



National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [outerdowsingoffshorewind@planninginspectorate.gov.uk](mailto:outerdowsingoffshorewind@planninginspectorate.gov.uk)

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The Applicant

Your Ref:

By email only

Our Ref: EN010130

Date: 11 December 2024

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Dear Mr Jenner

## **The Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 9**

### **Application by GT R4 Limited (trading as Outer Dowsing Offshore Wind) for an Order Granting Development Consent for the Outer Dowsing Offshore Wind Project**

The Examining Authority (ExA) understands that as part of the Applicant's Deadline 2 (D2) submissions have been set out in The Applicant's Change Notification dated 27 November 2024 [[REP2-064](#)] the intention is to seek approval to reduce the lead-in period for the provision of artificial nesting structure(s) for kittiwakes.

In [[REP2-064](#)] the Applicant comments as follows:

*"The proposed update is an amendment to the Order to reduce the length of time the proposed artificial nesting structure(s) needs to be in place before operation of the project from three full kittiwake breeding seasons to two full kittiwake breeding seasons. Whilst the Applicant considers that such an amendment may fall within the categories of update that do not constitute a change to the Order, the Applicant is mindful that the ExA may take a different view. Therefore, this letter is a notification of the Applicant's intention to submit a change request, in line with the Guidance. This letter addresses the requirements in the Guidance relating to "Step 1" of the process for requesting a change to an accepted application."*

The ExA concludes that the Applicant's proposal to amend the draft Development Consent Order to reduce the length of time the proposed artificial nesting structure(s) needs to be in place before operation of the project from three full kittiwake breeding seasons to two full kittiwake breeding seasons would require a formal change request. When submitting a formal change request the ExA recommends that the Applicant continues to closely follow all of the guidance set out in the [Planning Inspectorate's guidance for changes to an application after it has been accepted for Examination](#) when preparing your change application.

The ExA notes that the Applicant has set out its reasoning for this change in the D2 submission, Lead-in periods for kittiwake breeding on Artificial Nesting Structures [[REP2-060](#)]. Furthermore, in Table 1 of [[REP2-064](#)] the Applicant has provided a statement setting out the reasons and need for making the change to the application. Also, in Table 1 the Applicant has provided a list of the organisations it proposes to consult with on the proposed change. The ExA considers that in addition to these organisations, Lincolnshire Wildlife Trust should also be included in the consultations as it made comments on offshore and intertidal ornithology in its Relevant Representation [[RR-036](#)]. Please also note that any consultation notification should confirm that responses should be sent directly to the Applicant.

The ExA stresses that should any formal Change Request be accepted by the ExA the proposed changes would be made on the basis that all the processes can be completed in the required time prior to the close of the Examination and in accordance with the Examination Timetable [[PD-014](#)].

Should it not be possible to achieve this, then the ExA would not be in a position to take the change request into account in its recommendation to the Secretary of State as the relevant statutory procedures would not have been complied with.

Yours sincerely,

*Rod Macarthur*

**Rod Macarthur**  
**Lead Member of the Panel of Examining Inspectors**

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