



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010

NORFOLK BOREAS OFFSHORE WIND FARM

Planning Inspectorate Reference: EN010087

Deadline 5

**Natural England's advice on Applicant's clarification note on optimising
cable routing through the HHW SAC [REP4 – 022]**

26th February 2020

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1 Introduction

Please find below Natural England’s comments on the following document as submitted at Deadline 4.

- Clarification note on optimising cable routing through the HHW SAC [REP4 – 022]

2 Summary

Natural England welcomes the clarification note and acknowledges that based on the information presented there is currently potentially sufficient space within the cable corridor out to 6nm to micro-route around Annex I *Sabellaria spinulosa* reef and features of Archaeological interest. However, the clarification note doesn’t take into account the uncertainties in relation to what the actual Archaeological features are the ability to remove them and the likely discovery of further areas of Annex 1 reef. Neither does the clarification note take account of the large area of reef, identified to be protected within fisheries management areas, which currently straddles the cable corridor. Therefore the advice provided by Natural England in our Relevant Representations [RR – 099] and at Deadline 4 [REP4-041] remains unchanged.

3 Detailed Comments

Point	Para.	Page	Comment	R A G
Clarification note on optimising cable routing through the HHW SAC				
1	5		Use of the term ‘Priority’ Areas: Please note that Annex I Reef(s) within fisheries management areas are not considered to be any more important than any other areas of Annex I reef within the SAC. The fisheries management measures are proposed to be located in areas where Annex I reef has been recorded with sufficient confidence. Should other areas of Annex I reef be identified in future these will be of equal value in achieving the conservation objectives for the site Therefore, we disagree with the practice of referring to some areas of Reef as ‘Priority Areas”, because all areas of Reef within the SAC have the same status and should be conserved.	
2	5		Please be advised that the larger reef area identified for fisheries management straddles the cable corridor even at 4.7km wide. Therefore NE’s advice in relation to hindering the aims and objectives of the fisheries management measures remain unchanged [RR-099]	

3	6		NE agrees (the above point aside) that the next area of constraint is the area of the corridor around the EIFCA byelaw area.	
4	9		Please be advised that proposed micro-routing to avoid Annex I reef is different mitigation to that of mitigation measures proposed to avoid lasting habitat change within the SAC from cable protection.	
5	13 & 14		Natural England welcomes the fact that it has been demonstrated that there is more than one micro-routing option as that will enable flexibility in determining the cable installation route. However, given the Applicant's case in relation to the ephemeral nature of <i>Sabellaria spinulosa</i> reef Natural England don't believe that there is currently sufficient certainty to be able to demonstrate that the Applicant will be able to avoid any currently unknown areas of reef at the time of construction.	
6	15		Please be advised that there is no certainty provided that AEZ are not hard constraints, but NE defer to Historic England on this point. Also please see point 4 above in relation to mitigation measures.	
7	16		Natural England defers to Historic England on the potential ability (and acceptability) of removing A2s to ensure micro-routing of Annex I reef features is possible. However, we do acknowledge that the dots shown in Figure 2 are pin points on a map and not true representation of the geographical spread of the A2 Arch Features.	
8	20		Bullet point 2 – Please be advised that all Annex I reef is designated feature protected within HHW SAC. If impacts to these features can't be avoided then it will be the responsibility of the MMO as the competent authority to undertake an appropriate assessment prior to construction. As set out in Natural England's written representation [REP4-041] should an Adverse Effect on Integrity (AEoI) be identified there is the potential for considerable delays to the project. Therefore we advise that this situation is addressed at the time of consent.	
9	21		Please be advised as identified in Natural England's Relevant Representation [RR-099] that the Triton Knoll offshore windfarm is a real time case example where micro-routing of cable around Annex 1 Sabellaria Reef has not been possible.	
10	25 & 26		Natural England refers the ExA to Natural England written representation [REP4-041] which considers the risk of deferring the decision making post consent. Natural England is also unclear how MMO would make a decision between potential impacts to Annex I reef and Archaeological interest features.	
11.	27		In the unlikely situation that there are no changes in the distribution of <i>Sabellaria</i> reef Natural England agrees with the Applicants conclusions out to 6nm; but does not agree within the boundaries of the MMO/Defra fisheries management area. Please see previous Natural England representations on potential for interactions with reef features	

12.	28		As set out in Natural England's Relevant Representation [RR-099] and [REP4-041] we do not agree that a commitment to micro-route where possible is Habitat Regulations compliant as the scale of the impact cannot be assessed.
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