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Department for Energy Security and Net Zero
3-8 Whitehall Place
London
SW1A 2AW
United Kingdom

Copy to the Planning Inspectorate

13/05/2025

The Norfolk Boreas Offshore Wind Farm Order 2021

Application for a Non-material Change

Dear ██████████,

The Norfolk Boreas Offshore Wind Farm Order 2021 (the **Order**) granted consent on 10 December 2021 for the development of an offshore wind farm located approximately 73km from the coast of Norfolk (at the closest point) (the **Project**), covering an area of approximately 725km². Offshore cables transmitting power from the array make landfall south of Happisburgh. From there underground cables continue approximately 60km to an onshore project substation, and connect into the National Grid substation near Necton, Norfolk.

A non-material change to the Order was approved by the Secretary of State on 20 September 2022, which reduced the number of turbines and amended the electrical output in the Order. On 3 March 2023, Norfolk Boreas Limited transferred part of the Order to Norfolk Vanguard East Limited. Therefore, for the purposes of paragraph 2(4) of Schedule 6 to the Planning Act 2008, and this non-material change application, Norfolk Boreas Limited and Norfolk Vanguard East Limited are persons for whose benefit the Order has effect and are jointly applying for a non-material change to the Order in accordance with paragraph 2(4)(c) of Schedule 6 of the Planning Act 2008 and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (2011 Regulations) (the Application). RWE Renewables UK Limited is the parent company of Norfolk Boreas Limited and Norfolk Vanguard East Limited.

If granted, the non-material change which is the subject of this Application would align the wording of Schedule 19 of the Order with the provisions already approved by the Secretary of State (SoS) in the Benthic Implementation and Monitoring Plan (BIMP) which allow a payment to be made into the Marine Recovery Fund (MRF) if required as an adaptive management measure. The Application would also remove the current provision in the Order requiring that the specified area of marine debris clearance must be completed before cable installation

works may commence, because this would otherwise be inconsistent with payment under the MRF and the provisions of the approved BIMP. The Application will not alter the principle to comply with the BIMP (which was approved by the SoS on 17 July 2024 and is being implemented). The application will also add a new definition of “Defra” and update the definition of “undertaker” in article 2 of the Order and correct three erroneous offshore coordinates in Schedule 1 of the Order which, for the avoidance of doubt will not alter the order limits as shown on the offshore Works Plan or as described in the existing Deemed Marine Licenses.

In accordance with Regulation 4 of the 2011 Regulations, we enclose copies of the documents outlined below:

1. 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; and
- 1.1.2 An explanation as to why the proposed change is considered non-material.

2. THE DRAFT AMENDMENT ORDER

- 2.1 The enclosed draft Amendment Order sets out the amendments proposed to the Order to reflect the changes sought.

3. A TRACKED CHANGE VERSION OF THE ORDER

- 3.1 This document highlights, in tracked changes, the proposed amendments to the Order.

4. A COPY OF THE NEWSPAPER NOTICE REQUIRED BY REGULATION 6 OF THE 2011 REGULATIONS (NOTICE)

- 4.1 Notice of the Application will be published in the following newspapers as required by Regulation 6 of the 2011 Regulations:

- Fishing News; and
- Eastern Daily Press.

A copy of the Notice is enclosed with this Application. The Regulation 7A consultation and publicity statement will follow after the second newspaper notice advertising the making of the Application has been published. This statement will confirm that the Applicant has consulted on the Application in accordance with Regulations 6 and 7 of the 2011 Regulations.

The Applicant confirms that the application fee of £6,891.00, as required by Regulation 5 of the 2011 Regulations has been processed for payment to DESNZ.

For ease of reference, we also enclose a checklist at Schedule 1 to this letter, setting out the information required by Regulation 4(2) of the 2011 Regulations.

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



Development Manager for Vanguard West, East & Boreas
RWE Renewables UK

Norfolk Boreas Limited and Norfolk Vanguard East Limited

Enclosures:

1. The Supporting Statement;
2. The draft Amendment Order and confirmation of validation;
3. The tracked changes version of the Order;
4. The newspaper notice as required by Regulation 7 of the 2011 Regulations.

SCHEDULE 1

Checklist of details required by Regulation 4(2) of the 2011 Regulations

| Regulation | Requirement | Response |
|------------|---|--|
| 4(2)(a) | Name and address of applicant | Norfolk Boreas Limited and Norfolk Vanguard East Limited both of Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, SN5 6PB |
| 4(2)(b) | Name and address of an agent, if appointed | N/A |
| 4(2)(c) | The Secretary of State's reference for the development consent order to which the application relates | The Norfolk Boreas Offshore Wind Farm Order 2021 (S1 2021/1414) PINS reference: EN010087 |
| 4(2)(d) | Details of the change being applied for | The Application seeks to make a non-material change to add and update two definitions in Article 2; to enable financial contributions for benthic compensation to be made to the Marine Recovery Fund; and to update three incorrect offshore coordinates in the Order. The Application does not seek any changes to the onshore elements of the Project. |
| 4(2)(e) | Any documents and plans considered necessary to support the application | A Supporting Statement, draft Amendment Order, a copy of the Order with the proposed amendments shown in tracked changes and a copy of the newspaper notice are enclosed. The Secretary of State is requested to confirm that the above documents are sufficient for determination of the Application. |
| 4(2)(f) | A statement as to the status of the applicant, as referred to in regulation 4(2)(f)(i) and (ii) | Norfolk Boreas Limited is the applicant who originally applied for the Order. On 3 March 2023, Norfolk Boreas Limited transferred part of the Order to Norfolk Vanguard East Limited. For information, on 3 March 2023, Norfolk Vanguard West Limited also transferred part of the Norfolk Vanguard Offshore Wind Farm Order 2022 to Norfolk Vanguard East Limited, with the effect of both transfers of benefit |

| Regulation | Requirement | Response |
|------------|--|---|
| | | <p>being to form a third project known as Norfolk Vanguard East.</p> <p>Norfolk Boreas Limited and Norfolk Vanguard East Limited both have the benefit of agreements for lease with The Crown Estate in respect of (i) part of the wind farm array area and (ii) the offshore cable corridor.</p> |
| 4(2)(ff) | The consultation and publicity statement referred to in regulation 7A | This will be provided to the Department of Energy Security and Net Zero after the second newspaper notice advertising the making of the Application has been published. |
| 4(2)(g) | Details of the applicant's interest in the land | The Applicant has agreements for lease with The Crown Estate of the necessary seabed. |
| 4(2)(h) | If requested by the Secretary of State, 3 paper copies of the application and other supporting documents and plans | The Planning Inspectorate confirmed paper copies of the Application are not required. |