

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

### **Appendix 25 to Deadline 3 Submission: Statement of Common Ground – Natural England Offshore Ornithology**

Relevant Examination Deadline: 3

Submitted by Vattenfall Wind Power Ltd

Date: March 2019

Revision B

Date	Issue No.	Remarks / Reason for Issue	Author	Checked	Approved
16/11/2018	01	Issued to Natural England	Apem Ltd	GoBe	VWPL
22/11/18	01	Initial Feedback provided by Natural England	Natural England	Natural England	VWPL
14/01/19	02	Revised draft returned by Natural England	Natural England	Natural England	VWPL
15/01/19	A	Original document submitted to the ExA	GoBe	GoBe	VWPL
15/02/2019	03	Revised draft issued to Natural England	APEM Ltd	GoBe	VWPL
26/02/2019	04	Revised draft issued to Natural England	APEM Ltd	GoBe	VWPL
01/03/2019	05	Revised draft returned by Natural England	Natural England	Natural England	VWPL
04/03/19	06	Revised draft through discussion of both parties	GoBe	GoBe	VWPL
05/03/19	B	Revision draft submitted to the ExA	GoBe	GoBe	VWPL

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## 1 Introduction

### 1.1 Overview

- 1 This Statement of Common Ground (SoCG) relates to the proposed development of the Thanet Extension Offshore Wind Farm (Thanet Extension). It has been prepared with respect to the application made by Vattenfall Wind Power Ltd (VWPL) (the Applicant) for a Development Consent Order (DCO) to the Planning Inspectorate (PINS) under the Planning Act 2008 (the Application).
- 2 This SoCG with Natural England (NE) is a means of clearly stating any areas of agreement and disagreement between the two parties in relation to Ornithological matters in the Application.
- 3 It is the intention that this document will help facilitate post application discussions between both parties and also give the Examining Authority (Ex. A) an early sight of the level of common ground between both parties from the outset of the examination process. It also reflects the request made by the Ex. A in the 'Rule 6' letter published on the 9<sup>th</sup> November 2018.

### 1.2 Approach to SoCG

- 4 This SoCG has been developed during the pre-examination phase of the Thanet Extension. In accordance with discussions between the Applicant and NE, the SoCG is focused on those issues raised by NE within its response to Scoping, Section 42 consultation and as raised through the Evidence Plan process that has underpinned the pre-application consultation between the parties.
- 5 The structure of the SoCG is as follows:
  - Section 1: Introduction;
  - Section 2: Natural England's Remit;
  - Section 3: Consultation;
  - Section 4: Agreements Log; and
  - Section 5: Summary.

## 1.3 The Development

- 6 Thanet Extension will comprise of wind turbine generators (WTGs) and the entire infrastructure required to transmit the power generated to the national grid. A maximum of 34 WTGs will be installed with a power output of 340 MW. The project will install up to four offshore export cables and may require the installation of one Offshore Substation (OSS) and up to one Meteorological Mast.
- 7 The key offshore components of Thanet Extension are likely to include:
- Up to 34 offshore WTGs;
  - OSS (if required);
  - Meteorological Mast (if required);
  - WTG Foundations;
  - Subsea inter-array cables linking individual WTGs;
  - Subsea export cables from the OWF to shore; and
  - Scour protection around foundations and on inter-array and export cables (if required).
- 8 The array area will have a maximum size of 70 km<sup>2</sup> and surrounds the existing Thanet Offshore Wind Farm (TOWF). It is located approximately 8 km Northeast of the Isle of Thanet, situated in the County of Kent. Each WTG will have a maximum blade tip height of 250 m above Highest Astronomical Tide (HAT), a maximum diameter of 220 m and a minimum 22 m clearance between the Mean High Water Springs (MWHS) and the lowest point of the rotor.
- 9 Electricity generated will be carried via a maximum of four high voltage subsea cables to the landfall site, situated at Pegwell Bay. Offshore cables will be connected to the onshore cables and ultimately the national grid network at Richborough Energy Park. The onshore cable corridor is 2.6 km in length at its fullest extent.
- 10 More details on the proposed development are described in the Environmental Statement (ES) Volume 2, Chapter 1: Project Description (Offshore) (PINS Ref APP-042/ Application Ref 6.2.1) and Volume 3, Chapter 1: Project Description (Onshore) (PINS Ref APP-057/ Application Ref 6.3.1) of the Environmental Statement (ES).

