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**(Email only)**

MMO Reference: DCO/2022/00007  
Planning Inspectorate Reference: EN010125  
Identification Number: 20050160

19 March 2025

Dear Sir or Madam,

**Planning Act 2008, RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd Proposed Dogger Bank South Offshore Wind Farms Order**

**Deadline 3 Submission**

On 10 July 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 RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd (the Applicant) for determination of a development consent order for the construction, maintenance and operation of the proposed Dogger Bank South Offshore Wind Farms (the DCO Application) (MMO ref: DCO/2022/00007; PINS ref: EN010125).

The DCO Application seeks authorisation for the construction, operation and maintenance of Dogger Bank South (DBS) Offshore Wind Farm (OWF), comprising of up to 100 wind turbine generators in DBS East and up to 100 wind turbine generators in DBS West together with associated onshore and offshore infrastructure and all associated development (the Project).

The DCO Application includes a draft development consent order (the DCO) and an Environmental Statement (the ES). The draft DCO includes, Marine Licence 1 (Schedule 10), Marine Licence 2 (Schedule 11), Marine Licence 3 (Schedule 12), Marine Licence 4 (Schedule 13) and Marine Licence 5 (Schedule 14) which are draft Deemed Consent (DML) under Part 4 (Marine Licensing) of Marine and Coastal Access Act 2009 (MCAA 2009).

This document comprises of a summary of MMO's Deadline 3 submission.

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.



Marine  
Management  
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...ambitious for our  
seas and coasts



Yours Sincerely,

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## Contents

1. Comments on REP1-004/005 Applicant's Draft DCO (Clean/Tracked) .....	4
2. Comments on Applicant's amended application Documents .....	5
3. Comments on Natural England's written representations .....	6
4. The Examining Authority's Written Questions (ExQ1) .....	7
5. Other comments .....	8

# **1. Comments on REP1-004/005 Applicant's Draft DCO (Clean/Tracked)**

## **1.1 More detail on major concerns**

1.1.1 The MMO welcomes updates made within the DCO.

1.1.2 The MMO notes that there is still missing information and requests this is updated.

## **1.2 Decommissioning**

1.2.1 The MMO requests an outline decommissioning plan to be part of the consenting process.

## **1.3 Disposal**

1.3.1 The MMO requests a shape file of each disposal site in order to start the process of designating the disposal sites so the references can be included within the DMLs.

## **1.4 Chemicals**

1.4.1 The MMO provided updates on the Chemical condition.

## **1.5 Coastal Processes**

1.5.1 The MMO is currently reviewing the need to monitor beach recovery and will provide a response in Deadline 4.

1.5.2 The MMO welcomes changes to the modelling report and will provide comments at Deadline 4.

## **1.6 Repowering**

1.6.1 The MMO is content that repowering will have to be reassessed should this be required closer to the end of life.

## **1.7 Underwater Noise**

1.7.1 The MMO welcomes the updates to the MMMP and to the UXO clearance information and assessment and may provide further comments at Deadline 4.

## **1.8 Fisheries and Shellfisheries**

1.8.1 The MMO welcomes the planned updates to the Appendix 11-6 Unexploded Ordnance Clearance Information and Assessment (Revision 2).

## **1.9 Dogger Bank South Compensation Plans**

1.9.1 The MMO acknowledges the Applicants comments stating that changes cannot be made to the Round 4 Dogger Bank Strategic Compensation Plan [APP-060].

## **1.10 Dropped Objects**

1.10.1 The MMO notes that dropped objects are mentioned within article 13 (10) in DML 1 and 2 and 11 (10) in DML 3 and 4 and 9 (10) in DML 5 however requests updates to this condition to provide more detail on the back of discussions with MCA. The MMO has provided the following wording which has been agreed with the MCA:

*“(13) (10) (a) Debris or dropped objects which are considered a danger or hazard to navigation must be reported as soon as reasonably practicable but no later than six hours from the undertaker becoming aware of an incident, to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone*

(add number), and the UK Hydrographic Office email: [navwarnings@btconnect.com](mailto:navwarnings@btconnect.com).

