

**RWE Renewables UK Dogger Bank  
South (West) Limited**

**RWE Renewables UK Dogger Bank  
South (East) Limited**

**Dogger Bank South Offshore  
Wind Farms**

**The Wildlife Trust Statement of Common Ground  
(Revision 3)**


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Signatories	
Signed	
Name	
Position	Director, Policy and Public Affairs
On behalf of	The Wildlife Trusts

Signatories	
Signed	
Name	
Position	Senior Consents Manager
On behalf of	RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd

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## Glossary

Term	Definition
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Environmental Statement (ES)	A document reporting the findings of the EIA and produced in accordance with the EIA Directive as transposed into UK law by the EIA Regulations.
Evidence Plan Process (EPP)	A voluntary consultation process with specialist stakeholders to agree the approach, and information to support, the Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) for certain topics.
Expert Topic Group (ETG)	A forum for targeted engagement with regulators and interested stakeholders through the EPP.
Habitats Regulation Assessment (HRA)	The process that determines whether or not a plan or project may have an adverse effect on the integrity of a European Site or European Offshore Marine Site.
National Significant Infrastructure Project	Large scale development including power generating stations which requires development consent under the Planning Act 2008. An offshore wind farm project with a capacity of more than 100 MW constitutes an NSIP
Preliminary Environmental Information Report (PEIR)	Defined in the EIA Regulations as information referred to in part 1, Schedule 4 (information for inclusion in Environmental Statements) which has been compiled by the applicants and is reasonably required to assess the environmental effects of the development.
Project Change Request 1	The changes to the DCO application for the Projects set out in <b>Project Change Request 1 - Offshore &amp; Intertidal Works</b> [AS-141] which was accepted into Examination on 21 <sup>st</sup> January 2025.
Receptors	A distinct part of the environment on which effects could occur and can be the subject of specific assessments. Examples of Receptors include species (or groups) of animals, plants, people (often categorised further such as 'residential' or those using areas for amenity or recreation), watercourses etc.
Section 42 Consultee	Organisations and individuals that are required to be consulted by the Applicants under Section 42 of the Planning Act 2008. Non-prescribed Section 42 consultees may be included by Applicants if identified as being of significance.

Term	Definition
The Applicants	The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake).
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South Offshore Wind Farms).

## Acronyms

Acronym	Definition
ADD	Acoustic deterrent device
CEA	Cumulative Effects Assessment
CIMP	Compensation Implementation and Monitoring Plan
DBS	Dogger Bank South
DCO	Development Consent Order
EIA	Environmental Impact Assessment
EPP	Evidence Plan Process
ES	Environmental Statement
ETG	Expert Topic Group
ExA	Examining Authority
HRA	Habitat Regulation Assessment
IoSWT	Isles of Scilly Wildlife Trust
NAS	Noise abatement systems
MMMP	Marine Mammal Mitigation Protocol
PEIR	Preliminary Environmental Information Report
RIAA	Report to Inform Appropriate Assessment
PINS	Planning Inspectorate
SAC	Special Area of Conservation
SoCG	Statement of Common Ground
TWT	The Wildlife Trust

# 1 Introduction

## 1.1 Background

1. The Application is for development consent for the Applicants to construct and operate the proposed Projects under the Planning Act 2008. Further description of the Projects is available in **Chapter 5 Project Description (Revision 3)** [REP1-009].
2. This Statement of Common Ground (SoCG) has been prepared between RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd, ('the Applicants') and The Wildlife Trust (TWT) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Dogger Bank South ('DBS') West Offshore Wind Farm and DBS East Offshore Wind Farm, collectively known as DBS Offshore Wind Farms (herein 'the Projects').
3. In drafting this SoCG, the Applicants have had regard to the Planning Act 2008 Guidance: Examination stage for Nationally Significant Infrastructure Projects (Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, 2024).
4. The need for a SoCG between the Applicants and TWT has been set out within the Rule 6 letter issued by the Planning Inspectorate post-application of the Projects DCO.
5. This SoCG is intended to provide the Examining Authority (ExA) with a clear summary of discussions between the parties and has been structured to reflect topics which are of interest to the TWT, and which have been raised within the **TWT's Relevant Representation** [RR-057] and **Written Representations** [REP1-088] to the Dogger Bank South Offshore Wind Farms DCO that has been submitted to the Planning Inspectorate pursuant to the Planning Act 2008.
6. It is the intention that this document will facilitate further discussions between the Applicants and TWT and will provide the ExA with a clear overview of the level of common ground between both parties. This document has been updated throughout the Examination process.
7. The following application documents have informed the discussions with TWT address the elements of the Projects that may affect the interests of TWT (**Table 1-1**).



