

Sent via email

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Date: 13 May 2020
Our reference: 003592083-01
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13 May 2020

Sofia Offshore Wind Farm – Non-material change application to the Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (as amended)

Dear Mr Dawkins

I enclose an application for a non-material change to the Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (as amended in 2019) (“the DCO”) in relation to the Sofia offshore works only (“the Sofia Offshore NMC Application”). This application is submitted in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Order Regulations 2011 (as amended) (“the 2011 Regulations”). As this application only relates to changes to the Sofia offshore works it is being submitted separately to the joint Sofia and Teesside A non-material change application for other amendments to the DCO.

The DCO was granted on 4 August 2015 and came into force on 26 August 2015. It grants Doggerbank Project 2 Bizco Limited (“Bizco 2”) development consent for Project A and Doggerbank Project 3 Bizco Limited (“Bizco 3”) development consent for Project B.

At the time the DCO was granted both Bizco 2 and Bizco 3 were both owned by Forewind Limited the consortium that applied for, and was granted, development consent. As you may be aware, since the DCO was granted the consortium has split. SSE and Equinor now own 50% each of Dogger Bank Teesside A (“Project A”) under a new consortium, Doggerbank Offshore Wind Farm Project 3 Projco Limited (“Project 3 Projco”). Sofia Offshore Wind Farm Limited (“SOWFL”), a wholly owned subsidiary of Innogy, now owns 100% of Dogger Bank Teesside B (“Project B”). Subsequently, SOWFL changed the name of Project B to Sofia Offshore Wind Farm (“Sofia”).

In accordance with Regulation 4 of the 2011 Regulations, I confirm (for the reasons set out above) that SOWFL has the benefit of development consent for Sofia. I also confirm that SOWFL also has an Agreement for Lease from The Crown Estate for the seabed within the DCO order limits.

SOWFL shall transfer the required application fee in accordance with your invoice and will separately submit its Consultation and Publicity Statement in accordance with Regulation 7A of the 2011 Regulations in due course once the advertising and publicity requirements for this application are complete.

Previous Amendments to the DCO

In June 2018, SOWFL applied for a non-material change to the DCO in relation to the Sofia offshore works (“the 2018 Application”). In March 2019, approval was granted to:

- Increase the total maximum generating capacity of the project from 1.2 GW to 1.4 GW
- Increase the wind turbine rotor diameter from 215 m to 288 m, and
- Include an option for monopole foundations, in addition to multileg and gravity base foundations consented in the 2015 Order, for the offshore converter platform.

The 2015 Order consents a maximum hammer energy of 3,000 kJ for monopole installation for the wind turbines. The 2018 Application originally also sought consent to increase the maximum hammer energy for monopole installation for both the wind turbines and the offshore converter platform to 5,500 kJ. In February 2019, this option was withdrawn from the 2018 Application due to the ongoing Review of Consents for the Southern North Sea Special Area of Conservation (SNS SAC) designated for Harbour Porpoise.

In June 2018, SOWFL also submitted a variation request to the Marine Management Organisation (“MMO”) to request that parallel changes were made to the deemed Marine Licences (“dML”) at Schedules 9 and 11 of the DCO. This variation was approved in April 2019.

For the avoidance of doubt, the changes to the DCO and dMLs made in March and April 2019 did not relate to Project A or the Shared Works (as defined in the DCO).

The Sofia Offshore NMC Application 2020

The Sofia Offshore NMC Application seeks the following changes to the DCO for the Sofia offshore works only:

- An increase in the maximum hammer energy used for monopole installation for both wind turbine generators and the offshore converter platform, from 3,000 kJ to 4,000 kJ
- Revisions to definitions used within DCO to clarify the authorised development assessed within the environmental statement
- Consent to lay cables between the wind turbines and the offshore converter platform
- Increase the number of fibre-optic cables laid within the HVDC cables from one to two, within Work Nos. 1B, 2B and 3B
- Corrections to ensure consistency in cross-referencing with dML conditions in Variation 2 of Schedules 9 and 11 issued on 25 April 2019

The proposed changes are set out in the draft Amendment Order that accompanies this application. I also enclose a tracked changed DCO which shows what the effect of the draft Amendment Order would be on the DCO.

