

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

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South (East) Limited**

**Dogger Bank South Offshore
Wind Farms**

**National Highways Statement of Common
Ground (Revision 3)**

Submission for Deadline 8


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Glossary

Term	Definition
Decommissioning Plan	A document which would define the extent of works, in relation to the onshore infrastructure, which are required to be undertaken at the end of the operational lifetime of the Projects. The plan would be subject to agreement with relevant stakeholders at the time.
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
DBS	Dogger Bank South
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
ETG	Expert Topic Group
ExA	Examining Authority
OCTMP	Outline Construction Traffic Management Plan
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
SoCG	Statement of Common Ground

1 Introduction

1.1 Background

1. 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 National Highways 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').
2. 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 **Project Description, Figure 5-1 (Revision 3)** [REP7-034].
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 National Highways is set out within the **Rule 6 Letter** [PD-002] issued by the Planning Inspectorate (PINS) on the 24th September 2024 and reiterated in the updated Rule 6 Letter [PD-010] issued on 17th December 2024.
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 National Highways, and which have been raised within National Highways' Relevant Representation [RR-037] 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 National Highways 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 National Highways and address the elements of the Projects that may affect the interests of National Highways:

Table 1-1 - Documents of interest to National Highways

Environmental Statement (ES) Chapter/ Document	Planning Inspectorate (PINS) Reference
Draft Development Consent Order superseded by Draft Development Consent Order (Revision 10)	APP-027 superseded by REP7-011
Chapter 24 Traffic and Transport superseded by Chapter 24 Traffic and Transport (Revision 2)	APP-195 superseded by REP6-025
Appendix 24-2 Transport Assessment superseded by Appendix 24-2 - Transport Assessment (Revision 3)	AS-019 superseded by REP7-092 and REP7-094
Outline Construction Traffic Management Plan superseded by Outline Construction Traffic Management Plan (Revision 3)	APP-238 superseded by REP4-046
Project Change Request 2 - Onshore Substation Zone	AS-152

8. National Highways and the Applicants have been working together to minimise the possible impacts of the Projects on National Highways' operations.

1.2 Approach to SoCG

9. This SoCG has been developed during the pre-examination and examination phases of the Projects. In accordance with discussions between the Applicants and National Highways, this SoCG is focused on matters of material interest and relevance to National Highways, namely matters covered in the Application Documents outlined in **Table 1-1** and related topics.
10. The structure of this SoCG is as follows:
- **Introduction:** background to the development of the SoCG.
 - **Consultation and Engagement:** a summary of consultation and engagement with National Highways to date.
 - **Agreement Log:** a record of the Applicants' position alongside National Highways' position is set out in **Table 3-2** in relation to the application documents set out in **Table 1-1**.
11. It is agreed that this SoCG is an accurate description of the areas agreed between the parties, and that this SoCG accurately records key meetings and consultation with National Highways.

2 Consultation and Engagement

2.1 Introduction

12. National Highways have been consulted on the Projects throughout the pre-application stage, having engaged in the Traffic and Transport ETG meetings under the Evidence Plan Process, as well as via non-statutory and statutory consultation under Section 42 of the Planning Act 2008.

2.2 Consultation and Engagement Summary

13. **Table 2-1** summarises the consultation that the Applicants have undertaken with National Highways as statutory or non-statutory consultation during the pre-application and post-application phases.

Table 2-1 - Summary of pre-application and post-application consultation with National Highways

Date	Form of Consultation	Meeting Title / Topic	Summary of Consultation
Pre – Application			
19/07/2021	ETG Meeting	Traffic and Transport	An initial ETG meeting was held prior to the submission of the Scoping Report. The purpose of the meeting and details of agreements reached are outlined within Appendix 24-1 Traffic and Transport Consultation Responses [APP-197].
21/11/2022	ETG Meeting	Traffic and Transport	A second ETG meeting was held following the submission of the Scoping Report and prior to the submission of the Preliminary Environmental Information Report (PEIR). The purpose of the meeting and details of agreements reached are outlined within Appendix 24-1 Traffic and Transport Consultation Responses [APP-197].
17/07/2023	Section 42 Consultation	Traffic and Transport	National Highways' response to Section 42 consultation on PEIR. See Consultation Report Appendix G [APP-044].
06/09/2023	ETG Meeting	Traffic and Transport – Project Update and PEIR Comments	A third ETG meeting was held following the submission of the PEIR and receipt of Section 42 comments. The purpose of the meeting was to review the Section 42 comments and agree the proposed approach to assessment for the ES. Details of agreements reached are outlined within Appendix 24-1 Traffic and Transport Consultation Responses [APP-197].