Table 1-1 Application Documents of interest to the TWT

ES Chapter/ Application Document	Planning Inspectorate (PINS) Reference
Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 1 of 4 – Introduction and Terrestrial Ecology	APP-045 (superseded by Revision 2 – REP5-007)
Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 2 of 4 – Annex I Offshore Habitats and Annex II Migratory Fish	APP-046 (superseded by Revision 5 – REP7-016)
Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 3 of 4 - Annex II Marine Mammals	APP-047 (superseded by Revision 2 – REP5-009)
Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features	APP-048 (superseded by Revision 4 – REP4-016)
Habitats Regulations Derogation: Provision of Evidence	APP-051 (superseded by Revision 4 – REP7-018)
Habitat Regulations Derogation: Provision of Evidence - Appendix 1 - Project-Level Kittiwake Compensation Plan	APP-052 (superseded by Revision 6- REP6-010)
Habitats Regulations Derogation: Provision of Evidence - Appendix 2 - Guillemot [and Razorbill] Compensation Plan	APP-056 (superseded by Revision 6 – REP6-012)
Appendix 3 - Project Level Dogger Bank Compensation Plan	APP-059 (superseded by Revision 4 – REP7-020)
Precaution in the Ornithology Assessment and Implications for Compensation Quantum	REP3-030
Guillemot and Razorbill Compensation Site Refinement Report	PDB-008 (superseded by Revision 2 - REP3-019)

## 1.2 Approach to SoCG

8. This SoCG has been developed during the pre-examination and examination phases of the Projects. In accordance with discussions between the Applicants and TWT, this SoCG is focused on matters of material interest and relevance to TWT, namely matters covered in the Application Documents outlined in **Table 1-1** and related topics.
9. The structure of this SoCG is as follows:
  - **Introduction:** background to the development of the SoCG.
  - **Consultation:** a summary of consultation to date.
  - **Agreement Log:** a record of the Applicants' position alongside TWT's position. **Table 3-2** to **Table 3-5** set out those areas agreed 'not agreed' or 'under discussion' in relation to the application documents set out in **Table 1-1**.
10. It is agreed that this SoCG is an accurate description of the areas agreed and under discussion between the parties, and that this SoCG accurately records key meetings and consultation with TWT.

## 2 Consultation

### 2.1 Introduction to Consultation

11. During the pre-application stage, TWT have been included in the Marine Physical Environment, Benthic and Intertidal Ecology, Fish and Shellfish Ecology, Marine Mammals, and Offshore Ornithology Expert Topic Group (ETG) Meetings under the Evidence Plan Process (EPP), as well as via non-statutory and statutory consultation under Section 42 of the Planning Act 2008.
12. Due to resource issues, The Wildlife Trusts have focused engagement through The Crown Estate plan level process, particularly regarding the development of strategic compensation for impacts to Dogger Bank Special Area of Conservation (SAC).

### 2.2 Consultation Summary

13. **Table 2-1** summarises the consultation that the Applicants have undertaken with TWT as statutory or non-statutory consultation during the pre-application and post-application phases.
14. TWT engagement in the DBS project focused on meetings with The Crown Estate regarding strategic compensation until January 2024. Previous to this and due to resource constraint, TWT received and reviewed ETG topic group minutes but did not attend ETG meetings. Engagement on benthic impacts on Dogger Bank SAC at a project level increased from January 2024 due to a lack of certainty regarding benthic compensation. Engagement on ornithological impacts began in June 2024 due to an increase in engagement by the Applicants across the TWT movement to develop compensation for auks.

**Table 2-1 Summary of pre-application and post-application consultation with TWT**

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
<b>Pre – Application</b>			
07/02/2023	ETG Meeting	Offshore Ornithology Pre-PEIR	<p>The following topics were discussed during the ETG meeting:</p> <ul style="list-style-type: none"> <li>• Provide ETG with a project update.</li> <li>• Provide a summary of the baseline environment for offshore ornithology, following the site-specific surveys undertaken for the Projects.</li> <li>• Detail the assessment methodology and preliminary findings of the assessment process.</li> </ul>

