

Outer Dowsing Offshore Wind

The Applicant's Response to the All Parties Consultation

Response to the Second Request for Information and All Parties Consultation

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Acronyms & Definitions

Abbreviations / Acronyms

Abbreviation Acronym	Description
AEoI	Adverse Effect on Integrity
ANS	Artificial Nesting Structure
BTO	British Trust for Ornithology
CSIP	Cable Specification and Installation Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DEFRA	Department for Environment, Food & Rural Affairs
DESNZ	Department for Energy Security and Net Zero
DIO	Defence Infrastructure Organisation
dML	Deemed Marine Licence
EGL	Eastern Green Link
ES	Environmental Statement
FFC	Flamborough and Filey Coast
IDRBNR	Inner Dowsing, Race Bank and North Ridge
IFCA	Inshore Fisheries and Conservation Authority
IoS	Isles of Scilly
IP	Interested Party
LCC	Lincolnshire County Council
LoS	Line of Sight
MOD	Ministry of Defence
MMO	Marine Management Organisation
MPA	Marine Protected Area
MRF	Marine Recover Fund
NGET	National Grid Energy Transmission
NSIP	Nationally Significant Infrastructure Project
ODOW	Outer Dowsing Offshore Wind (the Project)
ORCP	Offshore Reactive Compensation Platform
OWF	Offshore Wind Farm
OWIC	Offshore Wind Industry Council
PINS	The Planning Inspectorate
RFI	Request for Information
RRH	Remote Radar Head
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SELLEPF	South and East Lincolnshire Linear Energy Projects Forum
TA	Transport Assessment
UCL	Upper Confidence Level
WCS	Worst Case Scenario

Terminology

Term	Definition
The Applicant	GT R4 Ltd. The Applicant making the application for a DCO. The Applicant is GT R4 Limited (a joint venture between Corio Generation, Total Energies and Gulf Development (GULF)), trading as Outer Dowsing Offshore Wind. The Project is being developed by Corio Generation (and its affiliates), TotalEnergies and GULF.
Array area	The area offshore within which the generating station (including wind turbine generators (WTG) and inter array cables), offshore accommodation platforms, offshore transformer substations and associated cabling will be positioned, including the ORBA.
Baseline	The status of the environment at the time of assessment without the development in place.
Biodiversity Net Gain	An approach to development that leaves biodiversity in a measurably improved state than it was previously. Where a development has an impact on biodiversity, developers are encouraged to provide an increase in appropriate natural habitat and ecological features over and above that being affected, to ensure that the current loss of biodiversity through development will be halted and ecological networks can be restored.
Cumulative effects	The combined effect of the Project acting additively with the effects of other developments, on the same single receptor/resource.
Cumulative impact	Impacts that result from changes caused by other present or reasonably foreseeable actions together with the Project.
Deemed Marine Licence (dML)	A marine licence set out in a Schedule to the Development Consent Order and deemed to have been granted under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
Effect	Term used to express the consequence of an impact. The significance of an effect is determined by correlating the magnitude of the impact with the sensitivity of the receptor, in accordance with defined significance criteria.
Habitats Regulations Assessment (HRA)	A process which helps determine likely significant effects and (where appropriate) assesses adverse impacts on the integrity of European conservation sites and Ramsar sites. The process consists of up to four stages of assessment: screening, appropriate assessment, assessment of alternative solutions and assessment of imperative reasons of overriding public interest (IROPI) and compensatory measures.
Impact	An impact to the receiving environment is defined as any change to its baseline condition, either adverse or beneficial.
Intertidal	The area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS).

Term		Definition
Maximum Scenario	Design	The project design parameters, or a combination of project design parameters that are likely to result in the greatest potential for change in relation to each impact assessed.
Mitigation		Mitigation measures are commitments made by the Project to reduce and/or eliminate the potential for significant effects to arise as a result of the Project. Mitigation measures can be embedded (part of the project design) or secondarily added to reduce impacts in the case of potentially significant effects.
Offshore Compensation (ORCP)	Reactive Platform	A structure attached to the seabed by means of a foundation, with one or more decks (including bird deterrents) housing electrical reactors and switchgear for the purpose of the efficient transfer of power in the course of HVAC transmission by providing reactive compensation.
Outer Dowsing Offshore Wind (ODOW)		The Project.
The Inspectorate	Planning	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIPs).
Strategic Compensation		Collaborative approach by developers and/or government departments to secure compensation for adverse effects on the conservation objectives of a Marine Protected Area.
Wind Turbine Generator (WTG)		A structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation.

Reference Documentation

Outer Dowsing Document Number	Planning Inspectorate Document Reference	Title
28.1	n/a	The Applicant's Response to RFI2 and All Parties Consultation Covering Lette
28.2	n/a	The Applicant's Response to the Second Request for Information
28.5	n/a	The Applicant's Response to the Second Request for Information - Wake Effects
3.1	C1-016	draft Development Consent Order
6.1.11	C1-019	Chapter 11 Marine Mammals
6.1.27	REP4a-023	Chapter 27 Traffic and Transport
7.1	REP6-028	Report to Inform Appropriate Assessment
7.7.1	n/a	Kittiwake Compensation Plan
7.7.6	n/a	Additional Measures for Compensation of Guillemot and Razorbill
8.3	C1-076	Offshore In Principle Monitoring Plan
8.6.1	C1-075	Outline Marine Mammal Mitigation Protocol for Piling Activities
8.7	C1-058	In Principle Southern North Sea SAC Site Integrity Plan
8.10	REP6-070	Outline Landscape and Ecological Management Strategy
8.15	REP4a-090	Outline Construction Traffic Management Plan
14.3	AS-014	Biodiversity Net Gain Assessment Report
15.3	PD1-071	The Applicant's Responses to Relevant Representations
18.17	REP6-097	Statement of Common Ground with the Marine Management Organisation
19.2	REP2-051	The Applicant's Responses to The ExA's First Written Questions (ExQ1)
20.4.4	REP3-051	The Applicant's Written Summary of oral case put at the Issue Specific Hearing 3 held on 5 December 2024
20.17	n/a	Guillemot and Razorbill Compensation Quanta
21.2	REP4-107	The Applicant's Responses to The ExA's Second Written Questions
21.16	C1-055	ORCP Design Principles Statement
22.3	REP4a-115	The Applicant's Comments on Deadline 4 Submissions
22.4	REP4a-116	The Applicant's Written Summary of Oral Case put at the Issue Specific Hearing 5 held on 12 February 2025
23.4	REP5-150	The Applicant's Comments on Deadline 4a Submissions
24.2	REP6-110	The Applicant's Comments on Deadline 5 Submissions
24.13	REP6-121	The Applicant's Closing Statements
27.2	C1-049	The Applicants Response to the Request for Information dated 12th August 2025
27.9	C1-044	NGET Protective Provisions Offshore Buffer Zone Plan
n/a	AS-035	Eastern IFCA Additional Submission accepted at the discretion of the Examining Authority

1 The Applicant's Response to the All Parties Consultation

1. The Secretary of State published a letter on 12th August 2025, requesting Information to be provided by the Applicant and certain other Interested Parties by the 9th of September 2025 (the “**First RFI**”). The Applicant provided the requested information in response.
2. By letter of 6th October 2025, the Secretary of State then requested that all Interested Parties comment on the information provided in response to the First RFI.
3. The Applicant has provided such comments in the below submissions, where necessary and appropriate. Where possible, the Applicant has cross-referenced to the location of its submissions which deal with the points raised, including submissions now made in direct response to the Second Request for Information (see Document 28.2).

Table 1-1: The Applicant’s Comments on Brown & Co Property and Business Consultants LLP’s Submission

Brown & Co Property and Business Consultants LLP’s Submission	Applicant Response
Further to your letter of 12 August 2025, we would like to thank you for the consideration that has been given to the concerns around dust contamination in particular, which were raised with the examining authority during the examination of the proposed Order.	The Applicant welcomes this response. The Applicant has provided an update on the current position reached with T.H. Clements in Table 1.13 of this document.
We can confirm that TH Clements & Son Ltd and the Applicant, have agreed Heads of Terms for a Voluntary Agreement and therefore, at the current time Brown&Co - Property and Business Consultants LLP do not intend to submit any further information in response to your letter.	
Currently, parties are working towards finalising an Agreement by 9th September and if the parties fail to achieve formal agreement by this time, then we anticipate our client would wish to respond to you accordingly.	

Table 1-2: The Applicant’s Comments on Department for Environment Food and Rural Affairs (Defra)’s Submission

Defra’s Submission	Applicant Response
<p>MRF Compensation</p> <p>As confirmed in the Written Ministerial Statement HCWS394, and the interim guidance published in January 2025, Defra has committed to designating new MPAs and/or extending existing MPAs in Secretary of State waters to deliver sufficient strategic compensation to compensate for likely benthic environmental effects of offshore wind development.</p> <p>Please note that the MRF will operate on a ‘first come, first served’ basis. However, as quantities of compensation may be limited, applicants will be required to satisfy a set of essential criteria.</p> <p>Based on the information provided, we understand that the Proposed Development impacts upon Annex 1 Reef and Annex 1 Sandbank habitat and would appear to meet the eligibility requirements needed for future applications to the MRF for this measure. Upon go-live, the applicant will have to undertake the appropriate MRF process to secure compensation. Guidance on this and any further eligibility criteria will be published in due course.</p>	<p>The Applicant welcomes the response from Defra. The Applicant confirms that should compensation be required due to impacts from the Project on the relevant features (Annex 1 <i>Sabellaria spinulosa</i> Reef and Annex 1 Sandbank habitat) of the Inner Dowsing, Race Bank and North Ridges (IDRBNR) Special Area of Conservation (SAC), it will undertake the appropriate MRF process to secure the required compensation in accordance with any relevant guidance and eligibility criteria requirements.</p> <p>Therefore, if an Adverse Effect on Integrity (AEoI) of the features of the IDRBNR SAC is concluded, the Secretary of State can have confidence that compensation is available for the potential impacts of the Project on Annex 1 Reef and Annex 1 Sandbank habitat.</p>
<p>Isles of Scilly Seabird Recovery Partnership</p> <p>The Isles of Scilly (IoS) Seabird Recovery Partnership is developing a predator eradication project to recover seabird populations on the IoS as a potential strategic compensation measure in relation to offshore wind development. This partnership is led by Isles of Scilly Wildlife Trust, and closely involves the Duchy of Cornwall, RSPB, The Wildlife Trusts and a range of other local and national partners.</p> <p>Defra is funding The Wildlife Trusts for the first two years of the Isles of Scilly Predator eradication project to support the project’s planning phase. This will include an operational plan to remove predators from the islands, a long-term maintenance/biosecurity plan to ensure the islands remain predator free, a community engagement plan and a monitoring and evidence plan. It is expected the outputs of this work will be delivered Spring 2027, with the potential delivery of the eradication programme to follow.</p>	

