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The Applicants and All Interested Parties

Your Ref:

Our Ref: EN010125

Date: 21 January 2025

Dear Sir/Madam,

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 9 and 17

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

Procedural decision and request for further information

The Examining Authority (ExA) is writing under Rules 9 and 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) in response to the submission of a formal request [\[AS-129\]](#) to [\[AS-152\]](#) by RWE Renewables Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited (the Applicants) to make changes to the application.

The Applicants' formal request to change the application ("the formal request") [\[AS-129\]](#) reconfirms the proposed changes set out in the Applicants' notification of intent to make a change to the application letters [\[PDA-012\]](#) and [\[AS-015\]](#). The formal requested changes are as follows:

Change Request 1

The change would relate to offshore and intertidal aspects of the Proposed Development. The changes include:

- Change 1: Removal of proposed Gravity Based Structure (GBS) Foundations.
- Change 2: Removal of the proposed Electrical Switching Platform (ESP) from the design envelope.
- Change 3: Reduction of the number of proposed platforms in the design envelope, plus associated scour protection.
- Change 4: Reduction of proposed cabling within the array areas, plus associated seabed preparation and cable protection.
- Change 5: Removal of the proposed short trenchless crossing option at landfall.

Change Request 2

The change would relate to onshore aspects of the Proposed Development, specifically within the onshore substation zone. This would result in the following changes:

The change would reduce the footprint of the proposed Onshore Converter Station(s) within the Onshore Substation Zone. This would result in the following changes:

- reduction in the footprint of the Onshore Converter Station and reduction in the nature of the Compulsory Acquisition powers sought;;
- removal of the proposed Yorkshire Water diversion which would result in a reduction of the Order Limits and a reduction in the nature of the Compulsory Acquisition powers sought;
- reduction in size and change in the indicative location of the proposed Sustainable Drainage Systems; and
- changes to the proposed landscaping.

In considering the requested changes the ExA has referred to paragraphs 109 to 115 of the DCLG Guidance [‘Planning Act 2008: Examination of Applications for Development Consent’](#) and the Planning Inspectorate’s guidance [‘Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination’](#). The ExA considers that the proposed changes would amount to a reduction in land take required and/ or a reduction in the use of land, and that this, along with the proposed removal of elements of the proposed offshore works, would not likely raise any materially new or different issues to those already before the Examination. Furthermore, the ExA accepts that the proposed changes would not lead to the Proposed Development being different in nature or substance to that which was originally applied for. The ExA has therefore made a Procedural Decision to accept Change Requests 1 and 2 into the Examination.

The ExA reminds the Applicants and Interested Parties that in accepting the change requests, the ExA is not accepting, at this stage, that the planning merits of the Proposed Development, or that the case for Compulsory Acquisition has been made. The ExA will, following the close of the Examination, make a recommendation on both based on the evidence that is before it.

Annex A of the Applicants’ letter of 10 January 2025 [\[AS-129\]](#) identified that the proposed change requests would require a significant number of application documents to be updated. At the Preliminary Meeting (PM), the Applicants advised that it had made the decision to not update the documents during the adjournment of the PM, but to wait until the ExA had decided whether to accept the proposed changes into the Examination. If accepted, the ExA was advised that the documentation would be submitted by Deadline 3, 19 March 2025.

The ExA’s first written questions are timetabled for 28 February 2025 and the ExA wants to have the ability, where relevant, to ask questions in relation to the proposed changes which would not be possible if the documents were submitted at Deadline 3. Furthermore, if the updated documents were not submitted until Deadline 3, then consultees including the Statutory Nature Conservation Bodies would have until Deadline 4, 25 April 2025, to respond, which would mean that any examination of the matters raised by these changes at the Hearings scheduled for the week commencing 7 April 2025 would, if possible at all,

be very limited. The ExA therefore has concerns that the delay caused by deferring submission of documents until Deadline 3 could result in matters remaining outstanding at the close of the Examination. As such, it would be incredibly helpful to the ExA, and the smooth running of the Examination, if the updated documentation could be submitted ahead of Deadline 3.

Therefore, as indicated in Annex B of the Rule 8 letter [\[PD-011\]](#) the ExA requests that the updated documentation in relation to the change requests be submitted at **Deadline 2, 14 February 2025**. Following receipt of these documents, the ExA then proposes to write to specific parties seeking their views. The letter inviting comments will also be published on the project page of the National Infrastructure website. The deadline for these comments would be Deadline 3, 19 March 2025.

Other Interested Parties may also wish to respond to this request.

Yours sincerely

Jo Dowling

Jo Dowling
Lead Member of the Panel of Examining Inspectors

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