



## Planning Inspectorate

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 (Ref: EN010125)

Action points arising from Day 1 of the Issue Specific Hearing 2 at 14:00 on 15 January 2025

Action No.	Directed to	Action
<b>Agenda Item 2 Infrastructure and Others Uses</b>		
1	The Applicants	Submit any material prepared in response to the first two matters from agenda item 2.1 (an explanation of wake loss and associated considerations and to what extent does the Crown Estate considers effects of wake loss and effects on annual energy production when issuing leases for offshore wind farms, and how).
2	The Applicants	Provide an interpretation on the “conventional wake models” and the Turbulence Optimized Park wake model developed by Ørsted, referred to in the Fraser Nash Consultancy Offshore Wind Leasing Programme Array Yield Study <a href="#">[AS-014]</a> and whether this suggests that this could be considered as an industry recognised wake loss model.
3	The Applicants	Explain why the wake loss assessment on Dogger Bank A that was referred to in Environmental Statement (ES) Chapter 16 <a href="#">[APP-130]</a> will not be submitted into the Examination.
4	The Projcos (Dogger Bank A, Dogger Bank B, Dogger Bank C)	Provide a copy of the response from the Crown Estate on wake loss submitted to the Outer Dowsing Offshore Wind Farm Examination.
5	The Projcos (Dogger Bank A, Dogger Bank B, Dogger Bank C)	Submit evidence to support your stance that the Proposed Development would result in wake loss effects on Dogger Bank A, Dogger Bank B and Dogger Bank C, or an indication of when this is likely to be submitted if not prepared for Deadline 1.
6	Examining Authority (ExA)	At the request of the Applicants defer the questions on wake loss prepared for the hearing to first written questions.

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7	The Applicants	Provide more robust justification for the conclusions reached in ES Chapter 16 [APP-130] on cumulative effects. For example, could the combination of the potential issues identified in paragraph 67, lead to a significant effect? What would happen if proximity agreements were not agreed?
<b>Agenda Item 3 Military Radar</b>		
8	The Applicants	Provide an update to the 'strategic' Government led military radar mitigation proposals, funding and timing and the effects this would have when considering offshore wind farms. Confirm the 'Air Defence and Offshore Wind Strategy and Implementation Plan' referred to in paragraph 141 of Chapter 15 of the ES [APP-125] relates to Project Njord, which the Applicants referred to during Issue Specific Hearing 1.
9	The Applicants	Noting the representation made by the Defence Infrastructure Organisation [AS-002] and its objection to the proposed project due to the unmitigated impacts to the Staxton Wold Primary Surveillance Radars, provide an update on the effort between both parties to identify realistic and pragmatic solutions to the conflicts. Describe the solutions which have been considered specific to the proposed projects.
10	The Applicants	Provide an update on progress made, with specific reference to the policy tests on this matter set out in the Overarching National Policy Statement for Energy (NPS EN-1), in agreeing the necessary mitigation required to address concerns regarding military radar. The ExA note that the response may need to be high level given the sensitivities around this topic.
11	The Applicants	Confirm whether there are design solutions that could be used to avoid adversely affecting the Staxton Wold Primary Surveillance Radars, such as reducing the area of the proposed west array where turbines could be located or limited to a height outside of the radar line of sight. Where other project or environment constraints would affect design solutions, specific details should be provided.
<b>Agenda Item 4 Marine and Coastal Processes</b>		
12	The Applicants	Explain why, in the Dogger Bank Special Area of Conservation (SAC), you cannot commit to using a fall pipe for the deposition of dredged material and explain which options, in addition to using a fall pipe, are currently being considered. Explain when a decision will be made on what tool would be used.
13	The Applicants	Provide an update to the submitted Cable Burial Risk Assessment (Appendices A and B of Cable Statement [AS-078] and summary of why and where cable protection may be required.

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14	The Applicants	Review Natural England's Relevant Representation (RR) <a href="#">[RR-039]</a> in relation to seabed mobility. Explain why the information in relation to seabed mobility provided in ES Chapter 8 <a href="#">[APP-080]</a> is considered to be 'a more useful baseline than regional information on sediment transport pathways'.
<b>Agenda Item 5 Commercial Fisheries</b>		
15	The Applicants	Referring to the magnitude of impact in Table 13-11 of Chapter 13 <a href="#">[APP-117]</a> , provide evidence that impacts up to 7 and 30 years would be low and medium magnitudes respectively. Provide examples of this approach from other applications and why the particular number of years selected for this application are appropriate.
16	The Applicants	The National Federation of Fishermen's Organisation (NFFO) have indicated concerns regarding elements of the magnitude of impact methodology and figures used by the Applicants in the ES. The Applicants indicated that this would be addressed by the SoCG. Provide a copy of the SoCG.
17	The Applicants	Evidence that the 50, 11-50 and <11 percentage reductions in area or annual value of landings, in relation to the economic losses to fishing receptors are to be considered high, medium and low respectively as stated in Table 13-11 of Chapter 13 <a href="#">[APP-117]</a> . Add further detail to what has been submitted to evidence these conclusions.
18	The Applicants	Section 13.6 of Chapter 13 <a href="#">[APP-117]</a> explains that three scenarios have been considered in the assessment of significance: SAC fishing restrictions would be in place; SAC fishing restrictions would be revoked; and the offshore export cable corridor (ECC) would be constructed. Explain why assessing the offshore ECC in isolation is appropriate to inform the environment impact assessment, given that constructing the proposed offshore ECC separate to the east or west array is not an option in the proposed works description.
19	The Applicants	Review section 13.6.1.1.3 of Chapter 13 of the ES <a href="#">[APP-117]</a> and update the receptor sensitivities to be consistent with the definitions in Table 13-10 of the same chapter.
20	NFFO	Appendix 13-2 <a href="#">[APP-120]</a> Table 2.2.2 identifies numerous limitations related to the surveys undertaken to support the environmental assessment. For example, it is noted that a commercial agreement was active for displaced fishing vessels during the time of the surveys, and construction activities at other windfarms were also ongoing. Provide an overview on the impact these limitations have on the survey outputs and how, if at all, that has been reflected in the assessment.
21	The Applicants	Provide, or signpost where it can be found in the submitted documents, how the cumulative effects of all the schemes and the proposed projects combined have been assessed within ES Chapter 13

