



**RWE Renewables UK Dogger Bank
South (West) Limited**

**RWE Renewables UK Dogger Bank
South (East) Limited**

**Dogger Bank South Offshore
Wind Farms**

**Response to Rule 6 Letter
Pre-Examination Procedural Deadline**

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08 October 2024

Dear Ms Dowling,

Dogger Bank South Offshore Wind Farms Project
Pre-Examination Procedural Deadline Cover Letter and Response to Rule 6 Letter
PINS Reference: EN010125

RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited ('the Applicants') write in response to the Examining Authority's (ExA) letter issued under The Infrastructure Planning (Examination Procedure) Rules 2010, Rule 4, 6, 9 and 13 ('the Rule 6 Letter') on the 24th September 2024. Its dual purpose is to act as a Cover Letter for the Pre-Examination Procedural Deadline set by the ExA in the Rule 6 Letter. For ease of reference, the letter has been separated into numbered sub-titled sections.

1. Invitation to the Preliminary Meeting, Compulsory Acquisition Hearing (CAH1) and Issue Specific Hearing 1 (ISH1)

The Applicants welcome the ExA's decision to commence examination promptly following the appointment of the panel and completion of the Interested Party Registration Period. The Applicants confirm their intention to attend the Preliminary Meeting, Compulsory Acquisition Hearing (CAH1) and Issue Specific Hearing (ISH1) virtually on the 22nd and 23rd of October 2024. The Applicants will also follow the process outlined in the Rule 6 Letter to formally register attendance.

2. Applicants' comments on the Draft Examination Timetable

Following review of the draft timetable outlined in Annex D of the Rule 6 Letter [PD-002], the Applicants have the following requests in respect of the draft timetable.

Item 7

It is noted that the draft timetable provides for Deadline 1 on 8 November 2024 and Deadline 2 on 22 November 2024. Deadline 1 includes receipt of Written Representations (WRs) from Interested Parties and Local Impact Reports (LIRs) and

a significant amount of other information. This allows a total of 14 calendar (or 10 working) days to review and prepare responses and to provide all the other documents set out for Deadline 2. The Applicants consider that in order for the Applicants to fully consider and provide thorough responses to those documents and submit all the other documents set for Deadline 2, additional time will be required. The Applicants are therefore requesting that a minimum of 21 calendar days is allowed between Deadline 1 and Deadline 2. In the Applicants' view, this additional time will ensure the Examining Authority is provided further information which will enable more targeted written questions. Additionally, considering the significant amount of information expected at Deadline 1, the Applicants respectfully request for the Examining Authority to publish Deadline 1 submissions as soon as possible after the deadline to avoid limiting time available any further.

Items 9,10 and 11

Deadline 3 is currently set for the 6th of January 2025, requiring all parties to respond to the Examining Authority's First Written Questions (WQ1), set to be issued on the 9th of December. The Applicants consider that in order to properly and adequately consider and meaningfully respond to the WQ1 in a way that would assist the examination, a longer period of time should be allowed for. This is particularly so in the light of the fact that substantial part of the period between the receipt of ExA's WQ1 and the deadline set for response to the WQ1 falls during the festive period. The three bank holidays, combined with the likelihood of all parties having travel and family commitments, will inevitably reduce availability, particularly for local authorities and other public bodies which tend to be closed during the Christmas period.

As a result, there is a risk that responses to WQ1 could be less detailed/thorough, which would not fully support the Examining Authority in conducting an effective examination. The Applicants consider that ensuring that all parties have the time and resources necessary to provide comprehensive and well-considered responses is important to the overall examination process.

Additionally, Item 10 of the draft timetable schedules a week of hearings beginning on the 20th of January 2025. This timing presents a difficulty for the Projects, as the key legal advocate is already committed to other DCO examination hearings during that week on Five Estuaries DCO [EN010115]. Given the importance of fully digesting the responses to WQ1 before setting the agenda for the hearings, the Applicants consider that it would be helpful for the Examining Authority to allow for additional time to review these submissions.

Therefore, considering the significant gap between Deadline 4 (Item 11 - 3rd February 2025) and the next set of hearings scheduled for the 3rd of March 2025, the Applicants request that procedural matters set out in Items 9, 10, and 11 of the draft timetable be postponed by ideally two weeks and in any event at least one week. This adjustment would allow for more detailed and meaningful responses to WQ1, supporting a more thorough and robust examination, while also resolving scheduling conflicts for the hearings.

3. Statement of Common Ground (SoCGs)

The Applicants confirm that they intend to prepare SoCGs with the Interested Parties listed in the **Rule 6 letter** for Deadline 1 as requested with the exception of Natural England [RR-039] who have confirmed that they do not have resource capacity to engage in the SoCG process. The Applicants will however continue to engage with Natural England throughout examination regarding items in their Risks and Issues Log discussed in their relevant representation to seek resolution and agreements and the Applicant will be happy to update the Examining Authority on the progress of these discussions.

In addition to the bodies outlined in the Rule 6 letter, the Applicants will also be preparing an SoCG with Humber Archaeological Partnership (HAP) and Lincolnshire Wildlife Trust. The Applicants are also pursuing an SoCG with National Gas Transmission Ltd, in response to the ExA's request.

4. Examination Progress Tracker

The Applicants confirm that a combined **Examination Progress Tracker and Statement of Commonality** will be provided at Deadline 1.

