



Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

Cover Letter

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The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
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Date: 2 September 2022

Dear The Planning Inspectorate

**Planning Act 2008 – Application for Development Consent
Sheringham Shoal Offshore Wind Farm Extension Project and Dudgeon Offshore
Wind Farm Extension Project
PINS Reference: EN010109**

Equinor New Energy Limited (the Applicant), on behalf of Scira Extension Limited (SEL) and Dudgeon Extension Limited (DEL), encloses an application for an order granting development consent (the Application) pursuant to section 37 of the Planning Act 2008.

1 SUBJECT OF THE APPLICATION

1. The Application is for development consent to construct and operate two offshore wind farm generating stations, known as Sheringham Shoal Offshore Wind Farm Extension Project (SEP) and Dudgeon Offshore Wind Farm Extension Project (DEP), both located off the coast of Norfolk (together “the Projects”).
2. SEP is the proposed extension to the operational Sheringham Shoal Offshore Wind Farm and will comprise up to 23 wind turbine generators, together with the associated onshore and offshore infrastructure. The offshore export cable corridor from SEP to landfall will be approximately 40km in length and the onshore cable corridor will be approximately 60km in length.
3. DEP is the proposed extension to the operational Dudgeon Offshore Wind Farm and will comprise up to 30 wind turbine generators, together with the associated onshore and offshore infrastructure. The offshore export cable corridor from DEP to landfall will be approximately 62km in length and the onshore cable corridor will be approximately 60km in length.
4. Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(a) and 15(3) of the Planning Act 2008. As SEP and DEP will each have an overall capacity greater than 100 megawatts (MW), they are both NSIPs for the purposes of the Planning Act 2008. It is for this reason that the Projects fall within the remit of the Secretary of State.

5. As the owners of SEP and DEP, SEL and DEL are the named undertakers that have the benefit of the **Draft Development Consent Order (DCO)** (document reference 3.1). References in the application documents to obligations on, or commitments by, 'the Applicant' are given on behalf of SEL and DEL as the undertakers of SEP and DEP.

2 DOCUMENTATION ENCLOSED AND APPLICATION FEE

6. We have transferred the following documents to the Planning Inspectorate:
- The completed and signed application form;
 - The Environmental Statement (ES); and
 - Each of the other documents listed in the **Guide to the Application** (document reference 1.3)
7. As agreed with the Planning Inspectorate, the Applicant will only send the documents electronically, which will include confidential documents. The confidential documents will be clearly marked as 'confidential' in the **Guide to the Application** (document reference 1.3).
8. A fee in the sum of £7,488 has already been submitted to the account of the Planning Inspectorate, using PINS reference EN010109.

3 APPLICATION FORMALITIES

9. The Application is made in the form required by section 37(3) of the Planning Act 2008. The Application documentation complies with the overall requirements of section 37 and the requirements set out in:
- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
 - The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
 - Guidance published by the former Department for Communities and Local Government (DCLG); and
 - Planning Inspectorate's Advice Note Six: Preparation and submission of application documentation (version 11, August 2022).
10. The Applicant confirms that the Planning Inspectorate will be able to publish the Application (with any necessary redactions and minus any confidential documents) on the Planning Inspectorate's webpage **following acceptance**.

4 DESCRIPTION OF THE PROJECT

11. The Application seeks consent for the development outlined in section 1 above and described in full in Schedule 1 to the **Draft DCO** (document reference 3.1) and in **ES Chapter 4 Project Description** (document reference 6.1.4).

