

# Outer Dowsing Offshore Wind

## The Applicant's Change Notification dated 13 December 2024

### Deadline 3

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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  
Change Notification  
Application Reference: EN010130**

The Applicant refers to the Planning Inspectorate’s Guidance “Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination” (“**the Guidance**”).

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.

This Change Notification relates to three potential amendments to the Application:

- (1) Changes to the Maximum Design Parameters of the Offshore Reactive Compensation Platforms (“**ORCPs**”);
- (2) amendments to the draft Development Consent Order (Document 3.1) (the “**dDCO**”) based on the Applicant’s review of The Management of Hedgerows (England) Regulations 2024 (“**2024 Hedgerows Regulations**”);
- (3) amendment to the dDCO to include within Schedule 17, Part 2 a further important hedgerow under the Hedgerow Regulations 1997 which may be required to be removed.

In relation to matters (2) and (3), the Applicant’s view is that such amendments fall within the categories of update that do not constitute a change to the Order, being instead changes to the draft DCO “as articles are reviewed, drafting is improved, or requirements are developed” (the Guidance, New or Revised Information). However, the Applicant is mindful that the ExA may take a different view and wishes, as with previous change notifications, to ensure that proposed changes are pre-emptively highlighted to the ExA. On this basis, this Change Notification has included them and set out the information required under the Guidance. If the ExA was minded to agree that they do not

constitute changes which require further procedure, the Applicant intends to update the dDCO to incorporate these amendments at Deadline 4.

### ORCP Maximum Design Parameters

At Deadline 2, in response to the ExA’s written question, Q1 SV 1.5, the Applicant explained that it was *“undertaking a technical engineering review of the parameters used for the [Offshore Reactive Compensation Platform] ORCP maximum design scenario and will submit updated information to the Examination no later than at Deadline 4. This will include confirmation of the maximum height of masts and antennae.”* (REP2-051).

The Applicant’s review is progressing and the Applicant is now in a position to confirm a change to the Application to reduce the Maximum Design Parameters of the ORCPs, including a reduction in the height of the ORCPs to 59.2m above lowest astronomical tide (LAT), with any mast or antenna located on the ORCPs to be a maximum height of 79.2m above LAT.

In relation to ORCPs’ Maximum Design Parameters, Table 1 below provides the relevant details as set out in the Guidance.

**Table 1**

<b>Information to include in a change notification</b>	<b>Applicant’s Response</b>
A clear description of the proposed change, including any new works, altered works and ancillary matters	The draft DCO (reference 3.1) will be updated to reduce the maximum design parameters of the ORCPs, including a reduction in the height of the ORCPs to 59.2m above lowest astronomical tide (LAT), with any mast or antenna located on the ORCPs to be a maximum height of 79.2 above LAT.
A statement setting out the reasons and need for making the change to the application	Following consultation with stakeholders and further design refinement, the Applicant is now able to reduce the maximum design parameters of the ORCPs and the design envelope applying to this aspect of the Project.
A statement establishing whether the proposed change involves changes to the Order land	The proposed change does not involve a change to the Order land. The change does not involve a request to include additional compulsory acquisition powers therefore the procedures in regulations 5 to 19 of the CA Regulations do not apply.
A statement establishing whether the proposed change to the application is expected to result in any new or different likely significant environmental effects	The environmental implications of this change have been reviewed to fully understand whether the changes affect the conclusions of the Environmental Statement (ES). As the change to the ORCP maximum design parameters results in a reduction to the parameters which were presented in the ES, it has been concluded that the change is not expected to result in any new or different likely significant environmental effects.

Information to include in a change notification	Applicant's Response
Information to establish how the applicant considers the change to the application can be accommodated within the remaining statutory timescales	<p>The change can be accommodated within the remaining statutory timescales because:</p> <ul style="list-style-type: none"> <li>• the proposed change would not generate new or different likely significant environmental effects;</li> <li>• the proposed change would not require additional compulsory acquisition powers; and</li> <li>• the proposed change is being notified in the first half of the Examination timetable and it is considered that there is sufficient time to fully examine it.</li> </ul>
The timescale for the applicant's consultation about the proposed change, and the applicant's view on the scope of that consultation, including justification	<p>The Applicant proposes to consult on the proposed change in parallel to the ExA's preliminary considerations as to the nature of the change.</p> <p>The Planning Inspectorate's Guidance "Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination" provides that: <i>"The applicant should consult all those persons prescribed under section 42(1)(a) to (d) of the Planning Act 2008 <u>who would be affected by the proposed change</u>, giving a minimum of 28 days from receipt of the information about the proposed change for responses"</i>(emphasis added).</p> <p>The Applicant proposes to consult on the proposed change with Natural England, the MMO, the RSPB, the Maritime and Coastguard Agency, Trinity House, Chamber of Shipping, the Defence Infrastructure Organisation, NATS En Route Limited, Historic England, The Crown Estate, East Riding of Yorkshire Council, East Lindsey District Council, North Norfolk District Council and Lincolnshire County Council, and giving a minimum of 28 days for response.</p> <p>In light of the limited scope of the proposed change, no other consultation is considered by the Applicant to be required.</p>
The expected submission date for the 'change application'.	The Applicant expects to submit the change application at Deadline 4 following completion of consultation.

