

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Doc ref: 005594628-01
Contact Thomas Tremlett
Phone [REDACTED]
Email [REDACTED]@rwe.com

06 January 2025

Dear Ms Dowling,

Dogger Bank South Offshore Wind Farms Project

Applicants' Response to ExA's 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, 13 and 17 ('the Rule 6 Letter') on the 17th December 2024 [PD-010]. Its dual purpose is to act as a Cover Letter for the Pre-Examination Procedural Deadline C 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), Issue Specific Hearing 1 (ISH1) and Issue Specific Hearing 2 (ISH2)

The Applicants confirm their intention to attend the Preliminary Meeting, CAH1, ISH1 and ISH2 virtually on the 14 - 16 January 2025. The Applicants will also follow the process outlined in the Rule 6 Letter to formally register attendance.

The Applicants would like to thank the ExA for providing the Agendas for the hearings at the same time as the Rule 6 Letter which will help facilitate relevant specialists availability for hearings. The Applicants note the extensive range of topics to be discussed within the ISH2 agenda [EV5-001] and the likelihood this will require Thursday 16 January 2025. It appears that offshore topics are likely to be heard on Wednesday, and onshore topics on Thursday. The Applicant's would like the ExA to confirm this split, so that appropriate specialists can be made available at the right time. This will also aid regulators and statutory bodies.

2. Applicants' comments on the Draft Examination Timetable

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

Item 14 and 15

It is noted that the draft timetable provides for Deadline 1 on 29 January 2025 and Deadline 2 on 7 February 2025. Deadline 1 includes receipt of Written Representations (WRs) from Interested Parties, possibly Local Impact Reports (LIRs) and Interested Parties' comments on the large number of additional submissions during the pre-examination period. This allows a total of 9 calendar (or 7 working) days to review and prepare responses and to provide all the other documents set out for Deadline 2 assuming all information is uploaded to the PINS website by the 30 January 2025. The Applicants consider that in order for the Applicants to fully consider and provide thorough responses to those documents set for Deadline 2, additional time will be required. The Applicants are therefore requesting that a minimum of 16 calendar days is allowed between Deadline 1 and Deadline 2, with Deadline 2 set for 14 February 2025. 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.

The Applicants consider this could be accommodated in the examination timetable by moving the publication of the ExA's First Written Questions (ExQ1) to the 28 February 2024, which still provides three weeks for the Applicants and Interested Parties to respond to the ExQ1 at Deadline 3 (19 March 2025).

Items 17-19

The dates reserved for the second round of hearings are currently set for week commencing 7 April 2025. The Applicants are concerned about the potential conflict of this week with the Easter school holidays which align with this week and the following week for many parties. The Applicants would request that these events be brought forward to facilitate hearing attendance by key parties. The week commencing 7 April 2025 also clashes with a week already reserved for hearings for the North Falls Project's DCO examination. Some EIA topic specialists are common to both projects and if hearings are to run in parallel on the same week, the Applicants may need to request certain topics are scheduled for other days to avoid these clashes. The Applicants enquire whether this week reserved for hearings could be moved forward a week to the week commencing 31 March to facilitate more surety in attendance of key personnel, including from statutory bodies, which may increase the effectiveness of the hearings.

Should the week reserved for hearings be brought forward one week, the Applicants would suggest that the programme could bring Deadline 4 and the ExA's Further Written Questions (ExQ2) forward approximately one week from their current timetabled dates of 25 April 2025 and 13 May 2025 respectively. The current draft timetable only provides 10 calendar days (8 working days) between the receipt of ExQ2 and Deadline 5 (23 May

2025) which may be a challenging timetable for the Applicants and Interested Parties to provide response to the ExA.

3. Statements of Common Ground (SoCGs)

The Applicants confirm that they will liaise with the Interested Parties listed in Annex E of the **Rule 6 letter** regarding a SoCG and discuss whether there would be willingness for a joint SoCG considering the common interests these parties have raised. The Applicants will provide an update at Deadline 1 if these parties have agreed to enter the SoCG process and will provide any documents accordingly at this deadline.

4. Accompanied Site Inspection

The Applicants have reviewed whether there are any locations that the ExA should visit as part of an Accompanied Site Inspection (ASI) and produced a suggested draft itinerary [document reference: 10.47] as requested by the Examination Authority in their Rule 6 letter [PD-010]. In considering locations that the Applicants would wish the ExA to visit, the Applicants have taken note of those locations that the ExA visited on an unaccompanied basis in September 2024 . The proposed draft itinerary for an ASI is for a visit to Butt Farm to carry out walkover of the Heavy Anti-Aircraft Gun site (Scheduled Ancient Monument) 350m west of Butt Farm. The Applicants believe that this is the only location where there is no public right of access, or with no clear view from nearby locations with open public access. The Applicants understand that the ExA have previously undertaken a thorough inspection of all publicly accessible locations during their Unaccompanied Site Inspection on Tuesday 24 September 2024 to Thursday 26 September 2024.

