

**Application reference: EN010115**

Date: 3 March 2025

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Reference: 005557403-01

Karl-Jonas Johansson  
Case Manager  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

### **Five Estuaries Offshore Wind Farm Project – Deadline 7**

Dear Mr Johansson,

Further to the Rule 8 letter issued by the Examining Authority (ExA) on 25 September 2024 [PD-009], we (as the Applicant) have submitted the documents listed below for the ExA's attention for Deadline 7.

The SI template validation report to support the Draft Development Consent Order has not been submitted at this deadline. Due to amends being made to the drafting of protective provisions right up until the deadline in order to reach as much agreement as possible, there was insufficient time available to validate the dDCO for Deadline 7. The Applicant will submit the SI version and validation report to the e ExA as soon as practicable.

The timetable in the Rule 8 letter also requests certified copies of any signed legal agreements. The Applicant has no relevant legal agreements to submit, and does not expect to have any before the end of the Examination.

### **Documents as requested in the Rule 8 letter for submission at Deadline 7**

#### New documents:

- **10.56 Comments on the Report on the Implication for European Sites**
- **10.57 Comments of the ExA's proposed schedule of changes to the dDCO**
- **10.58 Applicant's response to ExQ3**
- **10.59 Applicant's Comments on Deadline 6 Submissions**

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**REGISTERED OFFICE:** Five Estuaries Offshore Wind Farm Ltd  
Windmill Hill Business Park  
Whitehill Way, Swindon, Wiltshire, SN5 6PB

**COMPANY NO:** Registered in England and Wales  
company number 12292474

- **10.59.1 Applicant's Comments on Natural England's Deadline 6 Submission**
- **10.59.2 Applicant's Comments on East Anglia TWO Limited's Deadline 6 Submission**
- **10.61 Draft Development Consent Order (Revision H) including without prejudice schedules**

Updated documents:

- **1.3 Guide to the Application (and Glossary) – Revision K (Tracked and Clean)**
- **3.1 Draft Development Consent Order – Revision H (Tracked and Clean)**
- **3.2 Draft Explanatory Memorandum – Revision F**
- **4.1 Book of Reference – Revision F (Tracked and Clean)**
- **4.3 Statement of Reasons – Revision D (Tracked and Clean)**
- **10.2 Land Rights Trackers– Revision H (Tracked and Clean)**
- **10.10 Statement of Commonality – Revision G (Tracked and Clean)**

Updated and new Statements of Common Ground

- **10.10.4 United Kingdom Chamber of Shipping Statement of Common Ground – Revision B (Tracked and Clean)**
- **10.10.15 Maritime and Coastguard Agency Statement of Common Ground – Revision B (Tracked and Clean)**
- **10.10.17 National Highways Statement of Common Ground – Revision B (Tracked and Clean)**
- **10.10.19 Commercial Fisheries Working Group Statement of Common Ground – Revision B (Tracked and Clean)**
- **10.10.20 Port of London Authority Statement of Common Ground – Revision B (Tracked and Clean)**
- **10.10.22 Port of Tilbury Statement of Common Ground – Revision A.**

Additional documents updated at Deadline 7

The Applicant has submitted the following updated documents at Deadline 7 for the attention of the ExA. These updates have been made to correct minor issues, improve the quality figures/plans/images, to align with other updated documents or project information, and to respond to action points from ISH6, CAH3 and ISH7 [EV10-12, EV11-006, and EV12-006].

- **2.3 Land Plans – Onshore – Revision E**
- **2.4 Special Category Land Plan – Revision C**
- **2.9 Temporary Closure of Public Rights of Way Plan – Revision D**
- **2.17 Crown Land Plan – Onshore – Revision D**
- **5.4 Report to Inform Appropriate Assessment – Revision C (Tracked and Clean)**
- **5.4.1 Site Integrity Matrices – Revision C (Tracked and Clean)**
- **5.4.3 HRA Screening Matrices – Revision C (Tracked and Clean)**
- **5.4.4 Summary of Designated Sites – Revision B (Tracked and Clean)**
- **5.4.5 Lesser Black Backed Gull Habitats Regulation Assessment – Revision D (Tracked and Clean)**
- **5.5.1 Benthic Compensation Strategy Roadmap – Revision B (Tracked and Clean)**

This revision includes a letter from BT confirming the presence of out-of-service telecommunications cables owned by BT within the Five Estuaries work area, and that there was no reason why an in-principle agreement could not be reached to allow the Applicant remove redundant infrastructure owned by BT.

