



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL PROCEDURE RULES) 2010

HORNSEA OFFSHORE WIND FARM PROJECT TWO

Planning Inspectorate Reference: EN010053

Summary of Relevant Representations

15th July 2015

Summary of Relevant Representation content

- 1.1.1. Natural England submitted Relevant Representations on 22nd April 2015. This document presents a summary of those Representations.
- 1.1.1. The Representations contained a summary of what Natural England considered to be the main nature conservation and related issues in relation to the Development Consent Order (DCO) application, as well as the Deemed Marine Licenses (DMLs) contained therein, and indicated the principal submissions for consideration.
- 1.1.2. Section 2 provided an overview of the features potentially affected and Section 3 presented a summary of Natural England's advice at the time of the submission. Section 4 set out all the significant issues, which at the time of submission Natural England advised should be addressed by the Applicant and the Examining Authority as part of the examination process in order to ensure the project can be consented. Section 5 outlined other outstanding issues and Section 6 contained matters to be secured in the DCO.
- 1.1.3. In Section 3 Natural England advised that concerns remained relating to the following Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
 - a. Flamborough and Filey Coast potential SPA (pSPA);
 - b. Flamborough Head and Bempton Cliffs SPA
 - c. Humber Estuary SAC
- 1.1.4. In Section 3, Natural England also advised that concerns remained relating to a number of ornithological species in the context of Environmental Impact Assessment (EIA):
 - a. Northern gannet;
 - b. Black-legged kittiwake;
 - c. Lesser black-backed gull;
 - d. Great black-backed gull;
 - e. Common guillemot;
 - f. Razorbill; and;
 - g. Atlantic puffin.

Main Issues

Offshore ornithology

- 1.1.5. Natural England raised a number of methodological issues relevant to the offshore ornithological assessment:
 - a. Baseline data collection and analysis methodology, including; population estimates, dealing with incomplete surveys, unidentified species and flight height estimates;
 - b. Population scales and apportioning breeding season impacts to individual SPAs;
 - c. Collision Risk Modelling (CRM);
 - d. Assessment of displacement impacts;
 - e. Cumulative assessment and in-combination assessment of impacts.

- 1.1.6. As a result of the above, Natural England was unable to conclude beyond all reasonable scientific doubt that the project would not have an adverse effect on the integrity of the Flamborough and Filey Coast pSPA for the following feature populations: gannet, kittiwake, guillemot, and razorbill, as well as Atlantic puffin as a part of the seabird assemblage feature, either alone or in-combination with other plans or projects.
- 1.1.7. Natural England was unable to conclude with certainty that the project would not have a significant impact on a number of seabird populations at an EIA scale, in particular the North Sea populations of gannet, kittiwake, lesser black-backed gull, great black-backed gull, guillemot, razorbill and puffin.

Marine Mammals

- 1.1.8. Natural England had no major concerns about impacts to marine mammals from SACs based on the Environmental Statement; however, Natural England highlighted that on 16th October 2014, the UK received formal correspondence (Reasoned Opinion) from the European Commission outlining their position regarding the number of SACs for harbour porpoise in the UK under the EU Habitats Directive.
- 1.1.9. The JNCC has given initial advice to all UK governments, which indicates that there are several potential harbour porpoise SAC sites around the UK. Together with country agencies, JNCC were refining the current advice and developing site documentation. If formal consultation begins on these sites, following clearance, the impacts on the proposed designated features of these sites will become a material consideration with relation to the Habitats Regulation Assessment (HRA) for the current project.

Benthic Subtidal and Intertidal Ecology

- 1.1.10. Natural England noted that it is unclear whether it is proposed to use trailer suction hopper dredgers (TSHD) for cable burial and whether this activity may take place within the Humber Estuary SAC. If TSHDs are to be used, further information is required on the activities involved, as well as any effects caused. Such activity could potentially destabilise and redistribute the sediment so that the form and function of the Annex I habitats are changed.

Other Outstanding Matters requiring Attention

- 1.1.11. In addition to the above, a number of areas were highlighted where further information would improve the assessment for a number of topic areas:

Offshore Ornithology

- 1.1.12. Natural England raised a number of methodological issues relevant to the ornithological assessment:
- a. Population modelling approaches and demographic parameters;
 - b. Migratory bird analysis.

