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**(Email only)**

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

14 October 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**

**Post Examination – Additional Information**

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 Applicants) 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 the MMO's update to the SoS post examination.

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.



## 1. Piling Restriction

- 1.1 There were ongoing discussions for the piling restriction linked to the herring spawning season during examination.
- 2.1 The MMO's position at Deadline 7 was that the condition was agreed in principle but updates may be required at Deadline 8. The MMO could not agree on the inclusion of the condition as presented at Deadline 7 due to the reference to the Herring Spawning Plan which was not agreed by the MMO. The MMO did agree that it can be resolved post consent with further information after the design had been confirmed.
- 3.1 The MMO provided an update at Deadline 9 to allow for post consent revision without the reference to the herring Spawning Plan.
- 4.1 Following the close of examination the MMO has engaged with the Applicants including holding two meetings (05 August and 15 September 2025) to further discuss the piling restriction.
- 5.1 During the September meeting the Applicants proposed that the Herring Spawning Noise Restriction Boundary should remain drawn at the edge of the spawning ground such that the 135dB contour does not overlap with potential spawning habitat. This would result in >38km 'migration corridor' between the coastline and the extent of the 135dB contour that encompasses the entire spawning ground.
- 6.1 The MMO has reviewed "The Applicant's and the MMO's Post-Examination Joint Statement on the Without Prejudice Herring Noise Restriction" which is dated October 2025 and have agreed the below condition as well as signed the joint position statement.

*30.—(1) No piling activity can commence within Work Nos. 1B and 4B during the herring spawning season until a herring spawning piling restriction plan (in accordance with the herring spawning plan) is submitted to and approved in writing by the MMO, in consultation with the relevant statutory nature conservation body.*

*(2) The herring spawning piling restriction plan must be submitted to the MMO no later than six months prior to the commencement of the relevant activities unless otherwise agreed in writing by the MMO.*

*(3) The herring spawning piling restriction plan must present updated underwater noise modelling, which must be based on final project parameters to be used to install piles and must include details of any mitigation measures to be employed.*

*(4) If the updated underwater noise modelling referred to in sub-paragraph (3) above demonstrates that noise levels above 135 decibel from any piling area within Work Nos. 1A and/or 4A will impact:*

*(a) the area shoreward of the Herring Spawning Noise Restriction Boundary, and/or*

*(b) any area within 38km seaward of MHWS, during the herring spawning season then any piles located within that piling area must not be installed during the herring spawning season without written approval from the MMO.*

*5) Any piling activity within Work Nos. 1B and 4B during the herring spawning season must be undertaken in accordance with the approved herring spawning piling*

*restriction plan approved under sub-paragraph (1) or in accordance with any approval given by the MMO under sub[1]paragraph (4) above.*

*(6) In this condition—*

*“Herring Spawning Noise Restriction Boundary” means the boundary indicated by the red line on the herring spawning area plan, with the restricted area being the area shoreward of this boundary*

*“herring spawning plan” means the document certified by the Secretary of State as the herring spawning plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified)*

*“herring spawning season” means 1 August to 31 October inclusive or such other period as agreed in writing with the MMO;*

*“piling area” means any area within Work Nos. 1B and/or 4B within which one or more piled foundations is proposed to be installed.*

Yours sincerely,

[REDACTED]

[REDACTED]

Marine Licencing Case Officer

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