



THE PLANNING ACT 2008
THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010

NORFOLK VANGUARD OFFSHORE WIND FARM

Planning Inspectorate Reference: EN010079

**Natural England summary table detailing main concerns in relation to
Offshore Ornithology and our current position at Deadline 2**

31 January 2019

Topic	Natural England Position at Deadline 1	Additional Information provided	Summary of Information provided	Position at Deadline 2 for Issue Specific Hearings
Seasonal definitions for lesser black-backed gull (LBBG)	Applicant should use full breeding season. If this results in overlap of month with non-breeding season the non-breeding season should be adjusted accordingly	No	N/A	Not agreed. No further information has been supplied by the Applicant and therefore our position remains the same as in our Relevant and Written Representations [RR-106; REP1-088]
Seasonal definitions for gannet	Applicant should use full breeding season. If this results in overlap of month with non-breeding season the non-breeding season should be adjusted accordingly	No	N/A	Not agreed. No further information has been supplied by the Applicant and therefore our position remains the same as in our Relevant and Written Representations [RR-106; REP1-088]
Seasonal apportionment of impacts for HRA for LBBG at Alde-Ore Estuary SPA - non-breeding	Applicant has used a non-standard approach, however, this does not result in significant differences to the apportionment figures in the non-breeding season that result from taking the NE advised approach	No	N/A	Partly agreed as whilst we <u>agree</u> that the apportionment figures the Applicant has calculated for LBBG from Alde-Ore Estuary SPA for the non-breeding periods are reasonable/precautionary we still <u>do not agree</u> with the methods the Applicant has used to calculate them. No further information has been supplied by the Applicant and therefore our position remains the same as in our Relevant and Written Representations [RR-106; REP1-088]
Seasonal apportionment of impacts for HRA for Gannet at Flamborough and Filey Coast SPA - non-breeding	It is unclear what BDMPS figure has been used.	Response to Qu 23.44 of Examining Authority's first written questions	The gannet BDMPS populations used to apportion impacts occurring in the nonbreeding season to the Flamborough and Filey Coast SPA population were those presented for the UK North Sea and Channel in Furness (2015): during autumn migration 456,298 and during spring migration 248,365.	Not agreed. Natural England provided a full response in this regard at Deadline 2 in Natural England's comments on responses by all other parties to the Examining Authority's first written questions. In summary the apportionment figures calculated by NE are slightly higher than those used by the Applicant for autumn and spring. If the Applicant wishes to use their preferred values, Natural England seeks

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				clarification regarding how they have been calculated.
Seasonal apportionment of impacts for HRA for kittiwake at FFC SPA - non-breeding	The approach taken is consistent with our standard advice	N/A	N/A	<u>Agreed.</u>
Seasonal apportionment of impacts for HRA for LBBG at Alde-Ore Estuary SPA - breeding	Natural England remains concerned with the 25% apportionment figure used.	Response to Qu 23.35 of Examining Authority's first written questions.	<p>Information on tracking data used, suggesting very low connectivity between breeding LBBG at Orfordness and Norfolk Vanguard (3.5%).</p> <p>The Applicant has apportioned 25% of breeding LBBG to Alde-Ore Estuary SPA, and suggests this is highly precautionary given tracking data.</p> <p>A substantial proportion of the birds present at Norfolk Vanguard is likely to comprise immature birds which originate from a variety of populations. The birds present may also include breeding adults from non-SPA colonies</p>	<p><u>Not agreed.</u> Natural England provided a full response in this regard at Deadline 2 in Natural England's comments on responses by all other parties to the Examining Authority's first written questions. In summary whilst tracking data are useful and demonstrate connectivity of the Vanguard site with breeding birds from the Alde-Ore Estuary, it can only ever tell part of the story as there will be both individual and between year differences. Whilst the Applicant has attempted to address some of the issues Natural England / RSPB raised regarding additional town colonies that they hadn't previously been included, and the foraging behaviour of town colonies compared to more traditional colonies and control of town colony populations, this doesn't really address the issue of segregation and therefore this issue still requires consideration.</p> <p>As noted in our response to ExA Q23.34 provided in Annex A of our Written Representations [REP1-088], we concluded that whilst the Applicant's apportioning for the non-breeding season periods (i.e.</p>