## 2 Natural England's Remit

- 11 Natural England is an executive non-departmental public body established under the Natural Environment and Rural Communities Act 2006 ('NERC Act') and is the statutory advisor to the Government on nature conservation in England and promotes the conservation of England's wildlife and natural features. NE's remit extends to the territorial sea adjacent to England, up to 12 nautical miles from the coastline.
- 12 Natural England is a statutory consultee for the proposed development under section 42 of the Planning Act 2008 and a prescribed consultee under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Natural England is a statutory consultee in respect of all applications for consent for Nationally Significant Infrastructure Projects which are likely to affect land in England.

### **3 Consultation**

#### **3.1 Application elements under Natural England's remit**

- 13 Work Nos. 1-16, detailed in Part 1 of Schedule 1 of the draft DCO describe the elements of Thanet Extension which may affect the interests of NE.
- 14 Natural England is a non-departmental public body responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology and soils, are protected and improved. It also has a responsibility to help people enjoy, understand and access the natural environment.
- 15 The technical components of the DCO application of relevance to NE (and therefore considered within this SoCG) comprise:
- Report to Inform Appropriate Assessment (RIAA) (PINS Ref APP-031/ Application Ref 5.2); and
  - Volume 2, Chapter 4: Offshore Ornithology (PINS Ref APP-045/ Application Ref 6.2.4).

#### **3.2 Consultation Summary**

- 16 This section briefly summarises the consultation that VWPL has undertaken with NE. Engagement during the pre-application phase, both statutory and non-statutory, is summarised in Table 1 below, this includes any meetings and correspondence held as part of the Evidence Plan process and Section 42 consultation.

**Table 1: Consultation undertaken with Natural England pre-application**

Date & Type:	Detail:
2017 Ecological Review Panel	HRA Review Panel (RIAA)
2017 Ecological Review Panel	HRA Evidence Plan Meeting
2017 Consultation	RIAA Consultation
2017 Ecological Review Panel	Evidence Plan Meeting – Marine Ecology
2017 Ecological Review Panel	Evidence Plan Meeting – Offshore Ornithology
2017 Ecological Review Panel	Evidence Plan Meeting – Onshore Ecology and Ornithology
January 2018, S42 Consultation	Comments relating to the Preliminary Environmental Information Report
February 2018	Evidence Plan Meeting – Onshore Ecology and Ornithology
May 2018	Evidence Plan Meeting – Onshore and Offshore Ecology

### 3.3 Post-application Consultation

17 VWPL has engaged with NE since the Thanet Extension development was accepted for examination by the Planning Inspectorate on 23<sup>rd</sup> July 2018. A summary of the post-application consultation with NE is detailed in Table 2.

**Table 2: Consultation undertaken with the Natural England post-application**

Date/ Type:	Detail:
July 2018	Outline Landscape and Ecological Management Plan Meeting
July 2018	Saltmarsh Management and Mitigation Meeting
October 2018	Initial Discussions on developing a SoCG
November 2018	SoCG meeting to discuss technical notes compiled in response to NE Relevant Representations
January 2019	Teleconference to discuss Natural England’s Written Representations and the Applicant’s revised technical notes submitted at Deadline I.
February 2019	Teleconference Pending
March 2019	Teleconference to discuss progression of SoCG and revised CRM note
March 2019	Teleconference to discuss progression of SoCG



## 4 Agreements Log

18 The following section of this SoCG identifies the level of agreement between the parties for each relevant component of the application material (as identified in Section 3.1). In order to easily identify whether a matter is “agreed”, “under discussion” or indeed “not agreed” a colour coding system of green, yellow and orange is used in the “final position” column to represent the respective status of discussions.

### 4.1 Report to Inform Appropriate Assessment

19 The Project provided a Report to Inform Appropriate Assessment with the submitted application to determine the potential for an Adverse Effect on Integrity (AEoI) on Natura 2000 sites.

20 This SoCG considers responses from Natural England on specific areas relating to offshore ornithology, including assessment methods, outcomes, and conclusions relating to the relevant ES chapter (PINS Ref APP-045/ Application Ref 6.2.4) and the RIAA (PINS Ref APP-31/ Application Ref 5.2). In addition, RAMSAR issues are addressed within a further SoCG.

