



# Hornsea Project Four

## G1.5 Kittiwake AEol Conclusion

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## Revision Summary

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01	25/01/2022	Gary Mc Govern, Pinsent Masons, January 2022	Sarah Randall, Orsted, January 2022	Julian Carolan, Orsted, January 2022

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## Revision Change Log

<i>Rev</i>	<i>Page</i>	<i>Section</i>	<i>Description</i>
01	N/A	N/A	Submitted

## Glossary

Term	Definition
N/A	

## Acronyms

Term	Definition
AEoI	Adverse effects on integrity
FFC	Flamborough and Filey Coast
HRA	Habitats Regulations Assessment
SPA	Special Protection Area

## 1 Conclusion

After considering the Secretary of State's decision for Norfolk Boreas and the associated Habitats Regulations Assessment (HRA), which follows from the decision made for Hornsea Three, the Applicant has revisited its conclusion of no potential for adverse effects on integrity (AEol) in respect of the black-legged kittiwake feature of the FFC SPA from Hornsea Four in-combination with other plans and projects.

In both of those decisions the Secretary of State found that the potential for AEol as a result of those projects could not be excluded for kittiwake at the FFC SPA when considered on an in-combination basis.

The Applicant originally submitted its DCO application for Hornsea Four with evidence and assessments supporting its position that there was no potential for AEol alone or in-combination with other projects. This drew on new assessment methodologies and analysis providing evidence considered sufficient to justify departing from the AEol conclusion (in-combination) previously reached in the Hornsea Three decision.

The Applicant has carefully reviewed the Secretary of State's HRA for Norfolk Boreas and notes that the finding that the kittiwake population would continue to grow has not been accepted by the Secretary of State as a basis to exclude AEol for Norfolk Boreas. Specifically, the Applicant notes that the Secretary of State's HRA (which did not include Hornsea Four or Sheringham and Dudgeon Extensions in the in-combination totals) states:

*"Furthermore, if the mortality from the windfarms is 432 adults per year, then the population of the SPA after 30 years will be 14.3% lower than it would have been in the absence of the Projects **and the population growth rate would be reduced by 0.5%. This reduction in the population would be counter to the restore conservation objective for this feature of the SPA and would result in an adverse effect on the integrity of the site.**" (emphasis added)*

Continued growth in the population of kittiwake at the FFC SPA, albeit at a reduced rate, was a factor relied upon by the Applicant to support its position that there would be no AEol in-combination in respect of kittiwake at the FFC SPA. However, the Secretary of State, on advice from Natural England, has reached the alternative conclusion in the context of Norfolk Boreas.

The Applicant therefore considers that, despite its confidence that there is no potential for AEol on kittiwake from Hornsea Four in-combination with other plans and projects as evidenced in its original DCO application, it is not a point that it wishes to pursue during Examination.

On that basis, the Applicant will present an update to the Report to Inform Appropriate Assessment (RIAA and its derogation case based on an overall conclusion that there is potential for an AEol on kittiwake at the FFC SPA from Hornsea Four in-combination with other projects. Consequently, to that extent only, compensatory measures for kittiwake will be necessary should the Secretary of State be minded to grant development consent. These changes will be captured in [B2.2.1.2 Report to Inform Appropriate Assessment Part 2 Schedule of Change](#) and [B2.5.1: Without Prejudice Derogation Case Schedule of Change](#) and subsequently updated upon request from the Examining Authority (ExA)

For the avoidance of doubt, the Applicant's position remains that there will be no AEol from Hornsea Four alone on the kittiwake feature and, aside from the overall (in-combination) conclusion on integrity noted above, the Applicant maintains its position in all other respects as regards its methodology and assessment of the effects on the FFC SPA features. The Applicant also maintains its position of no AEol alone or in-combination for all other qualifying species or seabird assemblage of the FFC SPA and for all other European sites.