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MMO Reference: DCO/2021/00003
Planning Inspectorate Reference: EN010130
Identification Number: 20048765

04 April 2025

Dear [REDACTED]

Planning Act 2008, GTR4 Limited, Proposed Outer Dowsing Offshore Windfarm Order

Deadline 6 Submission - Summary

On 02 May 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 GTR4 Limited (the Applicant) for determination of a Development Consent Order (DCO) for the construction, maintenance and operation of the proposed Outer Dowsing Offshore Wind Farm (the DCO Application) (MMO ref: DCO/2021/00003; PINS ref: EN010130). The DCO includes Deemed Marine Licences (DMLs) in Schedules 10, 11, 12, 13, 14, 15 and 16.

The DCO Application seeks authorisation for the construction, operation and maintenance of Outer Dowsing offshore wind farm (OWF), comprising of up to 100 wind turbine generators together with associated onshore and offshore infrastructure and all associated development (the Project).

This document comprises the summary of MMO comments in respect of the DCO Application, in response to Deadline 6.

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.

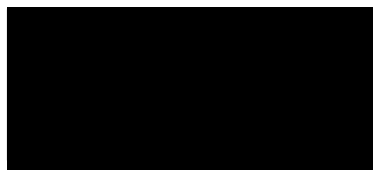


Marine
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...ambitious for our
seas and coasts



Yours sincerely,



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1.The MMO's Closing Statement

- 1.1 The MMO engaged with the Applicant via numerous meetings to ensure clarity on topics of importance throughout Examination with the aim to agree to greatest extent feasible. However, the MMO notes that there is still a number of issues outstanding that are 'agree to disagree'. Please see the Principle Areas of Disagreement document submitted alongside this Deadline 6 document. Response to the Rule 17 letter.



2. The MMO's Position on the Environmental Statement

2.1 General Comments

2.1.1 MMO considers that the majority of concerns have been addressed throughout examination and the updated positions have been detailed in the Deadline 5 response (REP5-174). Please see sections below for the MMO's position on the remaining Environmental Statement concerns.

2.2 Coastal Processes

2.2.1 MMO request that the Applicant still considers establishing a maximum radius to ensure that this does not exceed the seabed preparation footprint.

2.3 Dredge, Disposal and Chemical Use

2.3.1 MMO outlined a revised Chemical condition in REP5-174. We have since made an additional revision to improve clarity regarding what information is required. MMO aim to create a revised, consistent, and thorough approach to chemical consenting for OWF. This should proactively avoid last minute delays and provide robust evidence regarding environmental impacts.

2.3.2 MMO received the necessary Shapefiles for disposal site designation on 24 March 2025 and is currently in the process of designating the disposal site. A disposal site reference will be provided upon designation.. MMO is satisfied with the proposed current wording of the disposal site conditions and considers that the references can be added as soon as they are available.

2.4 Benthic Ecology

2.4.1 MMO considers that the inclusion of invasive non-native species (INNS) monitoring in the Offshore IPMP (REP4a-073) addresses the concerns raised previously by the MMO in Deadline 5 (Table 5, REP5-174).

2.4.2 MMO notes that the overall approach outlined for the pre-construction survey of habitats of principal importance or Annex I habitats, such as *Sabellaria spinulosa* reef, is appropriate and aligns with best practice.

2.4.3 The Offshore IPMP (REP4a-073) stipulates that monitoring will be extended to 'habitats of principal importance or Annex 1 habitat' and MMO are satisfied that this addresses concerns relating to other types of protected biogenic reef that may be identified.

2.4.4 MMO do not have significant concerns if the development were approved without the inclusion of sediment macrofauna monitoring as a licence condition. This is because the physical and ecological characteristics of the sediment habitats within the proposed footprint suggest that significant and persistent impacts are unlikely.

2.4.5 MMO defer to NE regarding the appropriateness of benthic compensation measures.

2.5 Fish Ecology

2.5.1 MMO considers the updated array area modelling presented by the Applicant has used appropriate parameters to calculate the predicted impact ranges. The small overlap in the range of impact is acceptable for the purpose of determining the spawning herring piling restriction area.



2.6 Shellfish Ecology

2.6.1 The MMO considers that all concerns regarding shellfish ecology have been addressed by the Applicant and thanks the Applicant for their resolution.