5. Accompanied Site Inspection

The Applicants recommend that the Examining Authority focus their attention during the Accompanied Site Inspection on the viewpoints around the Substation and also the cultural heritage viewpoints on the Substation Zone location. In particular the views from Butt Farm Caravan Park and from the location of the Heavy Anti-Aircraft Gunsite (Scheduled Monument). Should the Examining Authority find it helpful, the Applicants would be happy to provide a draft itinerary with recommended locations in due course.

6. Notification of Change Request

As a result of stakeholder feedback through ongoing engagement and the Relevant Representations process as well as further design refinement, the Applicants are proposing a number of changes to the DCO application. Further details in respect of the proposed changes are included in a separate notification to the Examining Authority of the Applicants' intention to submit a change request (the **Change Notification**, document reference 10.2) submitted at this Pre-Examination Procedural Deadline. This notification has been prepared in-line with the relevant Planning Inspectorate Guidance ¹.

7. Applicants' Response to Relevant Representations

As requested within the **Rule 6 letter**, the Applicants confirm that they have provided responses to all of the Relevant Representations as part of this submission (document reference 10.3) at the Pre-Examination Procedural Deadline with the exception of the **Natural England Relevant Representation** [RR-039]. In their

¹ *Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination, The Planning Inspectorate, August 2024*

relevant representation (RR-039), Natural England confirm that RR-039 is intended to also be their Written Representation. Furthermore, given the substantial size of Natural England's representation, it was not feasible to properly consider and provide a substantive response within the two-week period provided for in the **Rule 6 letter**. It is therefore the Applicants' intention to submit their response to Natural England's representation at Deadline 1.

8. Guide to the Application

In light of the request made in Annex F of the Rule 6 letter, an updated **Guide to the Application** [APP-004] has been submitted at the Pre-Examination Procedural Deadline. The Applicants confirm the **Guide to the Application** will be updated at future deadlines during the DCO Examination to help track updated submission documents and new submissions. The **Guide to the Application** outlines the Applicants' numbering system for SoCGs and new documents to be submitted at later deadlines.

9. Land Rights Tracker

The Applicants note the request for a **Lands Rights Tracker** and the template provided in Annex F of the **Rule 6 letter**. The Applicants have submitted at the Pre-Examination Procedural Deadline (document reference: 10.4) a **Land Rights Tracker** which is similar but slightly modified populated template for the ExA's consideration. The template has been replicated from an ongoing DCO examination for the Five Estuaries Project. The **Land Rights Tracker** includes some explanatory text and a user guide for the document.

The populated **Land Rights Tracker** (document reference: 10.4) aligns with the point of submission for the Projects. The Applicants confirm it is the intention that a revised **Book of Reference** [APP-031] and associated minor updates to the **Land Rights Tracker** will be provided at Deadline 1 to capture changes since the DCO submission.

10. Submission of draft Development Consent Order

The Applicants welcome the confirmation on the necessary process for providing updates to the **draft DCO** during examination. The Applicants confirm their intention to provide an updated **draft DCO** at Deadline 1 as referenced in responses to some relevant representations (document reference 10.3). This will be accompanied by an updated **Explanatory Memorandum** and **Schedule of Changes**, as requested.

11. Responses to Regulation 32 Consultation Responses

The Applicants note that feedback was received from Denmark and Germany to Regulation 32 consultation being undertaken by the Examining Authority. The Applicants intend to respond to this feedback (published on the 7th October 2024) at Deadline 2 to align the timing of these responses with responses to Written Representations.

12. Clarifications and requests for further information

The Applicants’ response to the clarifications and requests for further information contained within the Rule 6 letter is provided in Table 1 below.

Table 1 – Responses to the ExA’s clarifications requested in the Rule 6 Letter

ExA’s request/comment	Applicants’ response
Identification of functional floodplain	
<p>The Applicants are asked to identify the location and extent of the functional floodplain (Flood Zone 3b), within the onshore Order limits. If components would be located within Flood Zone 3b, the Applicants are requested to provide confirmation that there would be no net loss of floodplain storage during all phases of the proposed development. In addition, the Applicants are asked to provide evidence that the sequential approach has been followed or signpost where in the application documentation this evidence can be found. This information is to be submitted at the Pre-Examination deadline.</p>	<p>Appendix 20-4 Flood Risk Assessment [APP-168] identifies Flood Zones 1, 2 and 3, and therefore which flood zones are applicable throughout the length of the Onshore Export Cable Corridor. With regard to the differentiation of Flood Zones within the Appendix 20-4 Flood Risk Assessment [APP-168], the Applicant notes that the Flood Zone mapping available from the Environment Agency does not differentiate between Flood Zone 3a and 3b i.e. it only defines Flood Zones 1, 2 and 3. As such, it is noted that the Flood Zone mapping does not identify the Functional Floodplain. To differentiate between Flood Zone 3a and 3b (and hence the Functional Floodplain) information is taken from a number of sources, where available. Given the nature of the available flood modelling data, it is not always possible to derive a delineation between these two zones using the available mapping. Therefore, no mapped delineation is included within Appendix 20-4 Flood Risk Assessment [APP-168].</p> <p>Paragraph 193 of Appendix 20-4 Flood Risk Assessment [APP-168] confirms that the Onshore Substation Zone is located in Flood Zone 1. As this is the only element of the Projects which will be located above ground, once operational, it is also the only element that could result in longer term loss of floodplain storage. However, given its location in Flood Zone 1 it can be confirmed this would not result in loss of floodplain storage.</p> <p>Should temporary development be identified as being needed within Flood Zone 3b, specific measures have been incorporated into Appendix 20-4 Flood Risk Assessment [APP-168] to ensure that during</p>

