



Five Estuaries Offshore Wind Farm Case
Team
Planning Inspectorate
FiveEstuaries@planninginspectorate.gov.uk
(By Email only)

MMO Reference: DCO/2019/00008
Planning Inspectorate Reference: EN010115
Identification Number: 20049306

11 February 2025

Dear Sir or Madam,

Planning Act 2008, Five Estuaries Offshore Wind Farm Ltd, Proposed Five Estuaries Offshore Wind Farm Order

Deadline 6 Submission Summary

On 23 April 2024, the Marine Management Organisation (the “MMO”) received notice under section 56 of the Planning Act 2008 (the “PA 2008”) that the Planning Inspectorate (“PINS”) had accepted an application made by Five Estuaries Offshore Wind Farm Ltd (the “Applicant”) for determination of a development consent order for the construction, maintenance and operation of the proposed Five Estuaries Offshore Wind Farm (the “DCO Application”) (MMO ref: DCO/2019/00008; PINS ref: EN010115).

The Applicant seeks authorisation for the construction, operation and maintenance of the DCO Application, comprising of up to 79 wind turbine generators together with associated onshore and offshore infrastructure and all associated development (“the “Project”).

As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions drafted in a deemed marine licence enable the MMO to fulfil these obligations.

This document comprises the MMO’s summary of the submission for Deadline 6.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.



Yours sincerely,



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Marine Licensing Case Officer




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1. MMO Comments on Draft Development Consent Order (DCO) – Revision D – REP5-007/REP5-008

1.1. Schedule 10/Schedule 11 Comments

- 1.1.1. The MMO welcomes the amendments made in the updated DCO in relation to Schedules 10 and 11.
- 1.1.2. The MMO requests the change made to Schedule 11, Part 2, Condition 4 (3) is also made to Schedule 10, Part 2, Condition 3 (3).

2. MMO Comments on Applicant's Deadline 5 Submissions

2.1. General Comments

- 2.1.1. The MMO notes the Applicant submitted the following documents in Deadline 5:
 - a. REP5-013 – 5.5.2 Outline Benthic Implementation and Monitoring Plan - Revision B (Clean)
 - b. REP5-014 – 5.5.2 Outline Benthic Implementation and Monitoring Plan - Revision B (Tracked)
 - c. REP5-027 – 9.13 Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan - Revision D (Clean)
 - d. REP5-028 – 9.13 Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan - Revision D (Tracked)
 - e. REP5-029 – 9.16 Outline Fisheries Liaison and Co-existence Plan - Revision C (Clean)
 - f. REP5-030 – 9.16 Outline Fisheries Liaison and Co-existence Plan - Revision C (Tracked)
 - g. REP5-031 – 9.20 Outline Navigation and Installation Plan - Revision C (Clean)
 - h. REP5-032 – 9.20 Outline Navigation and Installation Plan - Revision C (Tracked)
 - i. REP5-043 – 9.32 Offshore In-Principle Monitoring Plan - Revision C (Clean)
 - j. REP5-044 – 9.32 Offshore In-Principle Monitoring Plan - Revision C (Tracked)
 - k. REP5-068 – 10.12 Marine Plan Policy Assessment - Revision C (Clean)
 - l. REP5-069 – 10.12 Marine Plan Policy Assessment - Revision C (Tracked)
 - m. REP5-073 – 10.34 Applicant's Comments on Deadline 4 Submissions- Revision A
 - n. REP5-074 – 10.34.1 Applicant's Comments on Natural England's Deadline 4 Submissions - Revision A
 - o. REP5-090 – 10.38 Without Prejudice HRA DCO Schedules
 - p. REP5-091 – 10.39 Applicant's Response to Rule 17 Requests for Information for Deadline 5 - Revision A



2.1.2. The MMO is currently reviewing a-j and will provide our comments in due course.

2.2. REP5-069 – 10.12 Marine Plan Policy Assessment – Revision C (Tracked)

2.2.1. The MMO welcomes the amendments made to the Marine Plan Policy Assessment in response to the MMO's comments in REP4-052.

2.3. REP5-073 – 10.34 Applicant's Comments on Deadline 4 Submissions – Revision A

2.3.1. The MMO thanks the Applicant for providing clarification on why a value of 50% was used for the amount of material dispersed from trenching. The MMO may provide further comments in due course.