Date	Form of Consultation	Meeting Title / Topic	Summary of Consultation
21/02/2024	Email	Draft Chapter and Outline Construction Traffic Management Plan	The draft Traffic and Transport Chapter and Outline Construction Traffic Management Plan (OCTMP) [AS-20/AS-21] were sent to National Highways.
07/03/2024	ETG Meeting	Traffic and Transport ETG	Draft copies Chapter 24 Traffic and Transport [APP-195] and OCTMP [AS-20/AS-21] were shared with National Highways prior to the submission of the DCO application. A fourth ETG meeting was then held to present these documents and discuss any comments. National Highways requested minor amendments to the draft OCTMP to include commitments to avoid certain sensitive hours if future capacity assessments identified capacity constraints. The OCTMP [AS-20/AS-21] submitted with the DCO application was updated in line with these comments.
Post – Application			
21/08/2024	Email	SoCG	Email by Natalie Duley introducing herself to National Highways and setting out the need for a SoCG with National Highways and requesting a meeting to discuss the SoCG and Relevant Representation.
28/08/2024	Email	SoCG	Email requesting a meeting with National Highways to discuss a first draft SoCG.
05/09/2024	Email	SoCG	National Highways issued their comments on the Transport Assessment and OCTMP [AS-020/AS-021] and attached their response sent to PINS in July 2023.
02/10/2024	Email	SoCG	The Applicant issued a draft SoCG, Rule 6 Letter [PD-002], and link to the document library on the PINS website ahead of the 10 th October 2024 meeting.
10/10/2024	Meeting	SoCG	The following topics were discussed during the meeting: <ul style="list-style-type: none"> • DCO Examination Update; • Statement of Common Ground; • Next Steps; and • Relevant Representation.

Date	Form of Consultation	Meeting Title / Topic	Summary of Consultation
			The Applicant requested that National Highways return comments on the SoCG post this meeting.
14/10/2024	Email	SoCG	The Applicant issued the meeting minutes and presentation from the 10 th October 2024 meeting, links to relevant documents on the PINS website, and requested comments were returned on the SoCG by the 24 th October 2024.
24/10/2024	Email	SoCG	National Highways returned the draft SoCG with their comments, as well as general comments made in their email.
28/11/2024	Email	Project Change Request 2	National Highways confirmed that the proposed change does not alter the previous conclusion from the ES, and that the traffic movements will be managed through the final Construction Traffic Management Plan.
12/12/2024	Email	SoCG	The Applicants issued a revised draft of the SoCG considering National Highways' comments and requested feedback on this version of the SoCG.
14/01/2025	Email	SoCG	National Highways returned a version of the SoCG with comments and requested changes to the Draft DCO [APP-027].
22/01/2025	Email	SocG	The Applicants confirmed they have accepted the suggested change to the SoCG and suggested a meeting to address National Highway's request for changes to the Draft DCO [APP-027].
23/01/2025	Email	SoCG	The Applicants shared the version of the SoCG they intend to submit to PINS at Deadline 1.
24/01/2025	Email	SoCG	National Highways confirmed the SoCG presents an accurate reflection of the status of discussions.
30/01/2025	Meeting	SoCG	The Applicants and National Highways met to discuss the outstanding matter within the SoCG around Articles 10 and 12.

Date	Form of Consultation	Meeting Title / Topic	Summary of Consultation
13/03/2025	Meeting	Articles 10 and 12	The Applicants and National Highways met to discuss the outstanding matter within the SoCG around Articles 10 and 12.
26/03/2025	Email	Meeting Minutes and SoCG outstanding matters	The Applicants shared the minutes from the 13/03/2025 meeting, the updated draft OCTMP, and draft revision 02 of the SoCG. The Applicants informed National Highways that discussions around Articles 10 and 12 would be best continued between the parties' legal teams.
23/04/2025	Email	SoCG	National Highways returned a tracked changed version of the SoCG. The Applicants responded accepting these changes.
27/05/2025	Email	Articles 10 and 12	The Applicants informed National Highways of their legal team's position on the outstanding 28 day deemed consent matter, and asked if National Highways would like to discuss this.
03/06/2025	Email	Articles 10 and 12	The Applicants followed up from their previous 27 th May 2025 email highlighting they were happy to set up a meeting between their legal teams to settle the outstanding 'under discussion' item, and noted this item will be 'not agreed' at Deadline 8 if no discussions are had.
19/06/2025	Email	SoCG	The Applicants issued the SoCG with tracked changes and asked National Highways if they agreed with the status of matters and if so, requested they sign the SoCG.
23/06/2025	Email	SoCG	National Highways responded that they had considered the wording of Articles 10 and 12 and that given the circumstances, they do not consider there is a risk to National Highways, and so the wording is considered acceptable, and the matter is agreed.
24/06/2025	Email	SoCG	The Applicants returned the updated SoCG to National Highways for signing with all matters agreed.
24/06/2025	Email	SoCG	National Highways returned the signed SoCG with all matters agreed.

