



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 2 of the Issue Specific Hearing 2 on 16 January 2025

Action No.	Directed to	Action
General		
1	East Riding of Yorkshire Council (ERYC)	Provide comments from ERYC's Coastal Change Management Team at Deadline 1.
Agenda Item 9 Seascape, Landscape and Visual		
2	The Applicants	Provide a written response to address the potential effects of the Proposed Development on dark skies from the construction, operational and decommissioning phases.
3	The Applicants	Confirm the level of detail that would be provided in the lighting plan which the Applicants stated would be appended to the Code of Construction Practice (CoCP) [AS-094] .
4	The Applicants	Consider whether a maximum number of lightning masts should be captured by the draft Development Consent Order (DCO) [AS-120] or supporting documents, to ensure that it would be consistent with the worst-case assessed in Environmental Statement (ES) Chapter 23 [APP-192] .
5	The Applicants	Review ES Chapter 5 [APP-072] including the tables, to ensure the worst-case design scenario is clearly presented, which you stated within the hearing is air-insulated switch gear design.
6	The Applicants	Provide the photomontage which has already been submitted to ERYC showing View Point (VP)3 [PDA-010] and the construction compound extent, and show the likely vertical extent of any construction equipment.
7	The Applicants	Provide photographs of typical construction compounds to give an indication of the landscape and visual effects during construction.
8	The Applicants	Consider the request from the ExA to provide visualisations which include other development identified in the cumulative effects assessment.
9	The Applicants	Confirm how and where advance planting would be secured by the draft DCO [AS-120] supporting documents.

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10	The Applicants	Explain how Requirement 27 of the draft DCO [AS-120] would require the converter stations to be decommissioned after 32 years (to align with the consideration of effects in ES Chapter 23 [APP-192]).
11	The Applicants	Review the landscaping shown on the photomontage showing VP3 [PDA-010] to ensure that it corresponds with the landscaping shown on the outline landscape mitigation plan at Year 1 and Year 10.
12	The Applicants	Review the outline Landscape Management Plan [AS-096] to clearly identify where landscape enhancements could be delivered.
13	ERYC	Provide a written response to the Arboricultural Survey Report, Preliminary Arboricultural Impact Assessment and Outline Arboricultural Method Statement [AS-036] , and whether you consider the proposed protection measures would be adequate. If you have any concerns, identify any amendments sought.
14	The Applicants	Provide clarification what is meant by 'enhancements' to ancient woodland with Schedule 1 of the draft DCO [AS-120] under Works Number 29A.
15	The Applicants	Explain how you intend to respond to ERYC's suggestion [PDC-007] for a landscape led sustainable urban drainage design.
16	The Applicants	Review the Design and Access Statement (DAS) [APP-233] in light of the Planning Inspectorate's published guidance on Good Design for Nationally Significant Infrastructure Projects ¹ and demonstrate how the Proposed Development meets with the guidance.
17	The Applicants	Consider the wording of Requirement 7(3) from The Hornsea Four Offshore Wind Farm DCO, that requires that the independent design panel must meet the satisfaction of the Local Planning Authority, and if you do not consider this appropriate for the proposed DCO [AS-120] , explain why. Consider the inclusion of an indicative timeline for the consultation process for the detailed design of the converter stations in the DAS in consultation with ERYC to address their concerns regarding Council and local member involvement in the detailed designs.
18	The Applicants	A number of questions from this agenda item were carried over to written questions. These are detailed in Appendix A.
Agenda Item 10 Onshore Historic Environment		
19	ERYC	Submit the written statement ERYC had prepared on archaeological matters at Deadline 1.