Since the 2018 Application was granted, Sofia has continued to work on the detailed project design and the proposed changes are mainly required to accommodate the design and engineering options that will be used during construction of Sofia. Some proposed corrections to the DCO are also included.

Appendix One to this letter sets out in more detail the changes that are being sought and the reasons for those changes.

Materiality of changes requested

There is no statutory definition of what constitutes a 'material' or 'non material' change to a DCO. However, criteria for determining whether an amendment should be material or non-material are outlined in the 2015 Guidance, which states that the following characteristics will indicate that an amendment is more likely to be considered 'material':

- The change would require an updated Environmental Statement (from that at the time the original DCO was made) to take account of new, or materially different, likely significant effects on the environment.
- The change would invoke a need for a Habitats Regulations Assessment. Similarly, the need for a new or additional licence in respect of European Protected Species is also likely to be indicative of a material change.
- The change would require authorisation of the compulsory acquisition of any land, or an interest in or rights over land that was not authorised through the existing DCO.
- The change has a potential impact on local people and businesses.

All the changes sought for the Sofia Offshore NMC Application are considered to be non-material. For the hammer energy increase, further information is provided below.

Materiality of Hammer Energy Increase

The following technical documents are provided in support of this aspect of the Sofia Offshore NMC Application:

- Sofia Offshore Wind Farm (2020) Environmental Appraisal of Increased Hammer Energy: Main Report (Document ref: 003230484-02) – *New report detailing findings of assessment of environmental appraisal for hammer energy increase to 4000kj.*
- Sofia Offshore Wind Farm (2020) Environmental Appraisal of Increased Hammer Energy: Appendix A: Additional underwater noise modelling at Sofia offshore wind farm, Dogger Bank (Report prepared by Subacoustech) (Document ref: 003230547-01) – *Previous report submitted with June 2018 Application (withdrawn) covered various hammer energies including 4000kj.*
- Sofia Offshore Wind Farm (2020) Environmental Appraisal of Increased Hammer Energy: Appendix B Appendix B: Auditory Injury Assessment: cumulative exposure to piling noise (Document ref: 003230610-01) – *Report updating the assessment to reflect the findings of cumulative exposure to piling noise for a proposed use of a 4000kj hammer energy*
- Sofia Offshore Wind Farm (2020) Environmental Appraisal of Increased Hammer Energy Appendix C: Assessment of fish receptors (Document ref: 003230411-01) – *Report updating the assessment for fish receptors to reflect the findings of the proposed use of a 4000kj hammer energy*

- Sofia Offshore Wind Farm (January 2020) Environmental Appraisal of Increased Hammer Energy Appendix D: Consultation Summary (Document ref: 003230672-01) – *Report updating the consultation summary to support the Application for the proposed use of a 4000kJ hammer energy*
- Sofia Offshore Wind Farm (2020) Environmental Appraisal of Increased Hammer Energy Appendix E: Information provided by Sofia Offshore Wind Farm Limited (SOWFL) to inform a Habitats Regulation Assessment (Document ref: 003457026-02) – *Report providing information to support a Habitats Regulation Assessment for the proposed use of a 4000kJ hammer energy*

In addition, consultation with the Marine Management Organisation and Natural England in 2020 has confirmed that the Statements of Common Ground previously agreed with regards to the 2018 Application for the proposed hammer energy increase to 5,500kJ (which was withdrawn in February 2019) remain valid in relation to the proposed increase to the consented hammer energy to 4,000kJ. The following agreements and engagement with the Marine Management Organisation and Natural England are therefore provided to support the Sofia Offshore NMC Application:

- Statement of Common Ground with the Marine Management Organisation (Document ref: 002766144-04) – *Statement providing details of agreements made between SOWFL and the Marine Management Organisation with regards to an increase in hammer energy during the previous 2018 non-material change application to the Order prior to its withdrawal from the non-material change application.*
- Agreement from the Marine Management Organisation that the 2018 Statement of Common Ground is appropriate (Document ref: 003552062-01) – *Email exchanges showing agreement from the Marine Management Organisation that the Statement of Common Ground agreed in relation to the 2018 non-material change application is appropriate for this proposed Application to increase the consented hammer energy to 4000kJ.*
- Request to increase hammer energy for SOWFL- MMO response (Document ref: 003552090-01) – *Response provided by the Marine Management Organisation after following submission of further modelling information within the Statement of Common Ground carried out by SOWFL in relation to fish.*
- Statement of Common Ground with Natural England (Document ref: 002766136-01) – *Statement providing details of agreements made between SOWFL and Natural England with regards to an increase in hammer energy during the previous 2018 non-material change application to the Order prior to its withdrawal from the non-material change application.*
- Agreement from Natural England that the 2018 Statement of Common Ground is appropriate (Document ref: 003552105-01) – *Email exchanges showing agreement from Natural England that the Statement of Common Ground agreed in relation to the 2018 non-material change application is appropriate for this proposed Application to increase the consented hammer energy to 4000kJ.*

Within the Environmental Appraisal of Increased Hammer Energy: Main Report (SOWFL, 2020; Document ref: 003230484-02) a screening exercise was undertaken of all of the topic areas that were considered in the Environmental Statement to determine if there could be potential for any new or materially different

likely significant effects as a result of the proposed hammer energy increase on receptors. For the receptors that were not screened out of this assessment (namely marine mammals and fish and shellfish – see Table 5.1, Section 5 of the Environmental Appraisal of Increased Hammer Energy: Main Report), a review of the proposed increase in hammer energy was undertaken which confirmed that the change will not give rise to any additional or materially different significant effects. Alongside this, consideration was also given to the Habitats Regulation Assessment (HRA) undertaken by the Secretary of State to inform the grant of the DCO in order to determine whether the proposed hammer energy increase has the potential to affect designated sites. This includes all the sites that were considered at the time of the granting of the DCO and also a review of the Southern North Sea Special Area of Conservation Review of Consents draft HRA (BEIS, 2018).

Based on the findings of the technical reports and Statements of Common Ground, the materiality characteristics as set out in the 2015 Guidance are considered below for marine mammals and fish and shellfish:

Materiality Characteristic 1 – EIA Considerations

The Marine Management Organisation confirmed that risk of a significant impact on fish and shellfish is sufficiently low that a maximum hammer energy of 5,500 kJ could be used. It was agreed with Natural England that the Application would not result in any change to the worst case assumptions presented within the original ES for fish and shellfish.

With regards to marine mammals, the updated modelling results demonstrate that an increase in hammer energy does not change the predicted impact effect significances for any species of marine mammal when compared to levels predicted in the ES assessment. It is agreed with the Marine Management Organisation and Natural England, that the Marine Mammal Mitigation Protocol (MMMP), required under the DCO and deemed Marine Licences, will address mitigation for noise propagation for the Project and note that this may include noise reduction measures.

Materiality Characteristic 2 – Habitats Regulation Assessments (HRA) and European Protected Species Considerations

The conclusions of the Secretary of State's Habitats Regulation Assessment (HRA) and Appropriate Assessment (AA) that underpinned the DCO are not affected by the proposed changes to the DCO. The proposed changes to the DCO will not result in new, materially different, likely significant effects alone or in-combination on any of the European sites already assessed in the HRA and AA.

An assessment of the impacts of the Project (alone and in-combination) on the Southern North Sea cSAC/SCI is being undertaken as part of BEIS Review of Consents (SNS RoC). The Secretary of State considered that the SNS RoC process, which is a general and dedicated process for addressing the individual and cumulative effects of existing projects on a new SAC was the appropriate mechanism for ensuring that there would be no adverse effect from the Project, and other projects on the integrity of the SNS SAC. As the SNS RoC was not completed when the previous Sofia Offshore NMC Application was approved (March 2019), the following DCO condition was included to ensure that there were no adverse effects on the integrity of the SNS SAC before the conclusion of the RoC:

41. — Southern North Sea Special Area of Conservation

(1) No Project B offshore works or activities associated with them that may have a significant effect on the Southern North Sea Special Area of Conservation may commence until the review of consents has been completed and the Secretary of State has affirmed, modified or revoked the decision in respect of the Project B offshore works under regulation 33(4) of the Conservation of Offshore Marine Habitats and Species Regulations 2017.