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				migration and winter) did not follow our standard recommended approach, the apportionment percentages they have arrived at for the non-breeding seasons for this species and colony was reasonable / precautionary.
Seasonal apportionment of impacts for HRA for kittiwake at FFC SPA - breeding	Natural England remains concerned with the 16.8% apportionment figure used.	No	N/A	Not agreed. No further information has been supplied by the Applicant and therefore our position remains the same as in our Relevant and Written Representations [RR-106; REP1-088]
Lack of consideration of confidence intervals for EIA construction displacement for all species (excluding RTD)	Whilst the Applicant has not considered the variability in the underlying population estimates, as the confidence limits have been provided, NE have considered these as well and can confirm that they do not alter the conclusions.	No	N/A	Agreed. Whilst Natural England note that an incorrect methodology has been used, it does not alter the outcome in this instance and therefore no further work is required.
Lack of consideration of confidence intervals for EIA operation displacement for gannet and auks (excluding RTD)	Whilst the Applicant has not considered the variability in the underlying population estimates, as the confidence limits have been provided, NE have considered these as well and can confirm that they do not alter the conclusions.	Appendix 3.3 - Operational Auk and Gannet Displacement: update and clarification	A review of evidence for displacement effects for guillemot and razorbill. An assessment is also presented using the upper and lower 95% confidence intervals on population abundance for puffin, razorbill, guillemot and gannet for project alone impacts. Cumulative assessments for puffin, razorbill and guillemot are provided which include the figures presented in the Environmental Statements (ESs) for Hornsea Project 3 and Thanet	In progress. Natural England will review this document and provide comments for Deadline 3. Natural England will update its position based on this document where appropriate.

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			Extension, and also include figures for the Hywind and Kincardine projects. <u>A cumulative displacement assessment for gannet will be provided in a subsequent clarification note.</u>	
Red-throated diver (RTD) displacement assessments	Data for Vanguard West only included birds on the water (exc. Birds in flight). NE also disagree with the use of 80% displacement and 5% mortality (we advise 100% displacement and up to 10% mortality).	Appendix 3.1 - Red-throated diver displacement	Updated assessment of potential displacement impacts on RTDs.	<u>In progress.</u> Natural England will review this document and provide comments for Deadline 3. Natural England will update its position based on this document if possible.
Collision Risk Modelling	Natural England have significant concerns with the Applicant's CRM including: methodology used; use of median rather than mean densities; nocturnal activity factors; lack of full assessment for herring gull (alone); lack of any specific CRM assessment for non-seabird migrants (alone and in-combination), exclusion of Bewick's swan and avocet.	1) Appendix 3.2 - Collision Risk Modelling: update and clarification 2) S51 Advice note	1) Derivation of seabird densities used an input to the CRM, complete tables of input, comparison of the CRM estimate for Norfolk Vanguard with those obtained using the Band (2012) spreadsheet and the MSS commissioned stochastic version of the Band model, assessment of potential effects of collisions at Norfolk Vanguard on herring gull and presentation of the annual outputs calculated using alternative summary metrics. <u>The note only provides collision estimates for the Norfolk Vanguard project alone; cumulative and in-combination estimates will be provided in separate notes.</u>	1) <u>In progress.</u> Natural England will review this document and provide comments for Deadline 3. Natural England will update its position based on this document if possible. 2) <u>Not agreed.</u> Natural England have reviewed this document as part of our Deadline 2 response and remain concerned with the data that has been input for this modelling. Full details can be found in paragraphs 2.2 – 2.4 of our Deadline 2 response: Comments on Offshore Ornithological Aspects of Applicant's Response to Section 51 Advice from the Planning Inspectorate [AS-006]. <u>In addition,</u> Natural England remain concerned with the nocturnal activity rates used by the Applicant.

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			2) Changes to consented configurations of projects and implications for cumulative/in-combination CRM.	
Cumulative and In-combination Assessments	Natural England has concerns not only with Vanguard alone figures but also with Hornsea 3 and Thanet Extension figures and other OWFs not included in the assessment, for example e.g. Kincardine, Hywind, Moray West and therefore could not reach any conclusions at present regarding the scale of any cumulative and in-combination	S51 advice note	Includes updated figures for Hornsea 3 and Thanet Extension; changes to consented configurations of projects and implications of this; and further information regarding nocturnal activity factors.	<p>Not agreed. Natural England note the additional document provided by the Applicant, however our concerns remain outstanding. This means that Natural England are still not in a position to provide formal advice on the accuracy of the predicted impacts at either the biogeographic/BDMPS or SPA scale.</p> <p>For more information, please see our Relevant Representations [RR_106], Written Representations [REP1-088] and our Deadline 2 response: Comments on Offshore Ornithological Aspects of Applicant's Response to Section 51 Advice from the Planning Inspectorate [AS-006].</p>
Population Modelling Approaches (EIA and HRA)	Natural England have a number of concerns including: use of PBR outputs in assessments; suitability of existing PVA models for various birds due to a range of issues; use of matched pairs; use of counterfactuals; use of 25 year projection models when the maximum life of the project is 30 years.	No	N/A	<p>Not agreed. No further information has been supplied by the Applicant and therefore our position remains the same as in our Relevant and Written Representations [RR-106; REP1-088]</p>