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The Crown Estate

Your Ref:

Our Ref: EN010115

Date: 27 February 2025

Dear Sirs

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17

Application by Five Estuaries Offshore Wind Farm Limited for an order granting development consent for the Five Estuaries Offshore Wind Farm project

Request for further information

We are writing under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended).

The applicant's proposals for providing compensatory habitat at Orford Ness affects land in which the Crown has interests, as shown on the extant Crown Plans [\[REP6-006\]](#) and Book of Reference [\[REP5-009\]](#). Accordingly, the applicant, as part of its submitted application, is seeking to have powers included in any made Development Consent Order (DCO) that would grant rights relating to Crown Land. During the course of Compulsory Acquisition Hearing 3, held on 23 January 2025, the Examining Authority (ExA) was advised that discussions were ongoing between the Crown Estate and the applicant relating to the provisions of section 135 of the Planning Act 2008 (PA2008).

Should the Secretary of State for Energy Security and Net Zero (SoSESNZ) be minded to make a DCO for the proposed development any such order could not include rights affecting the Crown Estate unless the Crown consents to the inclusion of those rights, pursuant to section 135(2) of the PA2008. In that regard it should be noted that once the Examination has closed, which will be not later than 23:59 on Monday 17 March 2025, the ExA cannot receive written representations from any party and will prepare its recommendation to the SoSESNZ on the basis of the evidence available to it at the Examination's close.

The Crown Estate is therefore requested to confirm whether under section 135(2) of the PA2008 it does or does not consent to any rights affecting the Crown Estate being included in any DCO for the proposed development that may be made by the SoSESNZ.

For the ExA to be in the position to advise the SoSESNZ whether the Crown Estate does or does not consent to rights affecting the Crown's land being included in a DCO, confirmation of your position **must** be submitted to the Planning Inspectorate by **23:59 on Monday 17 March 2025**. However, it is the ExA's strong preference for the Crown Estate's confirmation to be submitted by Examination Deadline 8A (Friday 14 March 2025) so that in the interests of transparency it can be published and viewed by all Interested Parties prior to the Examination's close.

Yours faithfully

Grahame Gould

Grahame Gould
Lead Member of the Panel of Examining Inspectors

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