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
			TWT did not attend this meeting
21/02/2023	ETG Meeting	Marine Mammal Pre-PEIR	<p>The following topics were discussed during the ETG meeting:</p> <ul style="list-style-type: none"> <li>• Provide ETGs with a project update.</li> <li>• Provide a summary on responses to scoping comments, the site-specific surveys undertaken to inform PEIR, the underwater noise modelling approach and a brief summary of sites screened in for HRA.</li> </ul> <p>TWT did not attend this meeting</p>
27/02/2023	Email	Offshore Ornithology Pre- ES	Comments from Natural England on the Ornithology ETG.
09/05/2023	ETG Meeting	Offshore Ornithology Non-Kittiwake Compensation	<p>The following topics were discussed during the ETG meeting:</p> <ul style="list-style-type: none"> <li>• Potential compensation measures for non-kittiwake species.</li> </ul> <p>TWT did not attend this meeting</p>
17/07/2023	Section 42 Consultation	Marine Physical Environment, Benthic and Intertidal Ecology, Fish and Shellfish Ecology, Marine Mammals, and Offshore Ornithology	TWT response to Section 42 consultation on PEIR. See <b>Appendix G</b> [APP-044] of the <b>Consultation Report</b> [APP-034].
14/09/2023	ETG Meeting	Marine Mammals	<p>The following topics were discussed during the ETG meeting:</p> <ul style="list-style-type: none"> <li>• Project update;</li> <li>• Site selection;</li> <li>• Marine Mammals: PEIR comments and responses;</li> <li>• Updated underwater noise modelling;</li> <li>• Noise mitigation measures;</li> <li>• Noise monitoring; and</li> <li>• Cumulative Effects Assessment: CEA.</li> </ul> <p>TWT did not attend this meeting.</p>

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
21/09/2023	ETG Meeting	Benthic and Intertidal Ecology	<p>The following topics were discussed during the ETG meeting:</p> <ul style="list-style-type: none"> <li>Project Update: <ul style="list-style-type: none"> <li>Benthic and intertidal ecology; and</li> <li>Review of PEIR comments.</li> </ul> </li> <li>MCZA considerations;</li> <li>Fish and Shellfish Ecology: <ul style="list-style-type: none"> <li>Herring and Sandeel PEIR Queries.</li> </ul> </li> <li>Other related queries.</li> </ul> <p>TWT did not attend this meeting.</p>
25/01/2024	Email	Offshore Ornithology	<p>The Applicants issued a summary report detailing the collision and displacement numbers of key species that were used to inform the Offshore Ornithology ES chapter.</p>
11/01/2024	ETG Meeting	Benthic compensation, requests to join TCE strategic compensation working group	<p>Meeting between the Applicants, The Crown Estate and The Wildlife Trusts. TWT shared their position on strategic benthic compensation and a request to be more involved in the development of benthic compensation.</p>
29/01/2024	ETG Meeting	Benthic and Intertidal Ecology Marine Physical Processes	<p>The following topics were discussed during the ETG meeting:</p> <ul style="list-style-type: none"> <li>Project Update;</li> <li>Physical Processes: <ul style="list-style-type: none"> <li>Modelling update;</li> <li>Summary of construction impacts and model results; and</li> <li>Summary of operation impacts.</li> </ul> </li> <li>Benthic and Intertidal Ecology: <ul style="list-style-type: none"> <li>Benthic Ecology Monitoring Survey Summary;</li> <li>Impact results from the ES; and</li> <li>Results from the CEA.</li> </ul> </li> <li>Report to Inform Appropriate Assessment (RIAA) conclusions.</li> </ul>
11/04/2024	ETG Meeting	Benthic and Intertidal Ecology	<p>The following topics were discussed during the ETG meeting:</p>

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
		HRA Compensation	<ul style="list-style-type: none"> <li>Project Update;</li> <li>RIAA Conclusions: <ul style="list-style-type: none"> <li>Compensation.</li> </ul> </li> </ul>
13/06/2024	Email	General	The Applicants confirmed DCO submitted 12 <sup>th</sup> June 2024, queried if stakeholder would wish for meetings later in summer to discuss application documents.
<b>Post Application</b>			
03/07/2024	Email	Auk compensation	TD to CM re: auk compensation, specifically regarding contacting individual Wildlife Trusts without their knowledge and lack of strategic approach for auk compensation.
03/07/2024	Email	Auk compensation	Response from JL regarding the provision of info on potential auk location eradication schemes at ETG meeting and lack of strategic direction on auk compensation.
04/07/2024	Email	Auk compensation	TT to JL explaining lack of engagement due to resource constraint - and accepting invitation for meeting.
22/7/2024	Meeting	Auk compensation	TWT raised concerns about Auk compensation.
28/08/2024	Meeting	Auk compensation	Discussion on OWIC funding mechanism and possible Isles of Scilly project.
05/09/2024	Email	Auk compensation	JL provided a summary of DBS predator eradication feasibility study ambitions to pass on to Isle of Scilly Wildlife Trust (IoSWT).
10/09/2024	Email	Auk compensation	TD feedback from meeting with IoSWT on how an eradication scheme would need to proceed.
26/09/24	Meeting	Auk compensation	Meeting with IoSWT & TWT to discuss potential for predator eradication scheme at Isles of Scilly with DBS support.
30/09/24	ETG meeting	Kittiwake and auk compensation	DBS presented summary of site selection work undertaken since DCO submission on Areas of

