



Marine Management Organisation

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Thanet Extension Project Team
Secretary of State for Business, Energy &
Industrial Strategy,
c/o the Planning Inspectorate

Our reference:
DCO/2016/00003

Your reference: EN010084

By email only:

ThanetExtension@planninginspectorate.gov.uk

30 January 2020

To Whom It May Concern,

Planning Act 2008, Vattenfall Wind Power Limited, Proposed Thanet Extension Offshore Wind Farm

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 Licences (DML).

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). The MMO provided multiple representations on the proposed scheme throughout the Examination process.

Further to the letter dated 06 January 2020 inviting comments to responses from the Applicant, Interested Parties and Other Parties on a number of outstanding issues for the proposed development. Please find the Marine Management Organisation's (MMO) response below.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application. This representation is also submitted 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 any other authorisation relevant to the proposed development.

Yours faithfully

[Redacted signature]

Adam Suleiman
Marine Licensing Case Officer



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1. Draft Development Consent Order (dDCO)

- 1.1 The MMO notes the response made by the Maritime and Coastguard Agency highlighting elements which are not in line with the MCA, Trinity House and the Marine Management Organisation's (MMO) agreed navigation safety conditions for offshore renewable energy installations. The MMO supports the proposed amendments.
- 1.2 The MMO notes the response made by Natural England with regard to the drafting of sub-paragraph (4) in Schedule 11, Part 4, Condition 24 and Schedule 12, Part 4, Condition 27. The MMO supports the proposed amendments.

2. Fish Spawning

- 2.1 Further to the Secretary of State's letter on 21 November 2019 the MMO has been in discussion with the Applicant regarding the proposed piling restrictions. The MMO has reviewed the information submitted to the Secretary of State by the Applicant on 13 December 2019 ([here](#)) in consultation with its scientific advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas). Furthermore, the Applicant has clarified that all modelled outputs presented in Appendix C of the submission are based on the worst-case 5,000 kJ hammer energy piling scenario.
- 2.2 On this basis the MMO confirms that the piling restriction conditions proposed by the Secretary of State for Thames herring (the '*Thames herring stock restriction*') and for Dover sole (the '*Dover sole stock restriction*') are **not required**. This is on the basis that no piling is undertaken in the Structures Exclusion Zone (SEZ). The MMO considers the deemed Marine Licences (dML) as drafted, provide for no piling works to be undertaken in the SEZ.
- 2.3 With regard to Downs herring (the '*Downs herring stock restriction*'), the Applicant has requested to reduce the timescale to 1st December – 31st January. Whilst the MMO agree that there may be scope to reduce the restriction, further information is required to support this which is not currently available from the Applicant. As noted in the condition drafted by the Secretary of State, the MMO may process a post-consent variation to enact the change, if the proposed development is consented.