

Giles Scott
DECC, 3 Whitehall Place
London SW1A 2AW
hornsea2@pins.gsi.gov.uk
PINS Reference: EN010053
Our Reference: 10031149

19th July 2016

Dear Giles,

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 - Application by SMart Wind Limited for an Order Granting Development Consent for the Hornsea Offshore Wind Farm (Zone 4) – Project Two

Following the letter dated 12th July, requesting comments on the Secretary of State potential additional provisions to condition 8 (pre-construction plans and documentation) in relation to harbour porpoises, WDC's comments are below.

WDC agree that further mitigation measures are required to ensure that there will be no adverse effect on the Southern North Sea pSAC. In our previous responses we have detailed that we are concerned that the construction noise from piling activities would be in breach of the draft conservation objective of the Southern North Sea pSAC, that there should be 'no significant disturbance of the species'. The proposed measures are a step towards mitigating this; however we still have some concerns.

WDC note that in section 6 it is stated that the MMO has the responsibility for making the decision on which mitigation measures are to be used if driven or part-driven pile foundations are to be used. We understand the MMO will consult with the relevant SNCBs on this matter. WDC requests to be involved in these discussions, along with other NGOs, to ensure that any mitigation methods are suitable for the development.

Section 7 lists the potential mitigation methods that "may" be used. WDC are concerned that there is still no guarantee that mitigation measures will be used. We would like to see a commitment to the use of effective mitigation methods, and adequate monitoring.

Section 7(e) refers to using noise reduction at source technologies as a mitigation method to reduce noise from pile driving. However these technologies should not be relied upon as they have only been used and proven at small –scale test sites; they are yet to be tested or proven efficient at a full scale site, therefore they are not a feasible mitigation measure. WDC acknowledge that by the time construction of Hornsea Project 2 that there may be proven noise reduction at source technologies, however we would like a guarantee that if there are no proven technologies by the time construction starts, that the project does not have the consent to proceed.

We are pleased to see the inclusion of a Marine Mammal Mitigation protocol (MMMP) in section 10(e). We would recommend a slight change in wording to "the intention of which is to prevent injury **AND** disturbance to marine mammals".

We hope you find these comments useful and would be happy to discuss any of these further.

Yours sincerely



Vicki James.
Stop Whaling and Science Officer

WHALE AND
DOLPHIN
CONSERVATION

