



Thanet Extension OWF Case Team
Planning Inspectorate
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(Email only)

MMO reference: DCO/2016/00003
Planning Inspectorate Reference: EN010084
Identification Number: 20012636

05 February 2019

Dear Sir or Madam

Planning Act 2008: Proposed Thanet Extension Offshore Wind Farm Response to Examination Deadline 2.

The MMO is an interested party for the examination of Development Consent Order (DCO) applications for Nationally Significant Infrastructure Projects (NSIPs) in the marine area. Should consent be granted for the project, the MMO will be responsible for monitoring, compliance and enforcement of Deemed Marine Licence (DML) conditions.

On 30 July 2018, the Marine Management Organisation (MMO) received notice under section 56 of the Planning Act 2008 (the "PA 2008") that the Planning Inspectorate ("PINS") had accepted an application made by Vattenfall Wind Power Limited (the "Applicant") for a development consent order (the "DCO Application") (MMO ref: DCO/2016/00003; PINS ref: EN010084), for the construction, operation and maintenance of the proposed Thanet Extension Offshore Wind Farm (TEOWF).

This document comprises the MMO's submission for deadline 2 of the examination. This is without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This is also without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for anything else.

1. Comments on Revised Draft DCO and DMLs- Revision A.

1.1. General comment:

A number of points remain under discussion as set out on the Statement of Common Ground (SoCG). This includes minor DCO/DML drafting comments.

1.2. Interpretation of Commence

The MMO notes that seabed preparation and clearance have not been included in the definition of 'commence'. Seabed preparation has instead been included under a new definition for 'pre-commencement works', and a new condition has been proposed in condition 20 requiring a method statement to be approved

prior to commencement of 'pre-commencement activities'. The MMO welcomes the recognition that a method statement is required, however considers that the current drafting is not sufficient to ensure that any other mitigation for these activities is secured in regards to seabed preparation/clearance activities. For example:

- Notifications and inspections
- Aids to navigation
- Environmental management plan
- Emergency Response Co-operation Plan
- Disposal plan

1.3. The MMO remains concerned with the proposed wording in Part 3, 2(5)(c):

“such other works as may be necessary or expedient for the purpose of or in connection with the construction or use of the authorised development and which are within the scope of the environmental impact assessment recorded in the environmental statement”.

1.4. The current wording implies that other activities that have been assessed in the ES could be permitted, however if the activity has not been considered further through the process, mitigation may not have been sufficiently considered and adequately secured. The MMO raised UXO detonation as an example. The MMO welcomes the applicant's clarification that they do not intend to apply for UXO detonation under the DCO consent and requests that the activities within this provision are defined more clearly.

1.5. The MMO understands that, following a recent upgrade to the Marine Noise registry, entries to the Marine Noise Registry should now be done on an annual basis, and any activities spanning a year end must be entered separately. The MMO therefore would like to proposed an amendment to condition 18 (1)(b) to:

*“every year by 25 March, following the commencement of pile driving, information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry's Close Out requirements **for any pile driving activities undertaken in the previous calendar year**”.*

2. Appendix 1, Annex A of Deadline 1 Submission – Offshore Project Description Assessed in the Environmental Statement

2.1. The MMO welcomes the updated information presented in the clarification note and the corrections that have been made to the DCO/DML. However, the maximum footprint for sandwave levelling and boulder clearance has not been included.

2.2. The maximum cable protection volume for export cables (145,000m³) matches the volumes stated in the clarification note, however the maximum volume for inter-array cables (92,000m³) does not. MMO requests clarification on the correct figure.

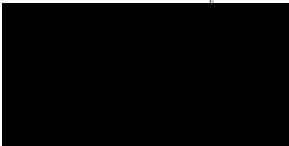
2.3. In its Relevant Representation, the MMO requested clarification on the disposal sediment types that will be disposed of from each disposal activity. This

information does not appear to have been included in the clarification note. The MMO requests clarification from the applicant on how this will be addressed on the DMLs.

3. Applicant's responses to Relevant Representations

3.1. The response to MMO-25 appears to be missing from the document.

Yours sincerely,



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