THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

HORNSEA PROJECT THREE OFFSHORE WIND FARM

Planning Inspectorate Reference: EN10080

Annex D2: Natural England and the Joint Nature Conservation Committee (JNCC) advice on the cable protection clarification note.

7 November 2018

1. Introduction

1.1. Natural England received an additional document from the Applicant on 9th October 2018, titled: Clarification Note - Cable Protection in Designated Sites. This Annex presents Natural England's general and detailed comments on the document.

2. General Comments

2.1. Overall Natural England and JNCC welcome this clarification note because it evidences some of the Applicant's positions and answers some general questions we had; and depending on Natural England and JNCC's review of the evidence presented it could be of wider use.

2.2. However, what it fails to do is relate the evidence (mainly from Inner Dowsing North Ridge and Race Bank SAC) to the three Marine Protected Areas (MPAs) considered within export cabling assessments for Hornsea 3 (i.e. The Wash and North Norfolk Coast (W&NNC) SAC, North Norfolk Sandbanks and Saturn Reef (NNSSR) SAC and Cromer Shoal Chalk Beds MCZ) and the sediments and mobility in those sites. It is therefore difficult to understand whether the hydrodynamics are similar enough to other sites for the infill and sediment transport arguments to hold true.

3. Detailed comments

Point	Section in the note	Natural England's comments
3.1.	Section 1.3 and Table 2.1	(As highlighted above) Natural England welcomes the reduction in the amount of cable protection now proposed within designated sites overall, but it should be noted that the amount within The Wash and North Norfolk Coast has increased by 63%
3.2.	3.1	The cable risk assessment should be provided sooner rather than later to inform the actual need for cable protection.
3.3.	3.3	We believe that good evidence to justify the 10% has been presented. However Natural England and JNCC would like further clarity as to whether this includes all protection on the export cables to date; in particular, the recent applications for Race Bank. We also question if there evidence to demonstrate that particular features to install cable sin than others. It would therefore be good to have more detail on what sediment/seabed structure/formation makes cable installation more challenging and then compare that with the habitats along the Hornsea Project Three cable route be assured they are comparable. It would also be useful to compare to cable installations undertaken by other developers to provide a fuller evidence base.
3.4.	3.3	Natural England agrees that 10% is conservative, but equally that doesn't make it acceptable in terms of impact to nature conservation and MPAs. We provide advice on the worst-case scenario being applied for, i.e. 10%.
3.5.	Table 4.1	We welcome the inclusion of the table and the evidence presented. However, the evidence has not been related to the 3 MPAs and the sediments and mobility there. So whilst the text discusses whether or not they are analogous to HOW03, the Applicant has not considered that there is a significant difference between the 3 MPAS, their habitats; characterising sediments, and hydrodynamics etc. It would therefore be useful is to state which

		parts of the route/ MPA features the specific bits of data are analogous to.
3.6.	4.8	Please note that it wasn't possible to inform effect on site integrity from such a small sample of evidence sources. Please note the JNCC caveat at the start of Pidduck et al. (2017) that says: *'This report provides initial conclusions regarding the implications of rock dump in the North Norfolk Sandbanks and Saturn Reef cSAC/SCI for impact assessment of plans and/or projects. As such, JNCC does not yet consider it appropriate to use the conclusions directly in Habitats Regulations Assessments without further consideration of the evidence gaps detailed in the report and consideration of the applicability of the evidence presented.'* Therefore we advise against this report being used to support HRA conclusions.
3.7.	4.14	Agree, but this ignores impact on extent and distribution of sediment / habitats
3.8.	4.18	Agree, but needs to be specifically related to the 3 MPAs
3.9.	4.19, 4.20 and 5.4	It is not clear if the evidence presented in relation to the movement of sediment, infilling and returning to a more natural state holds for the W&NNC SAC and Cromer Shoal Chalk Beds MCZ.
3.10.	5.2	Whilst it is true that hard substrate used to be naturally more prevalent in the north sea, this is not the recent and current situation and is not a justification that anthropogenic introduction of hard substrate, and any associated changes to the fauna are acceptable. Additionally as noted here, these earlier natural hard substrates were oyster reefs, gravel field and peat deposits, not terrestrial-sourced granite from Norwegian quarries.
3.11.	5.7	As with comments in relation to the HRA – Natural England disagrees with the use of 'long term temporary'. This is because we believe that impacts are unlikely to be temporary due to limited confidence in full decommissioning occurring. This section also only considers Annex I reef features when the whole of the W&NNC SAC is Annex I habitat therefore impacts need to be assessed as such in line with the site's conservation objectives.[1] Please also note that a change of habitat is just as significant as loss of habitat, when that habitat is the designated feature.
3.12.	5.12	Please note that Natural England and JNCC are further considering the evidence presented in relation to NNS from Oil and Gas platforms and wind farm stabilisation material and once we have that we will provide further advice
3.13.	5.17	Natural England notes that Coolen (2017) and similar studies discuss the positive effects of rock protection in terms of wider North Sea biodiversity. They do not consider it in terms of MPAs and their conservation objectives. We advise that considering rock

[1] https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK0017075&SiteName=wash and north norfolk&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=

		protection installation as a positive effect is not in line with the Habitat Regulations which are protecting the features the site is designated for.
3.14.	5.19	As per previous comments NE agrees with the infill, although uncertainty remains as to its applicability to The W&NNC and Cromer Shoal Chalk Beds MCZ compared to NNS SAC. Whilst the colonisation may be typical of the north sea broadly we do not think it typical of at least some of the areas where the cable protection is proposed.
3.15.	5.20	Sensitive cable protection measures – As with cable protection placed at Lune Deep you need the right receiving environment to mimic with sensitive cable protection provided. As per our comments on the HRA Natural England questions whether sensitive cable protection measures can be undertaken due to engineering requirements. The evidence presented for Race Bank OWF marine licence variation and marine licence re the type of protection that can be technically used, such as similar grain size has been discounted because it could be moved during a storm and doesn't provide sufficient protection again anchors and fisheries (Ref. WSP Remedial Burial Assessment – SJ20180628115546973) There is also the added concern that any protection of this nature will be displaced over time and there will need to be operation and maintenance work over the life time of the project to recharge any cable protection, thus increasing the amount of rock in the marine environment. And as proposed in this application there would be no ability to review/control this going forwards as the O&M assessment simply says 'where rock has been previously placed' with no information on amount and locations.
3.16.	5.22	Between the SNCB's there are on-going discussions in relation to the Annex I status of any *Sabellaria spinulosa* reef growing over artificial substrate such as cable protection.
3.17.	6.1	Natural England agrees that the clarification note sets the parameters for cable protection and that Ørsted have evidenced the conclusions. However, as per previous comments uncertainty remains.
3.18.	6.3	Natural England agrees that in some locations and in a wider seas context cable protection may become infilled or even buried, but currently this is not a valid argument for lack of longer term impact within an MPA. Habitat change is a pressure different to habitat loss, but it is still a change to the feature that the site was designated for and therefore may still hinder the conservation objectives for the site.