- **5.5.2 Benthic Implementation and Monitoring Plan – Revision C (Tracked and Clean)**
- **6.3.8 Traffic and Transport – Revision D (Tracked and Clean)**
- **6.5.4.16 Environmental Statement Annex showing the Population Viability Analysis – Revision C (Tracked and Clean)**
- **6.6.8.1 Traffic and Transport Baseline Report - Part 1 – Revision D (Tracked and Clean)**
- **6.6.8.2 Traffic and Transport Baseline Report - Part 6 – Revision C (Clean only)**
- **9.8 Dredge Disposal Site Characterisation Report – Revision C (Tracked and Clean)**
- **9.12 Outline Cable Specification and Installation Plan – Revision D (Tracked and Clean)**
- **9.13 Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan – Revision E (Tracked and Clean)**
- **9.14.1 Outline Marine Mammal Mitigation Protocol - Piling – Revision D (Tracked and Clean)**
- **9.14.2 Outline Marine Mammal Mitigation Protocol - UXO – Revision C (Tracked and Clean)**
- **9.20 Outline Navigation and Installation Plan – Revision D (Tracked and Clean)**
- **9.21 Code of Construction Practice – Revision D (Tracked and Clean)**
- **9.24 Outline Construction Traffic Management Plan – Revision E (Tracked and Clean)**
- **9.25 Outline Public Access Management Plan – Revision C (Tracked and Clean)**
- **9.26 Outline Workforce Travel Plan – Revision C (Tracked and Clean)**
- **9.31 Schedule of Mitigation – Revision C (Tracked and Clean)**
- **9.32 Offshore In Principle Monitoring Plan – Revision E (Tracked and Clean)**
- **10.30 Outline Sediment Disposal Management Plan – Revision C (Tracked and Clean)**
- **10.36 Onshore substations operational noise and the noise complaints protocol – Revision B (Tracked and Clean)**

#### **New documents submitted at Deadline 7**

The Applicant has submitted the following additional new documents at Deadline 7, for the attention of the ExA, as additional evidence to support the application, and to respond to action points from ISH6, CAH3 and ISH7 [EV10-12, EV11-006, and EV12-006].

- **10.20.12 Technical Note - Methodological differences on ornithological matters**
- **10.60 Strategic study of collision risk for birds on migration and further development of the stochastic collision risk modelling tool (Woodward et al., 2023)**  
As requested in the Report on the Implication for European Sites [PD-027]
- **10.62 Note on dDCO drafting – Applicant’s position on Protective Provisions**

The Note on dDCO drafting – Applicant’s position on Protective Provisions sets out the remaining points of difference between the undertaker and the counterparty to each not-agreed set of protective provisions. It also sets out the Applicant's case as to why it considers it’s preferred drafting is sufficient to prevent any risk of serious detriment arising. This submission contains the Applicant’s response to London Gateway Port’s Rule 17 submission [REP6-059].

The Applicant would like to note to the ExA that it has not submitted updated revisions of the following documents at this deadline:

- **9.22 Outline Landscape and Ecological Management Plan**
- **10.47 Archaeological Mitigation Strategy (AMS)**, including revisions to 9.23 outline Onshore Written Scheme of Investigation which will now form an appendix to the AMS.

The Applicant is in discussions with Essex County Council and other Interested Parties on updates to these documents and has provided working drafts to them for agreement prior to submission of final versions at Deadline 8.

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If you have any questions about our response and the submitted documents, or if there is anything further we can provide, please do not hesitate to contact the team.

Yours sincerely,



Diane Mailer

**Project Lead**

Five Estuaries Offshore Wind Farm Ltd