

Outer Dowsing Offshore Wind

Introductory Documents

Cover Letter

Date: March 2024

Document Reference: 1.1

Pursuant to APFP Regulation: 5(2)(a)

Rev: 1.0

Company:	Outer Dowsing Offshore Wind	Asset:	Whole Asset			
Project:	Whole Wind Farm	Sub Project/Package:	Whole Asset			
Document Title or Description:	Cover Letter					
Internal Document Number:	PP1-ODOW-DEV-CS-LET-0004	3 rd Party Doc No (If applicable):	N/A			
Outer Dowsing Offshore Wind accepts no liability for the accuracy or completeness of the information in this document nor for any loss or damage arising from the use of such information.						
Rev No.	Date	Status / Reason for Issue	Author	Checked by	Reviewed by	Approved by
1.0	March 2024	DCO Application	S&W	Outer Dowsing	Outer Dowsing	Outer Dowsing

Louise Harraway
Case Manager
National Infrastructure Planning
Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

[outerdowsing.com](https://www.outerdowsing.com)
2nd Floor, Boundary House
91-93 Charterhouse Street
London
EC1M 6HR

19th March 2024

Dear Sirs,

**Planning Act 2008 – Application for Development Consent
GT R4 Limited, trading as Outer Dowsing Offshore Wind
The Proposed Outer Dowsing Offshore Wind Farm Order
Application Reference: EN010130**

Please find enclosed an application from GT R4 Limited, trading as Outer Dowsing Offshore Wind (the Applicant) for an order granting development consent (the Application) pursuant to section 37 of the Planning Act 2008 (the 2008 Act) for the proposed Outer Dowsing Wind Farm (hereafter referred to as the Project).

Subject of the Application

1. The Application is for development consent to construct, operate and maintain, and decommission the Project, which is located approximately 54km from the Lincolnshire coastline. The Project comprises both offshore and onshore infrastructure, including an offshore generating station with a maximum of 100 wind turbine generators, offshore substations, offshore cables, onshore cables, an onshore substation, a connection to the electricity transmission network, and ancillary and associated development.
2. Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to section 14(1)(a) and 15(3) of the 2008 Act. As the Project is expected to have a capacity of greater than 100 MW, it is an NSIP for the purposes of the 2008 Act. It is for this reason that the Project falls within the remit of the Secretary of State.

Documentation enclosed and the application fee

3. We have shared the following documents with the Planning Inspectorate (PINS):
 - The completed and signed Application Form;
 - The Environmental Statement (ES); and

- All other documents listed in the Guide to the Application (document reference 1.2).
4. A GIS shapefile showing the order limits for the Scheme has been shared with the Planning Inspectorate.
 5. The electronic submission also includes the confidential information within the Application, and this is labelled accordingly.
 6. Furthermore, the Applicant has completed a Section 55 Checklist (document reference 1.3) which accompanies this Application, to assist with the Planning Inspectorate's compliance check of the Application.
 7. A fee in the sum of £8,244 has been submitted by electronic transfer to the account of the Planning Inspectorate (PINS) with the reference "GT R4 Limited EN010130".

Application Formalities

8. This Application is made in the form required by section 37(3)(b) of the 2008 Act and the application documents comply with the overall requirements of section 37, as well as those set out in:
 - The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
 - The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations);
 - The published Communities and Local Government (CLG) Guidance (March 2015) and
 - The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents' (version 11).
9. The Applicant has also sought pre-application advice in respect of Section 51 of the 2008 Act and the Application has been informed by these discussions and advice from the Planning Inspectorate.

Description of the Project

10. The Application seeks consent for the development outlined above and described in full in Schedule 1 to the Draft Development Consent Order (DCO) (document reference 3.1) and in Volume 1, Chapter 3: Project Description of the ES (document reference 6.1.3).
11. The Project also contains associated development under section 115 of the 2008 Act, including the infrastructure necessary to connect the Project to the National Grid, and works for the delivery of up to two artificial nesting structures and the creation of a biogenic reef (if these compensation measures are deemed to be required by the Secretary of State).
12. The Project will comprise up to up to 100 wind turbine generators and a network of subsea array cables together with associated development which includes:
 - up to one offshore accommodation platform;
 - up to four small or up to two large offshore transformer substations;

- a network of interlink cables;
- up to four subsea export cable circuits;
- up to six temporary trenchless technique exit pits and associated cofferdams;
- up to two offshore reactive compensation platforms;
- a temporary work area associated with the offshore works;
- up to two artificial nesting structures;
- the creation and recreation of biogenic reef within the Inner Dowsing Race Bank and North Ridge Special Area of Conservation;
- landfall connection works located at Wolla Bank, south of Anderby Creek;
- onshore cables from the landfall to the onshore substation, including link boxes, earth pits and joint bays;
- an onshore HVAC substation at Surfleet Marsh to the North of Spalding;
- onshore cables from the onshore substation to a National Grid substation including link boxes, earth pits and joint bays;
- accesses, temporary works areas, and landscaping;
- drainage works, sustainable drainage system ponds, and surface water management systems; and
- other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised project.