ExA's request/comment	Applicants' response
	<p>construction, measures would be taken to ensure there is no increased risk of flooding. During construction, Paragraphs 237 – 239 of Appendix 20-4 Flood Risk Assessment [APP-168] note that for Temporary Construction Compounds that may be located in either Flood Zone 2 or Flood Zone 3, mitigation measures are included within both the Outline Drainage Strategy [APP-237] and the Outline Code of Construction Practice [APP-234] to ensure there is no flood risk impact. Given these are temporary elements of the Projects, it is only during construction when these measures would be required. As such, it is concluded that there would be no net loss of floodplain storage, as a result of these elements of the Projects.</p> <p>On the basis of the information presented in Appendix 20-4 Flood Risk Assessment [APP-168] and given the flood risk to the various elements of the Projects, the Applicants can confirm that consideration of the Sequential Test and Exception Test covers all elements of the Projects including the onward cable connection to the Proposed Birkhill Wood National Grid Substation. As such, the conclusions set out within Appendix 20-4 Flood Risk Assessment [APP-168] remain unchanged.</p>
Agricultural Land Classification Surveys	
<p>In the response to the Planning Inspectorate's Section 51 advice [AS-003] the Applicants advised that further surveys in relation to agricultural land classifications were being undertaken for the remaining Onshore Development Area. The ExA can confirm that it would like to see the results of these surveys. Please provide the results of this further work or indicate when it will be provided. This information is to be submitted at the Pre-examination deadline.</p>	<p>The Agricultural Land Classification (ALC) surveys were completed in the summer for the Onshore Export Cable Corridor. The results of these surveys have been provided as part of the submission at the Pre-Examination Procedural Deadline - please see Soil Resource Assessment Survey Results (Document Ref: 10.5). The Applicants will review the Outline Soil Management Plan, Appendix A of the Outline Code of Construction Practice [APP-234] and, if required at Deadline 2, provide any updates to the proposed mitigation measures considering the new survey data..</p>
Archaeological Trial Trenching	

ExA's request/comment	Applicants' response
<p>In the response to the Planning Inspectorate's Section 51 advice [AS-003] the Applicants advised that trial trenching was on-going post submission. If the results of this work are available, please provide the updated Archaeology Geophysical Assessment Report and Interim Phase 2 Trial Trenching Report which should include details of how any post submission findings might affect the conclusions of the Environmental Statement. If this work is still on-going, please provide details of when it will be completed and when the updates/ additional information will be submitted. This information is to be submitted at the Pre-Examination deadline.</p>	<p>As stated in the response to S55 Checklist (Box 30 comments in Appendix A)the Applicants have submitted the following documents at the Pre-Examination Procedural Deadline:</p> <ul style="list-style-type: none"> • August 2024 Geophysical Assessment Report (Document ref: 10.6). This report covers all archaeological geophysical surveys undertaken to June 2024, and was submitted to Onshore Heritage Stakeholders on 23/08/24. This report provides an update to the DCO application document 7.22.22.7 ES Appendix 22-7 - Geophysical Assessment Report [APP-180 – APP-188] which had a survey cut-off date of January 2024. • Phase 1 Trial Trenching Report (Final) (Document ref: 10.7). This is the Final version of the Interim Phase 1 Trial Trenching Report, as submitted with the DCO application as document 7.22.22.8 Environmental Statement Appendix 22-8 - Interim Archaeological Evaluation Report [APP-189]. The Final Phase 1 report was submitted to Onshore Heritage Stakeholders on 24/09/24. <p>As detailed in the Applicants' Request for Signposting Information Letter (02/08/09) [AS-003] the Applicants have agreed with Historic Environment Stakeholders that sufficient geophysical and trial trenching surveys were carried out pre-application (and included within the DCO submission) for the purposes of Examination. However, as is commonplace in the development of onshore infrastructure for large-scale offshore wind developments, a programme of archaeological evaluation is ongoing throughout the submission, examination and post-consent phases, in order to help alleviate programme pressure and to better understand archaeological risks during construction, should consent be awarded. A Phase 2 Trial Trenching campaign was</p>

ExA's request/comment	Applicants' response
	<p>carried out from May-August 2024 covering six areas of the Onshore Export Cable corridor. Field work for Phase 2 is now complete and Interim Reports are currently being prepared, with final reports to follow. The programme for sharing these reports with Historic Environment Stakeholders and the Examining Authority is as follows:</p> <p>Phase 2 Interim Trial Trenching Reports supplied at the Pre-Examination Procedural Deadline (8th October):</p> <ul style="list-style-type: none"> • Phase 2 -Section 3 (doc 10.8) • Phase 2 -Section 10 (doc 10.10) • Phase 2 - Section 11 (doc 10.11) • Phase 2 - Section 17 (doc 10.9) <p>These Phase 2 Interim Reports are supplemented by a Technical Note stating how the results of the surveys support the findings of the ES (doc 10.12).</p> <p>The remaining Phase 2 Interim Trial Trenching Reports will be provided at Deadline 1 (8th November):</p> <ul style="list-style-type: none"> • Phase 2 - Section 5 • Phase 2 - Section 6 <p>The Final versions of the Phase 2 Trial Trenching Reports are expected to be available by late February, and it is proposed that these are submitted at Deadline 5.</p>
Arboricultural Surveys	
<p>In the response to the Planning Inspectorate's Section 51 advice [AS-003] the Applicants advised that further arboricultural surveys were being undertaken. If available, please submit these surveys and their conclusions. If the surveys are not available, please indicate when they will be provided. Please note that to maximise the time available to the ExA to review these surveys they should be submitted as and when they are available rather than being submitted together. This information is to be submitted at the Pre-Examination deadline.</p>	<p>The Arboricultural surveys were completed in the summer of 2024 for the Onshore Export Cable Corridor. The Arboricultural Survey Report and Preliminary Arboricultural Impact Assessment has been provided as part of the submission at the Pre-Examination Procedural Deadline (Document Ref: 10.13). The Outline Ecological Management Plan [APP-235] and Outline Landscape Management Plan [APP-236] will be updated at Deadline 2 to include reference to the Arboricultural Survey Report and Preliminary Arboricultural Impact Assessment (application ref: 10.13) to ensure the proposed mitigation measures in the Outline Arboricultural Method</p>

