

Outer Dowsing Offshore Wind

The Applicant's Procedural Deadline 19th September Covering Letter

Procedural Deadline 19 September

Date: September 2024

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1.0	September 2024	Procedural Deadline 19th September	Shepherd & Wedderburn	Outer Dowsing	Outer Dowsing	Outer Dowsing

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19th September 2024

Dear Louise,

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

The Applicant refers to the Examining Authority’s (“**ExA’s**”) Rule 17 Letter of 31 July 2024 (PD-006) and the ExA’s Rule 6 Letter of 4 September 2024 (PD-009).

The Applicant is pleased to provide a range of documents in response to the ExA’s requests, described and signposted in the Applicant’s Response to the Rule 17 letter dated 31 July 2024 (Doc 15.3). The documents are listed in Table 1 below with explanations for their submission.

In addition to those documents provided directly in response to the ExA’s request, the Applicant has provided additional documents for the reasons set out in Table 1. These include:

- (i) New or updated documents in response to comments made by Interested Parties in Relevant Representations (“**RRs**”).
- (ii) Documents prepared in support of the introduction of the Offshore Restricted Build Area (“**ORBA**”) and Revision to the Offshore Export Cable Corridor (“**ECC Revision**”). The rationale for the ORBA and ECC Revision are summarised below and described in more detail in relevant documents (15.9; 15.10). Certain Plans and Outline Plans listed below have been updated to reflect the introduction of the ORBA and the removal of offshore cable corridor optionality.
- (iii) Documents updated to (i) reflect minor changes due to small reductions to the areas of land required and amendments to the rights sought, and (ii) account for recently identified proposed Public Rights of Way (“**PRoWs**”) and an additional pipeline crossing, all as summarised below and described in more detail in relevant documents (2.0; 3.1.1; 4.1.1).

The Applicant would like to highlight the following additional points:

(i) **The Applicant's Response to Transboundary Consultation Responses**

As described in Document 15.3, the Applicant has received requests to participate in the Examination process by European Economic Area Member States on the basis of possible transboundary impacts. Responses to the comments which accompanied these requests are included in The Applicant's Response to Transboundary Consultation Responses (Document 15.19). In one instance, where such a request was made by both RR (RR-019) and response to Transboundary consultation, the Applicant's response to the comments have been provided in the same terms in both Document 15.3 and Document 15.19).

(ii) **Points arising from ExA's Rule 6 letter**

The Applicant wishes to make the following points in response to the ExA's Rule 6 letter dated 4 September 2024 (PD-009).

First, the Applicant notes that the ExA has requested that both the Applicant and Interested Parties ("IPs") submit Closing Statements concurrently at Deadline 6. The Applicant notes that relevant guidance¹ suggests that, in the context of hearings, "*In most cases... the applicant will give evidence first and will have the right of final reply*". Given this is the most appropriate format for the conduct of hearings, the Applicant also considers that this principle ought to apply to the submission of Closing Statements. The Applicant considers it would be most appropriate for the Applicant to provide its Closing Statement after IPs, thus allowing it to consider and respond to their submissions. The Applicant requests the ExA considers this proposal.

Second, in reference to the provisional Examination timetable, the Applicant would like to note that the venue booked for the Preliminary Meeting at Boston United Football Club is available for the dates reserved for Hearings in February and March however is not available for the provisional December dates. The Applicant has communicated availability of alternative venues and dates separately with the ExA and will continue to engage directly to make alternative arrangements.

Third, the Applicant notes the ExA's request for "*An indicative schedule showing when updated or new benthic and intertidal ecology, offshore and intertidal ornithology and HRA documents are likely to be submitted into the Examination by the Applicant, including their likely content and approximate size.*"

The Applicant has provided a number of documents of relevance to the HRA, relating to benthic and intertidal ecology and offshore and intertidal ornithology with this submission in response to actions identified in the Applicant's August 2024 Rule 17 Response (AS-013, Table 1.2): The Envision Sabellaria Spinulosa Reanalysis and Report (15.13); and the IPCoD Interim Population Consequences of Disturbance Modelling Report (15.12). The ORBA

¹ Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects, Paragraph 014 Reference ID 07-014-20240430

HRA Report (15.10) also provides confirmation of the effect of the ORBA and ECC Revision on the conclusions of the RIAA (AS1-095).

The Applicant is seeking to engage further with stakeholders, including on the above documents. If, following this engagement, it is considered necessary to provide new or updated HRA documents, the Applicant will provide a timeframe for doing so to the ExA as soon as practicable as well as an indication of size and content.

