

Hornsea Project Three
Offshore Wind Farm



Hornsea Project Three Offshore Wind Farm

Consultation Report:
Annex 4 – Regulation 6 Notification

PINS Document Reference: A5.1.4
Planning Act 2008, s37(7)

Date: May 2018

Consultation Report

Annex 4 – Regulation 6 Notification

Report Number: A5.1.4

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Date: May 2018

This report is also downloadable from the Hornsea Project Three offshore wind farm website at:

www.hornseaproject3.co.uk

Ørsted

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Front cover picture: Kite surfer near a UK offshore wind farm © Orsted Hornsea Project Three (UK) Ltd., 2018.

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Hornsea Project Three
Offshore Wind Farm



**Hornsea Project Three
Offshore Wind Farm**

Consultation Report: Annex 4
Section 1 – Letter of Notification to Planning Inspectorate to provide Environmental Statement for the purposes of Regulation (6)¹

Date: May 2018



Planning Inspectorate
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2 The Square
Bristol
BS1 6PN

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4.3 A brief description of the nature and purpose of the development (Regulation 6(3)(b) and 8(3)(b))

Doc. no. 2599339

4.3.1 Enclosed with this letter is the Applicant's Scoping Report, dated 28 October 2018. This provides a description of the nature and purpose of the Development in Section 3 of that document.

4.4 Possible effects of the development on the environment (Regulation 6(3)(b) and 8(3)(b))

4.4.1 The Scoping Report provides an explanation of the possible effects of the Development identified at this early preapplication stage.

4.5 The Applicant does not have any further information or representations to make in relation to the Regulation 6 notification and Regulation 8 request (as stated in Regulation 6(3)(c) and 8(3)(c)).

5. ADVICE NOTE 7

5.1 The Planning Inspectorate's Advice Note 7 also requests that the following information is provided with any request for a scoping opinion at paragraph 7.2:

5.1.1 The proposed draft DCO site boundary (identified by a red line) including any associated development:

(a) Figure 1.1 in the Scoping Report shows the location of the proposed Hornsea Three offshore wind farm (the array area) and export cable route corridor search area.

(b) The Development boundary is explained in Section 3.3 of the Scoping Report.

5.1.2 Any permanent land take required for the proposed development and any temporary land take required for construction, including construction compounds:

(a) It is not possible to provide full details of permanent and temporary land take required for the Development at this early stage in the Environmental Impact Assessment ("EIA") and land negotiation process, as it is not yet fully known. Negotiations are taking place with land interests within the export cable route corridor. Figure 1.1 therefore serves as a summary of the current potential land take, although this will of course be refined as the Development progress. Chapters 3 and 4 of the Scoping Report does explain the components of the Development and areas where these components will be developed, including:

(i) The Agreement for Lease Area (Section 3.4);

BY E-MAIL AND POST

By email to: KJ.Johansson@pins.gsi.gov.uk
Cc: Tom.Carpen@pins.gsi.gov.uk

26 October 2016

Dear Mr Johansson,

Our ref. STLIV/STLIV
Doc. No. 2599339
(ver. No. 2599339A)
Case no. 200-15-3271

Hornsea Three: Regulation 6 and Regulation 8 Notification

stliv@dongenergy.co.uk
Tel +44 207 811 5200

1. SUMMARY

1.1 This notification letter is provided by DONG Energy Limited ("Applicant") to the Secretary of State ("SoS") pursuant to Regulation 6 and Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 ("the Regulations") in connection with the Applicant's proposed application for a Development Consent Order ("DCO") for the Hornsea Project Three offshore wind farm ("Development").

2. REGULATION 6 OF THE REGULATIONS

2.1 The Applicant formally notifies the SoS that they will provide an environmental Statement ("ES") in respect of the Development, pursuant to Regulation 6(1)(b).

3. REGULATION 8 OF THE REGULATIONS

3.1 The Applicant formally requests that the SoS states in writing its opinion as to the information to be provided in the ES, pursuant to Regulation 8(1)(b).

