



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

10 March 2025

Dear Sir or Madam,

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

Deadline 8 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 8.

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,



[Redacted]

Marine Licensing Case Officer

D + [Redacted]

E [Redacted]@marinemanagement.org.uk

Copies to:

[Redacted] (MMO) – Case Manager: [Redacted]@marinemanagement.org.uk

[Redacted] (MMO) – Senior Case Manager:

[Redacted]@marinemanagement.org.uk



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1. The MMO's Closing Statement

- 1.1. The MMO highlighted that early engagement from the Applicant is requested to ensure resource is available during Examination.
- 1.2. The MMO understands the ongoing DML discussions have been close to the end of Examination which is frustrating. The MMO also noted that the Applicant is unlikely to agree with the proposed DML changes from earlier responses to the comments raised by the MMO and therefore there is a number of issues outstanding that are agree to disagree.

2. MMO Comments on Draft Development Consent Order (DCO) – Revision H – REP7-008/REP7-009

2.1. Schedule 10/Schedule 11 Comments

- 2.1.1. The MMO provided comments on the updates made to the latest version of the draft DCO.
- 2.1.2. The MMO also highlighted that we maintain our position regarding the Deemed Marine Licences (DMLs) which we provided in Section 1 of REP7-097.

3. MMO Comments on Applicant's Deadline 6 Submissions

3.1. General Comments

- 3.1.1. The MMO noted the Applicant submitted the following documents in Deadline 6:
 - a. REP6-011/012 – 6.5.6.2.1 Landfall Impact Piling Modelling - Revision B (Clean/Tracked)
 - b. REP6-013/014 – 6.5.6.4 Herring Seasonal Restriction Note - Revision D (Clean/Tracked)
 - c. REP6-020/021 – 9.12 Outline Cable Specification and Installation Plan - Revision C (Clean/Tracked)
 - d. REP6-024/025 – 9.16 Outline Fisheries Liaison and Co-existence Plan - Revision D (Clean/Tracked)
 - e. REP6-028/029 – 9.32 Offshore In Principle Monitoring Plan - Revision C (Clean/Tracked)
 - f. REP6-037/038 – 10.20.1 Technical Note - Methodology for Determining MDS (Offshore) - Revision C (Clean/Tracked)
 - g. REP6 –041/042 – 10.30 Outline Sediment Disposal Management Plan - Revision B (Clean/Tracked)
 - h. REP6-043 – 10.40 Applicant's Comments on Deadline 5 Submissions
- 3.1.2. The MMO has reviewed the above documents and has provided comments which have been split up into the following topics:
 - Fish Ecology
 - Dredge and Disposal



- Underwater Noise
- Shellfish Ecology
- Coastal Processes

3.1.3. The MMO also provided these comments to the Applicant on Friday 7 March 2025.

4. MMO Comments on Applicant's Deadline 7 Submissions

4.1. General Comments

4.1.1. The MMO notes the Applicant submitted the following documents in Deadline 7:

- REP7-027/028 – 5.5.1 Benthic Compensation Strategy Roadmap - Revision B (Clean/Tracked)
- REP7-029/030 – 5.5.2 Outline Benthic Implementation and Monitoring Plan - Revision C (Clean/Tracked)
- REP7-038/039 – 9.8 Dredge Disposal Site Characterisation Report (Clean/Tracked)
- REP7-040/041 – 9.12 Outline Cable Specification and Installation Plan - Revision D (Clean/Tracked)
- REP7-042/043 – 9.13 Margate and Long Sands Special Area of Conservation - Benthic Mitigation Plan - Revision E (Clean/Tracked)
- REP7-044/045 – 9.14.1 Outline Marine Mammal Mitigation Protocol - Piling (Clean/Tracked)
- REP7-046/047 – 9.14.2 Outline Marine Mammal Mitigation Protocol - UXO (Clean/Tracked)
- REP7-048/049 – 9.20 Outline Navigation and Installation Plan - Revision D (Clean/Tracked)
- REP7-060/061 – 9.32 Offshore In-Principle Monitoring Plan Revision D (Clean/Tracked)
- REP7-078/079 – 10.30 Outline Sediment Disposal Management Plan (Clean/Tracked)
- REP7-083 – 10.56 Applicant's Responses to the Report on the Implications for European Sites (RIES)
- REP7-084 – 10.58 Applicant's Responses to ExQ3

4.1.2. The MMO has reviewed the documents above and notes the changes that were made to them. The MMO has provided any comments where necessary.



5. MMO Comments on Interested Parties' (IP) Deadline 7 Submissions

5.1. General comments

- 5.1.1. The MMO provided comments on bats in relation to Natural England's submission.
- 5.1.2. The MMO supports NE outstanding concerns in relation to Noise Abatement Systems (NAS). The MMO defers to NE regarding benthic ecology concerns for the Margate and Long Sands Special Area of Conservation.
- 5.1.3. The MMO notes that PLA still has outstanding comments in relation to suggested changes for the Outline Cable Specification and Installation Plan and Outline Sediment Disposal Management Plan. The MMO has also provided further comments in response to PLA discussions for Deadline 8.

6. MMO Comments on PD-026 - Examining Authorities Written Questions 3 (ExQ3)

6.1. DCO.3.13 - Condition 6(16) (Notifications and inspections) of Part 2 of Schedule 10 (Deemed marine licence – Generation Assets)

What type of materially false or misleading information is being referred to in subparagraph (16) of condition of the Deemed Marine Licence for the generation assets?

- 6.1.1. The MMO believes the addition of this condition puts a positive obligation on the Applicant in the event the environmental data submitted is identified as wrong or misleading at the post consent stage. This is an unlikely event but allows the MMO to understand any issues and identify if we need to react and/or take further action, should this be identified by the Applicant.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

Marine Licensing Case Officer

D + [Redacted Phone Number]

E [Redacted Email Address]@marinemanagement.org.uk

