



The Planning Inspectorate
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Your ref: EN010098
ESC Reference: 20029880
Date: 09/08/2022
Please ask for: Grahame Stuteley
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By email: HornseaProjectFour@planninginspectorate.gov.uk

Dear Sirs,

Re: Application by Ørsted Hornsea Project Four Limited for an Order Granting Development Consent for the Hornsea Project Four Offshore Wind Farm – East Suffolk Council’s response to the Applicant’s Deadline 6 submissions - Examination Deadline 7 (Wednesday 10th August 2022).

East Suffolk Council (ESC) has reviewed the Examination submission materials at Deadline 6 (27 July 2022) and it is understood from the Applicant’s submission (REP6-031, 1.2.1.1) ‘*Kittiwake onshore artificial nesting structure site selection and evidence on nesting limitations update – 27th July 2022*’, that an offshore repurposed artificial nesting structure (ANS) [located off the north east coast of England] remains the preferred approach for compensation of the potential impacts to the kittiwake feature of Flamborough and Filey Coast (FFC) Special Protection Area (SPA), if deemed necessary by the Secretary of State. We note however that an onshore option, whilst not the Applicant’s preferred method of kittiwake compensation, is still an option which could become a requirement attached to the Development Consent Order (DCO) should the project be granted consent.

With the Deadline for close of Examination approaching on 22 August 2022, ESC would have hoped that a firm commitment to the preferred ANS option would have been made before the end of the Examination period. It will be very disappointing if the preferred option is found not to be viable after the close of examination, resulting in the need to progress an onshore structure within our District at this late stage. ESC is currently in the unfortunate position of having to engage at a post-consent stage with a number of offshore wind promoters who have received DCOs for their projects but are seeking kittiwake compensation in East Suffolk, having not been engaged on this matter during the examinations. This is very challenging and puts significant additional pressure on council resources.

We understand that DCO Requirements for ANS provision typically require the developer to secure kittiwake compensation up to four breeding seasons before the wind farm can produce electricity. Given the potentially late stage of engagement regarding East Suffolk ANS (if deemed necessary), we consider this unacceptable as it puts the Council and/or Marine Management Organisation (MMO) in a difficult position should planning concerns arise regarding a planning application or Deemed Marine Licence. Any such requirement for ANS in East Suffolk should only be based on a known and secured site which has undergone appropriate consultation and consideration through the DCO process.

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ESC supports gull conservation measures where these are appropriately sited with terrestrial planning considerations having been given sufficient weight in site selection at the early stages of the process. We will however oppose any such scheme in proximity to heavily populated, sensitive, or urban areas (such as within the Town of Lowestoft itself) in order to minimise human interaction with the birds and to avoid further exacerbating the existing issues.

As previously stated, (REP2-071), we remain concerned that measures to address impacts on seabirds, particularly kittiwakes, are not being considered strategically. This is of particular concern given the expected quantity of projects coming forward in our coastal areas over the next decade to meet the Government's ambitions. The uncoordinated approach to the delivery of ANSs in this region could lead to a significant oversupply of artificial nests which will never be filled by increases in colony sizes. Requirements for these structures have been imposed on developers in the latter stages of the development consent process with no tangible benefits being offered at that time to the local coastal communities set to host them. It is also a concern that project promoters are being told to deliver compensation which is often proposed in an entirely different part of the country to the wind farm project, depending on where kittiwake colonies are located.

ESC acknowledges the Applicant's responses at Deadline 3 (REP3-031) to the points and concerns we had previously raised and welcomes the commitment for proactive collaborative working in order to mitigate any such concerns, should ANS compensation be sought within East Suffolk. The Applicant previously advised that they recognise it is imperative to continue to work with the local planning authority throughout the site refinement process before finalising a location for onshore ANS, if required, but that their preferred option remains an offshore ANS. It also advised that the Applicant will continue to focus priority on delivering additional nesting capacity offshore at either a repurposed or new nesting structure within the offshore search area.

The Applicant also noted the lessons learnt from the Hornsea Three project in respect of kittiwake compensation and will seek to engage in more detail at an earlier stage. This approach is welcomed, as is the commitment to supporting local initiatives to promote conservation in East Suffolk. Notwithstanding the Council's position on the provision of an onshore structure within the District, it is noted the Applicant is also aware of the Hornsea Three project educational information and the ongoing discussions relating to the Lowestoft Kittiwake Partnership. They expressed a commitment to early engagement with ESC regarding a compensation package of measures in advance of any planning application or marine licence application being made, should this be necessary.

ESC supports the Applicant's preference to provide an ANS offshore by repurposing an existing structure and would have significant concerns regarding the siting of a nesting structure within our coastal areas. The terrestrial planning constraints associated with an onshore structure can significantly constrain site availability, as in the coastal areas of East Suffolk with its highly designated and visually sensitive landscape. The provision of a new ANS onshore or in the nearshore area in East Suffolk would therefore be significantly challenging.

Whilst ESC's position has been made very clear, should a site within East Suffolk be pursued, every opportunity for coordination between consented and proposed projects must be fully explored before a new site is progressed, and appropriate mitigation and a tangible package of community benefits will need to be presented to offset the negative planning impacts resulting from the proposal.

Yours faithfully



Philip Ridley | Head of Planning and Coastal Management
East Suffolk Council