If we can be of any further assistance, please contact Beth Travis [REDACTED] ([outerdowsing.com](mailto:beth@outerdowsing.com)).

Yours faithfully,

[REDACTED]

Development Manager
Outer Dowsing Offshore Wind

Table 1 List of documents submitted at Pre-Examination Procedural Deadline, 19 September 2024

Applicant Document Reference	Document Title	Reason for submission
Documents provided in response to the ExA’s request in its Rule 17 Letter (PD-006) and Rule 6 Letter (PD-009)		
15.2	The Applicant’s Response to the Rule 17 Letter dated 31 July 2024	Response to the ExA’s requests in its Rule 17 Letter dated 31 July (PD-006). Discussed in more detail in Document 15.2.
15.3	Applicant’s Responses to Relevant Representations	
15.4	Compulsory Acquisition and Land Tracker	
15.5	Pre-Examination Principal Issues Progress Tracker	
3.2	Explanatory Memorandum	These documents respond to ExA requests for their submission in the Rule 6 Letter.
15.18	Draft Statement of Commonality	
Documents provided in response to actions identified by the Applicant in its Response to the Rule 17 Letter dated 3 July 2024 (AS-013)		
15.12	iPCoD Interim Population Consequences of Disturbance Modelling Report	These documents provide information which the Applicant committed to providing in Table 1.2 of the Applicant’s Response to the Rule 17 Letter dated 3 July 2024 (AS-013 in response to PD-005). This is discussed in more detail in Document 15.2.
15.13	Envision Sabellaria Spinulosa Reanalysis and Report	The Applicant committed to providing re-calculated values for Natural England’s position for ornithological impacts, including lower and upper confidence intervals. This has been incorporated into the ORBA and ECC Revision Reports and Appendices. The purpose of the ORBA and ECC Revision documents is summarised below and discussed in more detail within the documents (15.9; 15.10).
15.9; 15.9A-H; 15.10; 15.10A	ORBA and ECC Revision Reports and Appendices	
Updates to Plans, and Compulsory Acquisition documents		
2.0	Schedule of Changes for Plans	

Applicant Document Reference	Document Title	Reason for submission
2.1	Works Plans Onshore	<p data-bbox="1261 611 2031 798">As a result of the ECC Revision and the introduction of the ORBA, Plans related to the offshore order limits have been updated to reflect the removal of one of the two offshore cable corridor options and to show the Offshore Restricted Build Area where relevant.</p> <p data-bbox="1261 847 2031 1074">Updates to onshore Plans have been made including to reflect small reductions to the areas of land required and to reflect amendments to the rights sought as described in more detail in the Schedule of Changes for Plans (Doc 2.0). The Applicant has also identified proposed PRoWs and a gas pipeline which are now reflected in relevant plans.</p>
2.2	Works Plans Offshore	
2.3	Location Plan Onshore	
2.4	Location Plan Offshore	
2.5	Land Plans	
2.6	Crown Land Plans Onshore	
2.7	Crown Land Plans Offshore	
2.8	Offshore Order Limits and Grid Coordinates Plan	
2.9	Access to Works Plan	
2.10	Public Rights of Way Plan	
2.11	Streets Plan	
2.12	Special Category Land Onshore	
2.13	Historic Environment Plan Onshore	
2.14	Historic Environment Plan Offshore	
2.15	Statutory and Non-Statutory Nature Conservation Sites Plan Onshore	
2.16	Statutory and Non-Statutory Nature Conservation Sites Plan Offshore	
2.17	Important Hedgerows and Tree Preservation Order Plan	
2.18	Onshore Crossing Plan	
2.19	Offshore Crossing Plan	
2.20	Traffic Regulation Order Plan	
8.17 *	Outline Public Access Management Plan	

Applicant Document Reference	Document Title	Reason for submission
3.1*	Draft Development Consent Order	<p>A number of changes have been made to the Development Consent Order, and compulsory acquisition documents, including to reflect the above amendments to Plans.</p> <p>The changes made are set out in the relevant “Schedule of Changes” documents submitted.</p>
3.1.1.	Schedule of Changes to the Draft DCO	
4.1*	Book of Reference	
4.1.1	Schedule of Changes to the Book of Reference	
4.3 *	Statement of Reasons	
6.3.3.2*	Chapter 3 Appendix 2: Onshore Crossing schedule	This schedule has been updated to show the presence of the pipeline and proposed PRowS described above.
Documents updated to address responses to Relevant Representations		
8.1*	Outline Code of Construction Practice	<p>These Outline Plans have been updated to reflect additional commitments in response to RRs and how these have been secured.</p>
8.1.3*	Outline Soil Management Plan	

