



# Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

## Pre-examination Response to s51 Advice and Comments of the Planning Inspectorate - Cover Letter

October 2022  
Document Reference: 10.1  
APFP Regulation: 5(2)(q)

<b>Title:</b> <b>Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects</b> <b>DCO Application</b> <b>Pre-examination Response to s51 Advice and Comments of the Planning Inspectorate: Cover Letter</b>	
<b>PINS Document No.:</b> <b>10.1</b>	
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<b>Approved by:</b>	<b>Date:</b>
<b>Kari Hege Mørk, Equinor</b>	<b>October 2022</b>

The Planning Inspectorate  
National Infrastructure Directorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Date: 26 October 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**

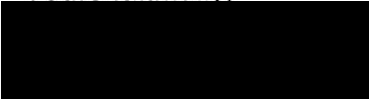
Equinor New Energy Limited (the Applicant), on behalf of Scira Extension Limited (SEL) and Dudgeon Extension Limited (DEL), encloses the documents mentioned in the table below in response to (i) advice issued by the Planning Inspectorate on 3 October 2022 under section 51 of the Planning Act 2008 and (ii) comments provided by the Planning Inspectorate on 3 October 2022 within the checklist completed under section 55 of the Planning Act 2008. Where appropriate the Applicant also provides specific responses in the table below to the points raised by the Planning Inspectorate.

In addition to the changes mentioned in the table, the Applicant has made the following amendments:

- Updated the **Guide to the Application** (document reference 1.3) to reflect the new and updated documents and associated document revision status.
- Updated the descriptions in the legend of the **Works Plans (Onshore)** (document reference 2.6) to improve clarity of description.
- Updated the **Crossing Schedule** (document reference 6.3.4.1) to correct minor discrepancies in road names between that document and other plans.

If we can be of any assistance, please do not hesitate to contact Johiris Rodriguez (johrod@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



**Planning Inspectorate comment**

**The Applicant's Response**

**Section 51 Advice**

**1. Consultees identified on a precautionary basis**

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application.

The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that do not appear to have been consulted by the Applicant under s42:

- Northern Gas Network Limited
- Wales and West Utilities Ltd
- Leep Gas Networks Limited
- Last Mile Gas Ltd
- Squire Energy Limited
- Norfolk Vanguard East Limited
- Norfolk Boreas Limited
- Indigo Power Limited
- Last Mile Electricity Ltd
- Mua Electricity Limited
- Optimal Power Networks Limited

The Applicant has reviewed the list of parties identified by the Planning Inspectorate. None of the parties have been identified by the Applicant as persons potentially affected by, or potentially likely to have an interest in the application, based on utility searches and title interrogation.

Notwithstanding this, the Applicant can confirm that the notice under s56(2)(a) of the Planning Act 2008 has been served on all additional 'precautionary' consultees identified by the Planning Inspectorate.

The Applicant has also identified a party that has acquired a new interest in the Order land since the date of submission of the Application:

Ollands Investments (Farming) Ltd, First Floor Suite, 2 Hillside Business Park, Bury St Edmunds, IP32 7EA, United Kingdom

The Applicant has served a notice on the party under s56 of the Planning Act 2008. Their interest will be added to a revised version of the Book of Reference when this is submitted at a later date.

<p>• <b>National Grid Electricity System Operator Limited</b></p> <p>The <b>Consultation Report (Doc 5.1)</b> does not explain why the bodies identified above do not appear to have been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the s55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008. If there is a specific justification why this is not necessary, the Applicant should make that justification available as part of the application material.</p> <p>The Planning Inspectorate notes that none of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the <b>Book of Reference (Doc 4.1)</b>.</p>	
<p><b>2. Discrepancies between the Book of Reference and the S44 Stakeholder List</b></p> <p>The Planning Inspectorate has identified discrepancies between the <b>Book of Reference (Doc 4.1)</b> and the <b>s44 Stakeholder List (Doc ref 4.1)</b>. Several parties in the <b>s44 Stakeholder List (Doc ref 4.1)</b> are not included in the <b>Book of Reference (Doc 4.1)</b>. The Applicant should cross-reference the <b>Book of Reference (Doc 4.1)</b> and the <b>s44 Stakeholder List (Doc 4.1)</b> and consider whether an updated set of documents should be provided. The Planning Inspectorate advises the Applicant to resolve the discrepancies before the issuance of notices under s56 of the PA2008, to ensure all relevant</p>	<p>The Applicant has reviewed the <b>Book of Reference (document reference 4.1)</b> and the <b>s44 Stakeholder List (document reference 5.2.22)</b> that was appended to the Consultation Report (document reference 5.1). The Applicant has not identified any interests that are included in the <b>Book of Reference (document reference 4.1)</b> that are not included in the <b>s44 Stakeholder List (document reference 5.2.22)</b>. There are a number of parties within the <b>s44 Stakeholder List (document reference 5.2.22)</b> that are not included within the <b>Book of Reference (document reference 4.1)</b>. Where that is the case, a comment is included in the final column of the table within the <b>s44 Stakeholder List (document reference 5.2.22)</b> explaining why that is the case.</p>