4. INFORMATION TO ACCOMPANY REGULATION 6 AND 8 OF THE REGULATIONS

4.1 A notification or request made pursuant to Regulation 6 and 8 must be accompanied by the following information:

4.2 A Plan Sufficient to Identify the Land (Regulation 6(3)(a) and 8(3)(a))

4.2.1 A plan sufficient to identify the land has been provided at Appendix A of this letter.

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Registered office:
Kraftværksvej 53
7000 Fredericia, Denmark

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- (ii) Onshore and Offshore Infrastructure (Sections 3.6, 3.7 and 3.8);
 - (iii) The construction programme (Section 3.9); and
 - (iv) Site Selection Methodology (Section 4.2).
- 5.1.3 Any existing infrastructure which would be retained or upgraded for use as part of the proposed development and any existing infrastructure which would be removed:
- (a) Decommissioning of the Development would be fully controlled by a Decommissioning Plan and Decommissioning Programme, as defined within the Scoping Report. Paragraph 3.10.4 of the Scoping Report states *"at the end of the operational life of an offshore wind farm, structures above the seabed or ground level will be completely removed. The decommissioning sequence will take approximately three years and will generally be the reverse of the construction sequence and involve similar types and numbers of vessels and equipment"*. It is common practice to leave below seabed or ground level structures in situ, albeit this will be regulated through the Decommissioning Plan.
- 5.1.4 Features including planning constraints and designated areas on and around the site, such as national parks or historic landscapes:
- (a) An explanation of features, including planning constraints, is outlined within each topic chapter, within chapters 7 – 12 of the Scoping Report.
- 5.2 Advice note 7 further asks at paragraph 7.3 that *"where practical, the information should be included on a single plan. Where more than one plan is used, the plans should be at the same scale and a key plan should be used where appropriate"*.
- 5.2.1 It is not possible to include all environmental constraints and associated information on a single plan. Topic chapters have, within the Scoping Report, included Figures in order to explain the Study Area and baseline. Figure 1.1 in the Scoping Report provides a summary of the array area and export cable route corridor in a single plan.
- 5.3 The Advice Note asks in paragraph 7.4 that in dealing with the description of the development and its possible effects on the environment, applicants should set out the information using the headings in Schedule 3 to the EIA Regulations, being (a) characteristics of the development; (b) location of the development; (c) characteristics of the potential impacts:
- 5.3.1 The characteristics and location of the development are fully defined in Section 3 of the Scoping Report; and

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- 5.3.2 The characteristics of potential impacts are explained within each topic chapter heading clearly as "potential impacts". The EIA methodology for each topic within those chapters 7-12 outlines the approach being taken.
- 5.4 The Applicant should also provide the following information in accordance with paragraph 11.2 of the Advice Note:
- 5.4.1 an outline of the main alternatives considered and the reasons for selecting a preferred option:
- (a) The site selection methodology and reasons for alternatives is explained in Chapter 4 of the Scoping Report.
- 5.4.2 Results of desktop and baseline studies where available:
- (a) Baseline data, studies and desktop work are all explained within the sub-sections within each topic in chapters 7-12 of the Scoping Report, titled "Baseline Data" and "Baseline Environment".
- 5.4.3 Referenced plans presented at an appropriate scale to convey clearly the information and all known aspects associated with the proposal:
- (a) Information is clearly displayed and referenced through a number of Tables and Figures. These are clearly cross referenced throughout the Scoping Report and a full list and summary of these are provided in pages vii-xiii (inclusive) of the Scoping Report.
- 5.4.4 Guidance and best practice to be relied upon, and whether this has been agreed with the relevant bodies (for example the statutory nature conservation bodies or local authorities) together with copies of correspondence to support these agreements:
- (a) Guidance and best practice is summarised as part of the proposed assessment methodology within the sub-section of each topic chapters 7-12 in the Scoping Report. Where discussions have taken place with relevant bodies, this is explained. At present, discussions are on-going and have progressed as part of the Evidence Plan for EIA matters, particularly in relation to the offshore elements of the Development. All relevant bodies will be consulted as part of the on-going consultation process prior to publication of the Preliminary Environmental Information Report (PEIR). Agreement on approach to methodology will be fully documented in this and the final ES, alongside the Consultation Report submitted with the application for development consent.