¹ [Nationally Significant Infrastructure Projects: Advice on Good Design - GOV.UK](#)

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20	The Applicants	Consider if additional parameters relating to the dimensions of the converter stations could be added to the draft DCO [AS-120] or supporting documents, to give reassurance that the proposed landscape mitigation would adequately screen the lower-level elements.
21	The Applicants	Provide an update on discussions with Historic England regarding mechanisms to facilitate an improved visitor experience or greater public benefit to the Heavy Anti-aircraft gunsite scheduled monument near to Butt Farm.
22	The Applicants	A number of questions from this agenda item were carried over to written questions. These are detailed in Appendix A.
Agenda Item 11 Onshore Water Environment		
23	The Applicants	Confirm there are no watercourses of interest that haven't been included in the geomorphological survey [APP-166] . Specific attention should be given to the areas outside of the survey extent due to refinement of the onshore cable corridor and now within the Order Limits.
24	The Applicants	Clarify that watercourses which have not been surveyed have been assessed and any significant effect identified. Signpost where this is evidenced within the application documents.
25	ERYC	As the Council's water specialist was not available to attend the Hearing, they are requested to listen to agenda item 11 and respond in writing on any points that they would have responded to if they had attended. Confirmation of no comment on any of the matters raised under this agenda should be submitted, as applicable.
26	The Applicants	Evidence the sequential test and approach has included current and future impacts of climate change as required by paragraph 172 of the National Planning Policy Framework (NPPF). Amend the application documentation as necessary.
27	The Applicants and ERYC	ERYC: investigate how the Level 1 SFRA flood risk spatial data can be provided to the Applicants. The Applicants: submit this information into the Examination to support the sequential test as explained in paragraph 174 of the NPPF.
28	The Applicants	Confirm the mitigation measures relevant for development in the functional floodplain contained in Level 1 SFRA and signpost where in the Outline Code of Construction Practice [AS-094] this is committed to. Demonstrate how these measures could be accommodated within the Order Limits.

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29	The Applicants	Confirm whether stockpiles and earth bunds in the proposed temporary construction compounds have been assessed to demonstrate the risk of flooding will not be increased elsewhere and how any mitigation necessary to achieve this could be delivered within the Order Limits.
30	The Applicants	Confirm the total number of watercourse crossings, including those facilitating haul road access, and if a higher number than currently identified is noted, revise the ES Chapter 20 [APP-163] to include those that are missing.
31	The Applicants	Evidence that all drainage features required by a detailed Drainage Strategy, Land Drainage Scheme and Surface Water Management Plan together with other project related spatial constraints could be delivered within the Order Limits. Specific consideration should be given to the attenuation features and whether connections to discharge locations can be achieved.
32	The Applicants	Check which watercourses the proposed access road to the proposed convertor stations would discharge to and this is consistent with paragraph 67 of the Outline Drainage Strategy [AS-098] . Confirm if the proposed drainage of the haul road and converter stations would alter the hydrology of the three watercourses identified in this location.
33	The Applicants	The access road is specifically excluded in hydraulic calculations for the converter stations (Drainage Strategy Appendix B [AS-098]). To evidence the Proposed Development would not adversely affect the risk of flooding elsewhere, it would be helpful to the ExA if the Applicants update Appendix B to include the access road. This should identify the maximum rate of discharge and the required extent and number of sustainable drainage features required.
34	The Applicants	Explain what the determining factors are for deciding the suitability of a watercourse to accept a proposed drainage discharge. Confirm the alternative development drainage discharge options, should the watercourses be unsuitable.
Agenda Item 12 Onshore Ecology		
35	The Applicants	Provide additional information as part of the outline Ecological Management Plan [AS-114] limiting the removal of hedgerows and width of haul roads to no more than 5 metres.
36	The Applicants	Clarify the extent of hedgerows to be removed at the northern side of Cliff Road to allow vehicles to cross as part of the proposed haul road.
37	ERYC	Seek a response from ERYC's Ecologists as to the acceptance of the proposed works at the Beeford – Dunnington Road Local Wildlife Site (LWS). In addition, provide any correspondence and agreements reached with the Applicants.