2.7 Underwater Noise

2.7.1 MMO and Natural England have agreed an updated condition with the Applicant. The Applicant has confirmed the revised wording will be included in their documentation at Deadline 6:

'(j) 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 (piling), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body, to be submitted to the MMO at least six months prior to the commencement of piling activities. The marine mammal mitigation protocol must include consideration of deployment of noise mitigation systems or noise abatement systems that will be utilised to manage sounds from those piling activities. The marine mammal mitigation protocol must include full details and justification for the mitigation chosen or excluded for deployment.'



3. Comments on the Draft DCO and DML (REP5-002)

3.1 Transfer of Benefit

3.1.1 MMO's position remains the same as set out within Section 4.3 of REP5-056a. MMO strongly disagrees with the purpose of the inclusion of the DML as set out in previous representations.

3.2 Lifespan

3.2.1 MMO considers that DMLs should have an end date included to keep them in line with other Marine Licenses that include construction and maintenance activities. By having this clear date within the DCO, it makes it clear that a full reassessment will be required at the end date to ensure that required modelling is reviewed and reassessed.

3.3 Force Majeure/Notification of Unauthorised Deposits

3.3.1 The MMO maintains that this condition should be removed.

3.4 Determination Timescales

3.4.1 MMO maintains that the DML should not place determination timescales on the regulator.

3.5 Timescales of Schedule 12 to 15 documents

3.5.1 The MMO welcomes the increase from three to four months for the submission of the MMMP (piling) and the Site Integrity Plan (SIP) for the Artificial Nesting Structures (ANSs), however the MMO maintains its position that it must be six months for all MMMPs regardless of the scale of the activity.

3.6 Schedule 10, Piling Restriction

3.6.1 MMO has been liaising with the Applicant regarding the proposed piling restrictions to minimise impacts to the Banks Herring spawning ground. Our most recent meeting was held on 27 March 2025. The MMO notes that the Applicant has now proposed to remove Condition 13 (1)(j), (4) and (5), and instead plans to replace it with the below condition:

Condition 25

25.-(1) – No piling activity may be undertaken within the spawning herring piling restriction area during the herring spawning season, unless otherwise approved in writing by the MMO.

(2) In this condition:

(a) "herring spawning season" means 1 September and 16 October inclusive;

(b) "spawning herring piling restriction area" means the area identified as the spawning herring piling restriction area within the spawning herring piling restriction plan; and

(c) "spawning herring piling restriction plan" means the plan certified as the outline spawning herring piling restriction plan by the Secretary of State for the purposes of the Order under article 41.

3.6.2 The MMO is satisfied with the above wording, and this can now be agreed.



3.7 Decommissioning

3.7.1 Decommissioning activities have not been fully considered and the MMO requested an outline decommissioning plan to be part of the consenting process. MMO would welcome a commitment to review the decommissioning programme and all updated programmes prior to the SoS decision.

3.8 Chemicals

3.8.1 MMO has provided an update chemicals condition which included necessary definitions.

3.9 Disposal Sites

3.9.1 MMO note that the conditions already state 'within the disposal site reference(s) to be provided by the MMO within the extent of the Order limits seaward of MHWS'. MMO welcomes this update and believes this should be updated to include 'in writing'.

3.9.2 MMO is working to provide a disposal site reference number.

3.10 Cable Protection

3.10.1 For consistency, MMO request the Applicant chooses area and volumes as units of measurement for cable protection throughout the DCO.

3.10.2 MMO has reviewed the condition wording in correspondence and agreement with NE, and has proposed to the Applicant, updated wording to be included within the DCO/DML.

'21. No cable protection granted by this licence may be deployed within the IDRBNR SAC after the construction period has ended.'

Any cable protection to be installed outside of the IDRBNR SAC following completion of construction in locations where cable protection was not installed during construction must be deployed within 10 years of completion of construction, unless otherwise agreed by the MMO in writing.'

3.11 Comments on recent DCO/DML Updates (REP5-002)

3.11.1 The MMO has provided comments on each update to the DCO/DMLs (REP5-002) within Table 1 in the main Deadline 6 document.

Yours sincerely,

[Redacted Signature]

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