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
			Search for both kittiwake and auk compensation.
22/10/2024	SoCG meeting	SoCG meeting	Meeting to discuss the SoCG.
11/11/24	Meeting	Auk compensation	Meeting to inform DBS that TWT would be submitting a letter to ExA stating that they would only support a strategic approach to predator eradication at Isles of Scilly.
15/11/2024	Email	Project Change Request 1	<b>Project Change Request 1 - Environmental Assessment Update</b> [document reference: C1.1] issued to TWT for comment.
05/12/2024	Email	Draft SoCG	The Applicants issued meeting minutes from previous SoCG meeting to TWT, queried status of TWT updates to SoCG.
12/12/2024	Email	Draft SoCG	TWT noted they had delayed returning comments on the SoCG until there was greater clarity on the status of the application.
08/01/2025	Email	Draft SoCG	The Applicants requested an update on SoCG update status following updated Rule 6 letter being issued, TWT confirmed they were reviewing the SoCG and aimed to issue the following week.
15/01/2025	Email	Draft SoCG	TWT issued updated SoCG to the Applicants for review prior to final approval.
29/01/2025	Document Publication	Written Representation	TWT's Written Representation was published by the Planning Inspectorate (PINS).
14/02/2025	Document Publication	Written Representation	The Applicants' responses to TWT's Written Representation were published by PINS.
01/04/2025	Email	SoCG (Revision 2)	The Applicants issued Revision 2 of the TWT SoCG to TWT for review and comment.
04/04/2025	Email	SoCG (Revision 2)	TWT provided an updated version of the SoCG with additional comments and amendments.
16/04/2025	Email	SoCG (Revision 2)	The Applicants issued a final Revision 2 of the SoCG to TWT.

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
22/04/2025	Email	SoCG (Revision 2)	TWT confirmed acceptance of the SoCG for submission at Deadline 4.
09/05/2025	Meeting	Auk Compensation	Meeting held with TWT to discuss the strategic Isle of Scilly compensation measures and implications for the Dogger Bank South offshore wind farm Projects.
05/06/2025	Email	SoCG (Revision 3)	TWT provided an update to the SoCG resulting from the discussions held in the meeting on 9 <sup>th</sup> May 2025.
05/06/2025	Email	SoCG (Revision 3)	The Applicants issued Revision 2 of the TWT SoCG to TWT for review and comment.
13/06/2025	Email	SoCG (Revision 3)	TWT provided an updated version of the SoCG with additional comments and amendments.
24/06/2025	Email	SoCG (Revision 3)	The Applicants issued a final Revision 3 of the SoCG to TWT for sign-off.
02/07/2025	Email	SoCG (Revision 3)	TWT returned a signed version of the TWT SoCG with agreement.



## 3 Agreement Log

### 3.1 Overview

15. The following sections of this SoCG summarise the level of agreement between the parties for each relevant offshore topic.
16. To easily identify whether a matter is 'agreed', 'not agreed' or 'under discussion', a colour coding system red, amber, green is used respectively within the 'position status colour' column as set out in **Table 3-1**.

**Table 3-1 Agreement logs position status key**

Position Status	Position Status Colour
The matter is considered to be agreed between the parties.	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Under discussion
The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicants or TWT is not considered to result in a material impact to the assessment conclusions. Discussions have concluded.	Not agreed – No material impact
The matter is not agreed between the parties and the outcome of the approach taken by either the Applicants or TWT is considered to result in a materially different outcome on the assessment conclusions.	Not agreed – material impact

## 3.2 General

Table 3-2 General Topics agreed, in discussion or not agreed with the TWT

SoCG ID	The Applicants' Position	TWT's Position	Position Status
EIA – Consultation			
1.	The Applicants have adequately consulted with TWT throughout all stages of the Projects to date and the Summary of Consultation (section 2.2 of this SoCG) is a fair and accurate record of pre-application consultation.	Due to resource issues, The Wildlife Trusts have focused engagement through The Crown Estate plan level process, particularly regarding the development of strategic compensation for impacts to Dogger Bank SAC.	