3 Agreement Log

3.1 Overview

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

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 Applicant or National Highways 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 Applicant or National Highways is considered to result in a materially different outcome on the assessment conclusions.	Not agreed – material impact

3.2 Traffic and Transport

Table 3-2 - Topics agreed or not agreed in relation to Traffic and Transport

SoCG ID	The Applicants' Position	National Highways' Position	Position Status
1.	In accordance with scoping opinion and as set out in Chapter 24 Traffic and Transport [APP-195] the Projects operational effects are scoped out.	National Highways agree with scoping out operational effects from the assessment.	
2.	The impact assessment methodology as set out in Section 24.4 of Chapter 24 Traffic and Transport [APP-195] is appropriate.	National Highways agree with the scope of the effects considered within the Chapter 24 Traffic and Transport [APP-195] for the Projects construction phase and consider that commitments contained within the Outline Construction Traffic Management Plan (OCTMP) [AS-020] (which is secured by Requirement 14 of the Draft DCO [REP1-004] are appropriate to manage the potential for significant effects upon the Strategic Road Network.	
3.	In accordance with scoping opinion, Section 24.6.1 of Chapter 24 Traffic and Transport [APP-195] represents a comprehensive list of the potential impacts for assessment during the Projects construction phase		
4.	The conclusions of the assessment of likely significant construction effects as detailed in Section 24.6.1 of Chapter 24 Traffic and Transport [APP-195] are appropriate, and the effects are considered not significant in Environmental Impact Assessment (EIA) terms.		
5.	The measures, monitoring and control processes provided within the OCMTP [AS-020], (which is secured by Requirement 14 of the Draft DCO [REP3-		

SoCG ID	The Applicants' Position	National Highways' Position	Position Status
	004] are appropriate to manage the potential for significant effects upon the Strategic Road Network (including the movement of abnormal loads).		
6.	Requirement 27 of the Draft DCO [REP1-004] is appropriate to manage the potential effects of decommissioning activities.	National Highways agree that the potential for decommissioning effects can be managed through the requirement to produce an Onshore Decommissioning Plan.	
7.	<p>The wording of Articles 10 and 12 of the Draft DCO [REP3-004] is appropriate. National Highways have raised concerns with '28 days deemed consent' clause of Articles 10 and 12.</p> <p>The Applicants and National Highways have discussed this matter thoroughly (see Table 2-1) and it is the Applicants' position that 28 days is the standard and appropriate time for National Highways to respond to an application under Articles 10 and 12.</p> <p>It is the Applicants position that the fundamental purpose of a deemed consent mechanism is to provide certainty and avoid undue delay in the delivery of critical infrastructure and to ensure the process for discharge of requirements is efficient, transparent, and reliable.</p> <p>The Applicants consider that 28 days represents a fair and reasonable period within which a discharging</p>	<p>The Applicants and National Highways have been in discussion regarding the wording of Article 10 (Temporary closure of streets) and Article 12 (Power to alter layout, etc. of streets) relating to deemed consent after 28 days throughout Examination.</p> <p>During a meeting to discuss this matter on 30th January 2025 National Highways raised concerns that consent might be granted if the application under Articles 10 and 12 did not reach the appropriate contact in order to be processed within the 28-day period.</p> <p>During a meeting to discuss this matter on 13/03/25 National Highways stated that the principle of deemed consent was their principal concern, rather than the 28-day time period being too short.</p> <p>National Highways and the Applicants have now reached agreement on this matter.</p>	

SoCG ID	The Applicants' Position	National Highways' Position	Position Status
	<p>authority can determine an application. The Secretary of State has accepted this principle in several comparable DCOs, including Awel y Môr, East Anglia ONE North, East Anglia TWO, and most recently, Rampion 2. These precedents reinforce that a 28-day period, starting from submission, strikes the right balance between allowing authorities time to consider the application and ensuring timely progress for Nationally Significant Infrastructure Projects.</p> <p>This matter is now considered agreed post the receipt of National Highways' 24th June 2025 email.</p>		

4 Summary

16. This SoCG has outlined the consultation that has taken place between the Applicants and National Highways during the pre-application, pre-examination and Examination phases. This SoCG has been updated throughout the Examination and represents the agreed position and final SoCG between the Applicants and Hull City Council 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 Nationally Significant Infrastructure Projects. Available at: <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>. [Accessed August 2024].

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