12. The development, which is the subject of the Application, also contains associated development under section 115 of the Planning Act 2008, including the infrastructure necessary to connect the Projects to the National Grid. Further explanation on the approach to associated development is contained within the **Explanatory Memorandum** (document reference 3.2).
13. Whilst SEP and DEP have different commercial ownerships and are each NSIPs in their own right, a single application for development consent is being made for both wind farms, and the associated transmission infrastructure for each. A single application process is intended to provide for consistency in the approach to the assessment, consultation and examination, as well as increased transparency for a potential compulsory acquisition process.
14. The Applicant is seeking to coordinate the development of the Projects as far as possible. However, given the different commercial ownerships of SEP and DEP, alternative development scenarios will allow the Projects to be constructed in a phased approach, if necessary. Therefore, the Application seeks to consent a range of development scenarios in the same overall corridors to allow for separate development if required, and to accommodate either sequential or concurrent build of the Projects. The project development scenarios are explained further in the **Scenarios Statement** (document reference 9.8).
15. The proposed DCO will, amongst other things, authorise:
 - The construction and operation of up to 53 offshore wind turbine generators and their foundations;
 - The construction of up to two offshore substation platforms and their foundations;
 - The construction of a network of subsea electrical cables connecting the wind turbine generators;
 - Inter-link cables connecting the Projects;
 - The installation of up to two subsea export cable circuits to transmit the electricity generated by the wind turbine generators to landfall;
 - The construction of up to two transition joint bays at landfall connecting the offshore cables to the onshore cables;
 - The installation of up to two underground onshore export cable circuits connecting to the proposed onshore substation;
 - A new onshore substation just to the south of the existing Norwich Main substation; and
 - Accesses, ecological mitigation, and landscaping.

5 CONSENT FLEXIBILITY

16. The **Draft DCO** (document reference 3.1) provides for flexibility in relation to the generating stations and their associated development. The Applicant has given careful consideration to the guidance in the National Policy Statements and version 3 of Planning Inspectorate Advice Note Nine: Rochdale Envelope (2018). In the Applicant's view, the inclusion of the flexibility provided for in the application is fundamental to whether or not the **draft DCO** (document reference 3.1) is fit for purpose, and therefore whether or not the Projects will proceed.

17. The Environmental Impact Assessment (EIA) which has been carried out in support of the application has considered the flexibility which is sought in the **Draft DCO** (document reference 3.1). This matter is addressed in the **ES** (document reference 6.1) and in all cases the parameters referred to in the **Draft DCO** (document reference 3.1) have been adopted in the ES.
18. Further explanation on the Applicant's approach to the Rochdale Envelope is contained within **ES Chapter 5 EIA Methodology** (document reference 6.1.5).

6 DEEMED MARINE LICENCES

19. Included within the **Draft DCO** (document reference 3.1) at Schedules 10 to 13 are deemed marine licences (DMLs), as provided for in Section 149A of the Planning Act 2008. The approach to the split of the DMLs is discussed in more detail in the **Explanatory Memorandum** (document reference 3.2). The **Draft DCO** (document reference 3.1), and the DMLs, have been the subject of consultation with, and comment by, the Planning Inspectorate, Natural England and the Marine Management Organisation (MMO). The Applicant has also shared an earlier version of the draft DCO with The Crown Estate and host local authorities.
20. Where possible or appropriate the Applicant has sought to take comments into account in the documents submitted, but it should not be assumed that any of these organisations have approved the detailed form of the draft DCO and DMLs. The Applicant expects to have further discussions to refine some aspects of the detail of the **Draft DCO** (document reference 3.1) and DMLs after acceptance, as has taken place with other accepted NSIP applications.

7 COMPULSORY ACQUISITION

21. The Applicant is seeking authority within the **draft DCO** (document reference 3.1) to acquire compulsorily land and interests and other related powers to support the delivery of the Projects, details of which can be found in the **Statement of Reasons** (document reference 4.3) and the **Book of Reference** (document reference 4.1). Adequacy of funding for compensation is dealt with in the **Funding Statement** (document reference 4.2).
22. Sections 127, 130, 132 and 135 of the Planning Act 2008 apply. Details of the extent of the proposed works affecting land held by a statutory undertaker and special category land can be found in the **Statement of Reasons** (document reference 4.3).

8 HABITATS REGULATIONS

23. The Application documents include a **Report to Inform Appropriate Assessment (RIAA)** (document reference 5.4) as required by regulation 5(2)(g) of the APFP Regulations. This identifies all relevant European sites and provides sufficient information for the competent authority to determine whether the Projects are likely to have an adverse effect on the integrity of any European site. In preparing the report, the Applicant has been mindful throughout of the Planning Inspectorate's Advice Note 10: Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects (version 9, August 2022).