## 3.3 Marine Mammals

Table 3-3 Topics agreed, in discussion or not agreed in relation to Marine Mammals

SoCG ID	The Applicants' Position	TWT's Position	Position Status
Report to Inform Appropriate Assessment			
2.	The Applicants consider that the Marine Mammal Mitigation Protocol (MMMP) provides sufficient mitigation for underwater noise impacts on marine mammals throughout the life of the Projects.	TWT acknowledge the Applicants intent to 'consider' the use of noise abatement systems (NAS). However, we would require a commitment to the use of NAS, due to the requirements to use the lowest practical noise levels (JNCC guidelines) within the SAC for the protection of harbour	

SoCG ID	The Applicants' Position	TWT's Position	Position Status
	<p>A section on potential mitigation measures, including NAS, has been added to the <b>Outline MMMP (Revision 5)</b> [REP7-119]. NAS is also being included in the Projects' procurement strategy as an optional element to allow it to be called upon should it be required based on the final design parameters.</p> <p>The final MMMP will be based upon the latest policy and guidance available. It will be developed post-consent once the final design parameters are used to ensure appropriate and proportionate mitigation measures are included. Deemed Marine Licence conditions are included within the <b>Draft Development Consent Order (DCO) (Revision 10)</b> [REP7-011] which require the undertaker to submit a final MMMP to the MMO in consultation with the relevant statutory nature conservation body for approval prior to the commencement of piling activities which will ensure appropriate mitigation measures are in place.</p> <p>The Applicants highlight that the <b>Outline MMMP (Revision 5)</b> [REP7-119] was updated at Deadline 2 to reflect the Marine Noise Policy Paper – Reducing Marine Noise which was issued by Defra on 21<sup>st</sup> January 2025.</p> <p>The Applicants highlight that the <b>Draft Development Consent Order (DCO) (Revision 10)</b> [REP7-011] was updated at Deadline 7 with the following wording for Condition 15 (g) of Deemed Marine Licences (DMLs) 1 &amp; 2 and DMLs 3 &amp; 4, which was agreed with Natural England and the MMO prior to submission at Deadline 7:</p>	<p>porpoises which are a designated feature. On 21st January Defra (2025) published the Marine Noise Policy Paper – Reducing Marine Noise which states that <i>"From January 2025...all offshore wind pile driving activity across all English waters will be required to demonstrate that they have utilised best endeavours to deliver noise reductions through the use of primary and/or secondary noise reduction methods in the first instance."</i> A commitment merely to "consider" noise mitigation measures does not meet the required commitments outlined in the DEFRA policy. The policy specifies that offshore wind developers must demonstrate that they have used "best endeavours" to achieve noise reductions through primary and/or secondary noise reduction methods in the first instance.</p> <p>Therefore, a stronger commitment to the actual use of noise mitigation measures—rather than just considering them—would better align with the DEFRA policy's requirements.</p> <p>TWT stated in their <b>Written Representation</b> [REP1-088] that RWE must therefore strengthen their commitment to employ mitigation to reflect this change in policy.</p> <p>TWT approves the use of acoustic deterrent devices (ADDs). However, the studies on the effectiveness of ADDs are varied and the devices themselves do not lower the energy (and therefore the risk of auditory injury) of the noise</p>	

SoCG ID	The Applicants' Position	TWT's Position	Position Status
	<p><i>'(g) in the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol (in accordance with the outline marine mammal mitigation protocol), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation bodies and which must include details of noise reduction methods through project design (primary measures) and/or, deployment of noise mitigation systems or noise abatement systems (secondary measures) that will be utilised to manage sounds from those piling activities and such protocol must include full details and justification for the mitigation chosen or excluded for deployment;'</i></p> <p>The Applicants consider this wording to be sufficient following agreement being reached with the MMO and Natural England and consider this matter to be resolved.</p>	<p>source. Therefore, ADDs should be used alongside NAS systems.</p> <p>The new wording in the draft DCO does fulfil the required obligations under the definition of "best endeavours" set out by DEFRA. We point to the clarification note ("Use of 'best endeavours' in the context of Policy Paper: Reducing Marine Noise") published for Outer Dowsing on the term "best endeavours" that clearly outlines that the term requires the applicant to take action, rather than consider action, even to its own financial detriment. Though we would suggest the applicant also include a commitment to 10dB noise reduction for damaging frequency bands, as suggested in the ExAs recommended DCO amendments.</p> <p>We also have concerns that the new wording pushes the decision making to the MMMP, after the close of examination. The use of NAS is a measure that should be confirmed ahead of the close of examination.</p>	

## 3.4 Benthic and Intertidal Ecology

Table 3-4 Topics agreed, in discussion or not agreed in relation to Benthic and Intertidal Ecology

