

Outer Dowsing Offshore Wind

The Applicant's Deadline 3 Covering Letter

Deadline 3

Date: December 2024

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13 December 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 has provided a range of documents at Deadline 3 as listed and described in Table 1 below. In addition to those documents provided directly in response to Examining Authority (“ExA”) requests in the Rule 8 Letter (PD-011) and in response to actions raised at Hearings on week commencing 2 December 2024, the Applicant has provided additional documents for the reasons set out in Table 1 and highlighted below. Table 2 provides signposting to where ExA Hearing Actions have been addressed.

- (i) **Further benthic/intertidal ecology; offshore/intertidal ornithology; HRA documents:** The Applicant indicated its intention in its Deadline 2 covering letter (REP2-050; page 7; (xiii)) to submit the below further HRA documents in line with its commitment to inform the ExA of *“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”* (PD-009).
- a. **20.15** Sandwave Levelling Assessment;
 - b. **20.17** Guillemot and Razorbill: Compensation Quanta.¹
 - c. In REP2-050 the Applicant stated it would provide updates to certain tables.² These tables have been provided in Appendix A of The Applicant's Comments on Deadline 2 Submissions (Document reference 20.2).

¹ Referred to in REP2-050 as *“Summary of Ornithological Compensation Delivery Quantums as requested in Natural England’s Relevant Representation (RR-045)”*

² Being *“Updated version of Annex A Table 12 in document AS1-095 to show apportioning of kittiwakes to offshore colonies (Requested in F2.10)”* and *“Updated version of Table 4.21 in document PD1-081 (Requested in F2.11)”*

The Applicant has also provided the following additional / updated documents:

- d. **6.3.9.2** Chapter 9 Appendix 2 Benthic Ecology Technical Report (ECC) as requested in Natural England’s Deadline 1 response, Appendix C1, paragraph 4 (REP1-059).
 - e. **15.13** Envision Sabellaria spinulosa reanalysis and report as requested in Natural England’s Deadline 1 response, Appendix C1, paragraph 4 (REP1-059).
 - f. **20.16** Marine Mammals Revised Figures as requested in Natural England’s RR (RR-045) to address points raised therein.
- (ii) **Other Deadline 3 submissions discussed in Deadline 2 Covering Letter (REP2-050):** At Deadline 2, the Applicant informed the ExA that in response to the ExA’s First Written Questions (“**ExQ1**”) (REP2-051) the Applicant intended to submit updated versions of the following documents at Deadline 3 to reflect discreet points which respond to matters raised by the ExA and Interested Parties. These documents have been provided at this deadline.
- a. Updates to the Outline Landscape and Ecological Management Strategy (**8.10**), as discussed in Habitats and Onshore Ecology, including Onshore Ornithology WQ answers;
 - b. Updates to the Outline Onshore Written Scheme of Investigation for Archaeological Work (**8.9**) following discussions with LCC;
 - c. Updates to the oCoCP (**8.1**) as discussed in Landscape and Visual WQ answers;
 - d. Updates to the Outline Soil Management (**8.1.5**) and Outline Construction Traffic Management (**8.15**) Plans as discussed in Land Use, Geology and Ground Conditions WQ answers.

Where documents have been updated, opportunities have been taken to tidy them by, for instance, updating definitions or correcting typos as appropriate.

- (iii) **Change Notification:** Further to the discussion of design refinement to the Offshore Reactive Compensation Platforms (“**ORCPs**”) in the Applicant’s responses to ExQ1 and during Issue Specific Hearing (“**ISH**”) 2, the Applicant has submitted a change notification to notify the ExA of its intention to submit a Change Request in relation to refinement of the ORCPs design envelope.

This change notification also includes notification of two amendments to the dDCO related to hedgerows under the 1997 and 2024 Hedgerow Regulations respectively.³ As set out therein, the Applicant does not believe that these amendments require to be subject to Change Requests but is seeking to pre-emptively highlight them cognisant that the ExA may take a different view.

- (iv) **Land update: HM Land Registry Refresh:** As set out in the Schedule of Changes for Plans (Document 2.0), following His Majesty’s Land Registry Refresh, the Land Plans have been

³ **2024:** The Management of Hedgerows (England) Regulations 2024; **1997:** The Hedgerows Regulations 1997.

updated to reflect two plots being added and two plots being reshaped as a result of changes in the extents of plot boundaries. This does not result in any amendments to the Order Limits.

