



22nd March 2019

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By post and email

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Dear Sir/Madam

**The East Anglia Three Offshore Wind Farm Order 2017 - Application for a Variation to Deemed Marine Licences
Section 72 of the Marine and Coast Access Act 2009**

East Anglia Three Limited (EATL) hereby applies for a variation to the Deemed Marine Licences (DMLs) contained within Schedules 10 to 15 of the East Anglia THREE Offshore Wind Farm Order 2017 (2017 Order) (Application).

This Application is being submitted concurrently with an application to the Secretary of State for Business, Energy and Industrial Strategy (BEIS) to amend the maximum generating capacity within the 2017 Order and to confirm that there is no upper limit for individual Wind Turbine Generator (WTG) capacity for this project. The amendments constitute non-material changes for the purposes of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 as amended (2011 Regulations).

The 2017 Order was granted on 7 August 2017 and came into force on 29 August 2017. The East Anglia THREE Offshore Wind Farm (Correction) Order 2018 was subsequently granted on 12 July 2018 to correct certain errors in the 2017 Order. The 2017 Order granted development consent to EATL for an offshore wind farm with a gross electrical output capacity of 1,200 megawatts (MW) located approximately 69km off the coast of Suffolk. The 2017 Order consented up to 172 wind turbines and associated development.

The principle purpose of the variations sought to the DMLs is to allow the maximum generating capacity of the development authorised by the DMLs to increase from a maximum of 1,200 MW to a maximum generating capacity of 1,400 MW. The Application also seeks to vary the DMLs contained within Schedules 10 to 15 of the 2017 Order to allow more flexibility in delivery of the phases.

As the non-material change application and the application to vary the DMLs are so closely related, and the variation requested to the DMLs reflects the changes being requested to the 2017 Order, the information and supporting documentation for each application is the same.

We enclose copies of the documents outlined below that were, save for the tracked changes version of the DMLs, also provided to BEIS.

1. The Supporting Statement

1.1 This document includes:

1.1.1 The details of the proposed non-material change to the Order as prescribed by the 2011 Regulations (which are also relevant to the variations proposed to the DMLs); and

1.1.2 An explanation as to why the proposed changes are considered non-material (which also applies to the variations proposed to the DMLs).

1.2 As stated above, this document was prepared for the non-material change application to BEIS. However, as the variations sought to the DMLs are so closely related to the changes sought to the 2017 Order, it is our view that the Supporting Statement will provide the MMO with sufficient information to determine the request for a variation of the DMLs.

2. A tracked changes version of the DMLs from Schedules 10 and 15 of the 2017 Order

2.1 A tracked changes version of the variations sought is included with this application.

2.2 The purpose of the variations is to reflect the increase from 1,200 MW to 1,400 MW within the DMLs and the 2017 Order. As a consequence of this, and to ensure that impacts do not differ from those previously assessed, EATL has also proposed an additional condition within the DMLs to restrict the maximum number of gravity base foundations to 100.

2.3 In addition to the above, EATL are seeking a variation to allow greater flexibility in how the project is delivered through phases, albeit that the approach of up to two phases will not change. As consented each type of DML has a licence per phase, i.e. two phases for the generation assets, two for the transmission assets and two for the interconnection assets. In order to allow flexibility as to what can be constructed under each phase, the figures within the DMLs have been amended to reflect the combined total of each phase for the relevant licence (i.e. generation; transmission or interconnection). For example, the generation assets licence previously allowed 86 wind turbine generators (WTG) to be constructed in phase 1 and the same again in phase 2, adding up to a total of 172 WTG across the project. The proposed variation allows a total of 172 WTG to be built under either phase 1 or under phase 2, or to be split between the two licences in any combination up to the overall maximum.

2.4 To ensure the overall totals remain as currently consented, a new condition has been added to each DML to restrict and make clear that the totals provided in each phase are also the combined total for both phases of the relevant licence taken together. Therefore whilst the variations allow greater flexibility in delivery within the two phases, they ensure that there will be no exceedance in the maximum consented parameters across the combined phases and therefore there are no changes in impact significance as described in the original Environmental Statement for the 2017 Order.



We would be grateful if you would acknowledge safe receipt of this letter and its enclosures.

If you have any questions or require clarification on the content of this letter or accompanying information please do not hesitate to contact us.

Yours sincerely

East Anglia Three Limited