ExA's request/comment	Applicants' response
	Statement, appended to the report are incorporated into the detailed design and secured through Requirements 10, 11 and 12 and in the draft DCO [APP-027].
Request for additional plans	
To help the ExA with its consideration of the Application please provide the following additional plans:	
<p>A topographical* map for the convertor station zone of theoretical viability</p> <p>*Assumed error for 'topographical'</p>	<p>Figure 23-2b has been prepared to show the topography data in relation to the Landscape and Visual Impact Assessment study Area and viewpoint locations and has been provided as part of the Pre-Examination Procedural Deadline submission within an update to the Chapter 23 - Landscape and Visual Impact Assessment - Figure 23-1 to Figure 23-15 [APP-193].</p> <p>It was not possible to clearly show the topographical data by adding it to Figure 23-2a - Onshore Substation Zone of Theoretical Visibility.</p>
<p>A plan identifying, in relation to the Order limits, the locations of developments identified within Table 23-22 of the Landscape and Visual Impact Assessment [APP-192]</p>	<p>The developments identified within Table 23-22 of the Landscape and Visual Impact Assessment [APP-192] are located on Figure 6-1-1 Onshore Cumulative Effects Assessment Schemes Longlist, p.29 of Appendix 6-1 - Onshore Cumulative Effects Assessment Methodology [APP-077].</p>
<p>A plan showing Option 01 B and Option 01 D for Landfall 8 that are identified within Table 4-12 of [APP-067]</p>	<p>The Applicants assume that this comment should read 'Table 4-21 of [APP-067]'; as this table contains information about Landfall Temporary Construction Compound (TCC) Options 01 B and 01D.</p> <p>As requested, this plan is submitted at the Pre-Examination Procedural Deadline (Document ref: 10.14).</p>
<p>A plan identifying the schemes identified within Table 22-14 of [APP-172] and their proximity to the Order limits. This information is to be submitted at the Pre-Examination deadline.</p>	<p>The developments identified within Table 22-14 of Chapter 22 Onshore Archaeology and Cultural Heritage [APP-172] are located on Figure 6-1-1 Onshore Cumulative Effects Assessment Schemes Longlist, p.29 of Appendix 6-1 - Onshore Cumulative Effects Assessment Methodology [APP-077].</p>

ExA's request/comment	Applicants' response
<p>The plans contained within the Outline Construction Traffic Management Plan, Annex 2 Outline Access Designs [APP-238] and 7.24.24.2 Appendix 2 Transport Assessment, Annex 20 – Outline Access Designs [APP-198] are not orientated in the direction of north. Furthermore, a number of the plans appear to incorrectly show north (eg AC8, AC11 etc). The ExA would find it helpful if all these plans could be orientated to the direction of north. As a minimum, the General Arrangement Plans and related Swept Path Analysis should be shown orientated in the same direction. In addition, Swept Path Analysis for AC2 would not appear to show the same road layout as shown for AC2 General Arrangement. Please amend these plans as necessary and submit the amended by plans at Deadline 1.</p>	<p>The requested updates to the specified plans within the Outline Construction Traffic Management Plan Appendix 2 [APP-238] and Appendix 24-2 Transport Assessment [APP-198] are in progress.</p> <p>As requested, these will be provided at Deadline 1.</p>
<p>Clarifications</p>	
<p>It is unclear what the brown/ green area with white hatching relates to in Figure 23-6 of [APP-193]. Can the Applicants confirm whether this area is “area to be returned to agriculture” or represents something else. Currently, it does not match the key and thus difficult to understand. Could the Applicants re-provide this document to ensure that this is clearer.</p>	<p>Figure 23-6 Indicative Landscape Plan has been updated as part of the Pre-Examination Procedural Deadline submission within an update to the Chapter 23 – Landscape and Visual Impact Assessment - Figure 23-1 to Figure 23-15 [APP-193].</p> <p>The same document has also been expanded to provide the topographic plan of the ZTV also sought by the ExA.</p>
<p>It is hard to distinguish between the two different shades of green representing “Other Hedgerows” and “Line of Trees” on the key for the Tree Preservation Order and Hedgerow Plan [APP-024]. Could the Applicants re-provide this plan using two different colours that enable the two categories to be easily identified.</p>	<p>The Tree Preservation Order and Hedgerow Plan [APP-024] has been updated as part of the Pre-Examination Procedural Deadline submission to revise the colors in the key and on the plan.</p>

13. Errata and Clarifications outlined by the ExA in Section 55 Checklist and S51 Advice

As part of the Applicants' response to the **Section 51 advice** [AS-003] the Applicants confirmed their intention to review items in Box 30 of the **Section 55 Checklist** and confirm next steps. Please see Appendix A of this letter which

provides a response to requests for clarification and further information from the **Section 55 checklist**² [no PINS reference].

