



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

The Sizewell C Project

Natural England's Comments on the Outline Vessel Management Plan

Planning Inspectorate Reference: EN010012

3rd September 2021

Natural England's comments on the Outline Vessel Management Plan [REP6-027]

General comments

- There appears to be no attempt to avoid the SPA or plan the vessel routes to reduce time spent within the SPA for the primary routes proposed. It is advised that planning routes with no attempt to mitigate against red-throated diver disturbance is insufficient. It is advised that routes that reduce vessel time/distance spent within the OTE SPA are preferred.
- It would be useful to map existing shipping lanes and established routes. Existing shipping lanes should be utilised wherever possible in route planning to reduce additional disturbance at the OTE SPA. Mapping would inform the selection of optimum routes for the VMP and allow proposed routes away from pre-existing traffic to be visualised in the context of other shipping (existing disturbance 'corridors' from which red-throated divers are already displaced).
- Implementing monitoring to detect red-throated diver disturbance is considered highly unlikely to be successful. The survey methods are not suitable and will be further compromised in the winter period by weather conditions.
- Implementation of secondary routes that seek to avoid the SPA and/or causing red-throated diver disturbance once (if) detected is not considered appropriate. The VMP should identify routes that reduce the possibility of disturbance to red-throated divers within the OTE SPA from the outset, preferably by avoiding vessel movements within the SPA.
- Vessel uplift figures presented in the VMP are incorrect, and significantly underestimate the increase in vessel movements attributed to the project by considering annual vessel movements compared to seasonal uplifts.

Specific comments

Par	Comment
1.1.4	What is the justification for the exclusions listed here? Will these vessels/operations be subject to any VMP or consider any mitigation of red-throated disturbance within the OTE SPA?
1.2.1	The primary aim of the VMP should be to reduce the number and distance of vessel movements through the OTE SPA and where that is not possible, reduce the impact of any unavoidable vessel movements within the OTE SPA. <ol style="list-style-type: none">1. Take account of, and avoid, known areas of high red-throated diver density ¹2. Follow a route that reduces vessel time spent in the OTE SPA3. Take account of, and utilise, existing shipping routes to minimise additional disturbance

¹ [Digital video aerial surveys of red-throated diver in the Outer Thames Estuary Special Protection Area 2018 - NECR260 \(naturalengland.org.uk\)](https://www.naturalengland.org.uk/NECR260)
[Use of kernel density estimation and maximum curvature to set Marine Protected Area boundaries: Identifying a Special Protection Area for wintering red-throated divers in the UK - ScienceDirect](https://www.sciencedirect.com/science/article/pii/S0964569818300000)

Par	Comment
	Mitigation of impacts arising from any vessel movements that cannot avoid the SPA should also be detailed in the VMP e.g. by avoiding revving of engines and reducing vessel speed.
Table 3.1	Most vessel movements are undertaken in the winter season. Red-throated diver are not present at the OTE SPA in the summer season. An obvious mitigation, if possible, is to bias vessel movements to the summer season.
	The table legend indicates that vessel movements are tabulated annually. However, the figures accord with the number of allowable landings. Para 3.1.5 states that “each Landing would comprise two journeys, one inbound and one return journey”. Therefore, it is assumed that in fact, 400 vessel movements per year are predicted, and the table should reflect this for clarity.
4.1.1	Detecting disturbance of red-throated divers and then using alternative routes is not considered an acceptable solution. Detection and reporting of disturbance is challenging. Routes should seek to reduce the potential for disturbance.
4.1.7 (Plate 4.2)	We do not consider the use of Route 1A or 1B to be appropriate as it is novel, situated farther inshore, and is likely to cause red-throated diver disturbance alone, and in-combination (cumulatively) with the nearby route that is already established. Route 2A (for Lowestoft) appears to be a suitable compromise as it follows an existing route, albeit still almost entirely within the OTE SPA, it is likely that red-throated divers are already displaced from this route area. Route 3B (for Ipswich/Harwich) would be preferred to reduce impacts on the OTE SPA.
Table 4.2	The percentage uplift figures presented in this table are erroneous and misleading. Annual (existing) vessel movements are used to calculate seasonal uplift. For route 2 a 233% uplift in vessel traffic is presented in the table for the winter period. In fact, if vessel movements only over the winter period are considered the uplift generated by 400 movements is much greater ($[172/12] * 5 = 71.67$ movements) $(400/71.67) * 100 = 558\%$ uplift in vessel traffic over the winter period
4.1.10	While the use of an existing shipping route (4) is preferable to a novel route, project impacts would ideally be further reduced by employing route 5 to reduce vessel time spent in the OTE SPA
Plate 4.4	Route 6 could be improved by entering the OTE SPA further to the south at the closest point at the boundary to SZC , thus reducing the amount of vessel time spent in the SPA.
5.1.1	Winter period defined here (October-April) differs from that in Para 3.1.2 (November – March). While not an issue per-se, it will be important to retain clarity on the changing definition of ‘winter period’ as it relates to vessel movements, and red-throated diver presence.
5.3.2	The monitoring of red-throated divers by ship-based observers is not appropriate. The species is frequently flushed by vessels at distances greater than they can be reliably observed. Furthermore, some vessels described in the VMP will not enable surveyors to achieve a suitable eye-height to detect divers at distance. Poor weather and resulting rough sea states further reduce detection rates. The monitoring of red-throated divers by UAV is not appropriate. Drone surveys are unproven offshore, and even if possible, would be heavily restricted by weather conditions and visibility issues in the winter period. Furthermore, it is likely that drones would need to be flown at a relatively low altitude, potentially causing visual and/or noise disturbance which may disturb/flush divers and other birds. Even if flown at sufficient height to avoid disturbing birds, it is not clear if a

Par	Comment
	drone could be piloted far enough ahead of a vessel to detect divers and give enough time for evasive manoeuvres to be made. This seems highly unlikely.
5.3.3	See comments on 5.3.2, the proposed survey methods are not considered appropriate.
5.3.4	See comments on 5.3.2, the proposed survey methods are not considered appropriate.
5.3.5	For a disturbance threshold to realistically prevent adverse impacts on red-throated diver the cumulative effects acting upon the population would also need to be considered, e.g. disturbance and displacement from other shipping and industry activity.
5.3.8	It is suggested that with good planning vessel routes should not displace large numbers of divers. It is also not clear that detection of such an event would be possible.
5.3.9	It is not considered possible to detect 'chronic disturbance' using the proposed survey methods.