Marine Mammals

- 1.1.13. Noise during construction. Natural England advised that the impacts of noise during construction to be the primary source of impacts on marine mammals from this project and advised various issues be considered by the Examining Authority:

- a. Consideration of the use of the Population Consequences of Disturbance (PCoD) model which was due to complete by the end of April 2015.
 - b. The use of noise reduction at source to mitigate piling level noise impacts. Natural England are content that consideration of noise reduction measures can take place prior to construction.
 - c. While concurrent piling of all wind farms in the area may be unrealistic, concurrent piling of several wind farms is possible and this is not fully described in the Environmental Statement.
- 1.1.14. Cumulative impacts. Natural England advised that the assessment of cumulative impacts to marine mammals should include population estimates of harbour porpoise from the SCANS Block U as well as from the Management Unit (MU) developed by the Inter Agency Marine Mammal Working Group (IAMMWG 2015). This is in order to add relevant context to any discussion, given the differing spatial scales (and therefore differing population estimates) of the SCANS Block U and the MU. While Natural England agrees that the SCANS blocks are arbitrary boundaries and we are dealing with mobile populations, it does provide a broad-scale snapshot of the number of animals in the area that the developer is assessing in terms of cumulative impacts.
- 1.1.15. Natural England also considered that the cumulative assessment appeared to lack consideration of a number of activities, all of which have the potential to cause significant levels of noise, including:
- a. Seismic surveys;
 - b. Gas field decommissioning/construction;
 - c. Dutch military activities.
- 1.1.16. Impacts of vessel disturbance. Natural England was concerned about potential impacts from increased vessel disturbance within the Hornsea Zone. We advised it may be useful for the Applicant to present consideration of the likely impacts of an increase in vessel traffic, at all stages of the project, to better understand the likely effects and any mitigation that might be required.
- 1.1.17. Entanglement with anchored monopiles. Natural England advised that the use of steel anchor wires to brace monopiles could pose a risk of entanglement to marine mammals such as minke whales.

Marine Processes

- 1.1.18. Impacts on sediment transport. Natural England advised that the erosion of the seabed off the Holderness coast is active out to 12m depth from the lowest astronomical tide (LAT) contour. Therefore, we would expect consideration by the Applicant of the impacts of cable protection on both seabed erosion and sediment transport out to 12m LAT, in order to understand the wider reaching implications on the surrounding environment and supported habitats.
- 1.1.19. The Applicant assessed the impacts to changes in annual sediment drift rate at three points along the coast: Mablethorpe, Cromer and Blakeney. As some designated sites along the coast can be sensitive to small changes, Natural England advised that the Applicant provides justification for the choice of the three locations and whether the locations chosen provide a worst case scenario, in that changes elsewhere along the coast will be no larger than those modelled at the three locations.
- 1.1.20. Export cable burial depth. Natural England advised that clarification should be provided demonstrating how the impacts of climate change have been considered with regards to export cable burial. It is also noted that alternative installation techniques may be used to ensure that a deeper burial depth is achieved.

- 1.1.21. Natural England recommended that the cable burial assessment should be updated to include more contemporary beach profile data, specifically beach profile data gathered immediately after the tidal surge event which occurred in December 2013. During this event there were significant changes to the coastline (and beach profiles) in the vicinity of the proposed cable landfall location.

Benthic Subtidal and Intertidal Ecology

- 1.1.22. Natural England is content that the assessment of impacts of a trackway on “white dunes”, an Annex I feature of the Humber Estuary SAC, is adequate as a worst case assessment. However, due to the impact of tidal surges in December 2013, this area is currently embryonic dunes, also a feature of the SAC. Consideration of alternative methods of access (and their impacts) may be required to be considered in the cable specification and installation plan, post consent.

Intertidal Ornithology

- 1.1.23. Operational phase impacts. Natural England recommended that routine scheduled maintenance and inspections of the cable route in the intertidal area are conducted outside of the main overwintering period for birds.
- 1.1.24. Natural England also noted that, where “larger vehicle access” to the intertidal may be required, it is unclear what constitutes a “larger vehicle”, the types of works these vehicles would undertake and how common these events are likely to be. Therefore, it is difficult to assess the level of disturbance that the larger vehicles may cause to features of the Humber Estuary SPA.
- 1.1.25. Intertidal bird surveys. Natural England noted that our position regarding the duration of validity for survey data on wintering and migratory bird surveys is not as simple as suggested in the application, i.e. that the data may be considered valid for five years. Rather, the validity of data was dependant on there being “no major land use changes which would affect the suitability of habitats at the site”.

Matters to be secured by requirements in the Development Consent Order

- 1.1.26. Natural England noted that it appears that there is no requirement within the project’s DCO for the developer to provide a method statement regarding cable burial for onshore aspects of the works. Furthermore, Natural England considers that a separate document covering a method statement for the landfall aspects of cabling works (only) should be included in the DCO, regarding method of installation and access at the landfall.
- 1.1.27. Natural England considered that a requirement for an ‘In Principle Monitoring Plan’ should be included within the DCO.
- 1.1.28. Natural England also advised that other Environmental protections should be secured in the DCO including:
- a. Sand wave clearance will not take place closer to shore than 50km from the shore, as potential impacts have not been assessed and may affect the features of the Humber Estuary SAC, or other coastal designated sites.
 - b. The intertidal area is within the Humber Estuary SPA, therefore the maximum number of vehicle movements into the intertidal needs to be captured in the project’s DCO to ensure the impacts of the works do not exceed the maximum assessed level of disturbance.

- c. Should pre-construction surveys identify the presence of European Protected Species, the Applicant may consider that a license application may be required at a later date.