We hope that the information outlined above is helpful.

Yours sincerely,



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² DBS Section 55 Checklist, Planning Inspectorate - <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010125/EN010125-000615-Dogger%20Bank%20South%20OWF%20s55%20checklist%20-%20July%202024.pdf>

Appendix 1 Section 55 Checklist Box 30 Responses

Document	PINS comment	Applicants Response
ES Chapter 12 (Offshore Ornithology) (Doc 7.12)	ES Chapter 12 (Offshore Ornithology) (Doc 7.12) does not have any accompanying figures.	The figures for ES Chapter 12 are presented within the appendices to the chapter with relevant signposting provided within ES Chapter 12.
The Offshore Statutory and Non- Statutory Nature Conservation Sites Plan (Doc 2.13)	The Offshore Statutory and Non-Statutory Nature Conservation Sites Plan (Doc 2.13) identifies the relevant sites considered in the ES and Report to Inform Appropriate Assessment (RIAA) (Doc 6.1), with the exception of Special Protection Areas (SPAs) beyond 10km from the Proposed Development (eg Farne Islands SPA or SPAs in Scotland).	The Offshore Statutory and Non- Statutory Nature Conservation Sites Plan [APP-019] has been updated to include all SPA's screened in for assessment within the Report to Inform Appropriate Assessment (RIAA) [APP-048] and has been submitted at the Pre-Examination Procedural Deadline.
ES Appendix 20-4 Flood Risk Assessment (FRA) (Doc 7.20.4)	The FRA does not provide specific information to differentiate between land within Flood Zones 3a and 3b, or to explain how the sequential or exception tests have been applied to the Onshore Cable Route to the proposed Birkhill Wood National Grid Substation	The Applicants note that this query covers the same areas of comment as that set out in Comment 7 of the S51 letter. As such, the response provided to that comment is also applicable to this query as included below. With regard to the differentiation of Flood Zones within the Appendix 20-4 Flood Risk Assessment [APP-168], the Applicant notes that the Flood Zone mapping available from the Environment Agency does not

Document	PINS comment	Applicants Response
	<p>- which crosses a small area identified as Flood Zone 3 and is also at risk from surface water flooding. The information provided for the sequential and exception tests in relation to the Landfall Zone and Onshore Export Cable Corridor appears that it would also be applicable to the Onshore Cable Route to the proposed Birkhill Wood National Grid Substation, but this is not specifically stated. It is also unclear from the information presented whether the Proposed Development would result in no net loss of floodplain storage.</p>	<p>differentiate between Flood Zone 3a and 3b i.e. it only defines Flood Zones 1, 2 and 3. To differentiate between Flood Zone 3a and 3b information is taken from a number of sources, where available. This can include outputs from the relevant Strategic Flood Risk Assessment (which may define areas classed as Flood Zone 3b), modelling data / information from the Environment Agency as well as their records related to the presence of defences and the Standard of Protection they afford. The identification of Flood Zone 3a or 3b is of key relevance to elements of the Projects that will be above ground once operational, therefore this is considered to be primarily of relevance to the proposed location of the Onshore Substation Zone.</p> <p>Paragraph 193 of Appendix 20-4 Flood Risk Assessment [APP-168] confirms that the Onshore Substation Zone is located in Flood Zone 1. As this is the only element of the Projects which will be located above ground, once operational, it is also the only element that could result in longer term loss of floodplain storage. However, given its location in Flood Zone 1 it can be confirmed this would not result in loss of floodplain storage.</p> <p>During construction, Paragraphs 237 - 239 note that where Temporary Construction Compounds may be located in either Flood Zone 2 or Flood Zone 3, mitigation measures are included within both the Outline Drainage Strategy [APP-237] and the Outline Code of Construction Practice [APP-234], to ensure there is no flood risk impact. Given these are temporary elements of the Projects, it is only</p>

Document	PINS comment	Applicants Response
		<p>during construction when these measures would be required. As such, it is concluded that there would be no long term loss of floodplain storage, as a result of these elements of the Projects. Furthermore, the mitigation measures will aim to limit any temporary impact at the Temporary Construction Compounds.</p> <p>The Applicants note that flood risk related to the onward cable connection to the Proposed Birkhill Wood National Grid substation is considered in Section 20.4.4.3 of Appendix 20-4 Flood Risk Assessment (application ref: 7.20.20.4). This includes consideration of the Flood Zones which it is required to pass under. The approach adopted for the assessment of this element is the same as that identified for the remainder of the Onshore Export Cable Route set out in preceding sections of the Flood Risk Assessment [APP-168].</p> <p>Whilst reference is made to the Onshore Export Cable in Section 20.4.5.2 of the Flood Risk Assessment [APP-168], assessment of the subterranean / below ground elements of the Projects included both the Onshore Export Cable Route and the onward cable connection to the Proposed Birkhill Wood National Grid substation. As such, conclusions related to the need to pass under Flood Zone 3 at existing watercourses, linear nature of the Projects and the risk only being of relevance during construction are applicable to the Onshore Export Cable Route and the onward cable connection to the Proposed Birkhill Wood National Grid substation.</p>