Consent Flexibility – Rochdale Envelope

13. The draft DCO (document reference 3.1) provides for flexibility in relation to the generating station and associated development. The Applicant has given careful consideration to the guidance in the National Policy Statements and the Planning Inspectorate’s ‘Advice Note Nine: Rochdale Envelope’ together with pre-application discussions with the Planning Inspectorate. In the Applicant's view, the inclusion of the flexibility provided for in the draft DCO is fundamental to whether or not the DCO is fit for purpose, and therefore whether or not the Project will proceed.
14. Environmental Impact Assessment (EIA) undertaken in support of the Application has considered and reflected the flexibility sought in the draft DCO. As the EIA process assesses the full extent and worst-case impacts for each receptor based on the Project’s design scenarios, the design envelope approach has been taken to allow for robust and meaningful environmental assessments. This matter is addressed in the ES and in all cases the parameters referred to in the draft DCO have been assessed in the ES.

15. A realistic Maximum Design Scenario (MDS) has been assessed throughout the ES, with the MDS for each receptor and impact identified, and then utilised in the assessment. Details of these MDSs are set out within the topic chapters of the ES (document reference 6.1) and summarised within each technical chapter (ES Volume 1, Chapters 7 to 32).
16. Further explanation on the Applicant's approach to the Rochdale Envelope is contained within Volume 1, Chapter 5: EIA Methodology (document reference 6.1.5).

Deemed Marine Licences

17. Included within the draft DCO at Schedules 10 to 16 are deemed marine licences as (DMLs), as provided for in section 149A of the 2008 Act. The approach to the split of the DMLs is discussed in more detail in the Explanatory Memorandum (document reference 3.2). The draft DCO, and the DMLs, have been the subject of consultation with, and comment by, PINS, the Marine Management Organisation and Natural England.
18. Where possible or appropriate the Applicant has sought to take comments into account in the documents submitted, but it should not be assumed that any of these organisations have approved the detailed form of the draft DCO and DMLs. The Applicant expects to have further discussions with key statutory stakeholders to refine some aspects of the detail of the draft DCO and DMLs after acceptance, as has taken place with other accepted NSIP applications.

Habitats Regulations

19. The Application includes a Report to Inform Appropriate Assessment (RIAA) (document reference 7.1), as required by Regulation 5(2)(g) of the APFP Regulations. This Report identifies all relevant European Sites and provides sufficient information for the competent authority to determine whether the Project is likely to have an adverse effect on the integrity (AEoI) of any European Site. In preparing the Habitats Regulations Assessment (HRA) documents, the Applicant has been mindful throughout of PINS' Advice Note Ten "Habitats Regulations Assessment relevant to nationally significant infrastructure projects".
20. The Applicant's position, as set out in the RIAA, is that there will be no AEoI on designated Sites and features other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. As such, a full derogation case is being promoted for this species.
21. A derogation case for all other Sites and features is provided on a 'without prejudice' basis. The Applicant's position is that it can be concluded that no AEoI will arise, alone or in combination with other projects or plans on the integrity of the FFC SPA, or to the Inner Dowsing, Race Bank, and North Ridge (IDRBNR) Special Area of Conservation (SAC), from the Project. Natural England has advised that it is unable to rule out potential AEoI in relation to the guillemot and razorbill features of the FFC SPA or the biogenic reef (specifically *S. spinulosa*) and sandbank features of the IDRBNR SAC.

22. The Applicant has engaged openly and constructively with stakeholders throughout its pre-application consideration of the HRA. The derogation case accords with the requirements of the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017, relevant case law and guidance. The derogation case, and the specific compensation documents which it signposts referred to below, presents Stage 3 and Stage 4 of the HRA process outlined in the Planning Inspectorate's Advice Note Ten; HRA Stage 3 - Assessment of Alternatives and HRA Stage 4 - Consideration of Imperative Reasons of Overriding Public Interest (IROPI) and Compensatory Measures.
23. The Applicant is therefore submitting with the Application a series of documents setting out a derogation case and compensatory measures for the Project. As noted above, the documents relating to Guillemot, Razorbill, and Benthic features, are submitted on a "without prejudice" basis. The following documents (and associated appendices) are submitted in this regard:
- Derogation Case (document reference 7.5);
 - Benthic Without Prejudice Compensation Strategy (document reference 7.6);
 - Ornithology Compensation Strategy (document reference 7.7);
 - The Crown Estate Kittiwake Strategic Compensation Plan (document reference 7.8);
 - Compensation Funding Statement (document reference 7.9);
24. Should the Secretary of State reach a conclusion of AEoI in respect of any above features, the compensation measures are considered sufficient to ensure the coherence of the National Site Network.