21 The sites considered within the RIAA and therefore this SoCG are:

- Transboundary European designated sites:
  - Bancs de Flandres SPA;
  - Cap Gris Nez SPA/Recifs Gris-Nez Blanc-Nez;
- SPAs:
  - Outer Thames Estuary SPA;
  - Thanet Coast and Sandwich Bay SPA;
  - Flamborough and Filey Coast SPA;
  - Flamborough Head and Bempton Cliffs SPA;
  - Northumberland Marine SPA;
  - Farne Islands SPA;
  - St Abb’s Head to Fast Castle SPA;
  - Foulness (Mid-Essex Coast Phase 5) SPA; and

- Alde-Ore Estuary SPA.
- 22 A revised RIAA (PINS Ref REP2-018 & REP2-019/ Application Ref Appendix 21 to Deadline 2 Submission: RIAA – Part 1 and Part 2 of 2) was submitted at Deadline II in February 2019. In relation to offshore ornithology the significant revisions were:
- Accounting for recent European Court judgements;
  - Accounting for the submission from the French Government (PINS Ref AS-006) with the addition of two SPAs within the screening process – Cap Gris Nez SPA and Bancs des Flandres SPA; and
  - The classification of the Flamborough and Filey Coast SPA.
- 23 Responses to the revised RIAA are yet to be received.

**Table 3: Status of discussions relating to the RIAA**

Discussion Point	Thanet Extension Position	NE Position	Final Position
Screening	The RIAA has identified all relevant features of the designated sites that may be sensitive to changes as a result of the proposed activities.	Agreed.	Agreed.
Screening (transboundary)	The RIAA has identified all relevant transboundary designated sites that may be sensitive to changes as a result of the proposed activities.	Natural England has no further comments upon transboundary designated sites. Natural England do not consider it within our remit to advise on this.	Agreed
Outcomes of the RIAA	No adverse effect on the integrity of transboundary sites are predicted either alone or in-combination as a result of as a result of the proposed activities.	Natural England has no further comments upon transboundary designated sites. Natural England do not consider it within our remit to advise on this.	Agreed
Outcomes of the RIAA	<p>No adverse effect on the integrity of the Outer Thames Estuary SPA is predicted from Thanet Extension alone.</p> <p>The Applicant recognises that Natural England’s opinion is that it is not possible to rule out an adverse effect on the integrity on the red-throated diver population of the Outer Thames Estuary SPA from existing operational projects. However:</p>	<p>Natural England agree that the project alone is unlikely to adversely affect the integrity of the red-throated diver feature of the Outer Thames Estuary SPA.</p> <p>Suggested wording: Natural England consider that it is not possible to rule out an adverse effect on the integrity on the red-throated diver population of the Outer Thames Estuary SPA from existing operational projects in combination. However, we agree that the</p>	Under discussion

Discussion Point	Thanet Extension Position	NE Position	Final Position
	<ul style="list-style-type: none"> <li>• It is acknowledged that the relevant in-combination projects are existing projects which have been approved by the Secretary of State on the basis that there would be no adverse in-combination effects on the integrity of the SPA;</li> <li>• In the particular circumstances of this case, the Thanet Extension would not cause any appreciable effect on the wider in-combination effects relating to the mortality of this species which arise from those projects;</li> <li>• Thanet Extension would not cause an adverse effect on integrity to arise as a result of this project being included as part of an in-combination assessment.</li> </ul>	<p>project does not make an appreciable contribution to the in-combination displacement totals.</p>	
<p>Outcomes of the RIAA</p>	<p>No adverse effect on the integrity of Thanet Coast and Sandwich Bay SPA is predicted</p>	<p>Agreed – Providing the SMRMP is updated appropriately following Natural England’s comments</p>	<p>Agreed</p>

Discussion Point	Thanet Extension Position	NE Position	Final Position
	either alone or in-combination as a result of as a result of the proposed activities.	on Revision B and implemented successfully during the construction and operation phase.	
Outcomes of the RIAA	<p>No adverse effect on the integrity of Flamborough and Filey Coast SPA is predicted from Thanet Extension alone.</p> <p>The Applicant recognises that it is not possible to rule out the potential of an adverse effect on the integrity on the kittiwake population of the Flamborough and Filey Coast SPA from other plans and projects. However</p> <ul style="list-style-type: none"> <li>It is acknowledged that the relevant in-combination projects are other plans and projects, including projects which have been approved by the Secretary of State on the basis that there would be no adverse in-combination effects on the integrity of the SPA when these plans and projects are considered in combination;</li> </ul>	<p>We agree that the project <b>alone</b> is unlikely to have an adverse effect on the integrity of the kittiwake feature of the Flamborough and Filey Coast SPA.</p> <p>Suggested wording: Natural England consider that it is not possible to rule out an adverse effect on the integrity SPA as a result of considering in combination plans and projects without the Thanet Extension. However, we agree with the applicant that the effect of the additional predicted mortality from Thanet Extension will not make any appreciable contribution to the in-combination effects of those other plans and projects.</p>	Under discussion