The Applicant highlights the following additional points:

- (i) **Further Benthic; Ornithology; HRA documents:** In line with its commitment to inform the ExA of its intention to submit further documents related to these topics (discussed above), the Applicant reiterates its intention to submit the following documents at the next deadline:

Deadline 4 submissions discussed in REP2-050 (total expected page length around 150)

- a. Updates to Without Prejudice Additional Measures for guillemot and razorbill evidence and road map (APP-259) requested in Q1 HRA 2.9 and 2.10.
- b. Updated ornithological in-combination assessment as discussed in Q1 HRA 1.3 (50 pages). This document to include lesser black-backed gull PVA with burn in Requested in F2.14 of REP 2-053.

Deadline 4 submissions discussed at ISH2

- c. As discussed in Issue Specific Hearing 2 (summarised in Document 20.4.3), the Applicant will provide updates to its in-combination assessments in line with Action 4 at ISH2.⁴ The full discussion between the Applicant and the ExA regarding the submission of further documents following the acceptance of the Offshore Restricted Build Area is set out in 20.4.3.

If we can be of any further assistance, please contact Beth Travis [REDACTED]

Yours faithfully,

[REDACTED]

Development Manager
Outer Dowsing Offshore Wind

⁴ "Habitats Regulations Assessment and compensation documents to be updated to reflect the changes to figures as a result of the offshore restricted build area introduction and to ensure consistency of presentation for any updated figures with explanations where necessary."

Table 1 List of documents submitted at Deadline 3, 13 December 2024

Applicant Reference	Document Title	Description / Reason for submission
Documents requested in ExA's Rule 8 letter (PD-011)		
1.2	Guide to the Application	Requested at Deadline 3 in PD-011
3.1*	Draft Development Consent Order	Requested at Deadline 3 in PD-011
3.1.1	Schedule of Changes to the Draft DCO	Requested at Deadline 3 in PD-011
3.2*	Explanatory Memorandum	Requested at Deadline 3 in PD-011
4.1*	Book of Reference	Requested at Deadline 3 in PD-011
4.1.1	Schedule of Changes to the Book of Reference	Requested at Deadline 3 in PD-011
15.4*	Compulsory Acquisition and Land Rights Tracker (Schedule of Negotiations and Powers Sought)	Requested at Deadline 3 in PD-011
15.18	Statement of Commonality of Statements of Common Ground	Requested at Deadline 3 in PD-011
20.2	The Applicant's Comments on Deadline 2 Submissions	Requested at Deadline 3 in PD-011. This document provides responses to Deadline 2 submissions other than Interested Parties' responses to ExQ1, the Applicant comments on which are contained in Document reference 20.7
20.3	The Applicant's Comments on Deadline 1 Written Representations	Requested at Deadline 3 in PD-011
20.4.1	The Applicant's Written Summary of oral case put at the Compulsory Acquisition Hearing, 3rd Dec	Requested at Deadline 3 in PD-011

Applicant Reference	Document Title	Description / Reason for submission
20.4.2	The Applicant's Written Summary of oral case put at Issue Specific Hearing 1 on DCO matters, 4th Dec	Requested at Deadline 3 in PD-011
20.4.3	The Applicant's Written Summary of oral case put at Issue Specific Hearing 2 on Offshore matters, 4th Dec	Requested at Deadline 3 in PD-011
20.4.4	The Applicant's Written Summary of oral case put at Issue Specific Hearing 3 on Onshore matters, 5th Dec	Requested at Deadline 3 in PD-011
20.5	The Applicant's Mid Examination Principal Issues Progress Tracker	Requested at Deadline 3 in PD-011
20.7	The Applicant's comments on ExQ1 Responses	Requested at Deadline 3 in PD-011 (Comments on other submissions received at Deadline 2)
Other documents		
20.1	The Applicant's Deadline 3 Covering Letter	Provides overview of Deadline 3 submissions
2.0	Schedule of Changes for Plans	Land update: HM Land Registry Refresh
2.5	Land Plans (Part 1 of 2)	Land update: HM Land Registry Refresh
2.5	Land Plans (Part 2 of 2)	
6.3.3.2*	Onshore Crossing Schedule	Hearing Action response. In response to the ExA's question regarding the King Charles III England coast path during ISH3, the Applicant has, as well as providing a Clarification Note (Document 20.14) updated the Onshore Crossing Schedule to make reference to the King Charles III England coast path clear.
6.3.27.1	Chapter 27 Appendix 1 Transport Assessment Annex A Special Order AIL Swept Path Analysis	Hearing Action response. This provides the updated Swept Path Analysis Figures which the ExA noted were missing certain information.