(2) In this Requirement, "review of consents" means the review of consents granted prior to the designation of the Southern North Sea as a Special Area of Conservation.

At the time of submission of this Sofia Offshore NMC Application, the RoC for the SNS SAC has not yet been finalised. In anticipation of the potential for a HRA by the Secretary of State prior to completion of the SNS RoC, information to support a HRA and AA for the proposed increase in hammer energy has been submitted with this Application¹. This concludes that the Application will not give rise to any additional effects on the SNS SAC compared to the consented Project. As such, the Project will not result in an adverse effect on the integrity of the SNS SAC. The findings presented within the Application documentation for marine mammals clearly demonstrate that there will be no new, materially different likely significant effects resulting from the proposed changes compared to the consented Project.

Materiality Characteristic 3 – Compulsory Acquisition Considerations

The proposed amendments relate to offshore works only and will not result in any change to the Order Limits of the DCO. There is therefore no requirement for any compulsory acquisition of land or interests over land as a result of the NMC Application.

Materiality Characteristic 4 – Potential Impacts on business and residents

The proposed changes are restricted to the offshore environment and therefore SOWFL does not consider that they will have any discernible impacts on local people or businesses over and above what has already been assessed and considered during the examination of the DCO.

Conclusion - Non-Material Change

Overall, SOWFL does not consider that the proposed changes to the DCO constitute a 'material' amendment and can be taken forward under the non-material change application process.

For the avoidance of doubt and as set out above, no changes are proposed to either Project A or the Shared Works in the Sofia Offshore NMC Application. A separate non-material change application is also being submitted jointly by both SOWFL and Project 3 Projco, which seeks to make non-material changes to the drafting of the DCO to reflect the [Project A] and Sofia projects being taken forward by separate project companies.

¹ Sofia Offshore Wind Farm (2020) Environmental Appraisal of Increased Hammer Energy Appendix E: Information provided by Sofia Offshore Wind Farm Limited (SOWFL) to inform a Habitats Regulation Assessment (Document ref: 003457026-02)

Page 7/14

We have copied this correspondence to Ewa Sherman, the case officer for the Dogger Bank Teesside A and B Offshore Wind Farm at the Planning Inspectorate.

Please do not hesitate to get in touch with either myself or our legal representative, Laura Fuller from Burges Salmon (0117 902 7232; laura.fuller@burges-salmon.com) with any queries or further information that you may require.

Yours sincerely,



Harriet Thomas
Consent Manager

Sofia Offshore Wind Farm Limited
Innogy Renewables UK Limited

Enc:

003009808-02-Application Sofia Offshore Wind Farm - The Dogger Bank Offshore Wind Farm Order 2015 (as amended) NMC amendments requested 2020 track changes

003597141-01_Application_The Dogger Bank Teesside A and B Offshore Wind Farm (Amendment Order) 2020 (Sofia only NMC) 2020

003230484-02 Sofia Offshore Wind Farm (2020) Environmental Appraisal of Increased Hammer Energy: Main Report and supporting appendices: A- E as detailed above

Statements of Common Ground and Agreements as listed above

CC:

Ewa Sherman, Planning Inspectorate
Laura Fuller, Burges Salmon

Appendix One: DCO sought amendments and reasoning.

