



Maritime &
Coastguard
Agency

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National Infrastructure Planning
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16 May 2023

Your ref: EN010109

Dear Sir/Madam

Application by Equinor for an Order Granting Development Consent for the Sheringham and Dudgeon Extension Projects.

Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010

Examination Timetable – Deadline 4

Thank you for inviting the Maritime and Coastguard Agency (MCA) to provide additional information to the Secretary of State as part of its assessment of the proposed Sheringham and Dudgeon offshore wind farm extension projects. We would like to submit the following response to the Examining Authority at Deadline 4.

Comments on Applicant's submission at Deadline 3

The Applicant provided a Navigation Safety Technical Note (document reference 6.3.13.2) in response to the Examiner's Questions 2 on issues highlighted during the Issue Specific Hearing (ISH) 6 and we would like to respond to specific points as follows:



Chapter	Applicant comments	MCA response
1.3.3 Navigational Safety Para 22 (second bullet point)	<p>Reliance upon mitigation in granting consent: as set out in NPS policy above, the MCA will use the NRA to determine its advice on the application, therefore it can be concluded that since the results of the NRA are that navigational safety risk is ALARP, in line with NPS policy, the application with mitigation measures in place consent can safely be granted under paragraph 2.6.167 inter alia;</p>	<p>This implies that since the NRA concludes risks are ALARP then there is no need for MCA to review it and provide advice to the Examining Authority. If a statement is made to say the risks are Tolerable (if ALARP) it does not automatically mean that it has been agreed with navigation stakeholders.</p> <p>The NPS EN-3 Para 2.6.167 states: <i>The MCA will use the NRA as described in para 2.6.156 above when advising the IPS on any mitigation measures proposed.</i></p>
1.3.3 Navigational Safety Para 23	<p>Since the conclusion of the NRA is that the navigational risk posed by the application is ALARP, of the ES is that the effects on shipping are not significant in EIA terms and since any obstruction that would arise as a result of the development is minimal in nature, the application is fully in accordance with NPS policy on navigational risk as set out above.</p>	<p>MCA has a concern on one safety aspect in particular where the obstruction is not minimal. We are unable to agree the application complies with the NPS, nor could we agree it complies with the shipping and navigation policies in the Marine and Coastal Access Act 2009, Marine Policy Statement and East Offshore Marine Plan.</p>
1.3.4 Consultation Draft National Policy Statements Para 25	<p>Following careful consideration of the March 2023 consultation draft NPS for Renewable Energy Infrastructure EN-3 and draft policy tests it contains for offshore windfarms in relation to navigation and shipping, no substantive proposed policy changes to those applying by virtue of the designated NPS EN-3 set out above, can be identified. The conclusion of ALARP in the NRA would therefore remain sufficient, under the draft NPS EN-3 for the project to be fully in accordance with NPS policy on</p>	<p>MCA has identified substantive changes to the draft NPS EN-3 policies for shipping and navigation and we will be providing a representation on our concerns to the Department for Energy Security and Net Zero in due course. It is not appropriate to infer the risks to navigation comply with the draft policies since they are still in draft format, and they have not been agreed with the appropriate Government Departments and navigation stakeholders.</p>

