this meeting and therefore cannot comment as to what was discussed and agreed at the hazard workshop.	
NRA addendum – hazard log	It is agreed that the baseline scoring of hazards 1-4 was discussed and agreed in the hazard workshop.	The chamber was not present at this meeting and therefore cannot comment as to what was discussed and agreed at the hazard workshop.	
NRA addendum – hazard log	It is agreed that the baseline and inherent scoring of the remaining hazards in the hazard log, completed by Marico with mariner input, and sent around for comment by IPs, is appropriate.	The chamber agrees that the baseline and inherent scoring of the remaining hazards in the hazard log was received for comment but that little supporting information was provided by the applicant to ensure full understanding and analysis of the hazard log could be undertaken.	
NRA addendum – conclusions	It is agreed that the conclusion of the NRA addendum that the risks in the inshore route ALARP and that the SEZ provides sufficient sea room for marine activities is correct.	The chamber does not agree that the NRA addendum has reduced the risks to the inshore as ALARP due to the lack of qualitative data. The SEZ is a compromise for this proposal but does not mitigate all associated risks within the area.	
NRA addendum – conclusions	It is agreed that the NRA addendum appropriately concludes that there is adequate sea room for the passage of vessels through the inshore route.	The NRA addendum states that there is adequate sea room for the passage of vessels through the inshore route but the chamber does not agree that this conclusion is correct.	



Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
Environmental Statement Baseline and Methodology	It is agreed that the shipping and navigation baseline environment has been adequately and appropriately described in the ES. Based on that information it is further agreed that the marine traffic survey data and wider data sources used are appropriate for the assessment and details a good representation of commercial traffic in the area of the project	The chamber agrees that the baseline environment has been adequately and appropriately described in the ES but disagrees that the information provided is an accurate representation of the commercial traffic within the area of the project and the safe and prudent use of sea room in the vicinity of the propose extension.	
Environmental Statement Baseline and Methodology	It is agreed that the approach adopted in the Environmental Statement is appropriate to assess the magnitude and range of navigational safety impacts from the proposed Project on passage of commercial vessels	The chamber disagrees that the ES assess the magnitude and range of navigational safety impacts from the proposed Project on passage of commercial vessels	
Environmental Statement Baseline and Methodology	The uplift of 10% vessel traffic set out in the NRA and NRAA is appropriate for the study area given the historic baseline and expected growth as identified by PLA in their Thames vision, and employed by Tilbury2 in the PLA approved NRA that underpinned that project, and reflected in the regional planning undertaken by the MMO.		
Tolerability definition and assessment	In the absence of industry specific guidance it is agreed that the tolerability of risk is appropriately defined and assessed through application of the HSE standards.	<i>For transparency it should be noted that the MCA have agreed this position with the Thanet Extension project as presented within their relevant representation. The position of Chamber</i>	

Discussion Point	Thanet Extension Position	Chamber of Shipping Position	Final Position
		<p><i>of Shipping may agree or disagree with that position.</i></p> <p>The chamber accepts the view of the MCA that the tolerability of risk is appropriately defined and assessed through application of the HSE standards.</p>	
Environmental Statement/assessment	It is agreed that the ES adequately assesses impacts on shipping routes and gives appropriate weighting on routes that whilst locally important are not international shipping lanes.	The chamber disagrees that the ES adequately assesses impacts on shipping routes and gives appropriate weighting on routes that whilst locally important are not international shipping lanes.	
ISH8	It is agreed that the NRA submitted by local operators at Deadline 4, when considered against the local operator guidance, identifies the risks associated with the proposed project to be ALARP.	The chamber agrees that the NRA identifies the risks associated with the proposed project but does not agree that they are ALARP.	

## **5 Matters under disagreement**

- 20 As noted in the document there remain raised by the CoS during examination that have yet to be resolved as of the last consultation held with the CoS.