



equinor

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

By email only: sadep@planninginspectorate.gov.uk

Your reference: EN010109
13 January 2023

Dear Sir/Madam

Planning Inspectorate reference: EN010109
Application by Equinor New Energy Limited (“the Applicant”) for a Development Consent Order for the
Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects (“the Application”)
Notification of the Applicant’s intention to submit requests for changes

The purpose of this letter is to notify the Examining Authority that the Applicant will be making a request for non-material changes to the Application (Changes 2 and 3) and is also considering the need to make a request for a material change (Change 1). In summary these changes are:

- 1) An extension to the Order Limits immediately south of the A47 where the cable corridor passes through the proposed Food Enterprise Park;
- 2) Confirmation of the surface water drainage solution at the onshore substation; and
- 3) The removal of an additional area of hedgerow close to the main construction compound to aid visibility.

These changes are explained in more detail below.

Change 1 – Order limits change at Food Enterprise Park south of the A47

The onshore cable corridor for the Sheringham Shoal Offshore Wind Farm Extension Project (“SEP”) and Dudgeon Offshore Wind Farm Extension Project (“DEP”) passes through a development site known as the Food Enterprise Park (“FEP”).

FEP comprises a 100 acre development site that straddles the administrative boundaries of Broadlands District Council (“BDC”) and South Norfolk District Council (“SNDC”). The site is being developed in phases and a Local Development Order (“LDO”) was adopted for Phase 1 (a 46 acre site in BDC) in 2017.

The SEP and DEP cable corridor bisects the Phase 2 site. Whilst an LDO is not yet in place, it is understood, following recent discussions with the landowner and SNDC that this will be submitted during 2023.

The landowner has now shared plans with the Applicant (which were not available when the Application was being prepared) which indicate that there is a potential conflict between the Phase 2 FEP development and the current proposed location of the SEP and DEP cable corridor.

Subject to further communication with the landowner at the Food Enterprise Park, the Applicant is considering the need to request a change to the Order Limits in this location in order to include a wider cable corridor which will allow for greater flexibility when micro-siting the cable route in order to accommodate coexistence with the FEP Phase 2 development.

Change 2 – Drainage solution at the onshore substation

The second change relates to the proposed surface water drainage solution at the onshore substation. Within the DCO application (document reference APP-307) the Applicant presented two options for the discharge of surface water from the onshore substation, comprising either a connection to the Anglian Water foul sewer to the south of the onshore substation site or the use of infiltration adjacent to the onshore substation platform and at the most shallow level possible.

The Applicant has been undertaking further surveys and monitoring in this area which have confirmed that infiltration directly into the shallow granular zone can be adopted. As such, it is proposed that a shallow infiltration solution will be taken forward as the sole surface water drainage approach at the onshore substation.

This update in position has been communicated to Norfolk County Council, in their role as the Lead Local Flood Authority, in a meeting on 6 December 2022, and discussions with the Council have been ongoing throughout the process of narrowing the drainage options. The updated approach ensures that the surface water drainage solution at the Onshore Substation is in accordance with the SuDS Drainage Hierarchy, whereby the most sustainable SuDS solution as high up the SuDS Drainage Hierarchy as possible has been selected.

The Applicant will therefore be requesting a change to the Application to confirm this position and that the connection to the Anglian Water foul sewer option will not be progressed further.

Change 3 – Removal of additional hedgerow

Hedgerow (H0103) is located to the south west of the proposed access (ACC33) to the main construction compound for SEP and DEP at the junction of the A1067 and Old Fakenham Road (the location of access ACC33 is detailed on Figure 24.6 of the Environmental Statement [APP-134]).

During stakeholder engagement with Norfolk County Council (NCC), NCC identified that they had concerns with the existing forward visibility of oncoming traffic at this junction (noting the proposed intensification of traffic associated with SEP and/or DEP traffic travelling to the proposed main compound). It was subsequently agreed that visibility would need to be improved at this location by either coppicing or removing the relevant hedgerow.

To allow this hedge (H0103) to be cleared (removed/or coppiced, as required) it will be necessary to amend the Tree Preservation Order and Hedgerow Plan [APP-017] and Schedule 16 of the draft DCO (AS-009) accordingly.

Materiality

The Applicant's view is that Change 1 will be a material change and Changes 2 and 3 will be non-material changes. This view is based on the guidance within PINS Advice Note 16. Change 1 is thought to be material due to the proposed extension to the Order limits, which would require additional compulsory acquisition powers. Changes 2 and 3 are not anticipated to require any extension to the Order limits. It is expected that all three changes would not result in any new or different likely significant environmental effect(s).

Timing and procedure

The precise timing of the formal request for changes (and indeed the final decision on whether Change 1 will be requested) is under active consideration but it is expected that a formal application for changes will be submitted on or around Deadline 2 (7 March 2023).

The Applicant is confident that the changes could be examined within the current examination timetable and, whilst the details of the changes are still being progressed, the Applicant would be happy to discuss the procedural implications of the potential changes at the Preliminary Meeting on 17 January 2023.

In particular, the Applicant would ask that the Examining Authority agrees that, in relation to any material change request:

(a) whilst recommended in PINS Advice Note 16, there is no formal or statutory requirement to undertake consultation on any supplementary environmental information (“SEI”) prior to making a formal change request. There is precedent from other DCO examinations (for example, the Thurrock Flexible Generation Plant DCO) where the Examining Authority was content for consultation on the SEI to take place alongside consultation under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (“CA Regulations”) i.e. once the change request had been submitted. The Applicant’s view is that carrying out the two strands of consultation at the same time is likely to be less confusing for stakeholders and consultees than running the two consultations sequentially; and

(b) that consultation under the CA Regulations can be carried out alongside the Examining Authority’s consideration of whether to accept the request for the change. Again, there is precedent for this approach (for example, the Thurrock Flexible Generation Plant DCO) and the Applicant is not aware of any formal or statutory provision that would prevent this from taking place.

Adopting the approach set out above is likely to save time during the examination process and allow a greater opportunity for any related issues to be considered. It is also likely to reduce any consultation fatigue and confusion for stakeholders and consultees, as well as resulting in a time saving for those parties so that they are not having to respond to two separate but very similar consultations.

Yours faithfully

Sarah Chandler
Development & Consents Manager, SEP&DEP
Equinor