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38	The Applicants	Questions on the effects on commuting and foraging bats from hedgerow removal were carried over to written questions (See Appendix A)
39	The Applicants	Review the Water Voles and Otters Report [APP-156] (Section F of the Survey Results Map in Appendix D) and the Works Plans (Onshore) [PDA-003] (page 13), as they would appear to show different Order Limits. Confirm that the potential for water voles has been appropriately assessed in line with the established Order Limits in this location, showing the provision of a haul road. Clarify how water courses would be crossed if there is no commitment to a temporary bridge (as stated in Obstacles Crossing Register [AS-053] and what are the potential implications on water voles from open cut trenching. How would any potential effects be mitigated and explain where this is secured.
40	The Applicants	Provide an updated Biodiversity Net Gain (BNG) Strategy [APP-157] or confirm when an updated BNG Strategy would be provided. In addition, provide full BNG metric in excel format.
41	The Applicants	Provide an indicative layout for horizontal directional drilling (HDD) compounds.
Agenda Item 13 Land Use and Ground Conditions		
42	The Applicants	Clarify what assessment has been undertaken to ascertain land segregated by the proposed projects will remain practical for agricultural use. This should consider the size, shape and ease of access to the segregated land.
43	The Applicants	Review the inconsistency with how the sensitivity of Agricultural Land Classification (ALC) 3a has been defined across ES Chapters 19 [APP-158] and 21 [AS-111] . ES chapters are to be updated otherwise justification provided for the inconsistent sensitivity.
44	The Applicants	To review the magnitude of impacts definition in Table 21-8 of Chapter 21 [AS-111] and could you explain why the ALC grades feature again. Provide a reference to the guidance document referred to during the Hearing.
45	The Applicants	Clarify if the proposed return of agricultural land to the landowner within two years includes the reinstatement and aftercare periods as described in the Outline Soil Management Plan [AS-094] .
46	The Applicants	Clarify if limiting soil reinstatement occurring between April and October due to soil type and seasonal wetness would inhibit land being returned within the stated two year period.

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47	The Applicants	Review, and update as necessary, ES Chapter 21 [AS-111] as to why only ecological and landowner financial impacts have been assessed in light of all of the aims of agri-environment schemes identified in paragraph 73. To be provided at a later deadline which will be confirmed at Deadline 1.
48	The Applicants	Without details of the agri-environmental schemes clarify how have you been able to undertake the environmental impact assessment for the proposed projects. Without details of the agri-environmental schemes clarify how can it be concluded that all land under an agri-environmental scheme within the onshore development area would be reinstated to its original condition within two years.
49	Environment Agency	Comment whether any remediation or mitigation needed in relation to contamination, perched waters within made ground or groundwater from dewatering activities could be delivered within the Order Limits.
50	The Applicants	Evidence that all necessary remediation and mitigation features (such as tanks, lagoons, wastewater treatment plant etc.) together with other project related spatial constraints could be delivered within the Order Limits.
Agenda Item 14 Traffic and Transport		
51	National Highways and Hull City Council	Provide update and confirmation that National Highways (NH) and Hull City Council (HCC) are satisfied with the approach to the identification and modelling of sensitive junctions.
52	Applicants	Provide a plan of the A63 Castle Street junction improvements.
53	National Highways	Provide update on when the A63 Castle Street junctions improvement works are likely to be completed.
54	Applicants	Provide details of the procedure to cross private access tracks (such as crossings at 6a-b, 9a-b or 11c-d shown on the Streets Plan [APP-018]) with open cut trenching techniques and how this would be secured.
55	Applicants	Amend paragraph 256 of ES Chapter 18 [PDC-002] with regard to the location of the TCC at the emergency beach access in relation to the existing boat storage area.
Agenda Item 15 Noise and Vibration		
56	The Applicants	Provide a list of all properties that form part of each Noise Sensitive Receptor as listed in table 25-16 of [APP-201] .
57	The Applicants and ERYC	Provide an update on the outcome of the meeting with ERYC that is due to be held on 23 January 2025 regarding discussions about proposed construction hours.
58	ERYC	Provide detailed comments from ERYC's Public Protection Team in relation to noise and vibration.