Discussion Point	Thanet Extension Position	NE Position	Final Position
	<ul style="list-style-type: none"> <li>• Thanet Extension would not cause any appreciable effect on the wider in-combination effects relating to the mortality of this species which arise from those plans and projects;</li> <li>• Thanet Extension would not cause an adverse effect on integrity to arise as a result of this project being included as part of an in-combination assessment.</li> </ul>		
Outcomes of the RIAA	No adverse effect on the integrity of Flamborough Head and Bempton Cliffs pSPA is predicted either alone or in-combination as a result of as a result of the proposed activities.	This particular site is no longer relevant as it has been superseded by the Flamborough and Filey Coast SPA which has recently been classified.	Agreed
Outcomes of the RIAA	No adverse effect on the integrity of Northumberland Marine SPA is predicted either alone or in-combination as a result of as a result of the proposed activities.	Agreed.	Agreed.
Outcomes of the RIAA	No adverse effect on the integrity of Farne Islands SPA is predicted either alone or in-combination as a result of as a result of the proposed activities.	Agreed.	Agreed

Discussion Point	Thanet Extension Position	NE Position	Final Position
Outcomes of the RIAA	No adverse effect on the integrity of St Abb's Head to Fast Castle SPA is predicted either alone or in-combination as a result of as a result of the proposed activities.	Agreed – however this is a Scottish SPA and encourage the applicant to consult our colleagues at SNH (if they have not already) to fully determine any conclusions.	Agreed with Natural England. Discussion underway with SNH
Outcomes of the RIAA	No adverse effect on the integrity of Foulness (Mid-Essex Coast Phase 5) SPA is predicted either alone or in-combination as a result of as a result of the proposed activities.	Agreed.	Agreed.
Outcomes of the RIAA	No adverse effect on the integrity of Alde Ore estuary SPA is predicted either alone or in-combination as a result of as a result of the proposed activities.	Agreed.	Agreed.
Outcomes of the RIAA	No adverse effect on the integrity of Alde Ore estuary Ramsar is predicted either alone or in-combination as a result of as a result of the proposed activities.	Agreed.	Agreed.
Mitigation measures	The proposed mitigation measures (over wintering seasonal restriction within the intertidal working area) is appropriate and adequately secured within the DCO/dML.	Agreed – However, it should be stated here that this applies to the Thanet Coast and Sandwich Bay SPA and Ramsar site.	Agreed

## 4.2 Offshore Ornithology

- 24 The Project has the potential to impact upon offshore ornithology and these interactions are duly considered within Volume 2, Chapter 4 of the Thanet Extension ES (PINS Ref APP-045/Application Ref 6.2.4). Table 4 identifies the status of discussions relating to this topic area between the parties.



**Table 4: Status of discussions relating to Offshore Ornithology**

Discussion Point	Thanet Extension Position	NE Position	Final Position
Policy and Planning	The assessment has identified all appropriate plans and policies relevant to offshore ornithology and has given due regard to them within the assessment.	Agreed.	Agreed.
Consultation	The ES chapter has been adequately updated following S42 and Evidence Plan consultation and concerns raised have been adequately addressed or clarified.	<p>The ES chapter should include assessments based on SNCB advice presented alongside those preferred by the applicant. The displacement assessment based on buffers advised in the joint SNCB advice is not presented in the ES.</p> <p>The predicted mortality from collision is based on input parameters not advised by Natural England, for example assessments based on lower nocturnal activity factors than recommended have been used in the ES chapter. However, although we disagree that the ES has been adequately updated and we have concerns relating to the methodology, we acknowledge that when using the overall conclusions are unlikely to change.</p>	The Applicant and Natural England agree that assessments based on either parties' methods and effects of parameters used make no material difference to the overall conclusions.
Scope and Assessment methodology	The potential impacts identified are appropriate and accurate for offshore ornithology receptors.	Natural England advise that a displacement of red throated diver out to 4km should be used for assessment.	The Applicant and Natural England agree that