Applicant Reference	Document Title	Description / Reason for submission
6.3.9.2	Chapter 9 Appendix 2 Benthic Ecology Technical Report (ECC)	Further benthic/intertidal ecology; offshore/intertidal ornithology; HRA documents discussed at page 3; (i) above
8.1*	Outline Code of Construction Practice	Reason for submission discussed in (ii) "Other Deadline 3 submissions discussed in Deadline 2 Covering Letter"
8.1.5*	Outline Soil Management Plan	Reason for submission discussed in (ii) "Other Deadline 3 submissions discussed in Deadline 2 Covering Letter"
8.1.7	Outline Organic Land Protocol	Submitted to incorporate the views of the Land Interest Group (discussed in ExQ1, LU 1.15)
8.9*	Outline Onshore Written Scheme of Investigation for Archaeological Works	Reason for submission discussed in (ii) "Other Deadline 3 submissions discussed in Deadline 2 Covering Letter"
8.10*	Outline Landscape and Ecological Management Strategy	Reason for submission discussed in (ii) "Other Deadline 3 submissions discussed in Deadline 2 Covering Letter"
8.15*	Outline Construction Traffic Management Plan	Reason for submission discussed in (ii) "Other Deadline 3 submissions discussed in Deadline 2 Covering Letter"
15.13	Envision Sabellaria spinulosa reanalysis and report	Further benthic/intertidal ecology; offshore/intertidal ornithology; HRA documents discussed at page 3; (i) above
20.6	The Applicant's Response to Action Points 2, 7, 9 of ISH3 and Correction to LV 1.4 Response	Provided in response to actions requested in hearings on week commencing 2 December (see EV4-008; EV5-008; EV6-004; EV7-010).
20.8	Clarification Note: Climate Change, Increased Rainfall & Soil Impacts	Provided in response to actions requested in hearings on week commencing 2 December (see EV4-008; EV5-008; EV6-004; EV7-010).
20.9	Clarification Note: Land Take, Soil Calculations and Soil Storage	Provided in response to actions requested in hearings on week commencing 2 December (see EV4-008; EV5-008; EV6-004; EV7-010).

Applicant Reference	Document Title	Description / Reason for submission
20.10	Clarification Note: Borehole Locations Plan	Provided in response to actions requested in hearings on week commencing 2 December (see EV4-008; EV5-008; EV6-004; EV7-010).
20.11	Letters of No Impediment Received From Natural England - Great Crested Newt	Provided in response to commitment in Issue Specific Hearing 1 to provide into the Examination
20.12	Letters of No Impediment Received From Natural England - Water Vole	Provided in response to commitment in Issue Specific Hearing 1 to provide into the Examination
20.13	Clarification Note: AIL Alternative Routes	Provided in response to actions requested in hearings on week commencing 2 December (see EV4-008; EV5-008; EV6-004; EV7-010).
20.14	Clarification Note: King Charles III England coast path	Provided in response to actions requested in hearings on week commencing 2 December (see EV4-008; EV5-008; EV6-004; EV7-010).
20.15	Sandwave Levelling study	Further benthic/intertidal ecology; offshore/intertidal ornithology; HRA documents discussed at page 3; (i) above
20.16	Marine Mammals Revised Figures as requested in Natural England's Relevant Representation RR-045	Further benthic/intertidal ecology; offshore/intertidal ornithology; HRA documents discussed at page 3; (i) above
20.17	Guillemot and Razorbill: Compensation Quanta	Further benthic/intertidal ecology; offshore/intertidal ornithology; HRA documents discussed at page 3; (i) above
20.18	The Applicant's Change Notification dated 13 December	Submitted to notify the ExA of the Applicant's intention to submit requests for certain changes discussed at page 4 (iii) above.
* indicates clean and tracked versions provided		

Table 2 List of Hearing Actions requested by Deadline 3

The below actions have been taken from the ExA’s Action lists for hearings conducted on week commencing 2 December 2024 (EV4-008; EV5-008; EV6-004; EV7-010).