2.3.2. The MMO notes the Applicant's comments in regard to the suggested MCA condition changes. The MMO is still in discussion with the MCA regarding the suggested conditions and aims to provide further comments in due course.

2.3.3. The MMO notes the Applicant's maintained position on Article 7 (Benefit of the Order). The MMO provided our comments in REP5-100 and will respond to further comments at Deadline 7.

2.4. REP5-032 – 9.20 Outline Navigation and Installation Plan – Revision C (Tracked)

2.4.1. The MMO notes the Applicant has made amendments to the Initial Approval section in 2.6 of REP5-032. This involves stating that Interested Parties will have 28 days to provide comments regarding the final Navigation and Installation Plan, prior to submission to the MMO. The MMO notes the amendment that if agreement is not reached, these comments will be provided to the MMO as well.

2.5. REP5-044 – 9.32 Offshore In-Principle Monitoring Plan – Revision C (Tracked)

2.5.1. The MMO notes the Applicant has submitted an updated version of the Offshore In-Principle Monitoring Plan (IPMP) at Deadline 5. The MMO aims to provide further comments in due course on the updates.

2.5.2. The MMO has provided information on a project we are undertaking on the standardisation of offshore wind post-consent monitoring data. The MMO would like further information included within the IPMP by the Applicant.



3. MMO Comments on Interested Parties' (IP) Deadline 5 Submissions

3.1. Natural England (NE)

3.1.1. The MMO noted NE submitted the following documents in Deadline 5:

- a. REP5-094 – Cover Letter
- b. REP5-095 – Appendix G1 - Natural England's Advice on Seabird Compensation Calculations
- c. REP5-096 – Appendix L5 - Natural England's Risk and Issues Log DL5
- d. REP5-097 – Response to Rule 17 letter dated 23 December 2024 - Benthic Ecology
- e. REP5-098 – Response to Rule 17 letter dated 16 December 2024 - Migrating Bats
- f. REP5-099 – Response to Rule 17 letter dated 23 December 2024 - Ornithology

3.1.2. The MMO notes that NE has concerns and questions regarding Condition 19 in Schedule 10.

3.1.3. The MMO also notes that NE advises further information is required for the Maximum Design Scenario, which the MMO will maintain a watching brief for any further amendments made.

3.2. London Gateway Port Limited (LGPL) – REP5-106 – Comments on any submissions received at Deadline 4

3.2.1. The MMO notes that LGPL provided their comment regarding the mitigation presented within the Applicant's Outline Cable Specification and Installation Plan (CSIP) (REP4-020). The MMO maintains a watching brief on these comments and any further updates to the CSIP.

3.3. Port of London Authority (PLA) – REP5-107 – Comments on any submissions received at Deadline 4

3.3.1. The MMO notes the concerns raised by the PLA regarding not being able to approve documents, such as the Navigation and Installation Plan (NIP).

3.3.2. The MMO notes the PLA received an updated version of the offshore protective provision from the Applicant on 9 January 2025. The MMO is still in discussions with the PLA regarding their navigational concerns.

3.3.3. The MMO notes the PLA welcomes the updates made to the outline Cable Specification and Installation Plan at Deadline 4, but requests clarifications from the Applicant in relation to cable burial depths. The MMO made comments in response to REP4-020 in our Deadline 5 Additional Submission (AS-074).



4. MMO Comments on PD-024 - Request for Further Information - Rule 17 - 27 January 2025

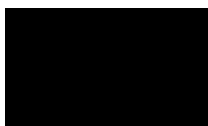
4.1. General comments

- 4.1.1. The MMO notes the ExA has proposed wording for a condition regarding installation depth for the export cable within the Deep Water Routes (DWRs).
- 4.1.2. The MMO has provided some comments in response to the further information request, however the MMO would like to review comments from all relevant IPs that will be submitted at Deadline 6. The MMO will provide further comments at Deadline 7.

4.2. AS-073 – Harwich Haven Authority (HHA) – Proposed Wording for a DWRs Parameter

- 4.2.1. The MMO notes that Harwich Haven Authority has submitted an additional submission in response to the Rule 17 letter dated 27 January 2025 (PD-024), providing further wording for the suggested condition for a DWR parameter and mechanism for how the parameter could be incorporated into the DCO.
- 4.2.2. The MMO will maintain a watching brief on comments from other IPs and aims to provide a response in due course.

Yours sincerely,



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