<p>Defra has established a Task and Finish Group (with representatives from DESNZ, Natural England, The Wildlife Trusts, OWIC, The Crown Estate, and RSPB) to establish the mechanisms required to allow predator eradication to be delivered as a strategic compensation measure, noting the option for this to be delivered by the Marine Recovery Fund.</p> <p>We are expecting further information and data on the possible benefits of this project following surveys undertaken this summer.</p>	<p>Therefore, the Project is not dependent on the IoS measure for delivery of any required compensation, but could access it once available and other measures have been implemented, should this be deemed necessary.</p> <p>Therefore, if an AEol is concluded in respect of guillemot at the Flamborough and Filey Coast SPA or the Farne Islands SPA or in respect of razorbill at the Flamborough and Filey Coast SPA, the Secretary of State can have confidence that sufficient compensation is available across the suite of measures for the potential impacts of the Project on auk species.</p>
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Table 1-3: The Applicant’s Comments on Defence Infrastructure Organisation (DIO)’s Submission

DIO’s Submission	Applicant Response
<p>Thank you for your letter dated 12 August 2025 within which you have requested information in relation to the above project. At Request for Information 36 the Secretary of State notes the MoD’s objects to the Proposed Development as it considers there is not a suitable scheme to mitigate the impacts from the turbines on the Air Defence radar at Remote Radar Head (“RRH”) Staxton Wold and RRH Neatishead [RR016], but that MoD’s drafting of the relevant requirement has been included by the Applicant in the draft Development Consent Order. The Secretary of State invites the MOD to confirm it is content with the final draft Development Consent Order.</p>	
<p>It is acknowledged that the Applicant has included at Requirement 32 of the draft Development Consent Order the wording provided by the MOD at Annex A of their response dated 13 March 2025. In addition the Applicant has retained the following Requirements and Conditions previously included in the applicant’s most recent draft Development Consent Order (Document 3.1, Revision 11.0 dated April 2025):</p> <ul style="list-style-type: none"> Requirement 18 in the form set out in the draft Development Consent Order dated April 2025 (Document Ref: 3.1 Revision 11.0). Condition 10 – Aviation Safety at Schedule 10 Deemed Marine Licence under the 2009 Act – Generation Assets, Part. 2. Condition 10 – Aviation Safety at Schedule 11 Deemed Marine Licence under the 2009 Act – Offshore Transmission Assets, Part. 2. Condition 10 – Aviation Safety at Schedule 12 Deemed Marine Licence under the 2009 Act – Northern Artificial Nesting Structure 1, Part. 2. Condition 10 – Aviation Safety at Schedule 13 Deemed Marine Licence under the 2009 Act – Northern Artificial Nesting Structure 2, Part. 2. Condition 10 – Aviation Safety at Schedule 14 Deemed Marine Licence under the 2009 Act – Southern Artificial Nesting Structure 1, Part. 2. and Condition 10 – Aviation Safety at Schedule 15 Deemed Marine Licence under the 2009 Act – Southern Artificial Nesting Structure 2, Part. 2. <p>As such I can confirm that the MOD is content with the wording of the applicant’s most recent draft Development Consent Order (Document 3.1, Revision 11.0 dated April 2025).</p>	<p>The Applicant welcomes confirmation that the MOD is content with the Requirements and Conditions included in the draft Development Consent Order (Document 3.1, C1-016).</p>

Table 1-4: The Applicant’s Comments on Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)’s Submission

Eastern IFCA’s Submission	Applicant Response
<p>This email is a response to the Secretary of State’s letter dated 12 August 2025, in which it was requested that Eastern IFCA respond if any concerns remain outstanding regarding the Outer</p>	<p>Eastern IFCA raised these points in a previous submission (Document AS-035, published by PINS on 25 March 2025). The Applicant responded to each point in detail at Deadline 6 in Rows 1-5 of Table 2.2 of The Applicant's</p>

Eastern IFCA's Submission	Applicant Response								
<p>Dowsing Offshore Wind Farm and the relevant assessments of effects on commercial fishing activities or the mitigation proposed.</p> <p>Eastern IFCA's representation regarding the Outer Dowsing Offshore Wind Farm highlighted:</p> <ul style="list-style-type: none"> ▪ a preference to be involved with the development of the Fisheries Liaison and Co-Existence Plan ▪ concerns about the lack of understanding of the impact of electro-magnetic fields on wildlife ▪ concerns that compensatory measures could impact fishing opportunities, with the desire to establish engagement with the Applicant regarding the development of compensatory measures and for impacts on fisheries to be considered ▪ concerns regarding the likelihood of effectively establishing Native Oyster restoration projects. <p>Since this representation, Eastern IFCA has had no further engagement with the Applicant, and has not identified in the published materials any indication the above concerns have been addressed. As such, we consider the above concerns to remain outstanding.</p>	<p>Comments on Deadline 5 Submissions (REP6-110). The Applicant considered that its responses addressed each of the issues raised by Eastern IFCA.</p> <p>Having reviewed Eastern IFCA's comments in response to this RFI, the Applicant contacted Eastern IFCA directly on 18 September 2025 to draw their attention to the response the Applicant had already provided.</p> <p>Subsequently on 22 October 2025 the Applicant met with the Eastern IFCA and confirmed via that meeting that the Eastern IFCA had not reviewed the Applicant's above-mentioned Deadline 6 submission. In the meeting on 22 October all matters that had been raised by Eastern IFCA were discussed and the conclusions set out in the below table were reached. The table has been reviewed and confirmed as accurate by Eastern IFCA.</p> <p>The Applicant considers that the Secretary of State has all necessary information in front of him in relation to the parties' positions in order to make a decision in relation to this issue.</p> <table> <tr> <th>IFCA Deadline 5 submission</th><th>Status of agreement</th></tr> <tr> <td>There is the potential for restrictions and damage to fishing grounds and displacement of activities during cable works. We have an interest in being involved in the development of the Fisheries Liaison and Co-existence Plan (FLCP) to ensure that there is sufficient engagement with inshore fishers and provide advice on mitigating impacts on inshore fisheries (e.g., through considering seasonal patterns in activities). Eastern IFCA can also provide means for information distribution to inshore fishery users and may be able to facilitate further dialog with fishers throughout the pre-construction and construction process.</td><td>The FLCP is currently in "outline" form and will be refined by the Applicant and approved by the MMO post determination in line with the deemed marine licences. As discussed in meeting of 22 October 2025 between the Applicant and Eastern IFCA, it is agreed that the Applicant will consult and engage with the Eastern IFCA on further refinement and development of the FLCP prior to submission to the MMO for approval. Eastern IFCA and the Applicant are in agreement regarding this matter.</td></tr> <tr> <td>Whilst the Applicant has assessed the potential impacts of electro-magnetic fields, Eastern IFCA maintain that not enough is known about electro-magnetic field impacts on marine fauna. We do not consider this can be addressed by a single developer; instead, there is a responsibility for the marine cable industry to investigate and conduct research to reduce uncertainty.</td><td>As discussed in meeting of 22 October 2025 between the Applicant and Eastern IFCA, it is agreed that whilst there is potential for EMF to impact fish and shellfish, the assessment provided in ES Chapter 10 Fish and Shellfish Ecology is robust. Whilst the Eastern IFCA maintain that there is a lack of empirical data and evidence electro-magnetic field impacts on marine fauna, this is an industry and north sea wide issue that cannot be tackled by a single developer or industry. The IFCA will continue to lobby for further research.</td></tr> <tr> <td> <p>Eastern IFCA's agreed position on the proposed compensatory measures is that it will not support compensatory measures that impact fishing opportunities. Proposed compensatory measures that have the potential to impact fishing opportunities, and consequently Eastern IFCA may take this position on, are:</p> <ul style="list-style-type: none"> ▪ Creation of native oyster beds ▪ Creation of blue mussel beds ▪ Seagrass bed habitat creation ▪ Extensions to SAC's <p>Previous dialog with the Outer Dowsing project team revolved around developing Memorandum of Agreement (MOA) with Eastern IFCA that would formally recognise Eastern IFCA's position in relation to compensatory measures and – if agreed – agreement to work together to develop the compensatory</p> </td><td> <p>In meeting of 22 October 2025 between the Applicant and Eastern IFCA it was discussed that that that despite the current preference by the Applicant for any benthic compensatory measures to delivered via DEFRA via the Marine Recovery Fund (MRF) and proposed SAC designation or extensions it remains prudent for the Applicant to retain the ability to deliver other Project alone measures as an alternative should the MRF become further delayed.</p> <p>It was agreed that should the Applicant find following consent determination that they need to deliver project alone measures, and if the measure falls within Eastern IFCA jurisdiction, the Applicant will continue to engage on site and project refinement and implementation of the measure.</p> </td></tr> </table>	IFCA Deadline 5 submission	Status of agreement	There is the potential for restrictions and damage to fishing grounds and displacement of activities during cable works. 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The IFCA will continue to lobby for further research.	<p>Eastern IFCA's agreed position on the proposed compensatory measures is that it will not support compensatory measures that impact fishing opportunities. 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<p>Eastern IFCA's agreed position on the proposed compensatory measures is that it will not support compensatory measures that impact fishing opportunities. Proposed compensatory measures that have the potential to impact fishing opportunities, and consequently Eastern IFCA may take this position on, are:</p> <ul style="list-style-type: none"> ▪ Creation of native oyster beds ▪ Creation of blue mussel beds ▪ Seagrass bed habitat creation ▪ Extensions to SAC's <p>Previous dialog with the Outer Dowsing project team revolved around developing Memorandum of Agreement (MOA) with Eastern IFCA that would formally recognise Eastern IFCA's position in relation to compensatory measures and – if agreed – agreement to work together to develop the compensatory</p>	<p>In meeting of 22 October 2025 between the Applicant and Eastern IFCA it was discussed that that that despite the current preference by the Applicant for any benthic compensatory measures to delivered via DEFRA via the Marine Recovery Fund (MRF) and proposed SAC designation or extensions it remains prudent for the Applicant to retain the ability to deliver other Project alone measures as an alternative should the MRF become further delayed.</p> <p>It was agreed that should the Applicant find following consent determination that they need to deliver project alone measures, and if the measure falls within Eastern IFCA jurisdiction, the Applicant will continue to engage on site and project refinement and implementation of the measure.</p>								

Eastern IFCA's Submission	Applicant Response
	<p>measures and/or fisheries compensation measures. Eastern IFCA is keen to further this discussion.</p> <p>Extensions to existing SAC's as a compensatory measure for Annex I biogenic reefs and Annex I sandbanks could have a detrimental effect on fishing communities within the Eastern IFCA district and contribute to the continued squeeze on fishing practices. Eastern IFCA notes that commercial fisheries have been recognised as other users of the proposed extension areas of IDRBNR and HHW SAC. We would request that the impacts on fisheries be taken into account if any MPA extensions are considered.</p>
	In meeting of 22 October 2025 between the Applicant and Eastern IFCA it was discussed that the Applicant currently has no visibility or control over DEFRA's identification of a potential SAC extension or new designation that will be provided via MRF. As such it was agreed this matter was one for the Eastern IFCA to raise with DEFRA, rather than the Applicant.