Discussion Point	Thanet Extension Position	NE Position	Final Position
			assessments based on either parties' displacement buffer make no material difference to the overall conclusions.
	The study area defined for the assessment is appropriate for the impacts considered.	Agreed.	Agreed.
	The methods of assessing collision risk are appropriate and have been applied accurately	Natural England is concerned that site specific flight height data (from the digital aerial surveys or the ORJIP BCA study) has not been used to assess the collision risk assessments in the ES Chapter. Also lower than recommended nocturnal activity factors (NAF) have been used in the assessment. Both of which mean the assessments of collision risk are lower than they would be if site specific flight height data and recommended NAFs were used, which means the figures going into the in-combination and cumulative totals may be under-estimated. However, we acknowledge that even when using the Natural England recommended methodology the overall conclusions do not change.	The Applicant and Natural England agree that assessments based on either parties' use of different input parameters for collision risk modelling make no difference to the overall conclusions.

Discussion Point	Thanet Extension Position	NE Position	Final Position
	<p>The methods of assessing displacement, appropriately utilises site specific data and as such is appropriate for the purposes of assessing the risks of displacement of auks and divers in relation to Thanet Extension</p>	<p>Whilst Natural England welcome the use of site specific data to assess displacement there are issues with the methodology, particularly in relation to red throated diver, namely the post consent monitoring data were based on boat surveys (and red throated divers are sensitive to boats) and the buffer was limited to 2km. However, we acknowledge that even when using the Natural England recommended methodology the overall conclusions do not change.</p>	<p>Agreed.</p>
<p>Baseline data used in the assessment</p>	<p>Sufficient primary and secondary data has been collated to appropriately characterise the baseline environment for the purposes of informing the EIA.</p>	<p>Agreed.</p>	<p>Agreed.</p>
	<p>The survey scopes and methodologies undertaken for the offshore ornithological surveys were adequate for characterising the baseline.</p>	<p>Please see comments on displacement (red throated diver) and collision risk modelling.</p>	<p>Please refer to final agreed positions on displacement and collision risk modelling.</p>
	<p>The sensitivity and importance of the receiving environment is accurately described within the Environmental Statement.</p>	<p>Agreed.</p>	<p>Agreed.</p>

Discussion Point	Thanet Extension Position	NE Position	Final Position
Mitigation Measures	The embedded mitigation measures are considered appropriate and are appropriately secured through the DCO. The most significant embedded mitigation measure was to move the Red Line Boundary further away from the Outer Thames Estuary SPA.	Agreed.	Agreed.
Outcomes of the EIA	The conclusions of the assessment accurately reflect the potential impacts on offshore ornithology receptors within the study area from the project alone.	Agreed.	Agreed.
	The cumulative effects have been adequately and appropriately described within the ES and the conclusions are appropriate.	It is not possible to rule out a significant cumulative effect on the displacement of red throated diver, due to the displacement effects from other operational projects. However, we agree that the contribution this project makes to the cumulative total is not likely to make a material difference.	Agreed.
	The contribution of Thanet Extension to cumulative effects on offshore ornithological receptors is agreed as minimal.	Agreed.	Agreed.

Discussion Point	Thanet Extension Position	NE Position	Final Position
<p>Assessment of displacement for red-throated diver alone (at EIA level).</p>	<p>Culmination of data on displacement rates from within or in close proximity to the Thanet Extension site provides further evidence in support of lower displacement levels for this unique project.</p> <p>Having provided a range of data from three different survey sources; including boat surveys out to 2km (Thanet), boat surveys beyond 4km (Kentish Flats Extension) and digital aerial surveys (Thanet and Thanet Extension), the Applicant considers that this project has evidence in support of lower displacement rates – particularly in the 4km buffer.</p> <p>The Applicant considered a range of displacement scenarios including that from site-specific evidence and that advocated by Natural England for red-throated diver (100% displacement out to 4km). The latter of which were included within an annex to the ES Chapter (PINS Ref APP-079/ Applicant Ref 6.4.4.3) and included</p>	<p>We disagree that the Thanet Extension data provides definitive evidence that displacement out to 4km should not be considered as part of the assessment. The winter aerial surveys for the Thanet Extension project demonstrate that 100% of divers are displaced from the wind farm, and the surveys did not extend beyond 4km beyond the extension boundary. Therefore we advise that a range of scenarios are considered, including NE’s approach of assuming 100% displacement out to 4km. However, we do acknowledge that the Applicant has presented matrices to allow consideration of a range of scenarios. Although we disagree on the methodology of the assessment, Natural England agrees that there is unlikely to be a significant effect on red throated diver from the project alone.</p>	<p>Agreed.</p>