SoCG ID	The Applicants' Position	TWT's Position	Position Status
Report to Inform Appropriate Assessment			
3.	<p>The conclusions reached in Assessment of potential effects of the Projects in combination with other plans and projects within the <b>Report to Inform Appropriate Assessment (RIAA) Habitats Regulations Assessment (HRA) - Part 2 of 4 – Annex I Offshore Habitats and Annex II Migratory Fish (Revision 5)</b> [REP7-016] are appropriate.</p> <p>The Applicants note that an updated version of the <b>RIAA HRA - Part 2 of 4 – Annex I Offshore Habitats and Annex II Migratory Fish (Revision 4)</b> [document reference: 6.1] was submitted at Deadline 4, which included updated reductions of habitat loss and disturbance following reductions of the Projects parameters as detailed in <b>Project Change Request 1 – Offshore and Intertidal Works</b> [AS-141]. This update further reflected reductions in impacts brought about through the Applicants' commitment to bundling of Offshore Export Cables.</p> <p>The Applicants note that the figures detailed in the plan-level HRA are no longer relevant to the current design envelope for the Projects, which were based on assumptions such as the Projects utilising a maximum of 300 turbines. The Projects design envelope has been reduced at several points through the pre-application and</p>	<p>Most of the TWTs engagement to this effect has been through The Crown Estate during the project level HRA.</p> <p>TWT has significant concerns regarding further development on Dogger Bank SAC. The SAC is of great ecological importance within the North Sea and remains in unfavourable condition.</p> <p>TWT is also concerned with the Applicants' use of their own figures for physical damage area impacts where these figures have already been clarified (and were of higher value) in the plan-level HRA. TWT does not agree that impacts agreed in the plan level HRA can be overturned by project level studies (as suggested in <b>Review of evidence on recovery of sandbank habitat following sandbank damage</b> [AS-025]).</p> <p>TWT do not consider the figures in the plan-level HRA being outdated or no longer relevant to the design envelope to be the issue of discussion here. Rather, that the precedent was set in the plan-level HRA that habitat disturbance does contribute an adverse effect on integrity.</p>	

SoCG ID	The Applicants' Position	TWT's Position	Position Status
	<p>examination stages of the Projects from the parameters detailed in the plan-level HRA, in line with consultation feedback received. As such the Applicants consider it is not reasonable to continue to refer to the parameters detailed in the plan-level HRA, which are now several years out of date and based on, in some cases, inaccurate assumptions made by the authors of that report.</p> <p>Notwithstanding the fact that the Applicants maintain their position that habitat disturbance does not contribute to Adverse Effect on Integrity, the <b>Project Level Dogger Bank Compensation Plan (Revision 4)</b> [REP7-020] will be updated to include the footprint of habitat disturbance. This update will align with the figures presented in the updated RIAA to be submitted at Deadline 4. This step is being taken in response to Natural England's request in <b>Appendix C3 to the Natural England Deadline 3 Submission Natural England's comments and updated advice on Benthic and Intertidal Ecology</b> [REP3-052].</p> <p>As noted by the Applicants in their response to ID 5 of Table 2-10 of <b>The Applicants' Responses to Deadline 2 Documents</b> [REP3-028], The Applicants consider that Natural England advice regarding the North Norfolk Sandbanks and Saturn Reef SAC stems from a focus on the underlying structure of Dogger Bank – which differentiates this SAC from 'mobile/dynamic sandbank systems' of other SACs – rather than the ecology of the biotopes themselves. The habitat H1110 for which the Dogger Bank is designated pertains to the 'living' section of the sand – which for most species at Dogger Bank is the surface to</p>	<p>The Dogger Bank SAC is currently in an unfavourable condition based on its protected benthic features. We would like to point to advice given regarding other MPAs in a similar situation by Natural England, the North Norfolk Sandbanks and Saturn Reef SAC:</p> <p>"As some of the features and sub features of this SAC are considered to be in unfavourable condition, adding further pressure to the SAC with cable laying and associated cable protection would be likely to have a significant impact on the conservation objectives of the SAC and may impede restoration of the features"</p> <p>We consider the Dogger Bank SAC to mirror this situation, with any physical damage to the sandbank habitat to be considered to be impairing the conservation objectives of the site. If a plan or project is likely to undermine the conservation objectives of the site, it must necessarily be considered likely to have a significant effect on integrity (Case C-127/02 "Waddenzee" at [36]).</p> <p>We welcome the applicant's effort to resolve the issue by including the disturbance/abrasion footprint as part of the compensation measures. This is a significant step towards the total impacts concluded in the Plan Level assessment. TWTs position remains (as outlined above) that those plan level findings should take precedence.</p>	