24. With respect to certain ornithological features, the Applicant has prepared information describing proposed compensation measures. These proposals have been prepared in response to the outcomes of the Applicant's **RIAA** (document reference 5.4), extensive stakeholder consultation and the emerging outcomes from other UK offshore wind farm (OWF) DCO applications and decisions. The ornithological features and their respective sites are:
- a. Sandwich tern from the North Norfolk Coast (NNC) Special Protection Area (SPA) and the Greater Wash SPA. The Applicant's **RIAA** (document reference 5.4) concludes that adverse effect on integrity (AEoI) cannot be ruled out as a result of predicted mortality due to collision risk and combined displacement and collision risk, when considered in-combination with other OWFs. As such, the Applicant has provided compensatory measures as part of its consent application to compensate for the predicted effects from SEP and DEP.
 - b. Kittiwake from the Flamborough and Filey Coast (FFC) SPA. The Applicant's **RIAA** (document reference 5.4) concludes that AEoI cannot be ruled out as a result of predicted mortality due to collision risk, when considered in-combination with other OWFs. As such, the Applicant has provided compensatory measures as part of its consent application to compensate for the predicted effects from SEP and DEP.
 - c. Gannet, Guillemot and Razorbill from FFC SPA. The Applicant's **RIAA** (document reference 5.4) concludes that there will be no AEoI as a result of predicted mortality due to combined displacement and collision risk (gannet) and displacement (guillemot and razorbill), either alone or in-combination with other OWFs. In the event that the Secretary of State is unable to reach a conclusion of no AEoI with respect to these features, the Applicant has developed "without prejudice" compensatory measures that could be applied to provide compensation for the predicted effects.
25. The Applicant is therefore submitting with the Application a series of documents setting out a derogation case (including compensatory measures) for the Projects. As noted above, the documents relating to Gannet, Guillemot and Razorbill are submitted on a "without prejudice" basis. The following documents are submitted in this regard:
- **Habitats Regulations Derogation: Provision of Evidence** (document reference 5.5);
 - **Appendix 1: Compensatory Measures Overview** (document reference 5.5.1);
 - **Annex 1A: Initial Review of Compensatory Measures for Sandwich Tern and Kittiwake** (document reference 5.5.1.1);
 - **Annex 1B: Sandwich Tern and Kittiwake Ecological Evidence** (document reference 5.5.1.2);
 - **Annex 1C: Initial Review of Compensatory Measures for Gannet, Guillemot and Razorbill** (document reference 5.5.1.3);
 - **Annex 1D: Record of HRA Derogation Consultation** (document reference 5.5.1.4);
 - **Appendix 2: Sandwich Tern Compensation Document** (document reference 5.5.2);
 - **Annex 2A: Outline Sandwich Tern Compensation, Implementation and Monitoring Plan** (document reference 5.5.2.1);

- **Annex 2B: Sandwich Tern Nesting Habitat Improvements Site Selection** (document reference 5.5.2.2);
- **Appendix 3: Kittiwake Compensation Document** (document reference 5.5.3)
- **Annex 3A: Outline Kittiwake Compensation Implementation and Monitoring Plan** (document reference 5.5.3.1);
- **Appendix 4: Gannet, Guillemot and Razorbill Compensation Document** (document reference 5.5.4);
- **Annex 4A: Outline Gannet, Guillemot and Razorbill Compensation Implementation and Monitoring Plan** (document reference 5.5.4.1);
- **Appendix 5: Derogation Funding Statement (Habitats Regulations and Marine and Coastal Access Act)** (document reference 5.5.5); and
- **Strategic and Collaborative Approaches to Compensation and Measures of Equivalent Environmental Benefit** (document reference 5.8).

9 MARINE CONSERVATION ZONE ASSESSMENT AND WITHOUT PREJUDICE MEASURES OF EQUIVALENT ENVIRONMENTAL BENEFIT

26. The Application documents include a **Stage 1 Cromer Shoal Chalk Beds (CSCB) Marine Conservation Zone Assessment (MCZA)** (document reference 5.6), as required by Section 126 of the Marine and Coastal Access Act 2009, as the offshore export cable corridor for the Projects passes through the CSCB MCZ.
27. The assessment concludes that the conservation objective of maintaining the protected features of the CSCB MCZ in a favourable condition will not be hindered by the construction, operation and decommissioning phases of SEP and DEP, or cumulatively with any other plan, project or activity.
28. However, in response to advice from Natural England and lessons learned from the recent examinations of other UK OWFs, the Applicant is providing a derogation case, without prejudice of its position that the conservation objectives of the CSCB MCZ will not be hindered. The following documents are submitted in this regard:
 - **Marine and Coastal Access Act (MCAA) Derogation: Provision of Evidence** (document reference 5.7); and
 - **Appendix 1: In-Principle Cromer Shoal Chalk Beds (CSCB) Marine Conservation Zone (MCZ) Measures of Equivalent Environmental Benefit (MEEB) Plan** (document reference 5.7.1).