Table 1-5 The Applicant's Comments on the Equinor IP's Submission

Equinor's Submission	Applicant Response
<p>This submission is made by the Equinor IPs in order to draw the Secretary of State's attention to matters arising since the close of the examination and that are relevant to points made in their final submission to the examination on the subject of wake effects</p>	
<p>Whilst the Equinor IPs acknowledge that the Secretary of State did not expressly solicit this submission in his letter dated 12 August 2025, they consider that it will assist the Secretary of State to understand the Equinor IPs position in the light of the recent decisions by the Secretary of State to grant development consent for the Mona Offshore Wind Farm² and the Morgan Offshore Wind Farm. The Equinor IPs regard these decisions as important and relevant considerations for the Secretary of State in reaching his determination on the issue of wake effects in the current application</p>	<p>The Applicant has responded to the points made by the Equinor IPs in this table and in the Applicant's Response to RfI 2 – Wake Effects (document 28.5).</p>
<p>In particular, and as argued by the Equinor IPs, both decisions unequivocally confirm that other offshore wind farms fall within the scope of "other offshore infrastructure" for the purposes of National Policy Statement EN3 and specifically that the consideration of impacts on such infrastructure arising from wake effects caused by proposed offshore wind farms is a matter which engages the relevant sections of the NPS which mandate the assessment and consideration of effects on such infrastructure.⁵</p>	
<p>The Mona Decision Letter then further endorses the Equinor IPs position⁶ that the issue is one which warrants protection within the terms of the DCO, given the position adopted by the Mona Applicant and the evidence submitted to the examination which resulted in the Secretary of State modifying the made Order to include requirement 29.⁷</p>	
<p>The Equinor IP's note that the current situation in the Outer Dowsing application is analogous to that set out in the Mona and Morgan Decision Letters. Consequently, the established legal principle of consistency in decision making would oblige the Secretary of State to adopt a similar approach in determining the Outer Dowsing application⁸ :</p> <ul style="list-style-type: none"> ▪ The Applicant's position is that the issue is not engaged by the NPS. As noted above, that position has now been comprehensively dismissed by the Secretary of State. • No substantive attempt was made by the Applicant in the formulation of the project to engage with the Equinor IPs to discuss how the impact identified in the assessments submitted might be addressed or mitigated to enable successful co-existence between projects⁹ . ▪ The Secretary of State's criticism that "the Applicant undertook very little meaningful engagement with the parties on the question of wake effects at the pre-application stage"¹⁰ leading the Secretary of State to consider "that the Applicant's approach has not allowed the issue of mitigation to be satisfactorily considered." equally applies. 	

Equinor's Submission	Applicant Response
<p>■ The evidence submitted to the examination¹¹ acknowledges that there will be wake effects caused to the Equinor IPs assets. In the Mona Decision, the Secretary of State accepted that where “there will be wake effect impacts from the Proposed Development on existing operational offshore infrastructure, noting that precise figures for the impact cannot be established... this will have a financial impact on Ørsted IPs and that this impact may be of some relevance to future decisions in relation to their assets.” ¹² This reasoning led the Secretary of State to modify the DCO to include requirement 29.</p>	
<p>The same rationale supports the Equinor IPs position that the Outer Dowsing Order should be modified to provide protection to their assets. The Secretary of State will note that for the reasons set out in REP6-14313 they consider it appropriate and preferable to do so through the terms of their proposed protective provisions rather than by requirement. The Equinor IPs note that the Secretary of State did not have any proposals for protective provisions before him when modifying the Mona and Morgan Orders, and in such circumstances it would not have been appropriate for the Secretary of State to unilaterally modify the Orders to impose protective provisions. The Equinor IP’s do not therefore consider that the Mona and Morgan decisions affect its rationale in support of protective provisions set out in its previous submissions.</p>	
<p>However, since the close of the Outer Dowsing examination, similar concerns have been raised in the Dogger Bank South examination in respect of the impact of that project upon assets in which Equinor holds an interest¹⁴ and for which it is also seeking protection via protective provisions. During the course of that examination, the drafting of the protective provisions has evolved further. In order to ensure consistency of approach across all projects (which the Equinor IP’s consider would be helpful) the Equinor IPs have enclosed at Appendix 1 updated protective provisions which are consistent with the approach submitted to the Dogger Bank South examination and notes that it would be content for the Secretary of State to adopt these in preference to the protective provisions that it submitted at Deadline 6.</p>	
<p>The Equinor IPs consider that the updated protective provisions provide a clearer process under the control of the Applicant and the Equinor IPs involving the appointment of joint experts without the need for the Secretary of State to become the arbiter of matters of technical detail. Alternatively the process allows for the issue to be addressed via the conclusion of a separate wake loss agreement.</p>	

Table 1-6: The Applicant’s Comments on Lincolnshire County Council (LCC)’s Submission

LCC's Submission	Applicant Response
<p>Further to your letter dated 12 August 2025 requesting further information from various parties in respect of the above application it is noted that Lincolnshire County Council have been invited to respond to paragraph 50 Onshore Traffic and Transport and our comments are as follows.</p>	<p>As presented in document 6.1.27 Environmental Statement (ES) Chapter 27 Traffic and Transport (REP4a-023) of the cumulative impacts during the construction phase have been assessed on a reasonable worst-case basis and it has been concluded that there would be no significant cumulative impacts.</p>
<p>For Town and Country Planning applications in assessing traffic impacts of developments, the applicant will be asked to consider any other committed developments. This will ensure that the impact of the new development has been considered cumulatively with existing developments (or those with permission). Whilst Outer Dowsing has done this appropriately, it is only the second Development Consent Order (DCO) that has progressed beyond examination stage in this area. The only other project was granted DCO in 2023 (Boston Alternative Energy Facility) to date remains unimplemented.</p>	<p>LCC acknowledges in its response that the Applicant has carried out its cumulative assessment of traffic impacts appropriately.</p>
<p>For Town and Country Planning Act developments, assessing cumulative impacts usually relates to traffic associated with the operation of the development (not the construction) as the operational traffic is usually higher than the construction traffic. For example, an application for 1000 residential properties may generate 500 peak hourly trips in perpetuity, whereas the construction of 500 residential properties</p>	

LCC's Submission	Applicant Response
<p>will have only generated maybe 50 HGV trips during the peak hours for a temporary construction period of up to four years.</p>	
<p>The majority of the DCOs that are emerging in this area are still at pre-application stage (Pipelines, solar farms, cables, overhead lines etc) the operational traffic in perpetuity is relatively small. However, the construction traffic over a 2-3 year period will be (if granted) relatively high because these are large infrastructure projects. So, a large solar farm may have 1000 construction trips per day for the peak three months in a 24-month construction period, and then when completed and operational its maintenance traffic may be less than 10 trips per day in perpetuity.</p>	<p>As noted by LCC, NSIP development coming forward at a later date will be required to undertake its own assessment of traffic and transport impacts, and will, as part of that assessment, need to assess the potential for cumulative impacts with other committed developments (including the Project) where there could be an overlap in construction programmes. As such, cumulative impacts will be assessed and considered at that stage where required and this will ensure that up-to-date, detailed information on the likelihood of such impacts will be before the decision makers at the appropriate time.</p>
<p>Using the standard planning approach of committed development will mean that the first or second DCO granted in an area will get consent on the basis of its construction traffic impact being acceptable with necessary mitigation. The next DCO application will have to then take account of the already consented construction traffic and if the cumulative of the impacts is unacceptable, it will have to be subject to mitigation measures so that peak construction does not occur at the same time as the existing consented ones (which is outside the applicant's control). Subsequent DCO applications submitted will similarly need to have further mitigation measures, as further applications are submitted at some stage at tipping point will be reached where the necessary mitigation measures will need to be so onerous that it will compromise the viability of the development and a judgement will need to be made by the decision maker, in the planning balance, if it is acceptable that the harm caused to highway capacity /safety from the development is outweighed because of the need for the development. The majority of the emerging DCO projects in this area have construction impacts for temporary periods (2-3 years) and have peak periods within them. Such an approach will cause developers issues with cost and deliverability as construction programmes cannot reasonably be adjusted for delays or changes to construction timetables.</p>	<p>The tipping point referred to by LCC has not been reached by the Project as the assessment has found there to be no significant cumulative impacts and this is recognised by LCC who note that <i>"a point will be reached when the granting of a the next DCO will result in the existing highway capacity being exceeded"</i> [emphasis added].</p>
<p>Therefore, in this locality a point will be reached when the granting of a the next DCO will result in the existing highway capacity being exceeded and a position could be reached where no further DCOs are able to commence development until the existing ones have been constructed or their consent lapses. This would question the tests of both enforceability and reasonableness to put such restrictions in place. For instance if a developer with an extant DCO does not to commence development until close to the end of the expiration period of the consent and has a three year construction programme this could result in delays of up to eight years for subsequent projects which would not be reasonable for any development especially those defined as critical national infrastructure.</p>	<p>It would not be appropriate to include a requirement compelling the Applicant to be involved in a Joint Construction Traffic group. NPS EN-1 states at paragraph 4.1.16 that <i>"The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects."</i></p>
<p>Consequently, what is needed is a more reasonable and flexible approach which allows for inevitable changes in procuring and delivering large infrastructure projects in a local vicinity. Ideally, each consented DCO should have statutory requirement to be involved in a Joint Construction Traffic group which would mean that as changes occur to construction programmes, it can be agreed and managed so that the cumulative traffic impacts do not become unacceptable. But the actions from this group would need to be binding and fairly agreed between all developers and the Highway Authority. Should such a group be effective and with binding agreements this could enable several DCOs to be approved in an area with the Highways Authority knowing that control and management of cumulative construction traffic can be kept to an acceptable level on the network. The other alternative is large scale improvements to the highway network to increase capacity but this is unlikely to be viable in respect of cost and timescales required for such improvements to be delivered.</p>	<p>The Applicant's assessment of cumulative traffic and transport impacts has concluded no significant effects and this assessment has been deemed appropriate by LCC, therefore such a requirement would fail the tests set out in NPS EN-1 as it has not been shown to be necessary in order to make the Project acceptable nor is it relevant to the development to be consented. Given the project has not identified any significant cumulative traffic impacts, it is considered it would be unreasonable to impose a requirement where the intention is to mitigate cumulative traffic impacts.</p> <p>Notwithstanding the position outlined above, the Applicant acknowledges the benefits of information sharing and cooperation between developers and for that reason has, on a voluntary basis, been participating in the South and East Lincolnshire Linear Energy Projects Forum (SELLEPF). The Applicant and LCC are founder members of the SELLEPF, which includes other energy related linear NSIPs in Lincolnshire. The purpose of the group is to share information and cooperate in the management of common activities, such as construction traffic movements. The Applicant intends to use information regarding other SELLEPF projects when it finalises the Construction Traffic Management Plan (CTMP), which will be drafted in line with the Outline CTMP (document 8.15, REP4a-089) for pre-construction approval by LCC in accordance with Requirement 21 (Traffic) of the DCO.</p>