No.	Reference	Original Condition	Proposed Condition	New Condition	Justification
1	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Part 1 Preliminary: Interpretation	2. In this Order— “Marine Licence 2” means the marine licence in Schedule 9 (Marine Licence 2: Project B Offshore Generation – Work Nos. 1B and 2T);	2. In this Order— “Marine Licence 2” means the marine licence in Schedule 9 (Marine Licence 2: Project B Offshore Generation – Work Nos. 1B and 2T) <u>(as amended by any variations to the licence made by the MMO);</u>	n/a	Amendment to allow for variations to the DML approved by the MMO. Non material change.
2	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Part 1 Preliminary: Interpretation	2. In this Order— “Marine Licence 4” means the marine licence in Schedule 11 (Marine Licence 4: Project B Offshore Transmission – Work Nos. 2B, 3B and 2T);	2. In this Order— “Marine Licence 4” means the marine licence in Schedule 11 (Marine Licence 4: Project B Offshore Transmission – Work Nos. 2B, 3B and 2T) <u>(as amended by any variations to the licence made by the MMO);</u>	n/a	Amendment to allow for variations to the DML approved by the MMO. Non material change.
3	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Part 1 Preliminary: Interpretation	2. In this Order— “wind turbine generator” means a structure comprising a tower, a rotor with 3 blades connected at the hub, a nacelle and ancillary electrical and other equipment which may include J-tubes, transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation	2. In this Order— “wind turbine generator” means a structure comprising a tower, a rotor with 3 blades connected at the hub, a nacelle and ancillary electrical, <u>communication</u> and other equipment which may include J-tubes, transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation	n/a	Chapter 5 Project Description, Section 3.2.77 of the Environmental Statement refers to communication systems being located on the transition piece of the wind turbine generator. As such, the type of equipment required for communication systems on the wind turbine generators has been defined and assessed within the Environmental Statement. Non material change.

No.	Reference	Original Condition	Proposed Condition	New Condition	Justification
4	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Part 1 Preliminary: Interpretation	2. In this Order— “relevant planning authority for the port” means Redcar and Cleveland Borough Council or, in relation to a port outside Redcar and Cleveland Borough that is used to service the construction of the offshore works, the local planning authority responsible for that port;	2. In this Order— “relevant planning authority for the port” means Redcar and Cleveland Borough Council or, in relation to a port outside Redcar and Cleveland Borough that is used to service all or part of the construction of the offshore works, the local planning authority responsible for that port;	n/a	Amendment to allow for all or part of construction of the offshore works to be undertaken at ports. Non material change.
5	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Part 1 Preliminary: Interpretation	(3) All distances, directions and lengths referred to in this Order are approximate, and distances between points on a work comprised in the authorised project are to be taken to be measured along that work, except in respect of the parameters referred to in— (a) Requirements 3 to 12 and 20; (b) Conditions 3 to 11 in Marine Licences 1 and 2; and (c) Conditions 3 to 9 in Marine Licences 3 and 4.	(3) All distances, directions and lengths referred to in this Order are approximate, and distances between points on a work comprised in the authorised project are to be measured along that work, except in respect of the parameters referred to in— (a) Requirements 3 to 12 and 20; (b) Conditions 3 to 11 (Detailed offshore design parameters) in Marine Licences 1 and 2; and (c) Conditions 3 to 9 (Detailed offshore design parameters) in Marine Licences 3 and 4.	n/a	Amendment detailing heading reference for specific Conditions to allow for potential re-numbering of DML following approval of variations by the MMO. Non material change.
6	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Part 6 Miscellaneous and General:	39. The following marine licences set out in Schedules 8 to 11 are deemed to have been issued under Part 4 of the 2009 Act (marine licensing) for the licensed activities specified in Part 1 of	39. The following marine licences set out in Schedules 8 to 11 are deemed to have been issued under Part 4 of the 2009 Act (marine licensing) for the licensed activities	n/a	Amendment to allow for variations to the DML approved by the MMO. Non material change.

