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The Applicants

Your Ref: DGBS-APL001

Our Ref: EN010125

Date: 7 November 2024

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Dear Sir/ Madam,

**Planning Act 2008 (as amended) Section 89  
The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17**

**Application by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms**

I am writing in response to your letters of the 29 October 2024 [PDB-001] and the 4 November 2024 [AS-016]. Thank you for these submissions and the associated information.

**Submission of information and re-opening of the Preliminary Meeting**

The Examining Authority (ExA) welcomes that you will be submitting the information that it requested in the letters [PD-005] and [PD-006]. However, the ExA notes that the timeline you are proposing for the submission of the information in relation to offshore ornithology and HRA including proposed compensation would be allied to draft Deadlines 1 (8 November 2024) and 2 (22 November 2024) of the draft Examination Timetable that was included in Annex D of the Rule 6 letter [PD-002]. Please note that as the Preliminary Meeting was adjourned, the deadlines in the draft Examination Timetable are no longer relevant. Therefore, you should not delay the submission of information until these dates if it is already available and can be submitted earlier.

Until the ExA has received and reviewed this information, it will not be able to assess whether it addresses the concerns outlined at the Preliminary Meeting and in its letter of 22 October 2024 [PD-005]. Furthermore, please note that once this information has been received, the ExA will also wish to consult with the relevant Interested Parties on this matter. To expedite this process the ExA would request

that where possible when this information is submitted to the ExA you also provide the relevant Interested Parties with a copy.

Based on your current indicative timelines, subject to the receipt of the requested information and the ExA being satisfied with the information submitted, the ExA would look to issue a new Rule 6 letter including a revised Examination Timetable in mid-December.

The ExA is satisfied with the indicative timelines set out in your letter of 4 November 2024 [AS-016] regarding provision of updates to the historic environment assessments, new visualisations, information on the Environmental Stewardship schemes and the statement on the use of artificial intelligence. The ExA can confirm that submission to these deadlines will not affect the re-opening of the Preliminary Meeting.

### **Change requests 1 and 2**

The ExA welcomes the proposed earlier submission of a change request for the works at the proposed Onshore Substation Zone (OSZ).

The ExA can confirm that a targeted consultation approach for both proposed changes would be acceptable.

For both change requests, the ExA has reviewed the list of proposed consultees set out in Appendix A [PDA-012] and Appendix B [AS-015] of the Applicants' letters, the Relevant Representations submitted by Interested Parties, those who were consulted when the Application was accepted, and the list of the EEA States for which potential significant effects on their environment have been identified by the SoS.

For the offshore and intertidal change request, the ExA considers that the list should be expanded to include:

- Belgium;
- Breesea Limited, Soundmark Wind Limited, Sonningmay Wind Limited and Optimus Wind Limited [RR-005];
- EGL2 Ltd [RR-014];
- Equinor New Energy Limited on behalf of Scira Extension Limited and Dudgeon Extension Limited [RR-016];
- Denmark;
- France;
- Germany;
- Hornsea 1 Limited [RR-023];
- NatureScot;
- Net Zero North Sea Storage Limited [RR-042];
- Race Bank Wind Farm Limited [RR-046]; and
- Westermost Rough Limited [RR-056]

The ExA notes that the Applicants also intends to consult “the wildlife trusts”. It is unclear from the appendix whether this would include consultation with the Lincolnshire Wildlife Trust [RR-028] and the Yorkshire Wildlife Trust [RR-059], as well as The Wildlife Trusts [RR-057]. For completeness the ExA would wish to see all three organisations consulted.

For the OSZ, the ExA considers that the list should be expanded to include:

- The East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum [RR-013];
- National Gas Transmission [RR-017];
- National Gas Networks [PDA-039];
- Northern Powergrid [RR-055];
- Ofgem [RR-043];
- the relevant wildlife trusts [RR-028], [RR-057] and [RR-059];
- The Woodland Trust [RR-058]; and
- relevant Category 3 persons.

In addition, for completeness, the ExA requests that site notices be posted at relevant locations around the proposed OSZ and that details of these locations be provided to the ExA.

The ExA is satisfied with the proposed 30-day consultation period for both changes.

The ExA is also content with the proposed timescales for the formal submission of the change requests and can confirm that it will not affect the resumption of the Preliminary Meeting.

The ExA confirms that, whilst not required, it would appreciate the land documents being updated in order to fully understand how the proposed changes would affect the requests for land acquisition and that these be submitted with the change request.

Within sections 2 and 3 of your letter [AS-015], you set out what plans or documents would need to be updated following the proposed changes to the OSZ. The ExA notes that not all the affected figures and visualisations in Environmental Statement Chapter 23: Landscape and Visual Impact Assessment Figures [PDA-010] were referenced in these sections. Please ensure that all the plans and visualisations are updated to reflect the proposed changes which would be affected.

Should you have any queries regarding the content of this letter, please contact the case team using the details at the top of this letter.

Yours faithfully

*Jo Dowling*

**Lead Member of the Examining Authority**

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