Hearing	Action	Applicant’s comment/where has the action been answered
CAH1	2 ⁵ Provide an updated Soil Management Plan and Organic Land Protocol (Deadline (“D”) 4)	The Applicant will provide this information in due course as requested. Please note that an SMP and Organic Land Protocol have been provided at this deadline to incorporate the views of other parties, namely the Land Interest Group, and to incorporate the Outline Organic Land Protocol at D3. A version which addresses issues raised by TH Clements will be provided at Deadline 4.
	3 Supply relevant plot numbers in relation to parties with whom voluntary agreements are not yet concluded (D3)	The Applicant’s Hearing Summary of CAH1 (20.4.1) includes this information.
	4 Respond in writing regarding soil storage calculations and the need for soil storage in the trenchless technique areas (D4)	This information is set out in 20.9 Clarification Note: Land Take, Soil Calculations and Soil Storage
	5 Provide an explanation as to how the Applicant intends to proceed if agreement with the Crown Estate has not been reached. (D5)	This information will be provided in due course as requested if necessary. The Applicant has included in its Hearing Summary of CAH1 (20.4.1) the current status of negotiations with TCE.

⁵ Where actions relate to parties other than the Applicant they are not recorded here.
Covering Letter

Hearing	Action	Applicant's comment/where has the action been answered
	6 Review property cost estimate scope for private loss regarding potential costs for TH Clements and Son Limited. (D4)	This information will be provided in due course as requested.
ISH1	1 Submit the fuller script for Agenda Item 3.2.1 that provides an overview of the draft Development Consent Order (dDCO). (D3)	The Applicant's Hearing Summary of ISH1 (20.4.2) includes this information. Other than in relation to Actions 1 and 5 (which are set out in the appendices to 20.4.2), this information has been provided at the stage within the Hearing that it arose in discussion.
2 Applicant to provide a note explaining the terms "authorised development" and "authorised project" and provide a signpost to those Articles that contain works that fall under the heading of "any other works". (D3)		
3 Comment on the need for "authorised development" to be used rather than "authorised project" in relation to the commencement of onshore preparation works. (D3)		
4 Consider the need to distinguish between intrusive and non-intrusive environmental surveys and respond in writing. Also, provide greater clarity on what would constitute an intrusive survey and comment on the exclusion of works relating to welfare facilities and footpaths. (D3)		
5 Assess whether the Onshore and Offshore Archaeological Written Schemes of Investigation (WSI) adequately cover the potential for encountering human remains (both onshore and offshore) and whether the processes as set out in the WSIs and Article 19 conflict with each other. (D3)		
13 Consider the insertion of wording regarding consultation with agricultural businesses in the next versions to be submitted of the Soil Management Plan and the Code of Construction Practice. (D3)		
14 Consider the wording of Article 28 of the dDCO in relation to the temporary use of land. (D3)		
ISH2	1 Applicant and Orsted Interested Parties (IPs) to provide a written note on the question of wake effects which includes a summary of further discussions relating to wake loss (discussion to also include the provision of a mechanism	This information will be provided in due course as requested.

Hearing	Action	Applicant's comment/where has the action been answered
	to ensure consultation in respect of operational and construction traffic to and from Orsted IPs developments). (D4)	
	2 Provide a technical note which summarises the Applicant's assessment of how wake loss effects for offshore wind farms, including Triton Knoll and the Dudgeon Extension Project should be taken into account for the Proposed Development. (D4)	This information will be provided in due course as requested.
	3 Applicant to respond in writing with figures that confirm the array area separation distances between the Proposed Development and Triton Knoll, and also Dudgeon extension array areas. (D3)	This information is set out within the Applicant's Hearing Summary of ISH2 (20.4.3)
	4 Habitats Regulations Assessment and compensation documents to be updated to reflect the changes to figures as a result of the offshore restricted build area introduction and to ensure consistency of presentation for any updated figures with explanations where necessary. (D4)	This information will be provided in due course as requested.
	5 Explain the implications of recent Finch rulings on the assessment of greenhouse gases (GHG) emissions for this examination, Secondly, whether the Applicant has carried out the adequate assessment as per the Finch rulings, specifically regarding downstream GHG emissions. (D3)	The Applicant's position on these questions is set out within the Applicant's Hearing Summary of ISH2 (20.4.3) (within Appendix 1).
ISH3	2 Provide confirmation of the intended Advice Note to be referenced in ExQ1 DES 1.6. Also, to map the steps it has taken along its design process so far to the steps in the Advice Page on Good Design illustrated by the Good Design process diagram in its revised response. (D3)	The Applicant's response on this point is set out in Document 20.6 The Applicant's Response to Action Points 2, 7, 9 of ISH3 and Correction to LV 1.4 Response
	3 Provide a Lighting Management Plan for the Offshore Reactive Compensation Platform (ORCP) and set out how this Plan would be secured within the dDCO. (D4)	This information will be provided in due course as requested.
	4 Discuss the potential for further amendments to the wording of R17 of the dDCO and the Outline Written Scheme of Investigation to address LCC's concerns (D4)	This action will be carried out in due course as requested.

