



Dudgeon and Sheringham Shoal Offshore Wind Farm Extensions

Preliminary Environmental Information Report

Volume 1

Chapter 7 - Technical Consultation

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Prepared by:	
Royal HaskoningDHV	
Approved by:	Date:
Magnus Eriksen, Equinor	29th April 2021

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Glossary of Acronyms

DCO	Development Consent Order
DCLG	Department for Communities and Local Government
DEP	Dudgeon Extension Project
EC	European Commission
EEA	European Economic Area
EIA	Environmental Impact Assessment
EPP	Evidence Plan Process
ES	Environmental Statement
HRA	Habitats Regulations Assessment
MMO	Marine Management Organisation
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
SEP	Sheringham Shoal Extension Project
SoCC	Statement of Community Consultation
UK	United Kingdom
UNECE	United Nations Economic Commission for Europe

Glossary of Terms

The Applicant	Equinor New Energy Limited
Dudgeon Offshore Wind Farm Extension site	The Dudgeon Offshore Wind Farm Extension offshore wind farm boundary.
The Dudgeon Offshore Wind Farm Extension Project (DEP)	The Dudgeon Offshore Wind Farm Extension site as well as all onshore and offshore infrastructure.
Evidence Plan Process (EPP)	A voluntary consultation process with specialist stakeholders to agree the approach, and information to support, the EIA and HRA for certain topics.
Sheringham Shoal Offshore Wind Farm Extension site	Sheringham Shoal Offshore Wind Farm Extension offshore wind farm boundary.
The Sheringham Shoal Offshore Wind Farm Extension Project (SEP)	The Sheringham Shoal Offshore Wind Farm Extension site as well as all onshore and offshore infrastructure.

7 Technical Consultation

7.1 Introduction

1. This chapter of the Preliminary Environmental Information Report (PEIR) presents the approach taken to consultation relating specifically to the Environmental Impact Assessment (EIA) for the proposed Dudgeon Offshore Wind Farm Extension Project (DEP) and Sheringham Shoal Offshore Wind Farm Extension Project (SEP). The chapter outlines the technical consultation which has taken place to inform the EIA in advance of the PEIR submission.
2. Technical consultation is defined as consultation with statutory and non-statutory bodies used to inform and focus the approach to a particular technical aspect of the EIA. The general requirements for consultation in relation to the EIA are described below.
3. Details of the relevant technical consultation responses and the account taken of them by Equinor New Energy Limited (the Applicant) are given in each technical chapter of the PEIR. Where feedback has informed either the site selection or project design, details are provided in **Chapter 4 Site Selection and Assessment of Alternatives** and **Chapter 5 Project Description** respectively.
4. The chapters of this PEIR have been prepared taking into account responses to consultation to date. Where necessary, in order to allow finalisation of the submission, a cut-off of the 31st March 2021 has been used for information from the consultation process that has been incorporated in the PEIR. Consultation after this date will continue to be given due consideration to inform the ongoing development of the EIA and will be reported in the Environmental Statement (ES) submitted in support of the Development Consent Order (DCO) application.
5. A description of all consultation, including technical, community, landowner, other stakeholders and statutory consultation under Sections 42, 47 and 48 of the Planning Act 2008 (as amended), will be provided in the Consultation Report which will also form part of the DCO application.

7.2 Policy and Guidance

7.2.1 Planning Act 2008

6. The Planning Act sets out statutory requirements for applicants to engage in pre-application consultation with local communities, local authorities, and those who would be directly affected by DEP and SEP.
7. Sections 42 to 44 of the Planning Act set out details of who should be consulted, including local authorities, the Marine Management Organisation (MMO) (where appropriate), other statutory bodies, and persons having an interest in the land to be developed.
8. Section 47 of the Planning Act sets out the applicant's statutory duty to consult local communities. The applicant has a duty under Section 47 to prepare a Statement of Community Consultation (SoCC), and to undertake consultation in line with that statement. In addition, consultation should be undertaken with other people or groups who are not statutory consultees, but who may still be significantly affected by DEP and SEP.

9. Applicants are required under Section 37 of the Planning Act to produce a Consultation Report alongside the application, which details how the consultation requirements have been complied with.
10. Guidance on the implications of COVID-19 to certain consultation and publicity requirements under the Planning Act 2008 was used when informing the approach to the consultation process (the Ministry of Housing, Communities and Local Government, July 2020).

