

Date: 17 July 2020
Our ref: 319703
Your ref: 'Dogger Bank Teesside A'



National Infrastructure
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Lancaster House
Hampshire Court
Newcastle upon Tyne
NE47YH

VIA EMAIL ONLY

Dear Sir / Madam,

Application for Non-Material Changes for Dogger Bank C (formerly Teesside A) Offshore Wind Farm.

The Planning Inspectorate has consulted online on 11 June 2020 regarding the application by Dogger Bank C (formerly Teesside A) Offshore Wind Farm to make a Non-Material Change (NMC) to the Dogger Bank Teesside A&B Development Consent Order (DCO), affecting Dogger Bank C Offshore Wind Farm only.

The following constitutes Natural England's formal statutory response.

The Conservation of Habitats and Species Regulations 2017 and The Conservation of Offshore Marine Habitats and Species Regulations 2017

We can confirm that the proposed works are located adjacent to the Southern North Sea Special Area of Conservation (SAC) and within the Dogger Bank Special Area of Conservation. Natural England advises that providing the works are carried out in strict accordance with the details of the application submitted, it can be excluded that the Non-Material Change application will have a significant effect on any SAC, SPA or Ramsar site, either individually or in combination with other plans or projects.

Natural England agrees that the increase in hammer energy from 3,000 kJ to 4,000 kJ will not change the outcome of the Environmental Impact Assessment and the Habitats Regulations Assessment, given the SNCB's guidance on assessment and management of underwater noise (negligible increase in injury distances and 26 km effective deterrent radius for monopiling).

However, Dogger Bank C Offshore Wind Farm will need, in due course, to produce a Site Integrity Plan (SIP) to demonstrate that the project alone and in-combination will not impact the Conservation Objectives of the Southern North Sea SAC for harbour porpoise, given the uncertainty of timeframes of noisy activities for offshore wind farms and other offshore industries.

The production of a SIP is mentioned in the Marine Mammal Technical Report which we welcome. However the requirement for a SIP should also be referenced within the 'NMC Application: Environmental Report'.

Marine and Coastal Access Act 2009

The works, as set out in the information supplied by the applicant, are not sited within or near to a

Marine Conservation Zone. Natural England have not identified a pathway by which impacts from the development would affect the interest features of the site(s). We are therefore confident that the works will not hinder the conservation objectives of such a site.

Wildlife and Countryside Act 1981 (as amended)

We can confirm that the proposed works are not located within or in close proximity to a Site of Special Scientific Interest. Natural England have not identified a pathway by which impacts from the development would affect the interest features of the site(s). Therefore, if the works are carried out in accordance with the application, in Natural England's view they are not likely to damage any of the flora, fauna or geological or physiographical features for which the site is designated.

Specific comments on provided documents:

'NMC Application: Environmental Report'

- Table 4 on page 19 should present the SELcum values for each species (as well as SPLpeak). Assessments must be based on both criteria. We note that SELcum values are presented in the marine mammal technical note, which therefore could just be referenced within this document.
- As mentioned above, the production of a SIP should be referenced within this document.

'Underwater noise modelling at the Teesside A offshore wind farm, Dogger Bank' by R Barham and T Mason (2019)'

- Page 7 of the pdf refers to the Hastie *et al.* (2019) work on impulsive to non-impulsive noise. It is the view of Natural England that the above document should also reference Martin *et al.* (2020)¹. Martin *et al.* (2020) showed different results to Hastie *et al.* (2019), highlighting the uncertainties which still exist within this area.
- Page 13 of the pdf and Table 3-3 discusses the ramp up and hammer strike once every three seconds. However, recent sectoral discussions have indicated that newer hammers cannot be operated at anything but full strike rates, and ramp up can only be in power (not strike rate). Natural England requests clarity from the applicant whether they will potentially have the same constraints. If so, the modelling may have to be re-run at a later stage to inform the MMMP, so to ensure that modelled Permanent Threshold Shift (PTS) impact distances are accurate. Natural England does not consider this to be significant when determining the outcome of the NMC application.
- Regarding the Marine Mammal Mitigation Plan (MMMP), Dogger Bank C should note that the SELcum PTS distances will need to be mitigated for all species.
- Table 4-21. Natural England requests that Dogger Bank C confirm that the SELcum PTS for harbour porpoise is less than 100m for monopile installation using 4,000 kJ hammer energy.

'Appendix 1 – Marine Mammal Technical Report'

- No comments.

¹ Martin *et al.* (2020) Techniques for distinguishing between impulsive and non-impulsive sound in the context of regulating sound exposure for marine mammals. JASA 147 (4) pp 2159 – 2176.

For any queries relating to the content of this letter please get back in contact with Natural England.

Yours sincerely,

Josh Parker

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Natural England