Applicant Document Reference	Document Title	Reason for submission
8.5*	Outline Cable Specification and Installation Plan	
8.6.2*	Outline Marine Mammal Mitigation Protocol (UXO)	
8.9*	Outline Onshore Archaeological Written Scheme of Investigation	
8.10*	Outline Landscape and Ecological Management Strategy	
8.14*	Outline Fisheries Liaison and Co-existence Plan	
8.20*	Outline Vessel Management Plan	
8.22*	Outline Biogenic Reef Mitigation Plan	
8.13*	Schedule of Mitigation	The Schedule of Mitigation has been updated to reflect the additional commitments now included in Outline Plans and draft DCO in response to points raised in RRs
6.3.24.2*	Chapter 24 Appendix 2 Flood Risk Assessment ECC & 400kV Cable Corridor	This Appendix has been updated to address comments made in RRs and includes information from the above Noise Bund Hydraulic Modelling Report (15.7; 15.7A).

Applicant Document Reference	Document Title	Reason for submission
15.6	Erratum to Site Selection Report	These documents have been provided to address comments made in RRs.
15.14	Addendum to RIAA: Onshore Ornithology	
15.11	Additional clarifications relating to Natural England’s Relevant Representations (Appendix I Onshore Ornithology)	This document has been provided to give the ExA notice of additional clarifications provided to Natural England in response to its RRs.
Documents provided in support of the introduction of the ORBA and ECC Revision		
15.9; 15.9A-H	Environmental Report for Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor and Appendices	The Applicant has prepared documents 15.9 – 15.10 in support of the introduction of the ORBA and ECC Revision. The Outline Plans and Cable Statement listed thereafter have been updated to reflect the inclusion of the ORBA and ECC Revision in the Figures. These updates have also been made to Outline Plans listed above where appropriate.
15.10; 15.10A	Habitats Regulations Assessment for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor and Appendix	
8.6.1*	Outline Marine Mammal Mitigation Protocol (Piling)	In Summary, the Applicant has introduced a restricted build area in which no surface piercing infrastructure will be installed as mitigation to reduce impacts from the presence of the WTGs (and offshore platforms) on auk species (specifically common guillemot and razorbill) and which also has the effect of reducing shipping and navigation impacts. The ECC Revision has been made to remove the optionality which was previously proposed for
8.7*	In Principle Southern North Sea Special Area of Conservation Site Integrity Plan	
8.8*	Outline Marine Archaeological Written Scheme of Investigation	

Applicant Document Reference	Document Title	Reason for submission
9.2	Cable statement	a part of the offshore ECC corridor on the basis that the northern route is no longer available to the Applicant.
Other		
1.2	Guide to Application	The Guide to Application has been updated to reflect the new and updated documents provided in response to this Procedural Deadline.
15.8	Onshore Archaeological Geophysical Report	Following the completion of surveys and analysis, this document has been submitted to present geophysical findings for the Applicant's onshore cable connection to provide further assessment of the subsurface archaeological potential of the area.
15.7; 15.7A	Noise Bund Hydraulic Modelling Report and Appendices	Following the completion of required modelling, this document provides information to address comments made by the Environment Agency in pre-examination consultation.
15.15	Disposal Site Characterisation Report	This document describes the Applicant's disposal sites, identifies where in the application the effects of disposal on such sites are assessed and summarises those effects.
15.16	Collaborative Delivery of Kittiwake Compensation: Letter of Intent	<p>Letters have been submitted regarding certain compensation measures to inform the ExA about the Applicant's progress with deliverability.</p> <p>15.16 provides the intention of Dogger Bank South to work with the Applicant to develop Artificial Nesting Structures</p>

Applicant Document Reference	Document Title	Reason for submission
15.17	Letter From Jersey Government: Anti-Predator Fence East of Plémont, Jersey, Channel Islands.	<p>in accordance with The Crown Estate’s Kittiwake Strategic Compensation Plan.</p> <p>15.17 confirms on behalf of the landowner of the land on which predator eradication measures are proposed that permission to install an anti-Predator fence is granted in principle pending planning approval.</p>
15.19	The Applicant’s Response to Transboundary Consultation Responses	This document sets out responses to comments which accompanied requests to participate in the Examination process by European Economic Area Member States on the basis of possible transboundary impacts.
*indicates that clean and tracked versions have been provided		