Document	PINS comment	Applicants Response
		<p>On the basis of the information presented in Appendix 20-4 Flood Risk Assessment [APP-168] and given the flood risk to the various elements of the Projects, the Applicants can confirm that consideration of the Sequential Test and Exception Test covers all elements of the Projects including the onward cable connection to the Proposed Birkhill Wood National Grid Substation. As such, the conclusions set out within Appendix 20-4 Flood Risk Assessment [APP-168] remain unchanged.</p>
<p>Statutory/ Non-Statutory Features of the Historic Environment Plan - Onshore (Doc 2.15) and ES Figures 22-1 to Figure 22-5 (Doc 7.22.1)</p>	<p>There appear to be some inconsistencies between the plan and the ES Figures. Some features are not represented on both the plan and ES Figures and where a feature does appear on both the plan and ES Figures, this is often represented as a different boundary or linear alignment. An example is the two pink dots at the access from the A165, shown on page 2 of Doc 2.15, but these are not shown on the ES Figures in (Doc 7.22.1).</p>	<p>The Statutory/Non-Statutory Features of the Historic Environment Plan Onshore [APP-21] is using a 500m study area from the Onshore Development Area for non-designated heritage assets which is not applied in the Environmental Statement Figure 22-3 Location of Known non-Designated Assets Located within the Onshore Development Boundary [APP-173]. The ES Figure 22-3 [APP-173] only includes locations of known non-designated heritage assets within the Onshore Development Area. A comparable plan of The Statutory/Non-Statutory Features of the Historic Environment Plan Onshore [APP-21] can be seen on Figure 22-2-3b of Appendix 22-2 Onshore Archaeology Desk Based Assessment [APP-175] which shows the mentioned two pink dots at the access from the A165.</p>
<p>Waterbodies in a River Basin Management Plan and</p>	<p>The plan shows a number of waterbodies designated by the Environment Agency as Main Rivers, which are just labelled as</p>	<p>The DCO plan, Waterbodies in a River Basin Management Plan and Coastal Waterbodies Plan [APP-023], has been updated in line with comments received from the Planning Inspectorate. Labels referring to 'Main Rivers' have been replaced with the name of the River and</p>

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Coastal Waterbodies Plan (Doc 2.17)	<p>“Main Rivers” rather than with the individual river names.</p> <p>Where a number of waterbodies are adjacent to each other on the plan, it is not always clear which label is referring to which waterbody. However, this detail is provided in ES Figures 20-1 to 20-6 (Doc 7.20.1).</p>	<p>greater clarity has been provided to allow the reader to easily identify which labels are referring to which waterbody. This has been submitted at the Pre-Examination Procedural Deadline.</p>
Onshore Order Limits and Grid Co-ordinates (Doc 2.4)	<p>The Inspectorate notes that on page 4 of 32 of the Onshore Order Limits and Grid Co-ordinates (Doc 2.4) a half-moon shaped piece of land is excluded from the order limits below co-ordinates 10-12 and it is unclear whether this is intentional.</p>	<p>The Applicants can confirm that this is intentional.</p>
Works Plan (Offshore) (Doc 2.5)	<p>The Inspectorate notes that there are some inconsistencies and apparent omissions on the Works Plan (Offshore) (Doc 2.5), which the Applicants may wish to check and amend as appropriate to assist parties to an Examination. For example, Work Nos. 8a/b, whilst partly offshore, are not currently shown on the Works Plan (Offshore) (Doc 2.5) and there are a yellow circle and grey line markings</p>	<p>The Works Plan (Offshore) [APP-O11] have been updated and provided at the Pre-Examination Procedural Deadline to add Work Nos. 8A/B.</p>

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	on the plan which are not included in the key.	
Works Plan (Onshore) (Doc 2.6)	<p>The Inspectorate notes that there are several minor discrepancies between the Draft Development Consent Order (Doc 3.1) and Works Plan (Onshore) (Doc 2.6) in terms of the description of works. For example, the works relating to Works Nos. 17a/b, 18a/b and 19a/b refer to 'temporary' working arrangements within the Draft Development Consent Order (Doc 3.1); however, the term 'temporary' has not been included on the works plans key. Furthermore, Works Nos. 22a/b also relate to drainage works which is not included on the works plans key. The Applicants may wish to review and amend these documents to ensure consistency.</p>	<p>The following changes have been made to revise the Onshore Works Plan [APP-012] key to include the word 'temporary' and include reference to the drainage works, to align with the draft DCO [APP-027]:</p> <ul style="list-style-type: none"> ○ Works No. 9A/B, Temporary Emergency Beach Access Below MHWS ○ Works No. 10A/B, Temporary Emergency Beach Access Above MHWS ○ Works No. 11A/B, Temporary Emergency Beach Access TCC ○ Works No. 13A/B, Temporary Landfall Operations and TJB Compound ○ Works No. 15A/B, Temporary Construction Vehicle Crossing of Public Highway ○ Works No. 17A/B, Temporary Construction Vehicle Access from the Public Highway ○ Works No. 18A/B, Temporary Haul Road ○ Work No. 19A/B, Temporary Improvements to Public Highway ○ Works 22A/B Permanent Access and Associated Drainage Zone
Draft Development Consent Order (Doc 3.1)	<p>The Inspectorate notes that there are several minor discrepancies between the Draft Development Consent Order (Doc 3.1) and Works Plan (Onshore) (Doc 2.6) in terms of the description of works. For example, the works relating to Works Nos. 17a/b, 18a/b and 19a/b refer to</p>	

