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Our ref: 474932
Your ref: EN010098



National Infrastructure Planning
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BY EMAIL ONLY

Dear Planning Inspectorate

Hornsea Four Offshore Wind Farm 2023 - application to make a non-material change to the Order pursuant to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011

Thank you for your consultation dated 02 May 2024. The following constitutes Natural England's formal statutory response.

Natural England notes that the Development Consent Order (DCO) for Hornsea Project Four (HOW4) Offshore Wind Farm (OWF) requires the Applicant to construct an artificial nesting structure (ANS) as a compensation measure for the potential impacts of Hornsea Four on the Flamborough and Filey Coast Special Protection Area (FFC SPA) population of kittiwake. Paragraph 3(d) of Part 2 of Schedule 16 of the Order requires the ANS to be in place four full breeding seasons before Hornsea Four becomes operational.

The non-material change (NMC) requested by the Applicant seeks to make a change to the DCO to shorten the length of time the ANS needs to be in place before HOW4 becomes operational. Specifically, a reduction from four full breeding seasons to at least two full breeding seasons for the ANS. This NMC is required to allow time for the construction of the ANS without impacting the programme for the operation of Hornsea Four and its provision of renewable energy to the National Grid.

Natural England can confirm that discussions on the NMC were held with ourselves at the Hornsea 4 Offshore Ornithological Engagement Group (OOEG) Steering Group meeting on 24 November 2023, and confirm that we raised no objections to the proposed wording of the NMC detailed at paragraph 3.1 of Appendix 1 to Cover Letter and Application Document.

We have reviewed the documents provided in support of the NMC and are content that appropriate evidence has been considered. We note that a wide range of plausible scenarios are considered, and that the low productivity scenarios appear to be reasonably precautionary. We observe that in all scenarios a significant amount of time is required to achieve the required level of compensation, and a delay in installation is likely to lead to an equivalent delay in full compensation delivery, although it is still predicted to be achieved over the project lifetime.

We have also been consulted through the Hornsea 4 OOEG and the associated Marine Licence Application (MLA/2023/00390) on the location and design plans for the ANS and agree that should the Applicant's proposals for an offshore ANS be progressed, the provision of ~750 nests offshore has a good prospect of delivering ecologically suitable nesting habitat for kittiwake, although the provision of a

single rather than multiple structures does increase the risk around non-colonisation.

On balance, on the basis of the recent MLA for the offshore ANS, and the discussions held on the design of the ANS within the OOEG meetings, Natural England therefore concludes that the non-material change will not significantly impair the effectiveness of the DCO in securing appropriate compensatory measures. We note the importance of future monitoring to validate the predictions put forward, and the potential requirement to consider robust and timely adaptive management as early as possible should the colonies be found to be underperforming. This will become particularly important should the NMC be approved given the reduced lead-in time and the provision of a single structure.

We wish to highlight that Section 2.2.1.2 of the Applicant's Environmental and HRA report has omitted the following text from Section 12.1 of the Secretary of State's HRA conclusion: "*The Secretary of State concludes that compensation should be provided via **a new offshore** artificial nesting structure, and this should be delivered in accordance with the principles set out in the Kittiwake Compensation Plan*" (our emphasis). We consider this to provide important additional context to the NMC application.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely

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