7.2.2 National Policy Statements

11. Consultation has been undertaken with reference to the relevant National Policy Statements (NPS) which form the primary national guidance documents for Nationally Significant Infrastructure Projects (NSIPs). These documents encourage applicants to carry out pre-application consultation with a range of stakeholders. The relevant NPS for DEP and SEP are:
 - EN-1 – Overarching NPS for Energy;
 - EN-3 – Renewable Energy Infrastructure; and
 - EN-5 – Electricity Networks, which covers the electrical infrastructure in conjunction with EN-1.

7.2.3 EIA and Habitats Regulations

12. For major infrastructure projects, the EIA process is governed by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). These Regulations make the pre-application publicity and consultation requirements for the EIA process consistent with those of the Planning Act.
13. Habitats Regulations Assessment (HRA) is undertaken in relation to potential effects on European sites. Consultation is necessary with the relevant statutory bodies and any relevant non-statutory nature conservation bodies, in order to gather evidence to support the HRA. In practice this consultation is undertaken as an integral part of the EIA process, including a draft HRA report submitted alongside the PEIR.
14. One way of consulting on HRA matters is to agree an Evidence Plan. Guidance on Evidence Plans was produced by Defra in 2012. The guidance provides an overview of the process and roles of the parties. Its focus is on compliance with the Habitats Regulations and the corresponding Planning Inspectorate (PINS) Advice Note 10 (HRA relevant to NSIPs), although it is now common practice for the Evidence Plan Process to include all issues where there are potential significant environmental impacts which may benefit from additional consultation over and above that proposed as part of wider stakeholder consultation arrangements. This approach is being followed for DEP and SEP, with the evidence plan process having been initiated in July 2019. See [Section 7.3.2](#) for further details.

7.2.4 Local and national policy and guidance

15. The consultation approach also takes into account relevant local and national policy and guidance including:
 - Department for Communities and Local Government (DCLG). Planning Act 2008: Guidance on the pre-application process (2015);

- The Planning Inspectorate Advice Note Two: The role of local authorities in the development consent process (2015, Version 1);
- The Planning Inspectorate Advice Note Three: EIA consultation and notification (2017, Version 7);
- The Planning Inspectorate Advice Note Eight: Overview of the nationally significant infrastructure planning process for members of the public and others (2016);
- The Planning Inspectorate Advice Note Eleven: Working with public bodies in the infrastructure planning process (2017, Version 4); and
- The Planning Inspectorate Advice Note Fourteen: Compiling the Consultation Report (2012, Version 2).

16. In addition, the approach to consultation has been guided by discussions with the relevant local authorities, statutory consultees, the Scoping Opinion and by a review of best practice on recent applications of a similar nature and scale.

7.3 Approach to EIA Consultation

7.3.1 Overview to Date

17. The Applicant commenced non-statutory technical consultation via the EPP in July 2019.
18. On 9th October 2019, the Applicant submitted a Scoping Report to PINS. The Secretary of State then issued the Scoping Opinion for the Proposed Dudgeon and Sheringham Shoal Offshore Wind Farm Extensions on 19th November 2019.
19. Since scoping, the Applicant supported by a team of EIA consultants has continued a process of technical consultation for all topics, including via the EPP, as well as undertaking community consultation in line with the details set out in the SoCC.

7.3.2 Evidence Plan Process

20. The Applicant has consulted with stakeholders on a non-statutory basis through the EPP, with key consultation outcomes recorded in the relevant chapters of the PEIR.
21. The EPP is a process to help agree the information to be provided to PINS as part of the DCO application, such that DEP and SEP can show compliance with the EIA Regulations and the Conservation of Habitats and Species Regulations 2017.
22. The EPP aims to assist all parties in the process during the evolution of the proposed DCO application, by providing:
 - Greater confidence on the suitability of existing information, any additional evidence requirements and suitable survey methodologies to fill data gaps;
 - An opportunity to make good use of time and resources by focussing on key matters early on, avoiding unnecessarily revisiting ‘old ground’ at a later stage;
 - Clarity and direction for survey work, analysis and interpretation of findings; and
 - A record of discussions and an audit trail.

23. The EPP does not replace or duplicate existing requirements and has been structured to fit within the DCO application process, including the statutory pre-application consultation process.
24. The Applicant is undertaking the majority of EIA technical consultation through the EPP. EIA Consultation that was undertaken outside the EPP is detailed in **Section 7.3.3**. The EPP also addresses HRA matters, with the details reported in the draft Information to Support HRA report which has been made available alongside the PEIR.