*(b) All dropped objects including those in (a), must be reported to the MMO using the Dropped Object Procedure Form (including any updated form as provided by the MMO) as soon as reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident, unless otherwise agreed in writing with the MMO.*

*(c) On receipt of notification or the Dropped Object Procedure Form the MMO may require relevant surveys to be carried out by the undertaker (such as side scan sonar) if reasonable to do so and the MMO may require obstructions to be removed from the marine environment at the undertaker's expense if reasonable to do so."*

## **2. Comments on Applicant's amended application documents**

### **2.1 General Comments**

2.1.1 The following documents are currently being reviewed and some initial comments have been provided below however further comments may be provided at Deadline 4:

- REP2-018 - 7.8.8.3 Environmental Statement Appendix 8-3 – Marine Physical Processes Modelling Technical Report (Revision 3) (Tracked)
- REP2-026 - 8.6 Commitments Register (Revision 2) (Tracked)
- REP2-036 - 8.18 Disposal Site Characterisation Report (Revision 2) (Tracked)
- REP2-040 - 8.20 Cable Statement (Revision 3) (Tracked)
- REP2-042 - 8.21 Outline Project Environmental Management Plan (Revision 2) (Tracked)
- REP2-044 - 8.23 In Principle Monitoring Plan (Revision 2) (Tracked)
- REP2-046 - 8.24 Outline Offshore Operations and Maintenance Plan (Revision 3) (Tracked)
- REP2-048 - 8.25 Outline Marine Mammal Mitigation Protocol (Revision 3) (Tracked)
- REP2-050 - 8.26 In Principle Site Integrity Plan for the Southern North Sea Special Area of Conservation (Revision 3) (Tracked)
- REP2-052 - 8.27 Outline Scour Protection Plan (Revision 3) (Tracked)
- REP2-054 - 8.28 Outline Fisheries Liaison and Co-existence Plan (Revision 3) (Tracked)

### **2.2 REP2-040 - 8.20 Cable Statement (Revision 3) (Tracked)**

2.2.1 The MMO welcomes the updates to this document.

### **2.3 REP2-042 - 8.21 Outline Project Environmental Management Plan (Revision 2) (Tracked)**

2.3.1 The MMO defers to NE in relation to the Red Throated Diver Vessel updates in paragraph 54.

2.3.2 The MMO welcomes changes to the PEMP to include when it will be formally

reviewed.

#### **2.4 REP2-044 - 8.23 In Principle Monitoring Plan (Revision 2) (Tracked)**

2.4.1 The MMO welcomes the changes to amend the commitment that no jack-up activities will occur with the Holderness Inshore Marine Conservation Zone (MCZ), to also include anchoring and will confirm if this closes out the comment at Deadline 4.

2.4.2 The MMO's current position is that at least two of the first four piles to be monitored should be the worst-case piles.

2.4.3 However, the MMO requires commitment that two of the worst-case piles will be monitored, this may be after the first four piles, but this would allow the predictions to be validated.

#### **2.5 REP2-046 - 8.24 Outline Offshore Operations and Maintenance Plan (Revision 3) (Tracked)**

2.5.1 The MMO welcomes the updates and changes made within this plan to maintenance within section 1.1. paragraph 5.

#### **2.6 REP2-048 - 8.25 Outline Marine Mammal Mitigation Protocol (Revision 3) (Tracked)**

2.6.1 The MMO welcomes the updates in relation to the new noise policies issued in January and is reviewing the commitment to noise reduction methods and will provide updates at Deadline 4.

#### **2.7 REP2-050 - 8.26 In Principle Site Integrity Plan for the Southern North Sea Special Area of Conservation (Revision 3) (Tracked)**

2.7.1 The MMO welcomes the addition of map of the project's location within the Southern North Sea SAC.

2.7.2 The MMO welcomes the updates in relation to the new noise policies issued in January and is reviewing the commitment to noise reduction methods and will provide updates at Deadline 4

#### **2.8 REP2-052 - 8.27 Outline Scour Protection Plan (Revision 3) (Tracked)**

2.8.1 The MMO welcomes the updates to the plan to consider the use of plastics in the marine environment in the final plan.

#### **2.9 REP2-054 - 8.28 Outline Fisheries Liaison and Co-existence Plan (Revision 3) (Tracked)**

2.9.1 The MMO notes that the word material hasn't been removed from section 1.2 paragraph 6.

### **3. Comments on Natural England's written representations**

#### **3.1 REP2-064 - Appendix B2 - Natural England's comments and updated advice on Marine Physical Environment**

3.1.1 The MMO agrees with NE on their comments regarding the Marine Physical Environment.

#### **3.2 REP2-065 - Appendix C2.1 - Natural England's comments and updated advice on Benthic and Intertidal Ecology**

3.2.1 The MMO will keep a watching brief on justification from the Applicant as to why

sandwave levelling for this project is required.