10 OTHER CONSENTS

29. Details of other consents and licences not forming part of the application, which the Applicant or others may be seeking in relation to the proposed Projects and their associated development, are set out in the **Planning Statement Appendix: Details of Other Consents and Licences** (document reference 9.1.1). A number of these applications will be progressed in parallel with the consideration of the **draft DCO** (document reference 3.1) by the Secretary of State. The Applicant will update the Planning Inspectorate periodically in relation to the progress of these applications, as required.

11 PRE-APPLICATION CONSULTATION

30. The Applicant has had careful regard to the pre-application consultation requirements of the Planning Act 2008, the guidance on pre-application consultation issued by DCLG and the Planning Inspectorate, and its pre-application discussions held with the Planning Inspectorate, as required by section 50 of the Planning Act 2008.
31. As required by section 37(3)(c) of the Planning Act 2008, the Application is accompanied by a **Consultation Report** (document reference 5.1), which provides details of the Applicant's compliance with sections 42, 47, 48 and 49 of the Planning Act 2008. The responses of statutory and non-statutory consultees are listed and summarised in the **Consultation Report** (document reference 5.1), including **Appendix 3: Applicant Response in Regard to Section 47 Comments** (document reference 5.2.3) and **Appendix 4 Applicant Response in Regard to Section 42 Comments** (document reference 5.2.4) and these have informed the evolution of the Application and the Projects overall.

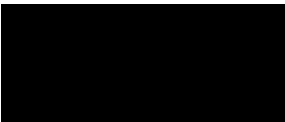
12 OTHER MATTERS

32. Under regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan of certain nature conservation sites and features and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under regulation 5(2)(m) in relation to certain historic sites and features. The plans are attached as separate documents as follows:
- **Historic Environment Plan (Onshore)** (document reference 2.13);
 - **Historic Environment Plan (Offshore)** (document reference 2.14);
 - **Statutory/Non-Statutory Nature Conservation Sites (Onshore)** (document reference 2.15); and
 - **Statutory/Non-Statutory Nature Conservation Sites (Offshore)** (document reference 2.16).
33. The associated assessments are provided in the **ES** (document reference 3.1) and not as stand-alone documents.
34. Under regulation 5(4A) of the APFP Regulations, any plans, drawings or sections required to be provided must be provided at a scale not smaller than 1:2500. This does not apply to any plans to sheets where the matters shown or identified on the plan or sheet are entirely in the UK marine area (regulation 5(4B) of the APFP Regulations). Several of the plans submitted are at a scale smaller than 1:2500 where the Applicant considered this appropriate and in accordance with Section 12 the Planning Inspectorate's Advice Note Six: Preparation and submission of application documentation (version 11, August 2022). This was discussed with the Planning Inspectorate by emails of 28 February 2022.
35. Under Regulation 6(b)(i) of the APFP Regulations, an applicant is required to provide details of the proposed cable route and the method of installation for any cable. This information can be found in the **Cable Statement** (document reference 8.1) and in the **Works Plans (Onshore)** (document reference 2.6) and the **Works Plans (Offshore)** (document reference 2.7).

36. Under Regulation 6(b)(ii) of the AFPF Regulations, an applicant is required to provide a statement in respect of Safety Zones. This information can be found in the **Safety Zone Statement** (document reference: 8.2).

We look forward to hearing from you in relation to the formal acceptance of the Application. If we can be of any assistance in that regard, please do not hesitate to contact Sarah Chandler (SARC@equinor.com) in the first instance.

Yours faithfully,



Kari Hege Mørk

Project Director, Sheringham Shoal Offshore Wind Farm Extension Project & Dudgeon Offshore Wind Farm Extension Project

On behalf of Equinor New Energy Limited