No.	Reference	Original Condition	Proposed Condition	New Condition	Justification
	Deemed licences under Marine and Coastal Access Act 2009	each licence and subject to the conditions specified in Part 2 of each licence— (a) Marine Licence 1 (set out in Schedule 8); (b) Marine Licence 2 (set out in Schedule 9); (c) Marine Licence 3 (set out in Schedule 10); (d) Marine Licence 4 (set out in Schedule 11).	specified in Part 1 of each licence and subject to the conditions specified in Part 2 of each licence— (a) Marine Licence 1 (set out in Schedule 8); (b) Marine Licence 2 (set out in Schedule 9 or as otherwise amended by the MMO); (c) Marine Licence 3 (set out in Schedule 10); (d) Marine Licence 4 (set out in Schedule 11 or as otherwise amended by the MMO).		
7	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Schedules: Schedule 1 Authorised Project: Part 1 Authorised Development	n/a	n/a	(v) any of the wind turbine generators comprised in Work No. 1B(a) and the offshore converter platform referred to in Work No. 1B(b)(ii);	No connection from the wind turbine generators (WTG) to the offshore converter platform (OCP) was included within the DCO which is considered to be a drafting error. The connection is detailed in Chapter 5 of the Environmental Statement and has therefore been assessed in the environmental impact assessment. Non material change.
8	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Schedules: Schedule 1 Authorised Project: Part 2 Requirements: Detailed offshore design parameters	5- (8B) Within Work No.1B, no offshore accommodation platform or helicopter platform, offshore collector platform or offshore converter platform foundation fixed to the seabed by monopole foundation may— (a) have more than 8 monopoles; (b) have a pile diameter exceeding 12 metres or employ a hammer	(8B) Within Work No.1B, no offshore accommodation platform or helicopter platform, offshore collector platform or offshore converter platform foundation fixed to the seabed by monopole foundation may— (a) have more than 8 monopoles;	n/a	Amendment requested to allow for construction of wind turbine generator foundations for Works 1(B) to employ a hammer energy for single driven piles of 4,000kJ. Documents assessing the potential effects of an increase in hammer energy for single driven piles from 3,000kJ to 4,000 have been prepared in support of this Application as set out in the main text of this cover letter.

No.	Reference	Original Condition	Proposed Condition	New Condition	Justification
		energy during installation exceeding 3,000 kilojoules.	(b) have a pile diameter exceeding 12 metres or employ a hammer energy during installation exceeding 4,000 kilojoules.		<p>The findings from the studies prepared to support the Application and the agreements made with the MMO and Natural England conclude that there will be no new, materially different likely significant effects resulting from the proposed changes compared to the consented Project.</p> <p>As detailed above in the main text of this cover letter, the proposed increase in hammer energy is not considered to constitute a 'material' amendment and can be taken forward under the non-material change application process.</p> <p>Non material change.</p>
9	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Schedules: Schedule 1 Authorised Project: Part 2 Requirements: Detailed offshore design parameters	6—(1) Wind turbine generator foundation structures must be of 1 or more of the following foundation options: monopole, multi-leg or gravity base.	6.— (1) Within Work No. 1A , wind turbine generator foundation structures must be of 1 or more of the following foundation options: monopole, multi-leg or gravity base.	n/a	<p>Amendment to reference the detailed offshore design parameters for condition (6) only to Work No. 1A.</p> <p>A new condition (7) for Work No. 1B is requested – see 10 below.</p>
10	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Schedules: Schedule 1 Authorised Project: Part 2 Re-			6A.—(1) Within Work 1(B), wind turbine generator foundation structures must be of 1 or more of the following foundation options: monopole, multi-leg or gravity base.	<p>Amendment requested to allow for construction of wind turbine generator foundations for Works 1(B) to employ a hammer energy for single driven piles of 4,000kJ.</p> <p>Documents assessing the potential effects of an increase in hammer energy for single driven piles from 3,000kJ to 4,000 have been prepared</p>