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		<a href="#">[APP-117]</a> . Table 13-44, indicates that the cumulative effects associated with the proposed projects and other schemes have been assessed individually.
<b>Agenda Item 6 Marine Ecology</b>		
22	The Applicants	Provide citation for any other projects for which a value of 'low' has been allocated for habitats or species that provide prey items for other species of greater conservation value and deemed appropriate by the Secretary of State, or has been put forward in a DCO Application which is yet to be determined.
23	The Applicants	The Marine Management Organisation (MMO), Natural England and the Royal Society for the Protection of Birds provided substantial comments in their respective Relevant Representations (RR) <a href="#">[RR-030]</a> , <a href="#">[RR-039]</a> and <a href="#">[RR-049]</a> regarding concern over the scope and wording of ecological monitoring contained within the draft Development Consent Order (DCO) and Deemed Marine Licences (DMLs). This includes but is not limited to comments on marine mammal monitoring, ornithological monitoring and improvements to the sandeel monitoring proposed. Provide a summary of changes made in Revision 3 of the draft DCO <a href="#">[AS-120]</a> to address concerns by these organisations regarding post consent monitoring of marine ecological features.
24	The Applicants	Provide further detail on how the Applicants are considering collaborating on marine ecological monitoring with other developers and sea users.
25	Natural England	Listen to the recording of Issue Specific Hearing 2 for agenda items 6.1 to 6.5 which examined various aspects of marine ecology and respond to queries directed to you as necessary.
<b>Agenda Item 7 Shipping and Navigation</b>		
26	The Applicants	Provide a copy of the Statements of Common Ground (SoCG) with the shipping and navigation Interested Parties that was referred to in the Hearing. This should include the Interested Parties' position regarding the proposed shipping route deviations and the mean 1 nautical mile distance between shipping routes and offshore structures.
27	The Applicants	Provide a description and a plan to demonstrate how the proposed offshore development area, construction areas (1 kilometre (km) for the proposed arrays and 0.5km for the proposed offshore ECC) and safety zones (0.5km around the construction activities) spatially relate to each other.
28	The Applicants	ES Chapter 14 <a href="#">[APP-121]</a> paragraph 260 states " <i>For all phases the frequency of occurrence in relation to cumulative vessel displacement and increased third-party vessel to vessel collision risk is considered <b>frequent</b> and the severity of consequence is considered <b>moderate</b>.</i> " Paragraph 261

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		<p>states “Overall, for all phases it is predicted that the significance of effect due to cumulative vessel displacement and increased third-party vessel to vessel collision risk is Tolerable with Mitigation” i.e. not significant.</p> <p>Clarify in the context of Table 14-9 <a href="#">[APP-121]</a> if the significance of effect stated should therefore be identified as 'unacceptable'?</p> <p>If the frequency and severity are correct, the Applicants are to explain if they plan to address the significant effect and when the ExA can expect to receive this information. Alternatively, if the Applicants do not intend to address the significant effect, the ExA request justification is submitted including evidence that the impact can be considered as low as reasonably practicable.</p>
<b>Agenda Item 8 Underwater Noise</b>		
29	The Applicants	Provide examples of other made DCOs for which the Secretary of State has agreed with the Applicants’ proposed levels of hammer energies for monopile foundations of 6,000 kJ, or other draft DCOs proposing the same value which are yet to be determined.
30	Natural England and the MMO	Listen to the recording of Issue Specific Hearing 2 for agenda item 8.1 which examined the noise abatement options proposed by the Applicants and respond to queries directed at you as necessary.
31	The Applicants	Explain how the In Principle Site Integrity Plan for the Southern North Sea SAC <a href="#">[AS-102]</a> resubmitted in November 2024 has been updated to provide an adequate framework to ensure no Adverse Effect on Integrity in relation to the harbour porpoise qualifying feature of the Southern North Sea SAC during piling.
32	The Applicants	Provide examples of other made DCOs agreed by the Secretary of State which have used the Applicants’ proposed approach to Noise Abatement Systems, or other draft DCOs proposing the same approach.
33	Natural England and the MMO	Listen to the recording of Issue Specific Hearing 2 for agenda item 8.3 and provide a response to the Applicants’ statements on questions asked by the ExA.
34	The Applicants	Natural England <a href="#">[RR-039]</a> stated that the assessment of underwater noise impacts on herring does not use the worst-case location. Provide a response to the suggestion made by the ExA during ISH2 on whether a reassessment based on the most south-westerly point of the proposed DBS West array could result in greater overlap with the ‘high’ and ‘very high’ herring spawning potential habitat and

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		whether this could result in a greater impact outcome? If so, would a reassessment be undertaken and submitted?
35	Natural England and the MMO	Listen to the recording of Issue Specific Hearing 2 for agenda item 8.2 and provide a response to the Applicants' statements on questions asked by the ExA.

Unless otherwise stated the deadline for submission of the response to these action points is **Deadline 1, 29 January 2025**.