LCC's Submission	Applicant Response
<p>Whilst the Council has continued a dialogue with the applicant since the close of the examination there has been no further discussion on potential measures to address the concern about the cumulative impact on the highway network as further projects arise.</p>	<p>The Applicant welcomes the dialog with LCC and will continue to engage, both independently and bilaterally through the SELLEPF.</p>
<p>However, the Council is making all emerging NSIP developers in this area aware of its concern of the cumulative impact of construction traffic on the highway networks should all schemes receive consent and be implemented.</p>	<p>In summary, through effective bilateral engagement with relevant developers, and dialogue as members of the SELLEPF, in the event that cumulative construction phase traffic impacts with the Project are identified by future NSIP projects in their assessments, it is likely that construction activities between projects, where required, can be effectively timed to prevent works happening simultaneously, thus reducing the risk of increasing impacts at individual locations. In most instances given the nature of NSIP construction, cumulative effects are likely to be limited to impacts on the local highway network from construction traffic, where construction projects in different locations are required to use the same highway infrastructure. The Applicant will use information from SELLEPF regarding other projects' programs and traffic routes when it finalises the CTMP for pre-construction LCC approval in accordance with Requirement 21 (Traffic) of the DCO.</p>
<p>In respect of Paragraph 40 Onshore Ecology and Ornithology whilst the Council has not been invited to comment on this topic given the Council made a number of representations on this matter during the examination it is appropriate that the Council provides some feedback on this matter. As a starting point the Council has reviewed the question documents referenced but is slightly confused by the BNG query. The Council considers that the Applicant has used the latest version of the metric and does present the final percentages for each habitat type. AS-014 (Para 221) states that the project will deliver - 0.80% for habitat Biodiversity Units, +14.40% for linear Biodiversity Units (which include hedgerow and lines of trees) and +0.08% for riparian Biodiversity Units. The report states that that Statutory Metric was used and from the included screenshots, this does appear to be the case.</p>	<p>The Applicant welcomes the confirmation from LCC that the correct metric has been used and that 14.3 Biodiversity Net Gain Assessment Report (AS-014) provides the final percentages for each habitat type.</p>
<p>The Council maintains its stated position that whilst BNG does not yet formally apply to NSIPs, best practice amongst most NSIP developers is to seek to deliver a minimum of 10% BNG in advance of the statutory requirement to do so. The Council would therefore expect the project to include measures to deliver a minimum of 10% BNG and that these measures should be secured in the DCO.</p>	<p>The Applicant's position on biodiversity net gain is set out in Section 11.11 of 24.13 The Applicant's Closing Statements (REP6-121). The Applicant has previously explained why insisting on a particular percentage of BNG is not justified and why the imposition of a requirement to deliver 10% BNG would not pass the policy tests for the imposition of requirements, and this can be found in 20.4.4 The Applicant's Written Summary of Oral Case Put at the Issue Specific Hearing 3 held on 5 December 2024 (REP3-051) and 22.4 The Applicant's Written Summary of Oral Case put at the Issue Specific Hearing 5 held on 12 February 2025 (REP4a-116).</p> <p>The Applicant notes LCC's position has been somewhat fluid on this matter. At Issue Specific Hearing 5, LCC stated that it was not arguing that a particular percentage of BNG should be imposed, but that it wanted positive BNG to be secured (REP4a-116).</p> <p>This was welcomed by the Applicant, as the Applicant has committed to deliver an overall net gain in biodiversity, which is secured in the Draft DCO via, document 8.10, the Outline Landscape and Ecological Management Strategy (REP6-070). Section 3.9 of this document states <i>'The Applicant is committed to delivering a net gain in biodiversity and demonstrating this gain by using an appropriate biodiversity metric. If there is a shortfall in overall biodiversity units from any metric type (habitat, hedgerow, or river), as a result of the Project, offsite habitat enhancement to deliver an overall net gain for the Project will be agreed and incorporated. The delivery of offsite enhancements will be secured through an agreement between the Applicant, or it's agent and the landowner/responsible body'</i>.</p> <p>The Applicant therefore considers that it has secured delivery of BNG in an appropriate manner.</p>
<p>The Council considers the above response addresses the matters the Council was requested to comment on within the letter dated 12 August 2025. However, if you have any questions about this response please</p>	

LCC's Submission	Applicant Response
do not hesitate to contact me as set out above, I hope the Council's comments are helpful to the Secretary of State.	

Table 1-7 The Applicant's Comments on Marine Management Organisation (MMO)'s Submission

MMO's Submission	Applicant Response
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.	
<p>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).</p> <p>This document comprises comments in respect of the DCO Application, in response to the request for further information issued by the Secretary of State for Energy Security & Net Zero on 12 August 2025.</p> <p>This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application. 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.</p>	
<p>Request for Further Information Regarding the Deemed Marine Licence</p> <p><i>5.1 The Secretary of State notes that the MMO had a number of issues with the drafting contained within the Deemed Marine Licence ("DML") in Schedules 10 – 16 and believed that they should be removed. The Applicant and the MMO are therefore requested to provide an update on the status of these conditions.</i></p> <p>1.1 With reference to paragraph 51 of the Request for Information from the Secretary of State for Energy Security and Net Zero dated 12 August 2025, the MMO and the Applicant engaged proactively throughout the Examination and the matters at issue between the MMO and the Applicant narrowed considerably throughout the process. The MMO and the Applicant most recently met on 20 August 2025. Following that meeting the MMO and the Applicant confirm that their respective positions are as set out in the submissions made at the close of Examination. For the avoidance of doubt, whilst differences of opinion remain as to the precise drafting of the conditions to be attached to the deemed marine licences in Schedules 10-16, it is not the MMO's position that these deemed marine licences should be removed from the DCO. The points outstanding at Deadline 6 were relating to specific conditions contained within the deemed marine licences.</p>	
1.2 The MMO has used its expert judgment in examining the case specific details of this offshore wind farm, along with its knowledge of the post-consent development approvals process. It should not be taken as president that because a condition is included within a previous Project's DML, that it should automatically be included moving forward. Decisions must take into account the most up to date evidence, and this includes evidence of why conditions do not work/cause difficulty post-consent. The	As set out in the Applicant's Closing Statements (REP6-121), the Applicant considers that, where it has not been able to agree DCO drafting with the MMO, it has robustly set out its justification for its preferred drafting, having regard to previous decision-making in comparable Orders but also to policy and applying the principle that marine licence conditions should be precise, necessary, relevant to the development,

MMO's Submission	Applicant Response
DMLs must be enforceable and the MMO stresses that it is best placed to exercise its function in wording conditions specifically so that they are interpreted correctly by all stakeholders. Conditions must serve a defined purpose and where they do not, they must be amended/removed.	<p>relevant to planning and reasonable in all other respects, as set out in PINS Advice Note 15. The conditions of the deemed marine licences proposed by the Applicant meet these tests.</p> <p>By contrast, the Applicant considers that the MMO's positions and justification for their positions are far less clear or evidenced in a number of areas and in that context it is considered that much more limited weight can be given to their suggestions.</p> <p>A summary of the Applicant's position is set out in the Statement of Common Ground with the MMO (REP6-097).</p>
1.3 The table below [Table 1.9 of this document] summarises the outstanding comments which need to be addressed by the Secretary of State for Energy Security & Net Zero. For MMO's full comments, please refer to the Deadline 6 submission, REP6-134. The MMO requests that a definitive decision is set out within the decision document so that there is no doubt in the post-consent phase as to what the determination on each issue is	A summary of the Applicant's position is set out in document 18.17 Statement of Common Ground with the MMO (REP6-097). The Applicant has signposted to its response in Table 1.9 below.

