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Applicant

Your Ref:

Our Ref: EN010115

Date: 12 March 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

Requests for further information

The applicant is requested to respond to the Examining Authority's (ExA) following requests for information.

1. Implications of implementing Five Estuaries "Build Option 1" for the implementation of any onshore works for the proposed North Falls Offshore Wind Farm (North Falls)

(NB – in making this request for information the ExA has had regard to the submission of the revised version of the "*Coordination Document*" submitted at Deadline 8, most particularly section 4.1)

- a) In the event of Development Consent Orders (DCO) being made for both Five Estuaries and North Falls and Five Estuaries commencing works under its delivery Build Option 1, advise on whether the undertaking of those works would also constitute the commencement of works under the provisions of the draft DCO for North Falls?
- b) In the event of works proceeding first under North Falls' equivalent of Five Estuaries' Build Option 1, would the undertaking of those works amount to the commencement of works under Requirement 1 of any made DCO for Five Estuaries?
- c) Is there a need for clarifying wording to be added to either the draft DCO or the Explanatory Memorandum? If so, then if that wording relates to the draft DCO

any such wording should be submitted for the ExA's consideration and potential incorporation into its recommended version of the draft DCO. If any clarifying wording would only concern the Explanatory Memorandum, then it should be incorporated by the applicant into a revised version of that document.

2. Final and signed Statement of Common Ground (SoCG) between Historic England and the applicant

The Statement of Commonality submitted at examination Deadline 7 [REP7-064] explains that the final and signed SoCG between Historic England and the applicant was expected to be submitted at examination Deadline 8. However, that final and signed SoCG was not amongst the documents submitted by the applicant at Deadline 8. Accordingly, the applicant is requested to make arrangements for the final and signed SoCG between it and Historic England to be submitted at examination Deadline 8A.

3. Update to SoCG between the Marine Management Organisation (MMO) and the applicant

The version of the Statement of Commonality submitted at examination Deadline 7 [REP7-064] advised that an updated version of the SoCG [REP5-060] between the MMO and the applicant was due for submission at examination Deadline 8. However, an update to that SoCG was not submitted at examination Deadline 8. If there remains an intention to submit an updated version of the SoCG between the MMO and the applicant then it must be submitted no later than Deadline 8A.

4. Screen planting immediately adjoining Normans Farm, as shown on the drawings in the Outline Landscape and Ecological Management Plan (OLEMP)

Clarify whether the strip of screen planting shown on the drawings included in the versions of the OLEMP submitted at Deadlines 7 and 8 has been located correctly or is of the intended length. The ExA undertook an access required site inspection (ARSI) at Normans Farm on 6 March 2025. In undertaking that ARSI it was unclear to the ExA what purpose the planting strip shown on the aforementioned drawings, most particularly the section aligning directly with the northern elevation of the barn to the rear of the farmyard, would serve. That is because any screen planting situated immediately behind the previously mentioned barn and would have limited or no visibility from Ardleigh Road.

5. Reference to cable burial depth in the Code of Construction Practice (CoCP) [REP7-050]

Paragraph 4.2.5 of the CoCP states:

“VE OWFL will install cable ducts with a minimum soil cover of 0.9m above warning tape, and will endeavour to reach a depth of burial of 1.2m to the top of the cable ducts, where practicable. Installation to this depth is designed to minimise any restrictions on typical agricultural operations, such as cultivation or drainage maintenance, that may be required to protect the cables from accidental exposure and damage.”

The ExA considers the applicant within the CoCP should commit to the appointed Agricultural Liaison Officer making available to landowners and/or tenants details of the

precise locations and depths for where sub-surface infrastructure would be less than 1.2 metres below ground level. The ExA considers that including that commitment within the CoCP would subsequently assist landowners and/or tenants and the undertaker in complying with the restrictive covenants included in Schedule 7 of the draft DCO.

6. References to “*Landscape and Ecological Management Plan (LEMP)*” in the CoCP [REP7-050].

The CoCP in a number of instances incorrectly refers to a “*Landscape and Ecology Management Plan*” when the document’s correct title is “Landscape and Ecological Management Plan” [see for example REP6-026 and document 9.22 Revision E submitted at Deadline 8]. As it is intended that both the CoCP and OLEMP will be certified management documents in any made DCO, the CoCP should accurately refer to the OLEMP. The CoCP should therefore be reviewed and a corrected version should be submitted which accurately refers to the OLEMP or LEMP throughout.

The responses to these requests for further information must be submitted no later than Examination **Deadline 8A** (14 March 2025).

Yours faithfully

Grahame Gould

Grahame Gould
Lead Member of the Panel of Examining Inspectors

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