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(Email only)

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

30 January 2026

Dear Mr Wheadon,

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

Department for Energy Security & Net Zero (DESNZ) – Further Information Request – 16 January 2026

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 the MMO's response to the letter sent on 16 January 2026 from DESNZ on behalf of the Secretary of State (SoS) for further information.

This written response 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.

Yours sincerely,

[Redacted signature]

[Redacted name]

Marine Licencing Case Officer

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1. DCO Cable Protection

1.1.1 The MMO notes the additional wording (in italics) has been proposed to condition 15(1)(c) of Schedules 10 and 11, condition 13(1)(c) of Schedules 12 and 13, and condition 11(1)(c) of Schedules 14 and 14A:

(c) a construction method statement (in accordance with the cable statement), including details of—

(i) cable burial, specification, installation and monitoring to include—

(aa) the technical specification of cables below MHWS;

(bb) a detailed cable laying plan for the authorised scheme, incorporating a detailed burial risk assessment encompassing the identification of any cable protection that exceeds 5 percent of navigable depth referenced to Chart Datum;

(cc) in the event that any area of cable protection exceeding 5 percent of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House *and the MMO in consultation with the statutory nature conservation body*) to be taken to ensure existing and future safe navigation is not compromised, *including updated nearshore sediment transport modelling and comparison and demonstration against the environmental statement if within the 10m depth contour and/* or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection; and

1.1.2 The MMO has no concerns regarding the additional wording that has been included within this condition and welcomes the inclusion.

1.1.3 On 27 January the MMO had a call with the Applicants who stated that they have further updated the wording of the above condition. Their amendments (in red below) can be found in Table 23 of the Applicants' Response to the Secretary of States Request For Information – draft Consent Order, line 12 which was submitted on 30 January 2026:

(c) a construction method statement (in accordance with the cable statement), including details of—

(i) cable burial, specification, installation and monitoring to include—

(aa) the technical specification of cables below MHWS;

(bb) a detailed cable laying plan for the authorised scheme, incorporating a detailed burial risk assessment encompassing the identification of any cable protection that exceeds 5 percent of navigable depth referenced to Chart Datum;

(cc) in the event that any area of cable protection exceeding 5 percent of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House ~~and the MMO in consultation with the statutory nature conservation body~~) to be taken to ensure existing and future safe navigation is not compromised, ~~including updated nearshore sediment transport modelling and comparison and demonstration against the environmental statement if within the 10m depth contour and/~~ or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection; and

~~(dd) in the event that any area of cable protection exceeding 5 percent of navigable depth is identified within the 10m depth contour closest to the MHWS, details of updated nearshore sediment transport modelling to enable a comparison with the~~



conclusions of the environmental statement to ensure that the impacts of the identified cable protection will not be significantly different to those assessed in the environmental statement.

1.1.4 The MMO has no concerns regarding this wording and are in agreement with the Applicants' reasoning behind it. The MMO's preference would be for the Applicants' wording as detailed above in 1.1.3.

2. DCO Herring Spawning Season

2.1.1 The MMO agreed the condition wording which the applicant put forward within PID-002 – 20.6 The Applicants and the MMO's Post-Examination Joint Statement on the Without Prejudice Herring Noise Restriction, which the MMO has signed as agreement. The MMO's response can also be found within C1-016 - Responses to Secretary of State's consultation 1 - 22.6 Marine Management Organisation Statement of Common Ground Update and C1-018 - Responses to Secretary of State's consultation 1.

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-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.]



2.1.2 The updated wording will need to be included to DMLs 1-4 (Conditions 30 of schedule 10 and 11 and Conditions 27 of schedules 12 and 13) should the SoS be minded to include the condition.

Yours sincerely,

[Redacted signature]

[Redacted name]

Marine Licencing Case Officer

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