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



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Questions that were converted to writing arising from Day 2 of the Issue Specific Hearing 2 on 16 January 2025. Responses to be provided at Deadline 1, 29 January 2025 unless otherwise specified.

Action No.	Directed to	Question
Agenda Item 9 – Seascape, Landscape and Visual		
WQ1	The Applicants	To what extent would the design of the converter stations and the associated infrastructure (rather than landscaping mitigation) assist with reducing adverse landscape and visual effects, such as the colour, materials and security fencing?
WQ2	The Applicants	Could the proposed converter stations and any of the associated infrastructure be sunk into the ground to reduce the visual effects of the Proposed Development? If not, why not? Could the lowest existing ground level be used as the starting point for the finished ground level?
WQ3	The Applicants	Increased cut to reduce finished ground level could result in increased spoil to deliver bunds which are referenced in the Design and Access Statement [APP-233] as being a possibility to provide mitigation. Why hasn't this been explored further yet to reduce significant adverse effects as far as possible? Are there any other landscape mitigation features which have been explored and discounted?
WQ4	The Applicants	East Riding of Yorkshire Council (ERYC) Local Impact Report (LIR) [PDC-007] requests that tree and hedge planting includes some more mature specimens to speed up establishment and integration into the landscape, particularly to the north and south of the converter stations. ERYC requested that tree type should also be related to the most prominent locations to ensure greatest height and spread at those points. Could this be captured by the draft DCO [AS-120] or supporting documents?
WQ5	The Applicants	What consultation would you need to make on the detailed landscape management plan before it's submission? It would be helpful to the Examining Authority (ExA) for this process to be set out within the outline Landscape Management Plan [AS-096].
WQ6	The Applicants	How are the main significant adverse effects of the Proposed Development addressed to achieve good design?
Agenda Item 10 – Onshore Historic Environment		
WQ7	The Applicants	Table 22-7 of ES Chapter 22 [AS-092] defines the importance for cultural heritage assets. However, it uses the same

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		description under multiple levels of importance, for example, assets defined as being of 'high importance' could be of national importance, but assets defined as 'medium importance' could also include assets of national importance. Provide a justification as to why the importance for cultural heritage assets is defined in this way; does this confuse the process of determining the importance of a heritage asset?
WQ8	The Applicants	Paragraph A.19 of the Principles of Cultural Heritage Impact Assessment in the UK states that <i>"more often designation is the acknowledgement that the cultural heritage asset is of the highest importance"</i> . Given that Grade II buildings are nationally designated heritage assets, provide further justification as to why are these attributed medium importance, rather than high importance given the aforementioned guidance and the comments from Historic England in [RR-022] that Grade II buildings should not be of 'medium' importance?
WQ9	The Applicants	Within ES Chapter 22 [AS-092] , on a number of occasions on a precautionary basis a medium level of heritage importance has been assigned to potential unknown archaeological deposits (such as paragraphs 247 and 252). However, Table 22-7 of ES Chapter 22 indicates that these should be assigned a high level of importance (see the final bullet point of 'high' importance). Why is this the case?
WQ10	The Applicants	Paragraph 287 of ES Chapter 22 [AS-092] concludes that as any impact during construction would be short term and reversible, any change to setting and associated heritage significance would result in a negligible adverse magnitude of impact, and no material harm to significance. However, the ExA draw the Applicants' attention to the Secretary of State's decision for 'Hornsea Project Four Offshore Wind Farm' DCO which stated that, <i>"The Secretary of State is aware that where there is an identified harm to a heritage asset, he must give that harm considerable importance and weight. The Secretary of State notes the temporary impact on the setting of the Beverley Sanctuary Limit Stone during construction and therefore ascribes moderate negative weight to matters related to the historic environment in the planning balance."</i> Should any temporary adverse effects on the setting of heritage assets therefore be offered negative weight in the planning balance and also be recognised in terms ascribing the appropriate level of harm? If not, why not? If so, please update the ES accordingly.
WQ11	The Applicants	Paragraph 14 of the onshore infrastructure settings assessment [APP-178] indicates that the settings assessment has been carried out in the basis that the converter stations would be a gas insulated switchgear design, rather than air insulated. However, the ExA understands that the Applicants consider the worst-case scenario design to be air insulated