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	<p>around 30cm depth. It is these surface sediments that are dynamic as demonstrated by a) the sediment types present (sand and mixed sediments) and b) the fauna present (typically having low numbers of individuals, low species diversity and biomass and dominated by small, short-lived rapidly reproducing mobile species that can recolonise areas quickly following disturbance from wave and tidal action). As such, the Applicants do not consider that advice provided for the North Norfolk Sandbanks and Saturn Reef SAC can be applied directly to the Dogger Bank SAC.</p> <p>The Applicants highlight that as noted in section 4.3.3 of the <b>Habitats Regulations Derogation: Provision of Evidence (Revision 3)</b> [REP4-018], recognising that 'abrasion / disturbance of the seabed' may lead the Secretary of State to conclude adverse effect on the integrity of the Dogger Bank SAC, the Applicants have therefore proposed compensation measures for this effect on a 'without prejudice' basis. The potential footprint of 'abrasion / disturbance of the seabed' effects have been provided in Table 4-5 of <b>Habitats Regulations Derogation: Provision of Evidence (Revision 3)</b> [REP4-018].</p>		
<b>Dogger Bank Compensation Plan</b>			
4.	<p>The Applicants previously considered the inclusion of the restriction of fishing activities as a supplementary measure and seagrass meadow restoration as a potential resilience measure. However, these measures were only considered as potentially necessary prior to</p>	<p>The Wildlife Trusts will only support strategic site extension of Dogger Bank SAC as a compensation measure. Any site extension designations should be led by DEFRA. The outcome of impact assessments conducted by the Applicant,</p>	

SoCG ID	The Applicants' Position	TWT's Position	Position Status
	<p>clarity on strategic compensation available to the Projects. These additional options are not included in the Library of Strategic Compensation Measures and based upon Defra and Natural England's lack of support for the supplementary measures, and sufficient certainty in the delivery of the primary measure – that being site extension or a new designation - the Applicants do not plan to progress these measures any further.</p> <p>The Applicants' primary compensation measure for the Dogger Bank (new SAC designation or extension) as detailed in the <b>Project Level Dogger Bank Compensation Plan (Revision 4)</b> [REP7-020] provides sufficient compensation for the Projects activities within the Dogger Bank SAC.</p>	<p>though a welcome submission, will not be the sole decision-making documents. We require confirmation that DEFRA will take the lead as the responsible body in the development of any site extensions.</p> <p>Following the Written Ministerial Statement from DEFRA, TWT are happy that DEFRA are leading the development of this measure.</p>	
5.	<p>The outline <b>Dogger Bank Compensation Implementation and Monitoring Plan (CIMP)</b> [APP-061] provides a sufficient plan for the development of future implementation and monitoring of any agreed compensation measures, should consent for the Projects be granted and compensation for the Dogger Bank SAC sandbank feature be required.</p> <p>The Applicants acknowledge that while compensation would be delivered through the strategic mechanism, the Applicants envisage that some form of project level implementation plan will be required, hence the submission of the <b>Outline Dogger Bank CIMP</b> [APP-061].</p>	<p>The Wildlife Trusts assume strategic site extension will be delivered through the Marine Recovery Fund. Therefore, we question if a CIMP is necessary.</p> <p>Our concerns over the production of a project level CIMP by the applicant is that the site extension measure is not in the gift of the applicant. Therefore there is potential for such a document to have a material impact.</p> <p>We expect that the implementation and monitoring of the current measures (site extension) will be planned for strategically, with DEFRA taking the lead.</p>	



## 3.5 Offshore Ornithology

Table 3-5 Topics agreed, in discussion or not agreed in relation to Offshore Ornithology

SoCG ID	The Applicants' Position	TWT's Position	Position Status
Report to Inform Appropriate Assessment			
6.	<p>The offshore ornithology Auk compensation plan provides a sufficient plan and compensates adequately for impacts on Auk populations at FFC SPA, through project-led projects.</p> <p>The Applicants have undertaken surveys at both Worms Head and Middle Mouse in January and February 2025 respectively. Surveys at Worms Head have enabled an estimation of the suitable available habitat, which is presented in a redacted form in the <b>Guillemot [and Razorbill] Compensation Site Shortlist Refinement Report (Revision 2)</b> [REP3-019] submitted at Deadline 3. The surveys at Worms Head also confirmed the presence of rats at the site, which was corroborated by the National Trust during subsequent consultation on 21<sup>st</sup> February 2025. Although the Applicants and the National Trust have continued to engage positively since the drone surveys in January 2025, at a meeting of the 9th May 2025 the National Trust confirmed to the Applicants that they would no longer be progressing with the</p>	<p>In The Wildlife Trusts <b>Response to Examining Authority's First Written Questions</b> [REP3-069], it is stated that '<i>TWT do not see Worms Head or Middle Mouse as being suitable sites for compensation through predator eradication due to their proximity to the mainland compared to the other potential site, the Isles of Scilly.</i>'</p> <p><i>TWT view any predator eradication schemes at Middle Mouse or Worms head as temporary and unsustainable due to the proximity to the mainland. This increases the risk of re-incursion onto the sites by predators which would undo any work carried out on these sites.</i></p> <p>Furthermore, due to the risks associated with individual developer planning conditions, TWT can only support strategic level schemes for predator eradication measures.</p> <p>TWT notes the developments at Worms head and Middle Mouse regarding the results of predator surveys. Whilst not supporting the continued search for new project-led sites, TWT stresses that any potential sites should be sufficiently separated from the mainland to minimise the chances of re-incursion.</p>	