## 2024 Hedgerows Regulations amendments

Table 2 below provides the relevant details as set out in the Guidance. However, as set out above, the Applicant’s view is that this dDCO amendment does not constitute a change requiring further procedure.

Table 2

Information to include in a change notification	Applicant’s Response
<p>A clear description of the proposed change, including any new works, altered works and ancillary matters</p>	<p>The Applicant is seeking to update the dDCO to modify the 2024 Hedgerow Regulations to ensure that the Applicant has the powers to carry out the activities described below.</p> <p>Article 7 of the draft DCO (Document 3.1) would be updated in the following way to add, as a new subclause:</p> <p><i>“Regulation 5 of The Management of Hedgerows (England) Regulations 2024 is modified so as to read for the purposes of this Order only as if there were inserted after paragraph 5(e)-</i></p> <p><i>“(5)(f) for carrying out development that has been authorised by an order granting development consent pursuant to the Planning Act 2008.”</i></p>
<p>A statement setting out the reasons and need for making the change to the application</p>	<p>Regulation 5 of the 2024 Hedgerows Regulations sets out a requirement to <i>“take all reasonable steps to establish and thereafter maintain green cover on land within two metres of the centre of an important hedgerow”</i> and <i>“not cultivate or apply fertilisers or pesticides to land within two metres of the centre of an important hedgerow”</i>. Important Hedgerow is defined within the Regulations.</p> <p>At Deadline 2, in response to the ExA’s written question HOE 1.10 the Applicant set out among other things two potential areas where its activities may overlap with activities prohibited under the above terms of Regulation 5 of the 2024 Hedgerows Regulations (REP2-051):</p> <p><i>a. “the Applicant is aware of one section of the cable corridor in which, due to environmental and technical constraints, the Applicants temporary works area will require to extend into an area within 2 metres of the centre of an Important Hedgerow as defined by the 2024 Regulations in order to erect a protective fence in close proximity to the hedgerow and carry out the pre-requisite vegetation clearance. The clearance required and subsequent reinstatement of green cover will both be</i></p>

Information to include in a change notification	Applicant's Response
	<p><i>carried out in line with (i) the Applicant's Code of Construction Practice ("CoCP") secured under Requirement 18 of the dDCO (Document 3.1) which must accord with the Outline CoCP (PD1-038) and (ii) the Applicant's Ecological Management Plan secured under Requirement 12 of the dDCO (Document 3.1) which must accord with the Applicant's Outline Landscape and Ecological Management Strategy (AS1-103)"</i></p> <p><i>b. "in relation to the onshore substation site, the Applicant intends to build up the amount of hedgerow around the site's perimeter which may involve the planting of new hedgerow within the 2-metre buffer strip around the existing hedgerow, which is "Important" under the 2024 Hedgerow Regulations. The Applicant is currently considering the implications of doing so under the 2024 Hedgerows Regulations and any updates to the dDCO required as a result".</i></p> <p><b>Implication under the 2024 Hedgerow Regulations</b> Following the Applicant's consideration referred to above, it has reached the following conclusions:</p> <p>a. The Applicant's activities set out in (a) above may be capable of being carried out without interference with the green cover surrounding the relevant important hedgerow. However, the Applicant believes some degree of clearance or disturbance to green cover could be required to ensure that the fence can be properly erected.</p> <p>b. The Applicant's planting of further hedgerow set out in (b) above does not appear to be within the activities which the 2024 hedgerow Regulations are seeking to prohibit under its reference to "cultivate" however the Applicant believes there is some ambiguity as to whether its proposed action would be prohibited by the Regulation.</p> <p><b>Conclusion</b> As a result of the above, the Applicant believes it requires to modify the 2024 Hedgerow Regulations in the manner described above to ensure beyond doubt that there is no conflict between its activities and the Regulations' terms.</p>
A statement establishing whether the proposed change involves changes to the Order land	The proposed change does not involve a change to the Order land. The change does not involve a request to include additional compulsory acquisition powers therefore the procedures in regulations 5 to 19 of the CA Regulations do not apply.