7.3.2.1 Expert Topic Groups

25. The EPP is divided into several expert topic groups (ETGs) which follow the majority of topics covered by the EIA and HRA. The ETGs are used to discuss, and where possible agree, the detail of the EIA information requirements for the DCO application. They comprise experts from relevant statutory and non-statutory bodies and have the following functions:
 - Agree the relevance, appropriateness and sufficiency of baseline data for the specific assessment(s), including both site specific and contextual data, and agree the scope of any project-specific surveys;
 - Agree the methods for data analysis;
 - Agree realistic worst case parameters for the assessment(s);
 - Agree methods for assessment (including where possible interpretation of impact and levels of significance);
 - Agree the in-combination / cumulative impact assessment details, which projects to scope in and which evidence can be used;
 - Agree key focus areas for post consent monitoring and mitigation;
 - Agree how to deal with new emerging evidence (e.g. whether and when to change the evidence requirements, updating the plan and timetable as necessary);
 - Record discussions through in ETG meeting minutes, and agreed outcomes in Agreement Logs which will be used to generate the Statement(s) of Common Ground (SoCG); and
 - Identify and prioritise key HRA and EIA matters and communicate these to the Steering Group, where relevant.
26. The process is iterative with each group working through the above functions, reaching agreements as far as possible during the pre-application period. SoCG will be prepared where applicable, following the DCO application submission and any outstanding areas of disagreement will be noted in the relevant SoCG.
27. A breakdown of the various groups and which organisations are represented is provided in **Table 7-1**. The table is organised into offshore and onshore ETGs.
28. Although the EPP was not part of the statutory consultation, it provides the audit trail for the EIA and HRA process and associated decision-making.

Table 7-1: Expert Topic Groups and organisations represented.

ETG	Members*
Offshore Ornithology	Natural England, MMO, RSPB
Marine Mammal Ecology	Natural England, MMO, Cefas, the Wildlife Trusts
Seabed (including benthic and fish ecology, and marine physical processes);	Natural England, MMO, Cefas, Eastern IFCA, the Wildlife Trusts
Terrestrial Ecology and Ornithology	Norwich City Council, Natural England, Norfolk Wildlife Trust, Environment Agency, Norfolk County Council
Seascape, Landscape and Visual	Norfolk County Council, North Norfolk District Council, Broadland District Council, Norwich City Council, Natural England, Historic England, North Norfolk AONB/Coastal partnership
Traffic	Norfolk County Council, Highways England
Archaeology (both onshore and offshore)	Historic England, Norfolk County Council, Broadland District Council

7.3.2.2 Consultation

29. A summary of the consultation held thus far under the EPP is provided in **Table 7-2** below. Further consultation under the EPP is planned following publication of the PEIR and receipt of stakeholders' feedback.

Table 7-2: Overview of meetings under the EPP (to date)¹

Group	Meeting dates	Purpose
Establish Groups and Scope Issues		
Steering Group (Meeting 1)	16 July 2019	Kick-off meeting. Remit and quarterly programme of meetings agreed.
All ETGs (Meeting 1)	Q4 2019 – Q1 2020	Establish each ETG and project familiarisation. Discuss proposed study areas and planned surveys. Identify and log key issues to inform scoping. Remit and programme of meetings agreed.
Agree Receptors, Surveys and Survey Methodologies, and Impacts to Assess		
Seabed ETG (Meeting 2)	2 nd June 2020	Agree benthic ecology evidence requirements and survey methodology. Review MCZ sedimentary processes study.

¹ Please refer to relevant chapters for further information

Group	Meeting dates	Purpose
Offshore Ornithology ETG (Meeting 2)	4 th June 2020	Review of method statement and survey methodology, including density estimation methods and reporting. Review of CRM and PVA methods and input parameters. Review of HRA screening.
Marine Mammal Ecology ETG (Meeting 2)	18 th June 2020	Review of Method Statement, baseline data reports / ongoing surveys. Update on ongoing surveys. Update key issues.
Traffic ETG (Meeting 2)	18 th Sep 2020	Agree sensitive road links for assessment, traffic count survey requirements and methodology.
Archaeology (Meeting 2)	21 st October 2020	Update on the onshore and offshore survey scopes and results.
Terrestrial Ecology and Ornithology ETG (Meeting 2)	10 th December 2020	Present findings of terrestrial ecology survey results and approach to impact assessment and biodiversity net gain calculations.
Discuss Survey Findings and Confirm Adequacy of Surveys		
Offshore Ornithology ETG (Meeting 3)	9 th December 2020	Review of aerial survey results and project-alone impacts including CRM outputs.
Seabed ETG (Meeting 3)	3 rd February 2021	Review of the benthic survey results.