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(b) The consultation process is explained in Section 6 of the Scoping Report.

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5.4.5 Methods used or proposed to be used to predict impacts and the significance criteria framework used, alongside any mitigation proposed and predicted residual impacts:

(a) Each topic chapters 7-12 in the Scoping Report explain the proposed approach to EIA, along with a summary of potential impacts and how this approach will be taken forward in the drafting of the PEIR and ES. The chapters then summarise any mitigation proposed or residual impacts, if known. At this early stage it is not possible to provide a full summary of mitigation measures and residual impacts. This will however be documented within the PEIR and then fully detailed within the ES.

5.4.6 Where impacts from consequential or cumulative development have been identified, how applicants intend to assess these impacts in the ES (for example, a high level assessment of the grid connection where this does not form part of the proposed development for a power station):

(a) The Cumulative Effects Assessment approach is outlined in Section 5.4 of the Scoping Report. This fully explains how impacts of cumulative development will be assessed within the ES. As yet, cumulative impacts have not yet been fully identified. As the Development evolves, cumulative impacts will be refined and fully assessed. A summary of those impacts will be included within the PEIR.

5.4.7 An indication of any European designated nature conservation sites that are likely to be significantly affected by the proposed development and the nature of the likely significant impacts on these sites.

(a) This is clearly set out within the topic chapters 7 – 12 of the Scoping Report. A transboundary impacts screening is also included at Appendix A of the Scoping Report. A Habitats Regulation Assessment is being prepared separately as part of the Development Consent Order process.

5.4.8 Key topics covered as part of applicants' scoping exercise:

(a) All key topics are contained and clearly explained within chapters 7 -12 of the Scoping Report.

5.4.9 An outline of the structure of the proposed ES:

(a) A summary of the proposed ES methodology and structure is contained within Chapter 5 of the Scoping Report.

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We would be grateful if you could acknowledge receipt of this letter and its contents.

Yours sincerely

Stuart Livesey

Project Development Manager

Hornsea Project Three

Hornsea 3
Offshore Wind Farm

Enclosures: Scoping Report, dated 26 October 2016

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APPENDIX

A Plan Sufficient to Identify the Land (Regulation 6(3)(a) and 8(3)(a))

Hornsea Project Three
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Hornsea Project Three Offshore Wind Farm

Consultation Report: Annex 4
Section 2 – Letter from Planning Inspectorate acknowledging receipt of letter

Date: May 2018



3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: environmentalservices@pins.gsi.gov.uk

Mr Stuart Livesey
DONG Energy Power UK Ltd
5 Howick Place
London

Your Ref: STLIV/STLIV

Our Ref: 161026_EN010080_000062

Date: 26 October 2016

Dear Mr Livesey

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2009 (as amended) –
Regulation 6**

**Application by Dong Energy Limited for an Order Granting Development
Consent for the Hornsea Project Three Offshore Wind Farm**

**Acknowledgement of a request for a scoping opinion and notification under
Regulation 6(1)(b)**

We refer to your letter dated 26 October 2016 and received in hard copy by the Secretary of State on 26 October 2016, requesting a scoping opinion from the Secretary of State under Regulation 8(1) of the EIA Regulations. We note that you have formally notified us, under Regulation 6(1)(b) of the EIA Regulations that the applicant proposes to provide an environmental statement in respect of the project.

The 42 day timescale set out in Regulation 8(6) commenced on 26 October 2016. Please also accept this letter as notification under Regulation 8(6) of the EIA Regulations of the Secretary of State's requirement to consult with the person who made the request. If you have any comments, these should reach this office by 25 November 2016.

If you have any queries, please do not hesitate to contact us.

Yours sincerely

Helen Lancaster

**Helen Lancaster
Senior EIA and Land Rights Advisor
on behalf of the Secretary of State**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the National Infrastructure Planning website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

infrastructure.planninginspectorate.gov.uk

