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Chris Jenner  
Development Manager for GT R4 Limited  
(Outer Dowsing Offshore  
Wind)

Your Ref:

Our Ref: EN010130

Date: 16 April 2024

By email only

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Dear Mr Jenner

## **Planning Act 2008 (as amended) – Section 51**

### **Application by Total Energies and Corio Generation for an Order Granting Development Consent for the Outer Dowsing Offshore Wind (Generating Station) (EN010130)**

#### **Advice following issue of decision to accept the application for examination**

On Tuesday 16 April 2024 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Wintering birds surveys**

It is understood the Applicant is currently undertaking a second season of wintering bird surveys, due to be completed in April 2024. A summary of the results to end of February 2024 is included as ES Appendix 22.7: Winter Bird Survey 2023-24 Preliminary Summary (Doc 6.3.22.7). ES Appendix 22.7 states the purpose of the preliminary summary is to compare the findings from season two with season one, to determine whether there have been material changes in target species distribution and abundance. It is confirmed in the Report to Inform Appropriate Assessment (RIAA) (Doc 7.1) at Table 4.2 that the second season surveys to date confirmed no change to predicted residual effects for those species utilising functionally linked land, specifically dark-bellied brent goose, pink-footed goose, lapwing, golden plover and curlew.

The Applicant is requested to provide the results of the complete survey information, together with confirmation of any implications for, or updates to the Environmental Statement and/or Habitats Regulations Assessment.

### **Consultees identified on a precautionary basis**

The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that do not appear to have been consulted by the Applicant under s42:

- National Highways Historical Railways Estate
- Southern Gas Networks Plc
- CNG Services Ltd
- Mua Gas Limited
- Race Bank Wind Farm Limited
- Dudgeon Extension Limited
- National Grid Electricity Distribution (East Midlands) Limited
- Aidien Ltd
- Independent Distribution Connection Specialists Ltd
- Squire Energy Metering Ltd
- Aminth Energy Ltd
- Nu-Link Interconnector UK Ltd

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

### **Plans**

The Planning Inspectorate has noted the following labelling errors and inconsistencies in their checks of the plans. The Inspectorate advises the Applicant to carry out a comprehensive review of plans, and updated sets be provided, with corrections made as shown below:

- **Onshore Works Plans** (Doc 2.1)
  - Ensure consistency between colours used in the Legend e.g., yellow colour is bright on legend but appears dull on plan.
- **Offshore Works Plans** (Doc 2.2)
  - Ensure consistency between colours used in the Legend e.g., green colour is bright on legend but appears dull on plan.

- Legend of works does not fully match dDCO works as described, for example the legend description for works no 7 mentions HVAC however the work as described in dDCO does not mention HVAC.
  - Labelling of identifiers used are obscured or not easily identifiable, for example Inner Dowsing Race Bank and North Ridge Special Area of Conservation (SAC) are not shown on the plan.
- **Land Plans (Doc 2.5)**
    - Ensure all identifiers used within the BoR are clearly labelled on the Land Plans, for example 03-001 uses Ember Lane as an identifier but the lane does not appear on the plan. The Applicant should also note that the geographical identifiers should be easily visible for all plots.
    - Ensure all plots where appropriate are provided with an insert, for example 45-071 is difficult to analyse without zooming in on the plan.
    - Ensure consistency of cut lines.
- **Access to Works Plan (Doc 2.9)**
    - The symbols used on the legend can be difficult to differentiate between. The Applicant should consider using different colours to differentiate between Construction Access Point (AC) and Enabling Access Point (EA).
- **Streets Plan (Doc 2.11)**
    - Labelling of road names and identifiers used are obscured or not easily identifiable, for example TR19, TR20, TR107 and TR108.
    - Consistency required on what information is provided past a cut line, for example works OT15 and OT16 works are split across two pages and could have been placed on one page for a clearer understanding.
- **Statutory and Non-Statutory Nature Conservation Sites Plan Onshore (Doc 2.15) and Statutory and Non-Statutory Nature Conservation Sites Plan Offshore (Doc 2.16)**
    - Labelling of nature conservation sites is largely absent from the onshore plan (Doc 2.15). The full name of nature conservation sites is also missing from the labelling provided on the offshore plan (Doc 2.16) (e.g., SAC or Ramsar). The absence of clear labelling, coupled with the hatched shading applied and an absence of clear boundaries between sites makes it difficult to distinguish between the designations. Whilst other plans have been provided with the application that show statutory and non-statutory nature conservation sites, the Applicant is requested to provide updated copies of these plans with improved labelling.
- **Environmental Statement Chapter 17 Seascape Volume 2 (Doc 6.2.17)**
    - Some plans included in this chapter would benefit from additional labelling and the provision of insets to provide greater clarity in areas with several layers of

information, e.g., Figure 17.10 – please can insets be provided to provide greater clarity of the LCA boundaries (particularly the North Norfolk LCAs) and the extent of the ZTV within them.

**Labelling errors, minor discrepancies and omissions identified in the application documents as listed in Box 30 of the s55 Checklist.**

The Planning Inspectorate has noted minor labelling and typographic errors in the documents as listed in box 30 of the s55 checklist, with examples given. We advise that the Applicant takes these comments into account and completes a comprehensive review to correct these and to identify and correct any other formatting errors and omissions before providing updated versions of the documents.

Please pay close attention to the advice set out in this letter and act on it accordingly. It is requested that you action these points **as soon as you are able prior to the Preliminary Meeting**. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters, please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

*Louise Harraway*

Louise Harraway  
**Case Manager**

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