<p>parties are notified of the accepted application, and invited to submit a relevant representation under s102(4) of the PA2008.</p>	<p>The Applicant has therefore not identified any discrepancies that would require an updated set of documents to be provided.</p>
<p><b>3. Flood Risk Assessment (Doc 5.3)</b></p> <p>Although the Flood Risk Assessment is considered to be adequate at this stage, Figures 18.2.2 - 18.2.15 (inclusive) appear to have been omitted from the document. It is suggested that these documents are submitted as soon as possible, before the commencement of the Examination, so they are available with all other application documents in advance of submissions of Written Representations and Local Impact Reports.</p>	<p>The Applicant has reviewed the Flood Risk Assessment (document reference 5.3) and updated this to include Figures 18.2.2 - 18.2.15.</p> <p>The Applicant has also updated ES Chapter 18, Appendix 2: Flood Risk Assessment (document reference 6.3.18.2).</p>
<p><b><u>Comments in section 55 checklist</u></b></p>	
<p><b>Draft DCO (Doc 3.1)</b></p>	
<p>1. The Applicant should review the Draft DCO (Doc 3.1) to ensure consistency in relation to the name of the order and that the names of certified documents are listed correctly in the Order.</p>	<p>The Applicant has made amendments to the draft DCO (document reference 3.1) which address the comments raised by the Planning Inspectorate. The full list of amendments is set out in the Schedule of Changes enclosed with this letter. The Applicant also encloses a new clean version of the draft DCO (document reference 3.1) and a comparison document to show the changes made.</p>
<p>2. The Crown Land Plan has not been included in the list of certified documents.</p> <p>3. There is an inconsistency in the ordering of parts of Schedule 14 – Protective Provisions between the content list of the Draft DCO (Doc 3.1) and the Explanatory Memorandum (Doc 3.2). Schedule 14 of the Draft DCO (Doc 3.1) does not match the Explanatory Memorandum (Doc 3.2) in terms of the order of parts including</p>	<p>The Explanatory Memorandum (document reference 3.2) has been updated to reflect the order and naming of the Protective Provisions in the draft DCO (document reference 3.1).</p>

<p>Protective Provisions. An example would be Part 5 of Schedule 14 which is listed in the content list as relating to Anglian Water Limited but is in fact (and in the Explanatory Memorandum (Doc 3.2), relating to National Grid Gas. Anglian Water Limited is covered in Part 9 of Schedule 14.</p>	
<p>4. There appears to be no Separate Schedules for Land Subject to Temporary Occupation and Freehold Acquisition (marked in pink on Land plans) or for Crown Land in the dDCO.</p>	<p>There are no separate schedules for either 'Land Subject to Temporary Occupation and Freehold Acquisition' or for 'Crown Land' in the draft DCO (document reference 3.1) because there is no relevant Article in the draft DCO (document reference 3.1) which cross refers to any such schedules. They are therefore not necessary or required. Schedule 7 (Land in which only new rights, etc. may be acquired) and schedule 9 (land of which temporary possession only may be taken) are included because these schedules are referred to in Articles 20(3) and 26(1)(a)(i) respectively.</p>
<p>5. In Access to works Plan (Doc 2.9) there are crossing points which are not included in the Draft DCO (Doc 3.1).</p>	<p>The Access to Works Plan (document reference 2.9) has been amended to remove reference points that related to crossing only.</p>
<p><b>Land Plans (Doc 2.3), Special Category Land Plan (Doc 2.5), Works Plan (Onshore) (Doc 2.6) and Works Plan (Offshore) (Doc 2.7)</b></p>	
<p>6. There is an inconsistency with respect to plot 39-043 and 39-044 on sheet 39 of 49 of the Land Plans (Doc 2.3). On the main sheet the plot identified as 39-043 is marked as 39-044 in the inset scale. Upon cross checking with Draft Development Consent Order (Doc 3.1) Schedule 7, plots 39-043 shown on the Land Plans (Doc 2.3) are not listed.</p>	<p>The Applicant has reviewed the Land Plans (document reference 2.3) and made any necessary amendments to the inset scale.  The Applicant has made amendments to Schedule 7 of the draft DCO (document reference 3.1) which address the comments raised by the Planning Inspectorate.</p>