Information to include in a change notification	Applicant's Response
A statement establishing whether the proposed change to the application is expected to result in any new or different likely significant environmental effects	This change relates to the drafting of the dDCO rather than the Applicant's proposed Works or project design. As a result, there will not be any new or different likely significant environmental effects. As set out in HOE 1.10, the Applicant's Environmental Impact Assessment has assessed the impact of the Application on hedgerow features in APP-076 Onshore Ecology. The amendment does not alter that assessment but instead ensures the Applicant has the powers to carry out activities already contemplated in the assessment. As a result, there will not be any new or different likely significant environmental effects.
Information to establish how the applicant considers the change to the application can be accommodated within the remaining statutory timescales	<p>The change can be accommodated within the remaining statutory timescales because:</p> <ul style="list-style-type: none"> <li>• the proposed change would not generate new or different likely significant environmental effects;</li> <li>• the proposed change would not require additional compulsory acquisition powers; and</li> <li>• the proposed change is being notified in the first half of the Examination timetable and it is considered that there is sufficient time to fully examine it.</li> </ul>
The timescale for the applicant's consultation about the proposed change, and the applicant's view on the scope of that consultation, including justification	Given the Applicant's view that this amendment does not constitute a change requiring to undergo the Change Application procedure, it does not propose to consult upon it. The Applicant's view is that consideration of the dDCO amendments can take place in the course of the Examination via on-going scrutiny of the dDCO by the ExA and Interested Parties as it is submitted in clean and tracked version at each of the upcoming deadlines.
The expected submission date for the 'change application'.	The Applicant does not expect to submit a change application. Should the Applicant require to do so it would be content to do so at Deadline 4, subject to there being time to carry out any consultation requested.

### **Additional Important Hedgerow under the 1997 Hedgerow Regulations**

Table 3 below provides the relevant details as set out in the Guidance. However, as set out above, the Applicant's view is that this dDCO amendment does not constitute a change requiring further procedure.

**Table 3**



Information to include in a change notification	Applicant's Response
A clear description of the proposed change, including any new works, altered works and ancillary matters	The amendment of Schedule 17, Part 2 of the dDCO (Document 3.1) to add an additional Important Hedgerow, as defined in the 1997 Hedgerow Regulations, which has erroneously been omitted from the Schedule. The hedgerow in question is the important hedgerow marked 1986 on sheet 2 of 51 of the Important Hedgerows and Tree Preservation Order Plan (PD1-020).
A statement setting out the reasons and need for making the change to the application	The Applicant has become aware that the important hedgerow referred to above may be required to be removed under the powers which would be granted to the Applicant under Article 36, but that this has not been included within Schedule 17, Part 2. The Applicant therefore seeks its inclusion in Schedule 17, Part 2. The important hedgerow may need to be temporarily removed in order to accommodate access to the haul road that will provide the access to the landfall compound.
A statement establishing whether the proposed change involves changes to the Order land	The proposed change does not involve a change to the Order land. The change does not involve a request to include additional compulsory acquisition powers therefore the procedures in regulations 5 to 19 of the CA Regulations do not apply.
A statement establishing whether the proposed change to the application is expected to result in any new or different likely significant environmental effects	This amendment relates to the powers sought under the dDCO rather than changes to the Applicant's proposed works or project design. The Applicant's Environmental Impact Assessment has assessed the impact of the Application on hedgerow features in APP-076 Onshore Ecology and on important hedgerows in AS1-048 Chapter 20 Onshore Archaeology and Cultural Heritage. The amendment does not alter that assessment but instead ensures the Applicant has the powers to carry out activities already contemplated in the assessment. As a result, there will not be any new or different likely significant environmental effects.
Information to establish how the applicant considers the change to the application can be accommodated within the remaining statutory timescales	<p>The change can be accommodated within the remaining statutory timescales because:</p> <ul style="list-style-type: none"> <li>• the proposed change would not generate new or different likely significant environmental effects;</li> <li>• the proposed change would not require additional compulsory acquisition powers; and</li> <li>• the proposed change is being notified in the first half of the Examination timetable and it is considered that there is sufficient time to fully examine it.</li> </ul>
The timescale for the applicant's consultation about the proposed change, and the applicant's view on the scope	Given the Applicant's view that this amendment does not constitute a change requiring to undergo the Change Application procedure, it does not propose to consult upon it. The Applicant's view is that consideration of the dDCO amendments

Information to include in a change notification	Applicant's Response
of that consultation, including justification	can take place in the course of the Examination via on-going scrutiny of the dDCO by the ExA and Interested Parties as it is submitted in clean and tracked version at each of the upcoming deadlines.
The expected submission date for the 'change application'.	The Applicant does not expect to submit a change application. Should the Applicant require to do so it would be content to do so at Deadline 4, subject to there being time to carry out any consultation requested.

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

Yours sincerely,

**Chris Jenner**

Development Manager  
Outer Dowsing Offshore Wind