Hearing	Action	Applicant's comment/where has the action been answered
5	Provide a written response updating the abnormal indivisible load (AIL) Swept Path Analysis document as appropriate [APP-218]. (D3)	The Applicant's response on this point is set out in 6.3.27.1 Chapter 27 Appendix 1 Transport Assessment Annex A Special Order AIL Swept Path Analysis
6	Respond regarding the need for environmental assessment of an alternative routes should the indicative route for AIL not be possible considering other structural parameters (D3 and D4 if further work required)	The Applicant's response on this point is set out in Document 20.13 Clarification note: All Alternative Routes
7	Respond to LCC's comments in ExQ1 TT 1.7 [REP2-069] regarding the Public Rights of Way and Outline Public Access Management Plan (PAMP). (D3)	The Applicant's response on this point is set out in Document 20.6 The Applicant's Response to Action Points 2, 7, 9 of ISH3 and Correction to LV 1.4 Response
8	Respond to LCC's note in relation to [REP2- 042] that the coastal path (King Charles III England coast path) may be affected by landfall works and is considered in the Outline PAMP and comment on the consenting process that may be required. (D3)	The Applicant's response on this point is set out 20.14 Clarification Note: King Charles III England coast path & other rights of way. The Applicant has also updated 6.3.3.2* Onshore Crossing Schedule in light of this.
9	Comment on whether the removal of the provision for the creation and enhancement of arable field margins from the outline Landscape and Ecological Management Strategy (as reported in the Applicant's response to ExQ1 HOE 1.16) would result in Biodiversity Net Gain (BNG) implications. (D3)	The Applicant's response on this point is set out in Document 20.6 The Applicant's Response to Action Points 2, 7, 9 of ISH3 and Correction to LV 1.4 Response
10	Review BNG percentages required in recent made DCOs (D4)	This action will be carried out in due course as requested.
11	Provide an equivalent assessment to that submitted for the Rampion 2 project in relation to consideration of the cumulative effects at a national and regional scale of the loss of best and most versatile land (D4)	This action will be carried out in due course as requested.

Hearing	Action	Applicant's comment/where has the action been answered
	12 Submit an updated document to reference the three separate soil horizons.	The Applicant has carried out this action within its Outline Soil Management Plan (8.1.5) submitted at this deadline.
	13 In relation to the Applicant's response to ExQ1 LU 1.17, submit a plan indicating the locations of the borehole and trial pit surveys that have been undertaken (D3)	The Applicant's response on this point is set out in Document 20.10 Clarification Note: Borehole Locations Plan
	14 Respond to the TH Clements & Son Limited Written Representation [REP1-050] in relation to cable depth (D3)	The Applicant's response to Written Representation (document 20.3) provides this response.
	15 The Flood Risk assessment of the ECC and 400kv corridor applies a 25% uplift allowance for peak. Provide confirmation that this has been applied in the context of peak rainfall as required in National Policy Statement EN-5. (D3)	The Applicant's response to this point is set out in Document 20.8 Clarification Note: Increased Rainfall & Soils
	18 Provide results of the archaeological trial trenching	This information will be provided in due course as requested.
	19 Soil Management Plan to be updated to consider feedback from TH Clements (D4 for Applicant)	Noting the deadline for TH Clements feedback (D3), this information will be provided by the Applicant in due course as requested.