Table 1-8 The Applicant's Comments on Marine Management Organisation (MMO)'s Summary of outstanding DML concerns

dML topic	Summary of change required to dML	MMO position	Applicant Response
Transfer of benefit	Transfer of benefit	The MMO strongly disagrees with the purpose of the inclusion of the DML in this transfer of benefit provision and our strongest preference remains for the DMLs not to be made subject to the Transfer of Benefit provisions in the main body of the order, in full or in part.	<p>The wording of Article 6, Part 2 of the DCO is appropriate and adequate.</p> <p>The Applicant disagrees with the MMO's position on the wording of Article 6 and has set out its detailed response at RR-042.007 to RR-042.011 in the Applicant's Responses to Relevant Representations (PD1-071). The Applicant's position is summarised at 1.3.3 to 1.3.9 and at 2.1.1 to 2.1.10 of Table 1.2.2.2 of document 22.3 The Applicant's Comments on Deadline 4 Submissions (REP4a-115).</p>
Lifespan	Addition.	The MMO considers that DMLs should have an end date included to keep them in line with other Marine Licences that include construction and maintenance activities	<p>The Applicant's approach is consistent with that followed for all other offshore wind farm DCOs in recent times, including East Anglia 1 North and 2, Hornsea Four, the Sheringham and Dudgeon Extension Projects, Rampion 2 and Mona Offshore Wind Farm.</p> <p>In each case the relevant applicant has assumed a particular operational period for the ES but has not sought a time limited consent and no time limit has been imposed on the resulting DCO. The Applicant's position is explained in 19.2 The Applicant's Responses to The ExA's First Written Questions (ExQ1), in response to ExA WQ1 DCO</p>

dML topic	Summary of change required to dML	MMO position	Applicant Response
			1.9 (REP2-051) (pp58-64) and in 21.2 The Applicant's Responses to The ExA's Second Written Questions, in response to ExA WQ2 GC 1.3 (REP4-107) (pp18-20).
Force Majeure/Notification of Unauthorised Deposits	Removal of the following: Schedule 10, Part 2, Condition 12. Schedule 11, Part 2, Condition 12. Schedule 12, Part 2, Condition 9. Schedule 13, Part 2, Condition 9. Schedule 14, Part 2, Condition 9. Schedule 15, Part 2, Condition 9. Schedule 16, Part 2, Condition 7	The dropped object condition already serves as a notification to the MMO. This is unwanted duplication that moves the decision away from the regulator.	The Applicant considers that the inclusion of the force majeure condition is appropriate in line with numerous other made DCOs. The Applicant refers to its comments at page 24 of The Applicant's Comments on Deadline 4a Submissions (REP5-150) and p28 of the Applicant's Comments on Deadline 5 Submissions (REP6-110).
Determination Timescales	Removal of (6) within Schedule 10, part 2, Condition 22. The rest of condition 22 to remain. Removal of (4) and (6) within Schedule 10, Part 2, Condition 14. The rest of condition 14 to remain. Removal of (4) and (6) within Schedule 11, Part 2, Condition 14. The rest of condition 14 to remain.	The MMO maintains that the DML should not place determination timescales on the regulator	The Applicant maintains that the timescales proposed in the draft DCO are appropriate and strike the balance between allowing the MMO and consultees adequate time to consider submissions and the need for timely deployment of offshore wind Critical National Priority infrastructure. The Applicant refers to its comments at pages 30, 31 and 38 of the Applicant's Comments on Deadline 5 Submissions (REP6-110).
Timescales of Marine Mammal Mitigation Protocol (MMMP) and Site Integrity Plans (SIPs) for Artificial Nesting Structures (ANS) and biogenic reef creation	Amendment to timescale of the MMMP and SIP – all should be six months	The MMO maintains its position that it must be six months for all MMMPs and SIPs regardless of the scale of the activity so that in-combination impacts can be fully assessed.	The Applicant refers to its comments at pages 30, 31 and 38 of the Applicant's Comments on Deadline 5 Submissions (REP6-110).
Decommissioning	Addition.	The MMO would welcome a commitment to review the decommissioning programme and all updated programmes prior to the SoS decision.	The Applicant notes that this comment relates to the review of programmes prior to the decision by the Secretary of State and should therefore not be imposed as a condition of the deemed marine licences which would apply post-consent. The Applicant maintains its position that an outline Decommissioning Plan is not necessary, as set out at 1.3.19 in Table 4 of the Applicant's Comments on Deadline 4 Submissions (REP4a-115).
Chemicals	Amendment to Schedule 10, Part 2, Condition 11. Amendment to Schedule 11, Part 2, Condition 11. Amendment to Schedule 12, Part 2, Condition 8. Amendment to Schedule 13, Part 2, Condition 8. Amendment to Schedule 14, Part 2, Condition 8. Amendment to Schedule 15, Part 2, Condition 8. Amendment to Schedule 16, Part 2, Condition 6. Addition of interpretations.	The MMO believes the additional information will make it clear what is required at the post consent stage, with definitions to be included within the consents pertaining to the new condition wording.	The Applicant updated the draft DCO at Deadline 5 to reflect the form of words proposed by the MMO at Deadline 4 and maintains that the proposed condition wording is appropriate. The Applicant refers to its comments at page 48 of the Applicant's Comments on Deadline 5 Submissions (REP6-110).

Table 1-9: The Applicant's Comments on Natural England (NE)'s Submission

NE's Submission	Applicant Response
Engagement with the Applicant since Examination close	
<p>Natural England wishes to highlight that since the close of examination, at the request of the Applicant, Natural England has engaged directly with them, under our Discretionary Advice Service (DAS) on outstanding issues which remained. We understand the Applicant intends to submit our DAS advice alongside updated documents at this RFI deadline. To assist the Secretary of State in their determination, in addition to providing advice to each information request directed to Natural England, where applicable our advice also captures a summary of our updated position based on our understanding through our DAS engagement of the Applicant's intended updates/commitments at this RFI deadline, where this either resolves or progresses an outstanding issue. It should be noted that until relevant documentation is submitted, Natural England does not consider these commitments to be secured.</p>	<p>As noted by Natural England, significant progress has been made on a number of issues that remained unresolved at the close of the Examination. The Applicant updated several documents in accordance with suggestions from Natural England and submitted them to the Secretary of State on 9 September 2025.</p> <p>An overview of the consultation with Natural England since the close of the Examination was provided in Appendix A of C1-049 - Responses to Secretary of State's consultation 1 - 27.2 The Applicants Response to the Request for Information dated 12th August 2025 (C1-049).</p>
Benthic ecology, intertidal, subtidal and coastal effects	
<p>Natural England has reviewed the Outline SPCMP [REP6-076] and CSIP [REP6-062]. We welcome the inclusion of the Maximum Design Scenario (MDS)/Worst Case Scenario (WCS) for cable protection within Inner Dowsing, Race Bank and North Ridge (IDRBNR) Special Area of Conservation (SAC) in areas of Annex I Sandbank and supporting habitat for Annex I Sabellaria spinulosa reef. For clarity, Natural England advises the SPCMP (Para 42 and Table 3- 2 title) and CSIP (Para 22 final bullet point and Table 5-1 title) sets out that the width of cable protection within these features will not exceed 6m width. Further, we advise the documents describe in the explanatory paragraphs the percentage of the feature on which the WCS is based (currently for the supporting habitat for Annex I Sabellaria spinulosa reef feature, the Applicant's WCS commitment is 20% plus 20% contingency for the total length of the export cable route intersecting with this feature).</p>	
<p>Natural England welcomes the proposed wording of condition 21 (i.e. <i>"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"</i>).</p>	
<p>However, whilst Natural England continues to agree with the Applicant's assessment on the amount of supporting habitat for Annex I biogenic reef which is likely to be impacted along the export cable corridor; we do not agree with the 20% WCS presented in terms of cable protection required across this feature within IDRBNR SAC and therefore the associated extent of lasting habitat loss. Therefore, NE's concerns in [REP6-154, C – Benthic & Intertidal Ecology, pt 1&2 and D - Benthic compensation pts 1 and 2 remain unresolved. Our advice as set out at Deadline 6 [REP6-147] remains that: <i>'Natural England has concerns that given the inherent difficulty found by neighbouring cable installations with installing cables to a sufficient depth within the prevailing sediment type for this predominantly mixed sediment habitat, a 20% WCS is not realistic. We consider that the WCS of cable protection required across the supporting habitat for Annex I Sabellaria spinulosa reef, should be higher, somewhere between 20% (95,407m²) and 100% (477,036m²). As such, we advise that compensation will be required at a greater scale to allow for this contingency.....the details (area and volume) should be set out within a named document and secured within the DCO/DML in agreement with Natural England and the MMO.'</i></p>	<p>The Applicant has provided further explanation of its the approach to determining this position in response to paragraph 5a of the Secretary of State's Second RFI (document 28.2, submitted in response to 2nd RFI).</p>
<p>Natural England notes the invitation to DEFRA (Point 5) to advise whether the Proposed Development and its impacts are of a type which could in-principle be compensated for by the MPA measure delivered through the Marine Recovery Fund (MRF). Natural England can confirm that while the scale of the impacts on supporting habitats are not agreed with the Applicant, we are agreed that strategic benthic compensation in the form of Marine Protected Area (MPA) Designation/Extension via the MRF has the greatest ecological merit to compensate for the impacts, and that through our communications with DEFRA are confident there would be</p>	