7.3.2.3 Other Technical Consultation

30. Consultation for EIA topic areas for which there are long established EIA consultation processes have been undertaken outside the EPP and the details of these are provided in the relevant technical chapters of the PEIR, namely:

- Commercial Fisheries (Chapter 14);
- Shipping and Navigation (Chapter 15);
- Aviation and Radar (Chapter 17);
- Petroleum Industry and Other Marine Users (Chapter 18);
- Water Resources and Flood Risk (Chapter 19);
- Air Quality (Chapter 24); and
- Noise & Vibration (Chapter 25).

7.4 Transboundary Consultation

31. The United Nations Economic Commission for Europe (UNECE) Convention (the 'Espoo Convention') sets out the obligations of states to notify and consult each other on all major projects under consideration that have the potential to give rise to significant adverse environmental effects across international boundaries (termed 'transboundary effects'). Regulation 32 of the EIA Regulations places a statutory duty on the Secretary of State to notify and consult other European Economic Area (EEA) states where they are of the view that the development is likely to have significant effects on the environment of another EEA State. PINS Advice Note Twelve sets out the procedures for transboundary notification and consultation associated with NSIP applications, where such an application may have transboundary effects. Developers are advised to identify any possible significant transboundary effects.
32. An initial consideration of the potential for transboundary effects was made at the scoping stage, based on the information that was available at that time. Following this, PINS provided a transboundary issues notification under Regulation 32 which identified the Netherlands and Belgium as states requiring notification due to potential impacts on commercial fishing. In addition, the Applicant has consulted the Netherlands, Belgium and France on its draft HRA screening report, due to potential impacts on European sites.
33. Where relevant, details of transboundary consultation undertaken is provided in each of the technical chapters of the PEIR and the draft Information for HRA report, together with an assessment of the potential effects. Both reports will be shared with the relevant transboundary consultees and the final assessments presented in the ES will identify the potential for significant transboundary effects and which EEA states may be affected.

7.5 Statements of Common Ground

34. Following submission of the DCO application, the Applicant will endeavour to agree SoCGs with relevant consultees to assist the PINS in understanding which issues have been agreed and which remain unresolved. Where consultees have participated in the EPP, the SoCG will build on the Agreement Logs which have documented the consultation process thus far.

7.6 Conclusions

35. The Applicant is conducting a comprehensive and transparent pre-application consultation with respect to the EIA and HRA processes, with a wide range of stakeholders.
36. The aim of the consultation process is to meet or exceed the requirements of the Planning Act and EIA Regulations whilst being as efficient and effective as possible with stakeholder input. To this end DEP and SEP have taken into account relevant advice and guidance published by PINS and relevant United Kingdom (UK) Government departments.
37. Stakeholders have been engaged in the development process from an early stage. The Applicant acknowledges and appreciates their involvement and corresponding influence on the design of DEP and SEP (as outlined in **Chapter 4 Site Selection and Assessment of Alternatives**) and the EIA.

38. Consultation responses have been carefully documented and considered in the ongoing development work. Responses which are considered relevant to this PEIR, and the regard that the Applicant has had to them, are included in each technical chapter of the PEIR and the draft Information for HRA report.

7.7 References

<p>Ministry of Housing, Communities and Local Government (2020) Guidance on implications of COVID-19 to certain consultation and publicity requirements of the Planning Act 2008 process.</p>
<p>The Planning Inspectorate (2012) Advice Note Fourteen: Compiling the Consultation Report Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice_note_2.pdf Accessed 20/11/20</p>
<p>The Planning Inspectorate (2015) Advice Note Two The role of local authorities in the development consent process. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice_note_2.pdf Accessed 20/11/20</p>
<p>The Planning Inspectorate (2016) Advice Note Eight: Overview of the nationally significant infrastructure planning process for members of the public and others. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-8.0.pdf Accessed 20/11/20</p>
<p>The Planning Inspectorate (2017a) Advice Note Three: EIA consultation and notification. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/07/advice_note_3_v5.pdf Accessed 20/11/20</p>
<p>The Planning Inspectorate (2017b) Advice Note Eleven: Working with public bodies in the infrastructure planning process. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2014/12/Advice-note-11-v3_1.pdf Accessed 20/11/20</p>
<p>The Planning Inspectorate (2017c) Advice Note Ten: Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/06/Advice-note-10v4.pdf Accessed 20/11/20</p>
<p>The Planning Inspectorate (2019) Proposed Dudgeon and Sheringham Shoal Offshore Wind Farm Extensions Case Reference: EN010109</p>
<p>Royal HaskoningDHV (2019) Dudgeon and Sheringham Shoal Offshore Wind Farm Extensions Scoping Report.</p>