No.	Reference	Original Condition	Proposed Condition	New Condition	Justification
	quirements: Detailed offshore design parameters			<p>(2) No wind turbine generator foundation structure employing a footing of driven piles may—</p> <p>(a) have more than 6 driven piles;</p> <p>(b) in the case of single-pile structures, have a pile diameter exceeding 12 metres or employ a hammer energy during installation exceeding 4,000 kilojoules;</p> <p>(c) in the case of structures with 2 or more piles, have a pile diameter exceeding 3.5 metres or employ a hammer energy during installation exceeding 2,300 kilojoules.</p> <p>(3). No wind turbine generator foundation may have—</p> <p>(a) a main supporting structure exceeding 61 metres in width;</p> <p>(b) a seabed footprint (excluding subsea scour protection) exceeding 2,376 square metres;</p> <p>(c) a seabed footprint (including subsea scour protection) exceeding 5,675 square metres.</p> <p>(4). The foundations for wind turbine generators must be in accordance with the wave reflection co-efficient values set out in Table 3.6 in Chapter 5, Appendix B (foundation characterisation study) of the environmental statement.</p>	<p>in support of this Application as set out in the main text of this cover letter.</p> <p>The findings from the studies prepared to support the Application and the agreements made with the MMO and Natural England conclude that there will be no new, materially different likely significant effects resulting from the proposed changes compared to the consented Project.</p> <p>As detailed above in the main text of this cover letter, the proposed increase in hammer energy is not considered to constitute a ‘material’ amendment and can be taken forward under the non-material change application process.</p> <p>Non material change.</p>

No.	Reference	Original Condition	Proposed Condition	New Condition	Justification
	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Schedules: Schedule 1 Authorised Project: Part 2 Requirements: Detailed offshore design parameters	9-(3) Within Work Nos. 1B, 2B and 3B, the HVDC cables must not, in total, exceed— (a) 2 in number; (b) 1 fibre-optic cable; (c) 484.4 kilometres in length.	9-(3) Within Work Nos. 1B, 2B and 3B, the HVDC cables must not, in total, exceed— (a) (a)2 in number; (b) 2 fibre-optic cables; (c) 484.4 kilometres in length.	n/a	The limit of one fibre-optic cable is considered to be a drafting error. The Environmental Statement fully assessed the potential for two fibre-optic cables in Chapter 5 Project Description so the variation is requested to be increased to two fibre-optic cables in the event that the export cables are laid separately. Non material change.
11	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Schedules: Schedule 1 Authorised Project: Part 2 Requirements: Detailed offshore design parameters	13-(6) In this Requirement, “array location and layout plan” means— in relation to the Project A offshore works, the array location and layout plan referred to in Marine Licence 1 (see Condition 16(a)). in relation to the Project B offshore works, the array location and layout plan referred to in Marine Licence 2 (see Condition 16(a)).	13-(6) In this Requirement, “array location and layout plan” means— in relation to the Project A offshore works, the array location and layout plan referred to in Marine Licence 1 (see Condition 16(a)). in relation to the Project B offshore works, the array location and layout plan referred to in Marine Licence 2 (see Condition 16(a) <u>Array Location and Layout Plan</u>).	n/a	Amendment detailing heading reference for specific Conditions to allow for potential re-numbering of DML following approval of variations by the MMO. Non material change.
12	The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015: Schedules: Schedule 1 Authorised	14- Except as otherwise required by Trinity House under Condition 25 of Marine Licence 1 or 2 or Condition 22 of Marine Licence 3 or 4, the undertaker must exhibit such lights, with such shape, colour and character, as required by the Air Navigation Order	14- Except as otherwise required by Trinity House under Condition 25 of Marine Licence 1 or 2 (<u>Aids to Navigation</u>) or Condition 22 of Marine Licence 3 or <u>Condition 23 of Marine Licence 4 (Aids to Navigation)</u> , the undertaker must exhibit such lights, with such shape,	n/a	Amendment detailing heading reference for specific Conditions to allow for potential re-numbering of DML following approval of variations by the MMO. Non material change.

No.	Reference	Original Condition	Proposed Condition	New Condition	Justification
	Project: Part 2 Requirements: Aviation Lighting	2009 ⁽²⁾ or as directed by the Civil Aviation Authority or the Ministry of Defence.	colour and character, as required by the Air Navigation Order 2009 ⁽³⁾ or as directed by the Civil Aviation Authority or the Ministry of Defence.		

⁽²⁾ S.I. 2009/3015.

⁽³⁾ S.I. 2009/3015.