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	<p>'temporary' working arrangements within the Draft Development Consent Order (Doc 3.1); however, the term 'temporary' has not been included on the works plans key. Furthermore, Works Nos. 22a/b also relate to drainage works which is not included on the works plans key. The Applicants may wish to review and amend these documents to ensure consistency.</p>	<ul style="list-style-type: none"> ○ Works 24A/B Converter Station and Associated Drainage Zone ○ Works No. 30A/B Temporary Haul Road ○ Works No. 33A/B, Temporary Construction Vehicle Access From Public Highway <p>No changes as a result of this clarification are required to the draft DCO [APP-027].</p>
<p>Land Plan (Onshore) (Doc 2.7)</p>	<p>The Inspectorate considers that the Land Plan (Onshore) (Doc 2.7) could benefit from improved clarity for parties as various roads are not identified on the land plans, which are referenced in the Book of Reference (Doc 4.2). To assist parties to an Examination it is desirable for all road names referenced in the Book of Reference (Doc 4.2) to be included in the Land Plans (Onshore) (Doc 2.7). For example, the road east of plots 04-021/04-022; the road at plots 04-001 to 04-008 and the road located west of plot 05-004. A number of issues connected to cut lines and plot numbers have been identified</p>	<p>The Applicants can confirm that the Land Plans (Onshore) [APP-013] have been updated to provide improved clarity by adding additional road names in bold type to make roads more easily identifiable in line with the descriptions in the Book of Reference.</p> <p>Sheet labelling has also been reviewed and updated accordingly as required.</p> <p>These changes have been submitted at the Pre-Examination Procedural Deadline.</p>

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	<p>including cut lines with incorrect or missing labelling and plot numbers missing. For example, the bottom cut line on sheet 7 of Land Plan (Onshore) (Doc 2.7) appears to be labelled incorrectly, sheets 7-14, 16,18 and 19 have missing labelling within or near the cut lines for other features as well as the cut line. Sheet 11 has a cut line which is mislabelled as 'Sheet 11', when it appears that this line should be labelled 'sheet 10'. There are plot numbers missing from sheets within Land Plan (Onshore) (Doc 2.7) for example on sheet 16 there is a plot number missing from a triangular plot just below cut line for sheet 15, on sheet 18 there is a plot number missing within cut line for sheet 19 where it says 'Rose Villa'. On Sheets 19 and 20 plot number 18-025 is missing on plan within cut lines for Sheet 18 and a plot number missing within cut line for sheet 18 where it says 'Rose Villa'.</p>	
<p>Crown Land Plan (Doc 2.9)</p>	<p>The Inspectorate notes that the Crown Land Plan (Doc 2.9) does not include</p>	<p>The Applicants can confirm that this is intentional. Plot 02-006 is privately registered and is above of Mean High Water Level. Plot 02-</p>

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	Crown Land within the inshore region and only shows Crown Land onshore. It is also unclear whether it is intentional to leave a white plot next to 02-002 on Crown Land Plan (Doc 2.9) Sheet 2, or thin white plot next to 02-008, which is only shown in inset and not in the main plan area.	009 is also above Mean High Water Level and as such both are outside The Crown Estate's ownership. This plot is not shown in the main plan area as it is too small to identify, so is only shown in the inset. The Crown Land Plans [APP-015] have been updated at the Pre-Examination Procedural Deadline to include road names on the base mapping, consistent with other plans.
Special Category Land Plan (Doc 2.8)	It is not clear to the Inspectorate why on sheet 2 of the Special Category Land Plan (Doc 2.8) a small parcel of land between 02-008 and 02-005 is shown in white and excluded from surrounding open space. This parcel is labelled 02-009 on land plan and is excluded from Part 5 of the Book of Reference (Doc 4.2).	The Applicants can confirm that this was not intentional and the Special Category Land Plan [APP-014] has been updated and submitted at the Pre-Examination Procedural Deadline. Plot 02-009 is above Mean High Water Level but is still part of the surrounding open space so will be included in Part 5 of the Book of Reference [APP-031] which is being updated and will be submitted at Deadline 1.
Draft Development Consent Order (Doc 3.1)	The Inspectorate notes that there are potential inconsistencies in wording, referencing, presentation and explanatory text within the Draft Development Consent Order (Doc 3.1). For example, on page 10, the 'Interpretation of offshore works' refers to Works Nos. 1A to 9A and 1B to 10B; however, it would appear this	The Applicants have reviewed the draft DCO [APP-027] in light of the comments and an updated version will be submitted at Deadline 1.

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	should refer to Works Nos. 1A to 9A and 1B to 9B.	
Draft Development Consent Order (Doc 3.1)	Reference is made in Article 5 (13) to articles 29 (temporary use of land for carrying out the authorised project) and 30 (temporary use of land for maintaining the project); however, this appears to be incorrect and should refer to articles 30 (temporary use of land for carrying out the authorised project) and 31 (temporary use of land for maintaining the authorised project) instead.	The Applicants have reviewed the draft DCO [APP-027] in light of the comments and an updated version will be submitted at Deadline 1.
Draft Development Consent Order (Doc 3.1)	In Article 9 (1) (b) reference is made to Article 10 (temporary stopping up of streets); however, Article 10 relates to 'Temporary closure of streets'. Whilst this appears to be intended to have the same meaning, the wording should ideally be aligned and that 'stopping up of streets' is a permanent process not a temporary one.	The Applicants have reviewed the draft DCO [APP-027] in light of the comments and an updated version will be submitted at Deadline 1.
Draft Development	Lines are only provided in half the table on page 54. Ideally the whole table should	The Applicants have reviewed the draft DCO [APP-027] in light of the comments and an updated version will be submitted at Deadline 1.