NE's Submission	Applicant Response
<p>sufficient feature within the MPA project to compensate for a higher WCS for Annex I Sabellaria spinulosa Reef for this project as set out above.</p>	
<p>Similarly, we also highlight that we are confident that there is sufficient strategic benthic compensation in the form of MPA Designation/Extension to compensate for the advised Adverse Effect on Integrity (AEI) from habitat change/loss, as a result of placing 5,760m² of cable protection on Annex I sandbanks within IDRBNR SAC.</p>	
<p>Natural England advises that in the event that a fall-pipe cannot be used to deposit sediments in specific locations within IDRBNR SAC, then there is risk that the magnitude of resulting pressures, as listed in Natural England's Advice on Operations (AoO) for the site (including physical changes to another sediment type, smothering and siltation rate changes) could hinder the recovery of the Annex I Sandbank feature. In the absence of the proposed mitigation, there is a risk that the HRA for construction activities has not appropriately considered the duration of any sediment deposition, spatial extent and therefore significance, of likely impacts on the Annex I Sandbank feature.</p>	<p>The Applicant updated the relevant management plans to include the commitments requested by Natural England and submitted them to the Secretary of State of 9 September 2025, as set out in row 4 of C1-049 - Responses to Secretary of State's consultation 1 - 27.2 The Applicants Response to the Request for Information dated 12th August 2025.</p> <p>As described in row 1 of Table 1.1 in the 28.2 Applicant's Response to the Second Request for Information, the Applicant has made the commitments requested by Natural England in relation to NERC habitats.</p>
<p>Through engagement with the Applicant since examination close, Natural England understands the Applicant intends to include a commitment within an update to the Outline Biogenic Reef Mitigation Plan and the Outline CSIP to the use of precise disposal method via discharge pipe(s), downpipe(s) or equivalent within the IDRBNR SAC via a sediment return methodology suitable to ensure that material is returned within the same sediment type/cell and upstream of the dredge location on the sandbanks. To resolve our concerns, Natural England advises the Applicant makes it clear within these documents and the schedule of mitigation, this measure is to be used throughout the IDRBNR SAC to aid recovery of the Annex I sandbank feature.</p>	
<p>Natural England also understands the Applicant intends to include a commitment within the Outline Biogenic Reef Mitigation Plan and the Outline CSIP to introduce a working separation distance (50m buffer) from Annex I Sabellaria spinulosa reef features to limit the potential for impacts to arise from sediment deposition during construction activities. Natural England welcomes these commitments and providing these are secured and fully implemented, and not just where sediment deposition is predicted to be greatest, along with the above concerning use of a fall pipe and material returned within the same sediment type upstream, through the inclusion within both these documents and the Schedule of Mitigation, then Natural England's concerns are resolved regarding impacts to the Annex I Sabellaria spinulosa reef feature from sediment deposition and can advise that an AEI from this impact pathway can be excluded. While Natural England advises these mitigation measures are used throughout the IDRBNR SAC we further highlight use of this mitigation would also address many of our concerns raised in relation to NERC, 2006 Priority Habitats outside of designated sites.</p>	
<p>Since the close of examination, Natural England has engaged with the Applicant via our Discretionary Advice Service (DAS). As Natural England understands, the Applicant intends to provide the Secretary of State with further technical clarification and a commitment to an Offshore Reactive Compensation Platform (ORCP) Restriction Area, providing a 500m buffer to the IDRBNR SAC, and therefore a minimum distance of over 1000m from the nearest Annex I Sandbank feature. Natural England is supportive of this commitment as a mitigation measure.</p>	<p>The Applicant updated document 21.16 ORCP Design Principles Statement (C1-055, v3 submitted 9 September) to secure the 500m buffer to the IDRBNR SAC as requested by Natural England and submitted it to the Secretary of State of 9 September 2025, as set out in row 9 of C1-049 - Responses to Secretary of State's consultation 1 - 27.2 The Applicants Response to the Request for Information dated 12th August 2025.</p>
<p>Should this commitment/mitigation measure be included within the Applicant's updated ORCP Design Principles Statement and/or secured by the DCO/DML and submitted to the Secretary of State, then Natural England advises that the risk of an AEI on the IDRBNR SAC, due to changes in physical processes or suspended sediment/deposition from the presence of the ORCP infrastructure, would be mitigated as much as currently possible.</p>	
<p>However, Natural England notes that the Applicant's evidence indicates that as the operational life of the project progresses, the likelihood of negative interactions occurring increases due to sandbank migration. Due to the potential significance of the impacts being poorly understood, and unpredictable over time, in part due to environmental factors and the impacts are only likely to occur some years in the future, we are content for the</p>	<p>The Applicant updated document 8.3 Offshore In Principle Monitoring Plan (C1-076, v4 submitted 9 September) to include additional pre and post-construction monitoring requirements (section 3.1 Physical Processes) and an adaptive management requirement (paragraph 26 et seq.) as requested</p>

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<p>decision maker to exclude an AEol from this impact pathway through undertaking a monitoring and adaptive management-based approach.</p> <p>We believe this approach aligns with the Applicant's intention to incorporate a monitoring commitment at this RFI deadline which commits to comprehensive pre-construction/post construction monitoring. Though, we advise that this commitment must also include the requirement to undertake remediation where observations show the impacts to be greater than predicted.</p>	<p>by Natural England, as set out in row 9 of C1-049 - Responses to Secretary of State's consultation 1 - 27.2 The Applicants Response to the Request for Information dated 12th August 2025.</p>
Offshore and Intertidal Ornithology	
<p>Natural England can confirm that Rhoades et al. (2025) is the report referenced in our Deadline 6 submission [REP6-151]. This report has since been published and we have carefully reviewed the findings.</p>	
<p>The report clearly sets out limitations associated with the various methods used by offshore wind projects to calculate the compensation requirement i.e. the number of breeding pairs needed to produce the required number of recruits to offset the predicted mortality, termed the 'compensation population' in the report. Amongst other things, the report concludes that the Hornsea 3 part 2 ('H3p2') method – the method we have advised ODOW and other developers should use for kittiwake [REP5-167] - is the most 'comprehensive' (in terms of demographic traits considered) of the methods used. This is in part because it considers the number of recruits likely to disperse into the wider meta-population (and thus potentially the National Site Network), whereas the Hornsea 4 ('H4') method does not. This gives further support to Natural England's view that the H3p2 method is not, as asserted by the Applicant, an overly precautionary approach.</p>	<p>As described in row 14 of Table 1.2 in the 28.2 Applicant's Response to the Second Request for Information, the Applicant has engaged with Natural England, applied the British Trust for Ornithology (BTO) method to the Kittiwake calculations, and updated within Kittiwake Compensation Plan (Document Reference 7.7.1, V4 submitted in response to RFI 2)_ and Additional Measures for Compensation of Guillemot and Razorbill (Document Reference 7.7.6, V6 submitted in response to RFI 2).</p>
<p>Indeed, the report then goes on to demonstrate that while the H3p2 method attempts to take account of the need for the Artificial Nesting Structure (ANS) colony to be self-sustaining, it does not adequately consider the relationship between productivity and net dispersal rates. Specifically, the report outlines the difference between gross and net dispersal rates, and demonstrates that the assumed natal dispersal and productivity rates as taken from Horswill & Robinson 20152 (which are representative of gross rather than net dispersal – see Appendix 2 of the BTO report for further explanation) are ecologically implausible, with a productivity rate of 0.819 being unable to support the assumed dispersal rates of 0.77 or 0.89 as applied by Hornsea 3 and Outer Dowsing (see pages 32-33 and Figure b in Appendix 2 of the report). The report then goes on to recommend a new approach that is, in Natural England's view, more ecologically robust than previously used methods/formulae. This considers the maximum (net) dispersal rate that a colony can support at a given productivity rate and still be self-sustaining.</p>	<p>As described in row 14 of Table 1.2 in the 28.2 Applicant's Response to the Second for Information, the Applicant has engaged with Natural England, applied the BTO method to the Kittiwake calculations, and updated within Kittiwake Compensation Plan (Document Reference 7.7.1, V4 submitted in response to RFI 2)_ and Additional Measures for Compensation of Guillemot and Razorbill (Document Reference 7.7.6, V6 submitted in response to RFI 2).</p>
<p>It is important to note that the above BTO recommendations apply only to kittiwake and not to other species such as auks. Further work is needed to determine whether this method can be applied to other species, and if so, what additional considerations might be required.</p>	<p>This is noted by the Applicant.</p>
<p>Notwithstanding our support of the method proposed by BTO from an ecological standpoint, Natural England are cognisant of the advanced stage at which Outer Dowsing and the other Round 4 Projects are currently, and the risk of causing delays to consent in the context of meeting the 2030 clean power objective. We therefore suggest the Secretary of State (SoS) consider whether it is appropriate or reasonable to request that Outer Dowsing update their calculations of the compensation requirement for kittiwake at this stage in the determination phase, particularly given the range of compensation 'scenarios' already presented by Outer Dowsing (including presentation of different ratios).</p>	<p>This is welcomed by the Applicant.</p> <p>As described in row 14 of Table 1.2 in the 28.2 Applicant's Response to the Second for Information, the Applicant has engaged with Natural England, applied the BTO method to the Kittiwake calculations, and updated within Kittiwake Compensation Plan (Document Reference 7.7.1, V4 submitted in response to RFI 2)_ and Additional Measures for Compensation of Guillemot and Razorbill (Document Reference 7.7.6, V6 submitted in response to RFI 2).</p>
<p>To provide the SoS an indication of what likely influence the use of the BTO method will have on the compensation requirement for kittiwake, we have applied the method to the project's mean annual impacts of 15.5 and a 95% upper confidence limit annual impact of 41, using a productivity rate of 0.819 and corresponding sustainable dispersal rate of 0.28. The BTO method generates a requirement of approximately 140 and 360 breeding pairs respectively (prior to applying any ratios), compared to the requirement of 120 and 271 breeding pairs respectively using the H3p2 method as presented by Outer Dowsing in REP6-043.</p>	<p>As described in row 14 of Table 1.2 in the 28.2 Applicant's Response to the Second for Information, the Applicant has engaged with Natural England, applied the BTO method to the Kittiwake calculations, and updated within Kittiwake Compensation Plan (Document Reference 7.7.1, V4 submitted in response to RFI 2)_ and Additional Measures for Compensation of Guillemot and Razorbill (Document Reference 7.7.6, V6 submitted in response to RFI 2).</p>