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	<p>proposals at Worms Head. This decision is based on access and visual impact concerns which may arise from any eventual predator eradication project. The National Trust also stated that they consider that the best opportunity for compensation measures for guillemot and razorbill is through strategic measures delivered by the Marine Recovery Fund.</p> <p>The surveys at Middle Mouse were inconclusive and further surveys will be required to confirm the presence of rats at this location. The availability of habitat at this site remains unchanged from that presented in the <b>Guillemot [and Razorbill] Compensation Site Shortlist Refinement Report</b> [PDB-008]. Further surveys are proposed to be undertaken after the auk breeding season in autumn 2025, look for evidence of rats.</p> <p>The Applicants note TWT's opinion regarding the suitability of project-led schemes in comparison to the Isles of Scilly. However, as stated in the Strategic Compensation Measures for Offshore Wind Activities: Marine Recovery Fund interim guidance (January 2025), strategic measures secured through the MRF cannot be relied upon for consent at this time and must be provided alongside project-led measures. Therefore, the Applicants are required to progress project-led measures such as those proposed at Worms Head and Middle</p>		

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	<p>Mouse, which the Applicants consider to be viable options.</p> <p>With the loss of Worms Head as one available project-led compensation site, the Applicants are revisiting the <b>Annex B - Guillemot [and Razorbill] Compensation Predator Eradication / Control Site Longlist</b> [APP-058] in addition to considering new sites that may have become available, including those in Scotland, and have commenced engagement with landowners. The Applicants are also actively pursuing collaboration with other developers and organisations.</p>		
7.	<p>The offshore ornithology Auk compensation plan provides a sufficient plan and compensates adequately for impacts on Auk populations at FFC SPA, through strategically delivered projects.</p> <p>The Applicants highlight that they are supportive of delivery of DBS's auk compensation requirements through the Isles of Scilly strategic predator eradication measure, however current guidance (Strategic Compensation Measures for Offshore Wind Activities: Marine Recovery Fund interim guidance, January 2025<sup>1</sup>),</p>	<p>TWT and the Isles of Scilly Wildlife Trusts are in the process of developing a strategic predator reduction measure to sit on the Library of Strategic Compensation Measures. Due to the risks associated with individual developer planning conditions, TWT can only take this measure forward strategically via the Marine Recovery Fund or similar interim mechanism.</p> <p>TWT welcomes the applicants support of the Isles of Scilly scheme and of strategic level schemes in general. We currently await clarification from DEFRA regarding the use of a strategic measure before the rollout of the MRF. An interim delivery plan for IoS should</p>	

<sup>1</sup> <https://www.gov.uk/government/publications/strategic-compensation-measures-for-offshore-wind-activities-marine-recovery-fund-interim-guidance/strategic-compensation-measures-for-offshore-wind-activities-marine-recovery-fund-interim-guidance>

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	states that this can only be relied upon if accompanied by a project-led measure, hence the Applicants must continue to pursue project-led measures in parallel.	be able to be agreed upon that would provide confidence in the overall viability of this scheme and negate the need to search for project level schemes on other sites that may not be as suitable for predator eradication.	

## 4 Summary

17. This SoCG has outlined the consultation that has taken place between the Applicants and TWT during the pre-application and Examination phases. This SoCG has been updated throughout the Examination and represents the agreed position and final SoCG between the Applicants and TWT at Deadline 8.

## 5 References

Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities (2024). Planning Act 2008: Examination stage for Nation-ally Significant Infrastructure Projects. Available at: <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>. [Accessed August 2024].

RWE Renewables UK Dogger Bank  
South (West) Limited

RWE Renewables UK Dogger Bank  
South (East) Limited

Windmill Business Park  
Whitehill Way  
Swindon  
Wiltshire, SN5 6PB