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<p>Consent Order (Doc 3.1)</p>	<p>have the same format for ease of reading. In addition, the formatting of the name column in Schedule 19, is difficult to read. The Applicants may wish to review and update the formatting in the Draft Development Consent Order (Doc 3.1) to address these points and ensure clarity in Examination.</p>	
<p>Explanatory Memorandum (Doc 3.2)</p>	<p>The Inspectorate notes that there are various incorrect article references, for example in paragraphs 8.25, 8.66, 8.69, 8.70, 8.76 and 8.81. The Applicants may wish to review and cross-reference the Explanatory Memorandum (Doc 3.2) with the Draft Development Consent Order (Doc 3.1) to ensure consistency between application documents.</p> <p>There are also several provisions where precedent is relied upon to justify inclusion of a power in the Draft Development Consent Order (Doc 3.1). For example, paragraph 8.34 of the Explanatory Memorandum (Doc 3.2) seeks to justify Article 9 of the Draft Development Consent Order (Doc 3.1). The attention of</p>	<p>The Applicants have reviewed the Explanatory Memorandum [APP-028] in light of the comments and an updated version will be submitted at Deadline 1.</p>

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	the Applicants is drawn to paragraph 2.13 of the Planning Inspectorate Advice Note 13.	
Consultation Report (Doc 5.1) and Consultation Report Appendix B (Doc 5.3),	The Inspectorate notes that Paragraph 135 of the Consultation Report (Doc 5.1) states that ‘Germany, The Netherlands and Norway would be considered as non-prescribed consultees and would be consulted under s42’. However, whilst The Netherlands and Norway are listed in Chapter 3.2 (Transboundary) of Consultation Report Appendix B (Doc 5.3), it appears that Germany is not listed and therefore it is not clear whether and how they have been consulted.	Following a detailed investigation, we have been unable to confirm that Germany were in fact consulted as part of the statutory or supplementary consultations. Having identified the omission, Germany have subsequently been contacted and details have been provided in relation to their request for information regarding the project for publication on the German EIA Portal. Therefore, the initial omission which has now been rectified did not result in any disadvantage or prejudice to Germany.
Book of Reference (Doc 4.2) Land Plans (Doc 2.7) Streets Plan (Doc 2.12).	The Inspectorate notes that there is some inconsistency between the description of the location of plots between the Book of Reference (Doc 4.2), the Land Plan (Doc 2.7) and the Streets Plan (Doc 2.12). For example, plots 04-001 to 04-008 are referenced in the Book of Reference (Doc 4.2) relative to Skipsea Lane; however, sheet 4 of the Land Plan (Doc 2.7) does not show a road name and the relevant	<p>The Applicants can confirm that the Land Plans [APP-013] have been updated at this Pre-Examination Procedural Deadline to provide improved clarity by adding additional road names in bold type to make roads more easily identifiable in line with the descriptions in the Book of Reference.</p> <p>The Applicants can confirm that some land descriptions were incorrect and the Book of Reference [APP-031] is being updated and will be submitted at Deadline 1.</p>

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	<p>road name on sheet 8 of the Streets Plan (Doc 2.12) is Dunnington Lane.</p> <p>The Inspectorate also considers that various land descriptions are vague or incorrect in the Book of Reference (Doc 4.2). For example, plot 06-001 on the Land Plan (Doc 2.7) is situated west of Main Road rather than east of Main Road as described in the Book of Reference (Doc 4.2). The Applicants may wish to review these documents and amend as appropriate to ensure accuracy and consistency.</p>	
<p>Outline Onshore Written Scheme of Investigation (Doc 8.14)</p>	<p>The Inspectorate notes that various reference numbers identified in Figure 1-5 do not appear to have been identified in Appendix 2 - Outline Schedule of Archaeological Requirements within the Outline Onshore Written Scheme of Investigation (Doc 8.14). For example, reference numbers APS_085, APS_080, APS_082, 1241E. The Applicants may wish to review this and ensure this inconsistency is resolved to assist understanding in Examination.</p>	<p>The Outline Onshore Written Scheme of Investigation [APP-239] figures include all heritage assets (and possible heritage assets) such as HER points/lines/polygons, features represented by APS detailed mapping lines/polygons and geophysical survey polygons/lines that have been identified to date. This includes those that are located outside the Onshore Development Area. Appendix 2 only discusses those heritage assets where there are direct interactions with the Projects.</p>

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<p>Guide to the Application (Doc 1.4)</p>	<p>The Inspectorate notes that Table 1-1 and Table 1-2 of the Guide to the application (Doc 1.4) erroneously identify HRA as 'Habitat Risk Assessment'. In addition, the top plate (page 5 of 7) on page 60 of the Guide to the Application (Doc 1.4) erroneously refers to Schedule 10 and 11 instead of Schedule 12 and 13. The Applicants may wish to amend as appropriate to ensure accuracy with other application documents.</p>	<p>This error has been corrected throughout the revised Guide to the Application [APP-004] submitted at the Pre-Examination Procedural Deadline.</p>