Discussion Point	Thanet Extension Position	NE Position	Final Position
	again within more recent post-submission note (PINS Ref REP1-023/ Responses to RRs (Annexes C to F)).		
The rate of and spatial extent of displacement for divers, gannet and auks (at an EIA level).	Culmination of data on displacement rates from within or in close proximity to the Thanet Extension site provides further evidence in support of lower displacement levels for this unique project.	Natural England accepts that there is some evidence to suggest that displacement is not 100% out to 4km for red throated divers or 100% out to 2km for gannet, razorbill and guillemot. However, we maintain that these figures should be presented alongside those already undertaken by the Applicant in the ES to allow a range to be considered, given the uncertainty around displacement rates. However, we acknowledge that even when using our recommended methodology for assessing displacement effects the overall conclusions do not change.	Agreed.
Assessment of displacement for red-throated diver alone (at HRA level).	Following the discussion of methods applied for the assessment of red-throated diver displacement for Thanet Extension alone at the HRA level it is understood that this matter is now agreed.	Natural England agree that there is unlikely to be an adverse effect on integrity on red throated diver population within Outer Thames Estuary SPA alone, based on the fact that the project and 4km buffer is outside of the Outer Thames Estuary SPA boundary.	Agreed.

Discussion Point	Thanet Extension Position	NE Position	Final Position
<p>Assessment of displacement in-combination with other projects for red-throated diver (at HRA level).</p>	<p>Following the discussion of methods applied for the assessment of red-throated diver for Thanet Extension in-combination with other projects at the HRA level it is understood that this matter is now agreed.</p>	<p>The methods for undertaking the in-combination/cumulative assessment for red throated diver are broadly agreed. However, the revised red-throated diver cumulative (EIA) and in-combination (HRA) impact assessment methodology clarification note (December 2018) appears to under-estimate the extent of the cumulative effects. This is because the number of divers potentially displaced is derived using Seabird Mapping and Sensitivity Tool (SeaMaST) but then the expressed as a percentage of the SW North Sea winter Biologically Defined Minimum Population Scale (BDMPS), and not the percentage of the total derived using SeaMaST. The population of the winter BDMPS is 10,177 and within the same area the SeaMaST data set provides an estimate of 7,639. Therefore the cumulative effects are underestimated by around a quarter. However, we acknowledge that the methodology does not change the relative contribution that Thanet Extension which is small compared to consented offshore windfarms.</p>	<p>The Applicant and NE agree that the issue that NE has identified affects the consideration of the percentage contribution made by other consented offshore wind farms, but with respect to proposal applied for the Applicant and NE agree that the methodology does not change the relative contribution that Thanet Extension makes which is small compared to consented offshore wind farms.</p>

## **5 Matters under discussion**

- 25 This section identifies those matters raised by Natural England during the pre-application consultation that have yet to be resolved and are subject to ongoing discussion as of the last consultation meeting held with the Natural England. These ongoing discussion points are presented in Table 5 alongside with the current position of Thanet Extension.



**Table 5: Ongoing areas of discussion**

Discussion Point	Thanet Extension Position	NE Position	Final Position
<p>Use of site-specific data on seabird flight heights (from digital aerial surveys).</p>	<p>The use of digital aerial data on seabird flight heights in collision risk modelling (CRM) was not deemed appropriate due to the sample size being too small (well below the 100 individuals used a minimum threshold).</p>	<p>We acknowledge that a small sample size for calculating site specific flight heights is not ideal, and therefore the use of generic flight heights has been accepted. To ensure that an appropriate level of precaution we advise that CRM modelling is re-run, either using the MSS Stochastic Collision Risk Modelling tool or the deterministic model capturing the variability and using the recommended input parameters and focussing on the higher confidence limits.</p>	<p>Under discussion</p>
<p>Use of site-specific data on seabird flight heights (from ORJIP study findings).</p>	<p>The use of ORJIP data on seabird flight heights in collision risk modelling (CRM) was not deemed appropriate due to the final findings not being reported on and a lack of guidance on how data from ORJIP can be applied in the Band (2012) collision risk model.</p>	<p>Whilst using Potential Collision Heights (PCHs) generic flight heights (Option 2) has been accepted, we are aware that the results using site-specific flight PCH from the Bowgen and Cook (2018) report produce significantly higher mortality predictions. Therefore we would see this as the upper end of the range of Option 2 outputs from the stochastic CRM used and the revised figure used in the RIAA.</p>	<p>Under discussion</p>