5. Notification of Change Request

The Applicants submitted two notifications of intention to request a change to the ExA during the pre-examination period (PDA-012 and AS-015). The Applicants have undertaken non-statutory targeted consultation from 15 November 2024 to 16 December 2024 with specific stakeholders relevant to each change. The feedback from the consultation on each of the changes has been wholly positive with respect to the scope of the changes themselves. The Applicants confirm that it is their intention to submit each of these Change Requests into examination on the 10 January 2025 for the ExA’s consideration of whether the changes can be accepted into Examination.

6. Clarifications and requests for further information from the Applicants

Appendix E of the Rule 6 Letter sets out two specific clarifications in relation to the **ES Chapter 18 Terrestrial Ecology and Ornithology** [APP-140], **Appendix 18-5 Ground Level Tree Assessment** [APP-146] and **Appendix 18-2 Habitat Survey Report** [APP-143]. A response to each of these clarifications is provided below.

Clarification	Response
Ground Level Tree Assessment - roosting bats	Appendix B of Appendix 18-5 Ground Level Tree Assessment [APP146] has been amended to include only those trees

Clarification	Response
<p>Appendix 18-5, Ground Level Tree Assessment [APP-146], concluded that 61 trees were surveyed of which 48 had bat roost potential. Section 18.5, paragraph 140 and Section 18.6, paragraph 318 of ES Chapter 18 [APP-140] further confirm that of those 48 trees, 19 are located within the onshore development area. Two of these are considered to be of high potential to support roosting bats, nine are of moderate potential and eight are of low potential. Whilst data maps in appendices A, B and C (of Appendix 18-5 [APP146]) are noted, they appear to show significantly more trees than referenced and have not specifically identified the trees that are considered to be of high, moderate or low bat roosting potential. Please could the Applicants provide updated plans clearly showing the trees of roost potential referenced in ES Chapter 18 [APP-140]. This information is to be submitted at Pre- Examination Procedural Deadline C.</p>	<p>located within the Onshore Development Area and to clearly identify those trees with potential to support multiple bats which may be impacted by the Projects. No changes to the text of Appendix 18-5 are required however highlighting has been added to Appendix C of Appendix 18-5 Ground Level Tree Assessment [APP146] to show the trees which may be impacted by the Projects.</p> <p>ES Chapter 18 Terrestrial Ecology and Ornithology (Revision 3) [AS-109] has been updated in Section 18.5.4.3.1 and 18.6.1.6 (Construction Impact 6) following a review of the residual number of trees, with the potential to support multiple roosting bats, which may be impacted by the Projects. Additional cross references to Appendix B of Revision 2 of Appendix 18-5 have also been added.</p> <p>Revision 2 of Appendix 18-5 Ground Level Tree Assessment and Revision 4 of Chapter 18 Terrestrial Ecology and Ornithology have been submitted at Pre- Examination Procedural Deadline C.</p>
<p>Identification of 'no access verges'</p> <p>Paragraph 75 of ES Chapter 18 [APP-140] states that, 'For the habitat survey, all areas within the Onshore Development Area could be accessed to allow a thorough survey, with the exception of some sections of road verges'. These areas are mapped as 'no access verge' in Appendix 18-2, Habitat Survey Report [APP-143]. However, whilst reference to 'no access verges' is included on the submitted plans (on the Habitat Survey Map in Appendix C of Appendix 18-2, Habitat Survey Report [APP-143]), due to a similarity in colour and various shades of green, it is not possible to identify the detailed location of the verges that could not be accessed. Please could the</p>	<p>Appendix C of Appendix 18-2, Habitat Survey Report [APP-143] has been updated to make 'no access verges' bright yellow with additional symbology in the form of a 'V' to make their locations clearer.</p> <p>Revision 2 of Appendix 18-2 Habitat Survey Report has been submitted at Pre- Examination Procedural Deadline C.</p>

Clarification	Response
Applicants provide new maps using different colours to enable the verges to be easily identified. This information is to be submitted at Pre-Examination Procedural Deadline C.	

The Applicants hope the above information and requests are useful and look forward to progressing examination.

Yours sincerely,



Thomas Tremlett

Senior Consents Manager

M: 

E: @rwe.com

RWE Renewables UK Dogger Bank South (West) Limited

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

Registered no. 13656240

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

Registered no. 13656525

Registered office:

Windmill Hill Business Park,
Whitehill Way, Swindon,
Wiltshire, England SN5 6PB

Registered in England
and Wales.