



Rammiel Burnie
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Planning Inspectorate
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(Email only)

MMO Reference: DCO/2022/00007
Planning Inspectorate Reference: EN010125
Registration Identification Reference: 20050160

29 January 2025

Dear Rammiel Burnie,

Planning Act 2008, RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd, Proposed Dogger Bank South Offshore Wind Farms Order

Deadline 1 Submission – Summary of MMO Relevant Representation

On 22 July 2024 the MMO received notice under Section 56 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd (the Applicant) for a DCO Application (MMO ref: DCO/2022/00007; PINS ref: EN010125).

The DCO Application includes a draft development consent order (the DCO) and an Environmental Statement (the ES). The draft DCO includes, Marine Licence 1 (Schedule 10), Marine Licence 2 (Schedule 11), Marine Licence 3 (Schedule 12), Marine Licence 4 (Schedule 13) and Marine Licence 5 (Schedule 14) which are draft Deemed Consent under Part 4 (Marine Licensing) of MCAA 2009 (DML).

The DCO Application seeks authorisation for the construction, operation and maintenance of Dogger Bank South (DBS) Offshore Wind Farm (OWF), comprising of up to 100 wind turbine generators in DBS East and up to 100 wind turbine generators in DBS West together with associated onshore and offshore infrastructure and all associated development (the Project).

As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcements, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring



that provisions drafted in a deemed marine licence enable the MMO to fulfil these obligations.

The summary of the MMO's written relevant representation (RR), show below, is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation summary is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely,

Leah Cameron

Leah Cameron

Marine Licencing Case Officer

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1. DCO and DMLs

1.1. Unexploded Ordnance (UXO)

1.1.1. The MMO welcomes that a separate investigation and clearance Marine Licence will be applied for post-consent.

1.2. Article 5 Benefit of the Order

1.2.1. The MMO has a major issue on the inclusion of this Article (sections 3.3.1 to 3.10.4 of the Relevant Representations (RR)).

1.3. Determination dates

1.3.1. Requesting a timeline for determination of documentation is not appropriate, however the MMO are open to discussion regarding which documents are required to be submitted 4 or 6 months in advance.

1.4. Decommissioning

1.4.1. Works cannot commence until the decommissioning plan has been approved by the Secretary of State (SoS). MMO are currently reviewing decommissioning process and will provide comments in due course.

1.5. Schedule 10 – Schedule 14 DMLs

1.5.1. The MMO raised a number of issues in relation to the DMLs. These can be found in Table 1 of RR.

1.6. Additional Conditions

1.6.1. The MMO requested a number of conditions to be included in the DML:

- Reporting of impact pile driving
- Maintenance reporting
- Any seasonal restrictions are a standalone condition.
- Ornithological Monitoring
- Sediment sampling

1.7. Disposal Sites

1.7.1. The MMO requested clarity on disposal sites and is working with the Applicant to ensure they are designated and included on the DMLs.

2. Other Application Documents

2.1. General comments

2.1.1. Where projects impact overlap MMO and the Local Planning Authority (LPA) jurisdiction, the Applicant should submit the full plan for approval to both MMO and LPA prior to works commencing.

2.2. Cable Statement

2.2.1. The MMO requested updates to this document.

2.3. Outline Written Scheme of Investigation (Offshore)

2.3.1. The MMO defers to Historic England (HE)

2.4. Outline Offshore Operations and Maintenance Plan.



- 2.4.1. The MMO requested clarifications and updates to this document.
- 2.4.2. Table 2-3 inappropriately considers new cable/scour protection placed in area where there was no protection during construction as 'maintenance'.
- 2.4.3. The MMO requests that it is clarified if scour protection is required for the offshore platform.

2.5. Outline Scour Protection Plan

- 2.5.1. The MMO requested updates to this document.

2.6. Outline Fisheries Liaison and Co-existence Plan

- 2.6.1. It is appropriate that the MMO will not act as arbitrator.
- 2.6.2. All changes to the Fisheries Liaison and Co-existence Plan must be submitted to the MMO for approval and this should be reflected within the document.