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<p>However, as outlined within our Deadline 3 submission [REP3-071], a higher degree of confidence in the compensation requirement, as a result of the application of a more robust method that considers all relevant demographic features, may justify the use of a less precautionary compensation ratio which, as Rhoades et al notes, has previously been used to account for such uncertainties. This would particularly be the case where the other uncertainties under consideration are taken into account in the calculations used by an Applicant e.g. use of the 95% Upper Confidence Interval (UCI) impact value to account for the potential for impacts to be greater than the Central Impact Value (CIV).</p>	<p>As described in row 14 of Table 1.2 in the 28.2 Applicant's Response to the Second for Information, the Applicant has engaged with Natural England, applied the BTO method to the Kittiwake calculations, and updated within Kittiwake Compensation Plan (Document Reference 7.7.1, V4 submitted in response to RFI 2)_ and Additional Measures for Compensation of Guillemot and Razorbill (Document Reference 7.7.6, V6 submitted in response to RFI 2).</p>
<p>Finally, it should be noted that whilst reviewing the report, Natural England identified a minor issue with the usability of the R code supplied in Appendix 2, which in no way detracts from the robustness of the proposed methodology but which may cause some uncertainty around how to apply the method to alternative productivity rates. If the Secretary of State requires that Outer Dowsing update their calculations of the kittiwake compensation requirement using the BTO method outlined in Rhoades et al. 2025, Natural England would be pleased to work with Outer Dowsing to support them with the application of the BTO method to their calculation of the compensation requirement for kittiwake.</p>	<p>As described in row 14 of Table 1.2 in the 28.2 Applicant's Response to the Second for Information, the Applicant has engaged with Natural England, applied the BTO method to the Kittiwake calculations, and updated within Kittiwake Compensation Plan (Document Reference 7.7.1, V4 submitted in response to RFI 2)_ and Additional Measures for Compensation of Guillemot and Razorbill (Document Reference 7.7.6, V6 submitted in response to RFI 2).</p>
Marine Mammals	
<p>Natural England has reviewed the cumulative iPCoD modelling report submitted by the Applicant at Deadline 6 [REP6-026] and welcomes the additional evidence that has been provided by undertaking this piece of work. We particularly welcome the inclusion of harbour seal being modelled as a declining population. With regard to both harbour seal and grey seal, we are satisfied that the cumulative impact of offshore wind construction will not have a long-term detrimental impact on the species populations and that with appropriate mitigation in place, there will be no adverse effect on the integrity of the Wash and North Norfolk Coast SAC and Humber Estuary SAC, respectively.</p> <p>With regard to harbour porpoise, the project alone iPCoD assessment predicted the impacted population to be 99.83% of the unimpacted population and our concern was that this would increase if a cumulative assessment was undertaken with the impacted population potentially being less than 99% of the unimpacted population. Indeed, the cumulative iPCoD assessment has predicted that the impacted population will be 98.8% of the unimpacted population 18 years after the end of piling, indicating a 1.2% decline. As we have previously advised, Natural England consider that a decrease of over 1% could potentially lead to a significant impact to the population. It should also be noted that iPCoD does not take into account other factors that can affect the population over time (e.g. bycatch, prey availability, shipping) and there is limited understanding of how disturbance leads to health, reproduction and consequently population level impacts in marine mammals.</p> <p>However, we recognise that the impacted population does show recovery over the same time period, indicating the population would recover to non-disturbed levels over time and that there are high levels of conservatism in the assessment that arise from combining multiple conservative assessments from multiple projects. We also recognise that the in-combination assessment does not take into account that noise abatement systems and/or noise reduction measures will be in place during construction for all projects in English waters in line with the Defra noise policy (2025), which will significantly reduce the noise levels at source of each individual project and subsequently, the disturbance impacts of underwater noise from projects and plans in-combination.</p> <p>Therefore, we are content that on balance, and with appropriate mitigation in place, there will be no adverse effect on the integrity of the Southern North Sea SAC.</p>	<p>This is welcomed by the Applicant.</p>
<p>Despite Natural England not being asked to directly comment on Question 33, Natural England wishes to clarify that throughout the Examination, Natural England advised that the Applicant should commit to the use of noise abatement systems (NAS) and/or noise reduction methods prior to consent. It should be noted that at no point have we requested that the Applicant commit to a specific type of noise reduction or abatement at this stage, simply that a general commitment to utilise a system or method to reduce the level of noise at source should be</p>	<p>This is welcomed by the Applicant.</p>

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<p>made. We welcome the use of Best Endeavours by the Applicant post-consent to identify the most appropriate system or method for the Project. Please refer to our advice submitted at Deadline 6 in REP6-148.</p> <p>Through direct engagement with the Applicant since examination close, Natural England has also advised on clarifications provided within the Outer Dowsing Noise Abatement Systems Commitment Clarification Note (Rev 1) submitted by the Applicant to Natural England via DAS on 29 May 2025. Following our comments, a revised version was received on 26 August 2025 and we understand this is to be submitted by the Applicant as part of their RFI deadline response. Natural England welcomes the additional evidence that has been provided within the clarification note and are satisfied that the note accurately captures the ongoing discussions between Natural England and the Applicant since the end of Examination. We are satisfied that the Applicant has updated the commitment to use NAS to read: <i>"The Applicant has committed to deploy primary and/or secondary noise reduction methods (Noise Abatement Systems) for pile driving."</i></p>	<p>This is welcomed by the Applicant.</p> <p>In response to RFI 1, to secure this commitment, the Applicant updated Chapter 11 Marine Mammals (C1-019), Outline Marine Mammal Mitigation Protocol for Piling Activities (C1-075), In Principle Southern North Sea SAC Site Integrity Plan https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010130-002448-87InPrincipleSouthernNorthSeaSpecialAreaofConservationSiteIntegrityPlanV5Clean_577601_1.pdf (C1-058) as detailed in row 33 of C1-049 The Applicant's Response to the Request for Further Information.</p>
<p>Natural England is also content that this commitment is captured by the Applicants proposed updated condition wording (post examination) presented within Rev1a of the clarification note to read: <i>"The marine mammal mitigation protocol must include 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."</i></p> <p>Providing this amendment to the DCO/DML is secured and submitted by the Applicant to the SoS, Natural England considers this issue to be resolved.</p>	<p>This is welcomed by the Applicant.</p> <p>The updated condition is included within the Draft Development Consent Order (C1-016) that was submitted in response to RFI 1, as detailed in row 33 of C1-049 The Applicant's Response to the Request for Further Information.</p>
Onshore Ecology and Ornithology	
<p>Subsequent, to the examination, at the Applicant's request (through our DAS), Natural England has reviewed the mitigation/commitment updates included within their Deadline 6 OLEMS [REP6- 70], to address impacts on over wintering bird features of the Wash SPA and Ramsar and North Norfolk Coast SPA.</p> <p>As confirmed to the Applicant in our response to them dated 21 July 2025, Natural England is content with the mitigation measures as set out within the OLEMS [REP6-070] and Schedule of Mitigation [REP6-074] and therefore we are able to agree with the Applicant's conclusion of no AEoI to the Wash SPA and Ramsar and North Norfolk Coast SPA and Ramsar or the respective pink footed geese, dark bellied geese, golden plover, lapwing and curlew features of these sites.</p> <p>Regarding the Greater Wash SPA, Natural England has no outstanding concerns in relation to onshore ecology and ornithology. Natural England confirmed at Deadline 6 [REP6-149] that with the Applicant's commitment to design changes and mitigation for the over wintering red-throated diver, we can agree with the conclusion of no AEoI in respect of the Greater Wash SPA. However, we note the SoS request in Point 28 for the Schedule of Mitigation to be updated to include the 2km SPA buffer to ensure the mitigation for the red-throated diver feature of the Greater Wash SPA is secured.</p>	<p>This is welcomed by the Applicant.</p>
Other HRA Matters	
<p>Please see Annex 1 where Table 1 provides Natural England's update to our position provided at Deadline 6 [REP6-155] on outstanding HRA matters.</p>	<p>The Applicant position remains as provided within 7.1 Report to Inform Appropriate Assessment (REP6-028).</p>
<p>Please note that where Natural England has provided an update to our position following review of Deadline 6 documents and can now agree to a conclusion of no AEoI, these features and impact pathways are now shaded grey i.e., no further action required.</p>	
<p>Following direct engagement with the Applicant, where Natural England expects the Applicant's intended updates/commitments to be published as part of this RFI deadline and therefore available in the public domain,</p>	

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we have reflected our position based on this to assist the SoS with their determination. However, these features/impact pathways remain unshaded, as our advice remains subject to change.	

Table 1-10: The Applicant's Comments on National Grid Electricity Transmission plc (NGET)'s Submission

NGET's Submission	Applicant Response
We write on behalf of National Grid Electricity Transmission plc. ("NGET") in response to your letter dated 12 August 2025 ("the Request for Information") requesting additional information from a number of Interested Parties, in relation to the application for Development Consent for the Proposed Development.	
Following the close of the Examination, NGET and the Applicant have been discussing the potential for overlapping Order Limits between the Outer Dowsing Offshore Wind ("ODOW") northern Artificial Nesting Sites ("ANS") area and the proposed locations for NGET's Eastern Green Link 3 ("EGL3") and Eastern Green Link 4 ("EGL4") projects offshore.	This comment is noted by the Applicant. The Applicant engaged in discussions with NGET and reached agreement on the form of Protected Provisions included in document 3.1, the draft Development Consent Order (C1-016) submitted alongside 27.9 NGET Protective Provisions Offshore Buffer Zone Plan (C1-044) on 9 th September 2025.
Further discussions have resulted in NGET and the Applicant agreeing an amendment to the protective provisions for the protection of NGET (Schedule 18, Part 7 of the draft DCO) to include a restriction that an ANS may not be sited within or within 500m of a defined buffer zone around EGL 3 and EGL 4 without NGET's agreement. That defined buffer zone is shown on the NGET protective provisions offshore buffer zone plan, which is also agreed between NGET and the Applicant.	
NGET trust this is clear and would be grateful if you could arrange for the amended protective provisions to be included in the DCO as agreed between NGET and ODOW for the Proposed Development accordingly.	

Table 1-11: The Applicant's Comments on Ørsted's Submission

Ørsted's Submission		Applicant Response	
Introduction			
<p>This submission is made on behalf of Hornsea 1 Limited, the collective of Breesea Limited, Soundmark Wind Limited, Sonningmay Limited and Optimus Wind Limited (together, the “Hornsea 2 Companies”), Orsted Hornsea Project Three (UK) Limited, Orsted Hornsea Project Four Limited, Lincs Wind Farm Limited, Westermost Rough Limited and Race Bank Wind Farm Limited (together or in any combination, the “Ørsted IPs”). This submission comprises the Ørsted IPs’ response to the Secretary of State’s Request for Information (“Rfl”) dated 12 August 2025.</p> <p>This submission responds to the question in the Rfl that is directed to the Ørsted IPs and also includes (at Appendix 1) an updated set of protective provisions for the benefit of those Ørsted IPs that maintain objections in relation to wake loss (being Hornsea 1, Hornsea 2 and Race Bank). The Ørsted IPs maintain (for the reasons set out in the examination of the Outer Dowsing Offshore Wind Project (the “Outer Dowsing Project”), particularly as summarised in the Ørsted IPs’ Closing Submissions [REP6-135]) that protective provisions for the benefit of the Ørsted IPs should be included on the face of the DCO for the Outer Dowsing Project in order to afford the Ørsted IPs’ assets necessary and proportionate protection.</p>		<p>The Applicant has responded to the points made by the Ørsted IPs in this table and in the Applicant’s Response to Rfl 2 – Wake Effects (document 28.5).</p>	
RFI Response			
<p>The Rfl states, at paragraph 13, as follows: <i>The Secretary of State notes from the Ørsted IP’s closing statement [REP6-135], that the Applicant sent a cooperation agreement to Ørsted regarding protective provisions. Ørsted IPs and the Applicant are invited to provide an update on whether agreement has been reached on the protective provisions.</i></p>		<p>The Applicant has set out its position on the cooperation agreement, proximity agreement and protective provisions to provide protection for the relevant Ørsted IPs in the event that works associated with the Project take place within 250m of the Lincs Wind Farm or the Race Bank Wind</p>	