Compulsory Acquisition

25. The Applicant is seeking authority within the draft DCO (document reference 3.1) to acquire compulsorily land and interests and other related powers to support the delivery of the Project, details of which can be found in the Statement of Reasons (document reference 4.3) and the Book of Reference (document reference 4.1). Adequacy of funding for compensation is dealt with in the Funding Statement (document reference 4.2).
26. The Applicant has been granted a Generation Licence under the provisions of the Electricity Act 1989 by Ofgem and is therefore a statutory undertaker for the purposes of compulsory acquisition.
27. Sections 127, 132 and 135 of the 2008 Act apply. Details of the extent of the proposed works affecting land held by a statutory undertaker, the Crown, or other special category land, can be found in the Statement of Reasons (document reference 4.3).

Other Consents

28. A summary of other consents and licences likely to be required in addition to those being requested as part of the draft DCO is provided in the Other Consents and Licences (document reference 3.3).

29. A number of these applications will be progressed in parallel with the consideration of the draft DCO (document reference 3.1) by the Secretary of State. The Applicant will update the Planning Inspectorate periodically in relation to the progress of these applications, as required.

Pre-application Consultation

30. The Applicant has had careful regard to the pre-application consultation requirements of the 2008 Act, the guidance on pre-application consultation issued by the DCLG (as required by section 50(3) of the 2008 Act) and the Planning Inspectorate, and its pre-application discussions held with the Planning Inspectorate.

31. As required by section 37(3)(c) of the 2008 Act, the Application is accompanied by a Consultation Report (application document reference 5.1), which provides details of the Applicant's compliance with sections 42, 46, 47, 48, 49 of the 2008 Act, the APFP Regulations, the EIA Regulations, and the relevant guidance issued pursuant to section 50 of the 2008 Act. The responses of statutory and non-statutory consultees are listed and summarised in the Consultation Report. These have informed the evolution of the Application and the Project overall.

Other Matters

32. Under Regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan of certain nature conservation sites and features and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. These plans are attached as separate documents, as follows:

- Historic Environment Plan Onshore (document reference 2.13);
- Historic Environment Plan Offshore (document reference 2.14);
- Statutory and Non-Statutory Nature Conservation Sites Onshore (document reference 2.15); and
- Statutory and Non-Statutory Nature Conservation Sites Offshore (document reference 2.16).

33. The associated assessments of any effects on these sites are provided in the ES and not as stand-alone documents.

34. As required under regulation 5(4A) of the APFP Regulations, all plans, drawings and sections have been provided at a scale not smaller than 1:2500.

35. In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the 2008 Act and can make them available at the request of the Examining Authority.

36. Under Regulation 6(1)(b) of the APFP Regulations, an applicant is required to provide:

- details of the proposed route and method of installation for any cable. This information can be found in the Cable Statement (document reference 9.2).

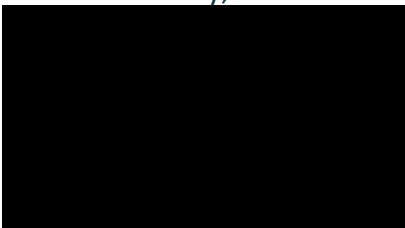
- a statement in respect of safety zones. This information can be found in the Safety Zone Statement (document reference 9.3).

37. Offshore Order limits and grid coordinates referred to in the DCO have been provided in a separate plan (document reference 2.8). However, it should be noted that for the purposes of re-creating the order limits the more detailed electronic information contained within the shapefiles, deposited with PINS, should be used.

38. As agreed with PINS by email on 18th March, the Applicant will submit the Planning Compliance Document (document reference 9.1.1) after acceptance. The Policy Compliance Statement is a voluntary document in preparation by the Applicant under the Early Adopters Programme.

We look forward to hearing from you in relation to the formal acceptance of the Application. If we can be of any assistance in that regard, please do not hesitate to contact me directly in the first instance or using contact@outerdowsing.com.

Yours sincerely,



Chris Jenner

Development Manager

Outer Dowsing Offshore Wind