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		switch gear design to accord with the Landscape and Visual Impact Assessment. Please review this matter.
WQ12	The Applicants	Does the draft DCO [AS-120] or its supporting documents ensure that the converter station buildings would be constructed to the south of the converter station area marked on the works plans? If not, has the ES assessed the worst-case scenario if the converter station buildings were to be built closer to the scheduled monument at Butt Farm than as shown on indicative plans?
WQ13	The Applicants	Figure 23-15b1 [PDA-010] shows that there would be no views of the proposed converter stations from Blackmill. However, paragraph 309 of ES Chapter 22 [AS-092] suggests that there would be “varying visibility” of the converter station likely. Why is there this discrepancy and would there be views of the converter stations from Blackmill and the scheduled barrows? If there are would figure 23-15b1 need to be updated?
WQ14	The Applicants	Figure 23-15c1 [PDA-010] shows that there would be no views of the proposed converter stations from perimeter of Risby Hall Registered Park and Gardens. However, paragraph 131 of the Onshore Infrastructure Settings Assessment [APP-178] suggests that “ <i>from the woodland bounding the northeast perimeter of the park visibility of the Onshore Substation Zone may be partially achievable.</i> ” During the Unaccompanied Site Inspection, the ExA visited the vicinity of viewpoint CH5 and it appeared that it would be likely that views of the converter stations would be available. Why does Figure 21-15c1 suggest that there would not be views of the converter station and does this need to be updated?
Agenda Item 12 Onshore Ecology		
WQ15	The Applicants	<p>ES Chapter 18 [PDC-002] considers the potential effects on commuting and foraging bats.</p> <ul style="list-style-type: none"> • Clarify why risk of killing or injury during construction is not considered to be a potential risk for foraging and commuting bats (with reference to paragraph 336) but is considered a potential risk for roosting bats (as detailed in paragraph 327). • Confirm if appropriate consideration has been given to the loss of the ecological function in relation to commuting and foraging bats that might be caused by the creation of gaps from proposed hedgerow removal. • The Outline Ecological Management Plan [AS-114] has considered pre-construction mitigation measures for commuting and foraging bats. Would there be an opportunity to include additional mitigation measures for the period during and post construction such as the

Action No.	Directed to	Question
		replacement of dead hedging whilst new hedgerows are growing? If not, why not?
Agenda Item 15 Noise and Vibration		
WQ16	The Applicants	ES Chapter 25 [APP-201] assessed Noise Sensitive Receptors (NSR) 3 and 4 (shown on figure 25-1a of [APP-202]) in relation to onsite construction noise from the landfall zone and separately in relation to onsite construction noise at the temporary construction compounds (TCC) and potential horizontal directional drilling (HDD) locations. Clarify which two receptors have been assessed in relation to cumulative impacts from the landfall construction noise, as well as TCC and HDD noise, and signpost where the information is provided.
WQ17	The Applicants	Table 25-20 of ES Chapter 25 [APP-201] identifies a high magnitude of impact for Eske Lane (Link 73) with two residential properties along this road being identified as having a medium sensitivity. Whilst noting the information provided in paragraph 178 of ES Chapter 25 [APP-201], explain in more detail how a reduction from major adverse to minor adverse was concluded. Explain or signpost to proposed mitigation measures and how they would be secured.