<p>7. Plot boundaries need to be clear to support understanding by parties for example the boundary for plot 40-007 is not clear.</p> <p>8. In general, road names were not clearly visible on some of the sheets of the Land plans.</p>	<p>The Applicant has reviewed all plans and made amendments to improve clarity.</p>
<p>9. There are variations in descriptions between the Draft DCO (Doc 3.1) and work plans, however these are not significant enough to cause issue identifying the works. Also, some similar works to be undertaken in different scenarios have been given the same legend (for example Works 12A, 12B and 12C) so it is difficult to distinguish whether there is any difference in land take for the works in different scenarios.</p>	<p>As explained in section 11 of the Scenarios Statement (document reference 9.28) and section 11.4 of the Statement of Reasons (document reference 4.3), there will be no change to the order land regardless of the scenario that is taken forwards. The draft DCO (document reference 3.1) seeks consent for both projects to construct, operate and maintain their cable circuit in any part of the joint cable corridor. It is not possible at this stage to identify exactly where within the Order limits each project's cable circuit will be laid. The maximum number of cable circuits will be two in all the scenarios (save in the event only one project comes forward in isolation, in which case it will be one circuit). The intention is to use temporary possession powers to construct the cable circuits and only use compulsory acquisition powers once the location of the cable circuits is known. The land take provided for through the draft DCO (document reference 3.1) for the cable corridor in each scenario is therefore the same, save that if only one project is taken forwards, the permanent land take will be for one cable circuit easement rather than two. The same principle applies to the onshore substation site. The extent of the land required to develop either two separate substations or one integrated substation is the same. Where separate substations are constructed under scenarios 1 or 2, it is not possible to determine yet upon which part of the</p>

	<p>substation land each project's substation will be located. Therefore, each project has the ability to use and acquire all and any part of the substation land and there is no difference in the works area or land take area that has to be provided for in the draft DCO (document reference 3.1).</p>
<p><b>Crown Land Plan (Doc 2.4)</b></p>	<p>The Applicant has made amendments the draft DCO (document reference 3.1) which address the comments raised by the planning inspectorate.</p> <p>The Applicant has reviewed all plans and made amendments to improve clarity.</p>
<p><b>10. The dDCO does not include the Crown Land Plan (Doc 2.4) in section 38 (certification of plans). Some improvements could have been made in terms of clarity for example plots 28-005 and 28-007 would benefit from an insert being provided.</b></p> <p><b>Access to works Plan (Doc 2.9), Streets (to be temporarily stopped up) (Doc 2.11)</b></p>	<p>The Applicant has reviewed all plans and made amendments to improve clarity.</p> <p>The Applicant has also updated the road names on the relevant plans where required and has made corresponding amendments to the draft DCO (document reference 3.1).</p> <p>The applicant has also updated the legend on the Streets (to be temporarily stopped up) Plan (document reference 2.10) to correct an error with references to a schedule of the draft DCO</p>
<p><b>11. Road names are not always visible behind keys/ reference points on applicable sheets in the Access to works (Doc 2.9). Inconsistencies have been identified between the naming of roads in the Draft DCO (Doc 3.1) and those shown on the plans provided. The Planning Inspectorate has identified labelling errors on sheet 26 and some labels are illegible, for example, as seen with 26f.</b></p>	<p>The Applicant has reviewed all plans and made amendments to improve clarity.</p> <p>The applicant has also updated the legend on the Streets (to be temporarily stopped up) Plan (document reference 2.10) to correct an error with references to a schedule of the draft DCO</p>



<p>12. There is a discrepancy between the Public Rights of Way (to be temporarily stopped up) Plan (Doc 2.11) and the Development Consent Order (Doc 3.1), where the Development Consent Order (Doc 3.1) makes reference to points marked 18e and 18f on sheet 18, however these points are not visible on the Public Rights of Way (to be temporarily stopped up) Plan (Doc 2.11). Additionally, there are other reference points missing labels on the Public Rights of Way (to be temporarily stopped up) Plan (Doc 2.11), for example, points 22d, 35b and 37g.</p> <p><b>Planning Statement (Doc 9.1)</b></p>	<p>(document reference 3.1). The legend has been corrected to refer to schedule 5, rather than schedule 4.</p> <p>The Applicant has reviewed the Public Rights of Way (to be temporarily stopped up) Plan (document reference 2.11) and has amended this to include the missing reference points.</p>
<p>13. In the Planning Statement (Doc 9.1) the citation of tables included in part of the Statement appears to have been omitted in the submitted version.</p>	<p>The Applicant has reviewed the Planning Statement (document reference 9.1) and corrected this omission.</p>