Discussion Point	Thanet Extension Position	NE Position	Final Position
<p>Use of a range in the data on seabird flight heights (from SOSS 02).</p>	<p>The range in SOSS 02 mortality rates using the upper and lower confidence intervals around flight heights was provided in the original Development Application, which is presented in the CRM appendix to the ES Chapter (PINS Ref APP-079/ Applicant Ref 6.4.4.4).</p> <p>Through consideration of this range of flight heights in the CRM from SOSS 02 the mortality rates for seabirds remain at a consistently low level.</p>	<p>Natural England acknowledge that upper and lower confidence intervals are presented in the CRM appendix, but these are based on the lower end of recommended nocturnal activity factors only. We welcome the Applicants undertaking to present the outputs in a further clarification note. We advise that the revised figures using predicted collision mortalities using Natural England’s recommended avoidance rates, nocturnal activity rates and upper confidence intervals around SOSS 02 flight heights and updates the apportionment of mortality rates to estimate the contribution of Thanet Extension to in-combination total</p>	<p>Under discussion</p>
<p>Nocturnal activity rates used for seabirds in CRM.</p>	<p>Through consideration of a range of nocturnal activity rates for seabirds within the CRM it is considered that mortality rates remain at a consistently low level.</p>	<p>The Natural England recommended range of nocturnal activity factors should be used in Collision Risk modelling. We acknowledge that Option 2 outputs with the higher end of the nocturnal activity factors have been presented in the CRM clarification note. However, it is noted that the figure based on the lower range of nocturnal activity is still used in the RIAA.</p>	<p>Under discussion</p>
<p>The contribution of Thanet Extension being of</p>	<p>That collision risk, even accounting for a range in the nocturnal activity rates, a range of avoidance rates and a range in</p>	<p>The contribution of Thanet Extension is likely to be relatively small, but if the recommended nocturnal activity factors and site specific PCHs are used then</p>	<p>Under discussion</p>

Discussion Point	Thanet Extension Position	NE Position	Final Position
no material difference to cumulative collision risk.	PCHs is still well below the values for all five seabirds assessed (gannet, kittiwake, herring gull, lesser black-backed gull and great black-backed gull) that would constitute a material contribution to the cumulative totals.	the contribution is increased. .The figures using the recommended input parameters in the proposed revised CRM clarification should be included in the cumulative totals. . However, we accept that the contribution of Thanet Extension will not make a consequential difference to the cumulative collision totals.	
The contribution of Thanet Extension being of no material difference to in-combination collision risk.	That the contribution of Thanet Extension to the in-combination collision mortality rates, a range of avoidance rates and a range in PCHs even accounting for a range in the nocturnal activity rates, is still below the values considered to be of material contribution for those seabirds assessed with respect to individual designated sites within the HRA.	The contribution of Thanet Extension is likely to be relatively small, but if the recommended nocturnal activity factors and site specific PCHs are used then the contribution is increased, and these figures should be used to assess potential impacts of the project. We agreed that the applicant should present a revised CRM clarification note that presents the CRM outputs using Natural England’s recommended avoidance rates, nocturnal activity rates and upper confidence intervals around SOSS 02 flight heights and updates the apportionment of mortality rates to estimate the contribution of Thanet Extension to in-combination total.	Under discussion

Discussion Point	Thanet Extension Position	NE Position	Final Position
<p>Post-consent Monitoring Plan</p>	<p>The Applicant continues to consider the most appropriate post-consent monitoring plan for offshore ornithology. Through the continuation of dialogue with Natural England the Applicant wishes to make an informed decision on whether site-specific monitoring is appropriate or if a contribution to a wider scale and more strategic plan would be more beneficial.</p>	<p>There appear to be two key areas of uncertainty between the applicant and Natural England. These areas of uncertainty are: 1) the extent of red throated diver displacement; 2) the flight heights that should be used in collision risk modelling.</p> <p>Therefore we would expect the post consent monitoring plan to focus on these two areas, and look forward to discussing the applicant’s proposals for site-specific monitoring that will address the key areas of uncertainty.</p>	<p>Under discussion</p>