



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

NORFOLK BOREAS OFFSHORE WIND FARM

Planning Inspectorate Reference: EN010087

Deadline 9

**Natural England's comments on In Principle Habitats Regulations
Derogation, Provision of Evidence - Appendix 3 Haisborough,
Hammond and Winterton SAC**

29th April 2020

Ref: NE.NB.D9.12.HHW

Contents

1	Introduction	3
2	Summary.....	3
3	Detailed Comments.....	3

1 Introduction

- 1.1 Please find below Natural England's comments on In Principle Habitats Regulations Derogation, Provision of Evidence Appendix 3 Haisborough, Hammond and Winterton SAC In Principle Compensation (Document Reference: 8.25) [REP7 – 027] as submitted by the Applicant at Deadline 7.

2 Summary

- 2.1 Natural England welcomes the thorough consideration of the potential compensation measures and believes that the proposed extension to Haisborough Hammond and Winterton Special Area of Conservation (HHW SAC) would provide suitable compensation, from an environmental perspective, if considered necessary.
- 2.2 Please find below Natural England's detailed comments.

3 Detailed Comments

Para.	Page	Comment	RAG
18.		<p>Natural England notes that the document referenced is reliant on information from the time of designation and does not fully take into account current condition assessments and proposed site management measures.</p> <p>Please see Natural England's comments provided at Deadline 5 for further advice on this [REP5 – 078]: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-001745-DL5%20-%20natural%20England%20-%20Response%20to%20the%20Applicant's%20Summary%20of%20Oral%20Representations%20at%20ISH%204%20-%20Agenda%20Item%206a(i).pdf</p>	
General comment		Up to Page 11 there is information found on the conservation objectives for the site which is taken from Natural England's designated site view, which is welcomed by Natural England.	

49-61	<p><u>Consideration of planting Native oyster:</u></p> <p>Natural England confirms that native oyster is not an Annex I habitat so therefore would not be beneficial to the N2K network. Should the planting of Native Oyster be an agreed measure then we agree with the Applicant that fisheries would need to be limited in the chosen area. Please note that if native oyster were to be planted around turbine outside of HHW SAC there would be no direct compensation for lasting changes to the habitat features of the SAC.</p> <p>In addition around turbines native oysters are likely to be impacted by operation and maintenance activities.</p>	
4.2.2	<p><u>Consideration of extension to the HHW SAC:</u></p> <p>Natural England considers that an extension to the HHW SAC would be the most environmentally beneficial measure of those considered to deliver compensation for both Annex 1 Reef and Annex 1 Sandbank. We believe that the proposed measure has the potential to provide functions comparable to those that had justified the selection of the original site.</p> <p>We believe that whilst the designation process for the extension could be started immediately, (if resourced appropriately); it is unlikely to be in place prior to the start of construction. Natural England acknowledges that the Applicant has accepted to take into account the delayed delivery time by proposing a higher ratio of 1:10.</p> <p>It is also recognised by the Applicant that consultation with regulators such as EIFCA and Defra, SNCBs, and key stakeholders including other industries would be required. In addition management measures for other industries operating within the proposed extension area would need to be implemented if not already occurring.</p>	
4.2.3	<p><u>Fisheries management:</u></p> <p>Natural England agrees with the Applicant that it would be difficult to determine appropriate methodologies for and the level thereof of intrusive fisheries practices that would need to be removed to offset the impacts and demonstrate the additive benefit. It is also reliant on buy-in from fishermen.</p> <p>Natural England notes that there is currently no authority with jurisdiction to deliver fisheries management areas as compensation. Therefore going forwards there would need to be greater engagement with the IFCA's and regulatory bodies.</p>	

4.2.4		<p><u>Removal of disused Anthropogenic structures and litter:</u></p> <p>Natural England believes that this option has the potential to deliver compensation from an environmental perspective so shouldn't be discounted going forwards. However, at this time we agree with the Applicant that it is not clear how other industries such as oil and gas will decommission infrastructure and pipelines within the site and whether there are likely to be options to provide additive measures that could be considered as compensation by other industries.</p>	
Table 4.3		<p>Natural England welcomes the inclusion of the table summarising the proposed compensation measures.</p>	