2.7. Outline Vessel Traffic Monitoring Plan

- 2.7.1. The MMO defers to Maritime and Coastguard Agency (MCA).

2.8. Habitat Regulations Assessment

- 2.8.1. The MMO requests confirmation that within the Ecological Management Plan no offshore mitigation and management measures will be secured within this document which relates to the marine licensable activities.
- 2.8.2. The MMO defers to Natural England (NE) for appropriateness of compensation measures secured in DCO.

2.9. Marine Conservation Zone Assessment Screening Report

- 2.9.1. The MMO thanks Applicant for setting out how embedded mitigation and additional mitigation are secured in the DCO/DMLs.
- 2.9.2. The MMO defers to Natural England (NE).

2.10. In Principal Monitoring Plan (IPMP)

- 2.10.1. IPMP does not include MCZ monitoring and the MMO has concerns in relation to the Holderness Inshore MCZ. If anchoring events do happen in MCZ area, the MMO would expect that monitoring would be required.
- 2.10.2. The MMO requests updates to ensure commitment that first four piles monitored would be the worst-case scenario piles.
- 2.10.3. The MMO requires more information on timing of proposed surveys, the expectations, and the Applicant's intentions should the observations not meet the expectations.

2.11. In Principle Site Integrity Plan (SIP) for the Southern North Sea (SNS) Special Area of Conservation (SAC)

- 2.11.1. The MMO welcomes the approach to liaise with other OWF schemes to produce up to date in-combination assessment using most recent information.
- 2.11.2. The MMO requests map of SNS SAC and project location included in relation to other schemes for context. Further information has also been requested.



2.12. Outline Marine Mammal Mitigation Protocol

- 2.12.1. The MMO requests specific section included regarding Noise Abatement.
- 2.12.2. Reservations remain regarding breaks in piling but welcomes further discussion on this before finalisation of MMMP (see RR 4.17.2 - 4.17.5).

3. Environmental Statement

3.1. General Comments

- 3.1.1. The MMO requests Applicant to amend the ES chapters to include anticipated impacts to receptors from decommissioning stage of the development. Including a high level outline of works anticipates and likely impacts arising from them.

3.2. Coastal Processes

- 3.2.1. The MMO requests applicant discusses 30-year operational lifespan on coastal processes (see RR 5.2.1 - 5.2.3).
- 3.2.2. The MMO queries volume for the changes on suspended sediment concentration and transport due to seabed preparation for foundation installation.

3.3. Dredge and Disposal

- 3.3.1. The MMO largely agrees with the comments, reporting and mitigations in this section.

3.4. Benthic ecology

- 3.4.1. The MMO requests the design of the pre-construction monitoring survey is submitted at least six months rather than four months prior to the first survey.
- 3.4.2. The MMO requests Applicant interprets available geophysical data to inform a ground truthing survey to confirm the presence/absence of Annex I biogenic reef along the entire cable route.
- 3.4.3. The MMO defers to SNCB regarding the impact of construction activities on 'Piddock' habitat and recommends the Applicant provides further clarification on the specific mitigation measures.

3.5. Fish ecology

- 3.5.1. The MMO has **major concerns** relating to Fish ecology (see RR 5.5.1 to 5.5.39). There are several points that need to be resolved throughout examination.

3.6. Shellfish

- 3.6.1. The MMO requests the Applicant considers a monitoring program for shellfish species.
- 3.6.2. Conditions for the approval of shellfish monitoring plan and submission of the results must be included within the DMLs as part of the In Principle Monitoring Plan.

3.7. Underwater Noise

- 3.7.1. The MMO has **major concerns** relating to UWN (see RR 5.7.1 to 5.7.17). There are several points that need to be resolved throughout examination.

3.8. Noise Abatement



3.8.1. Although maximum (monopile) hammer energy has now been reduced from 7,000 kJ to 6,000 kJ in the ES, significant impact ranges are still predicted. The MMO welcomes the commitment to consider all suitable mitigation options within the outline MMMP.

3.8.2. The MMO believe there is clear justification and evidence that noise abatement measures will be required for the Project. Requests modelling and mitigation requirements is updated to include Noise Abatement measures throughout.

Yours Sincerely,

Leah Cameron

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