3.2.2 The MMO will keep a watching brief on NE's expectation that the Applicant use a down pipe with a TSHD.

3.2.3 The MMO notes NE does not agree with the wording *"it is intended that no new marine licences will be sought for any additional or replenishment protection required during the operational phase in areas that were protected as part of construction, unless such protection would exceed the maximum amounts authorised by the DMLs. The Applicants are of the opinion that a distinction should not be drawn in protection maintenance licencing terms between areas within or beyond any Marine Protected Areas as long as any future protection levels fall below the worst-case scenario levels assessed within the Environmental Statement (ES) and the Report to Inform Appropriate Assessment (RIAA). The impacts of this protection will be compensated for as part of the Dogger Bank (DBS) South benthic Special Area of Conservation (SAC) compensation proposals"*.

3.2.4 The MMO agrees with NE that the Applicants should consider decommissioning – please see Section 1.3 of this document for more details.

3.2.5 The MMO will keep a watching brief regarding the placement of drill arisings.

### **3.3 REP2-066 - Appendix C2.2 - Natural England's advice on cable protection assessment for offshore windfarms and inclusion in marine licenses**

3.3.1 The MMO has provided updated wording in relation to reporting of cable protection.

### **3.4 REP2-067 - Appendix F2 - Natural England's comments and advice on Marine Mammals**

3.4.1 The MMO are in agreement with NE regarding Noise abatement systems and their implementation.

## **4. The Examining Authority's Written Questions (ExQ1)**

### **4.1 ARMC. 1.2: Notification Periods**

4.1.1 The MMO is supportive of the notification periods set out in Condition 12 of DML 1 and on subsequent DMLs but notes that the MMO will have sight of the design plan with further detail in prior to this time period. The MMO will maintain a watching brief on the responses from other interested parties.

### **4.2 CF. 1.1: Commercial Fisheries**

4.2.1 The MMO and our scientific advisors Centre for Environment, Fisheries and Aquaculture Science (Cefas) have reviewed the information in relation to impacts to fish, no comments were raised, however we would defer to Inshore Fisheries and Conservation Authorities (IFCA) and NFFO for more detailed comments on the surveys used and real time impacts to commercial fisheries

### **4.3 CF. 1.10: Alternative Dispute Resolution (ADR)**

4.3.1 The MMO does not take part in any disputes in relation to fishing and this is made clear in paragraph 55 of REP2-053/4.

### **4.4 CF. 1.11: Cumulative Magnitude**

4.4.1 The MMO notes that there would be exclusion zones during the construction phase which would restrict access to fishing grounds however once construction has finished and the operational phases commences then those exclusion zones



would no longer be in place. The MMO defers to IFCA and NFFO in relation to the magnitude.

#### **4.5 MCP. 1.6 - Water quality information**

4.5.1 The MMO is reviewing this comment further with its scientific advisors and will respond at Deadline 4.

#### **4.6 MCZ. 1.1 – MCZ Conclusion**

4.6.1 The MMO defers to NE regarding the conclusion on the Stage 1 MCZ Assessment (APP-240).

#### **4.7 MCZ. 1.2 – Mitigation**

4.7.1 The MMO notes that section 5.4 of the Stage 1 MCZ Assessment (APP-240). lists the embedded mitigation and defers to NE in relation to the efficiency of the mitigation. The MMO will maintain a watching brief in relation to any updates required the DML.

#### **4.8 MCZ 1.3 Conservation Objectives**

4.8.1 The MMO is currently reviewing previous DCO decisions and the impact these have had in relation to this topic. The MMO may provide further comments at Deadline 4 in relation to this.

#### **4.9 MM. 1.8 – Breaks in piling**

4.9.1 The MMO does not believe this has been updated in the MMMP section 3.1.6. There are ongoing discussions on all issues with the Applicant.

#### **4.10 OR. 1.33 - NPS EN-3 in relation to offshore ornithology**

4.10.1 a) The MMO believes that monitoring will be required and defers to NE as the SNCB.

4.10.2 b) The MMO defers to NE as the SNCB in relation to displacement.

4.10.3 c) The MMO defers to NE as the SNCB in relation to in-combination impacts.

### **5. Other comments**

The MMO has some outstanding comments which will provide an update to the Applicants, week commencing 24 March.