Chapter	Applicant comments	MCA response								
	navigation and shipping.									
2 NRA Summary Para 35	The collision modelling aspects of the NRA remained unchanged throughout the iterations detailed above (including the draft NRA submitted at PEIR). The MCA did not indicate any specific concern on DEP-North or any other particular aspect of SEP and DEP at any point of the NRA process prior to formal submission. The Applicant therefore understood there to be no material concerns remaining (as was stated by the Applicant at ISH1) until those points raised in February 2023, post commencement of examination.	Prior to submission at the PEIR stage the baseline survey data was incomplete and the full dataset was not seen until the final draft NRA was subsequently completed.								
6 Passing Distance Para 51	Given the local features present (see Figure 6.1), and local evidence of vessels passing closer than 1nm to existing wind turbine generators in the area (see Figure 6.2), it is considered likely that the 1.5nm value referenced by the MCA is not resultant of a deliberate choice by vessels to avoid wind turbine generators by a set distance. It is instead reflective of prudent mariners accounting for other features in the surrounding sea area.	It is agreed that prudent mariners transit 1.5nm from Triton Knoll OWF (as shown in the NRA) due to other navigational features in the area and this will include the avoidance of shallow water. If the DEP North boundary is not reduced mariners will not transit further west to provide more safe sea room due to the Triton Knoll shallow water and waypoint reference in Figure 6.1. Mariners will provide a safety buffer from the DEP North boundary and therefore they will be constricted into a narrower channel.								
7.3 Additional Modelling Figure 7.2	Sensitivity Scenario Illustration	The Figure would benefit from showing the future extent of traffic with DEP North in place, showing the safety buffer from the boundary and the navigational squeeze of the constricted traffic.								
7.3 Additional Modelling Table 7.2 and Para 61	<p>Additional Sensitivity Modelling Summary</p> <p>The sensitivity analysis shows that removal of the northwestern extent of DEP-North results in a reduction of approximately 3% of the collision risk return period from the NRA scenario, which does not increase the expected number of collisions over the operational lifespan of SEP and DEP4. On this basis it is considered that removal of the northwestern extent of DEP-North has no material impact on changes in collision risk, and therefore, as found through the NRA process, the hazard is considered as being ALARP.</p>	<p>Table 7.1 provides the collision modelling assessment for the entire 10nm study area which concludes that collision risk will change by more than 11%:</p> <table border="1" data-bbox="1245 1042 1906 1161"> <thead> <tr> <th data-bbox="1245 1042 1615 1070">Scenario</th> <th data-bbox="1615 1042 1906 1070">Change in collision risk</th> </tr> </thead> <tbody> <tr> <td data-bbox="1245 1070 1615 1099">Base Case (0% traffic increase)</td> <td data-bbox="1615 1070 1906 1099">11.5%</td> </tr> <tr> <td data-bbox="1245 1099 1615 1128">10% traffic increase</td> <td data-bbox="1615 1099 1906 1128">11.4%</td> </tr> <tr> <td data-bbox="1245 1128 1615 1157">20% traffic increase</td> <td data-bbox="1615 1128 1906 1157">11.9%</td> </tr> </tbody> </table> <p>Table 7.2 concludes the collision risk will only change by 3% with the removal of the western boundary of DEP North. However, MCA does not believe this is a reasonable conclusion as the future extent of the traffic (future channel width) has not been represented with both safety buffers and more condensed traffic, and we are testing it against qualitative factors of good seamanship and</p>	Scenario	Change in collision risk	Base Case (0% traffic increase)	11.5%	10% traffic increase	11.4%	20% traffic increase	11.9%
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		<p>compliance with COLREG i.e. collision avoidance in head on and converging traffic situations. The narrowing of the channel limits mariners' options for taking early and substantial avoiding action if a collision scenario is identified. Collision risk change for the entire area is more than 11% and we would expect a higher change of collision risk than 3% off the DEP North area.</p>
<p>8 Existing Precedent Para 67</p>	<p>The Applicant notes that:</p> <ul style="list-style-type: none"> • Based on the vessel traffic survey data, the “Race Bank Channel” is busier than the traffic associated with the routes passing the northwest extent of the DEP windfarm site through the “Outer Dowsing Channel” (19 vessels per day compared to 13 vessels per day); • The vessels navigate through the “Race Bank Channel” in an area of searoom that is more restricted (i.e., narrower) than what will be available post wind farm at the northwest extent of the DEP windfarm site within the “Outer Dowsing Channel” (2.3nm vs 2.7nm); • The length of the “Race Bank Channel” is longer than the restricted area that will be present at the DEP windfarm site (8nm vs 3nm); and • There is no visible surface piercing hazard in the “Race Bank Channel” i.e., mariners rely on charted locations of the shallows and surface buoyage to safely navigate the area (for DEP-North, the wind turbine generators will be visible hazards). 	<p>The Race Bank channel is constricted by areas of shallow water and it is difficult to compare collision and allision risks to the area west of DEP North since this channel will be bordered by wind turbines where there will be higher allision risk. This in turn will influence seafarer behaviour by having a wider safety buffer which will constrict the traffic into a narrower channel and therefore collision risk will increase.</p>
<p>9 Summary Para 72</p>	<p>The key discussion points included in this technical note are summarised as follows:</p> <ul style="list-style-type: none"> • The Applicant has consulted with the MCA (and other stakeholders as demonstrated in the NRA [APP-198]) throughout the NRA process creating a robust assessment of navigation safety risk; • The NRA found all hazards to be within ALARP parameters with mitigations in place and included a completed MGN 654 checklist to demonstrate MGN 654 compliance;... 	<p>The purpose of the MGN checklist is not to demonstrate compliance but to ensure the guidance and advice within MGN654 has been considered in the NRA.</p>

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9 Summary Para 74	As noted in the NRA [APP-198] and this technical note, none of these routes are significantly impacted by the presence of SEP and DEP noting that safe sea room is maintained, and collision risk values are acceptable. This is supported by the consultation undertaken as part of the NRA process which demonstrates that general consensus was that Mariners do not have notable safety concerns about using the area in a future case environment (with SEP and DEP in situ).	Safe sea room will not be maintained in the channel west of DEP North. The safe sea room will be narrower and vessel traffic will be constricted.

There remains disagreement on the risks west of the DEP North boundary. The applicant maintains that navigational risk will not increase significantly and that there will be little change to the safe sea room. It is the MCA's opinion that navigational risk will increase in this area due to the reduced safe sea room and that mariners' ability to avoid a collision or allision as a result will be compromised.

Yours faithfully,



Nick Salter
Offshore Renewables Lead
UK Technical Services Navigation