Ørsted's Submission	Applicant Response
<p>The only cooperation agreement that has been discussed between the Applicant and the Ørsted IPs is the cooperation agreement regarding underwater noise between the Applicant and Orsted Hornsea Project Four Limited. This cooperation agreement does not relate to, and is entirely separate from, wake loss, protective provisions or proximity agreements. This cooperation agreement is being progressed, but is of a lower priority than the contents of the remainder of this submission.</p>	<p>Farm at row 13, Table 1, The Applicant's Response to the Request for Information dated 12th August 2025 (C1-049).</p>
<p>The Applicant did not send a cooperation agreement to Ørsted regarding protective provisions. As set out in the Ørsted IPs' Closing Submissions [REP6-135], negotiations were ongoing between the Applicant and the Ørsted IPs regarding a draft proximity agreement in relation to the Outer Dowsing Project's export cable corridor and the offshore array areas for the Lincs Offshore Wind Farm. These negotiations have only recently recommenced – the Ørsted IPs sent comments on this proximity agreement to the Applicant on 2 April 2025, and only received subsequent engagement from the Applicant in September 2025.</p>	<p>The Applicant will continue to engage in constructive discussions on this with Lincs Wind Farm Limited and Race Bank Wind Farm Limited on this matter.</p>
<p>The Ørsted IPs wish to engage with the Applicant and progress this proximity agreement (and the subsequent proximity agreement for the Race Bank Offshore Wind Farm, which will use the general terms of the Lincs proximity agreement as a starting point for negotiations), but note that this proximity agreement is not a substitute for (nor do the contents particularly relate to) protective provisions. Indeed, as set out in the Ørsted IPs' Closing Submissions [REP6-135] and as per the latest set of protective provisions provided by the Ørsted IPs (see below), paragraph 9 of these protective provisions states that these agreements must be entered into prior to 6 months before the commencement of the authorised scheme (as defined in the protective provisions).</p>	<p>The Secretary of State can be satisfied that the assets of Lincs Wind Farm Limited and Race Bank Wind Farm Limited are sufficiently protected such that any effects on third party infrastructure are negated or reduced to a level sufficient to enable the Secretary of State to grant consent in accordance with paragraph 2.8.348 of NPS EN-3, if engaged. No further information ought to be required in relation to this matter.</p>
<p>It was also stated in the Ørsted IPs' Closing Submissions [REP6-135], in relation to wake impacts, that <i>"the Ørsted IPs met with the Applicant on 25 March 2025, in which meeting it was agreed that the parties hold fundamentally differing positions regarding the policy tests and the need for protective provisions"</i> and also that <i>"the Ørsted IPs consider that protective provisions for their benefit are included on the face of the Applicant's DCO to afford necessary and proportionate protection to their assets. As previously stated, the Ørsted IPs would prefer to enter into a separate commercial agreement with the Applicant as a solution to the impacts on the Ørsted IPs' assets and have sent the Applicant a document comprising the high-level 'fundamentals' that this agreement should cover. However, the Applicant stated in the aforementioned meeting with the Ørsted IPs that it does not consider this agreement to be necessary, which the Ørsted IPs note is contrary to the established norms of the industry; therefore, the Ørsted IPs seek the protective provisions". The Ørsted IPs did note that they "received a separate set of protective provisions for the benefit of Lincs Wind Farm Limited (with the contents proposed to be replicated for the protection of Race Bank Wind Farm Limited) from the Applicant", but these protective provisions only related to proximity impacts and the Ørsted IPs clarified that "the Ørsted IPs provided comments back to the Applicant on these protective provisions without prejudice to the position that the fuller set of protective provisions is required" (emphasis added in bold).</i></p>	<p>The Applicant has provided its comments on the Ørsted IPs' submission as it relates to wake effects in the Applicant's Response to the Second Request for Information on Wake Effects (document 28.5).</p>
<p>The Applicant has not engaged with the Ørsted IPs regarding the fuller set of protective provisions (an updated version of which is found at Appendix 1 to this submission) and therefore it is not the case that the Applicant "sent a cooperation agreement to Ørsted regarding protective provisions" as is stated at paragraph 13 of the RfI. The Ørsted IPs would welcome such engagement from the Applicant, or indeed any engagement in relation to a separate commercial agreement as a solution to the impacts on the Ørsted IPs' assets. Until such time, though, the Ørsted IPs maintain that (for the reasons set out in the examination of the Outer Dowsing Project, particularly as summarised in the Ørsted IPs' Closing Submissions [REP6-135]) that the fuller set of protective provisions for the benefit of the Ørsted IPs should be included on the face of the DCO for the Outer Dowsing Project in order to afford the Ørsted IPs' assets necessary and proportionate protection.</p>	
Updated Protective Provisions	
<p>The topic of wake loss is, currently, subject to ongoing development and change. Since the examination of the Outer Dowsing Project concluded, the Ørsted IPs have held an objection on the grounds of wake loss in the</p>	

Ørsted's Submission	Applicant Response
<p>examination of the Dogger Bank South Offshore Wind Farm Project (which has also now concluded). During that examination, and due to the evolving nature of the topic of wake loss since the conclusion of that examination, the protective provisions being sought by the Ørsted IPs have developed and an improved set has been produced. In order to ensure alignment across both projects, the Ørsted IPs are taking this RfI as an opportunity to provide these improved set of protective provisions for the benefit of those Ørsted IPs that maintain objections in relation to wake loss (being Hornsea 1, Hornsea 2 and Race Bank) imposed by the Outer Dowsing Project.</p> <p>The need for these updated protective provisions remains the same as set out by the Ørsted IPs throughout the examination of the Outer Dowsing Project – the updated protective provisions provide necessary and proportionate protection of the Ørsted IPs' assets and ensure that the interests of all parties are properly considered and balanced. The Ørsted IPs request that these protective provisions are included in full on the face of the DCO for the Outer Dowsing Project, if made, ahead of any previous version submitted by the Ørsted IPs. As stated above, the Ørsted IPs would welcome engagement from the Applicant on these protective provisions, but do not expect this engagement to be forthcoming given the Applicant's stance on this matter.</p> <p>The protective provisions put forward by the Ørsted IPs would enable the Applicant and the Ørsted IPs to control the procedure to be followed – either by entering into a Wake Loss Agreement (as defined in the protective provisions), or alternatively by agreeing, or by allowing a jointly-appointed expert to determine, a Wake Loss Mitigation Scheme (as defined in the protective provisions). This is how decision-making linked to assessment and agreement has traditionally been managed in the industry, and this approach would shift the process of managing and adjudicating upon this technically complex and likely time-consuming matter from the Secretary of State to the wind farm owners or their jointly-appointed independent third-party expert.</p> <p>For completeness, the Ørsted IPs note that they consider protective provisions to be the most appropriate solution for wake loss impacts on the face of the DCO for this project (i.e. ahead of a DCO requirement).</p>	<p>The Applicant has provided its comments on the Ørsted IPs' submission as it relates to wake effects in the Applicant's Response to the Second Request for Information on Wake Effects (document 28.5).</p>

Table 1-12: The Applicant's Comments on Perenco UK Limited's Submission

Perenco UK Limited's Submission	Applicant Response
<p>Based on currently contracted arrangements, Perenco is confident that the removal of the Galahad gas platform topsides and monopod will have been completed by Q4 2025. Therefore, there will be no overlap with such removal operation and the construction of the Proposed Development.</p> <p>This response has been prepared jointly between the Applicant and Perenco UK Ltd ("Perenco"). The Applicant and Perenco note that the descriptions of the marine corridors and aviation corridor in the protective provisions were not in dispute between the parties at the close of the Examination. With respect to the LOS microwave communications corridor, the Applicant and Perenco have engaged in constructive discussions on this matter following the close of the Examination and have now reached agreement on:</p> <p>1. LOS corridor</p> <p>The parties have agreed the appropriate radius to be applied around each communications line in order to define the communications corridor to which the provisions in paragraph 3(4) to (9) of the protective provisions apply. Further technical assessments have been undertaken that have resulted in a bespoke communication corridor radius being determined for each communication line which intersects with the Project's array area. In addition, it has been established that a consistent communication corridor radius along each communication line is not required, and that the size of the radius can vary along the length of each communication line.</p> <p>2. The protective provisions</p>	<p>The Applicant agrees with this response.</p> <p>The Applicant notes that this response has been jointly prepared by the Applicant and Perenco.</p>

Perenco UK Limited’s Submission	Applicant Response
<p>The protective provisions as submitted with the response to this Request for Information have been amended to set out the agreed radius in respect of each communications corridor and have also been updated with some minor corrections and ancillary drafting to support this change. The Perenco Protective Provisions Plan (document reference 21.15) has also been updated and submitted alongside this response. The agreement of the Applicant and Perenco to the form of Protective Provisions submitted with the response to this Request for Information remains subject to the execution of a confidential side agreement by the parties. A draft confidential side agreement has been substantially agreed in principle by the parties. The Applicant and Perenco continue to engage in constructive discussions on this side agreement and will advise the Secretary of State when this agreement has been executed, whereupon this matter and the accompanying protective provisions may then be considered to be resolved.</p>	

Table 1-13: The Applicant’s Comments on T.H. Clements & Son Ltd’s Submission

T.H. Clements & Son Ltd’s Submission	Applicant Response
<p>We refer to our letter of 20 August 2025 (“THC Letter”) submitted on behalf of T.H. Clements’ and write to provide an update on the status of negotiations between the Applicant and T.H. Clements at this time.</p> <p>We can confirm that good progress has been made between the parties since the date of the THC Letter and that a draft agreement (“Agreement”) is well progressed (albeit it is not yet in final form, since there are a handful of points still to be agreed).</p> <p>We expect the Agreement to be agreed, signed and completed within the next two weeks. Upon completion of the Agreement, T.H. Clements would be in a position to formally withdraw its objection to the Order.</p> <p>Given the progress that has been made on the Agreement, T.H. Clements does not intend to submit any further information in response to the Department for Energy Security and Net Zero’s letter of 12 August 2025 at this point in time but reserves its right to do so in the event that the Agreement is not completed within the next two weeks.</p> <p>We will provide a further update either way by 23 September 2025.</p>	<p>The Applicant and T.H. Clements have now agreed the terms of a voluntary agreement which addresses concerns raised by T.H. Clements during Examination. The agreement is being circulated for signing by the Applicant and T.H. Clements and will be completed at the first possible opportunity. Once the signing formalities are complete, T.H. Clements intends to withdraw all representations made in objection to the Order.</p>