

Date: 20 February 2023
Our ref: Case: 13015 Consultation: 418575
Your ref: EN010109



National Infrastructure Planning
The Planning Inspectorate
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BY EMAIL ONLY

Dear Sir/Madam

Sheringham Shoal Extension and Dudgeon Extension Offshore Wind Farms

The following constitutes Natural England's formal statutory response for Examination Deadline 1.

Written and Relevant Representations

In the interests of issue resolution Natural England combined our Relevant Representation and Written Representations which were submitted on 14th November 2022 [RR-063].

As outlined within our representation, we deferred our comments on the In-Principle Monitoring Plans (IPMP) [APP-289] and outlined our intention to provide further advice in relation to Pink-Footed Goose, the Applicant's proposal for native oyster reef restoration as a measure of equivalent environmental benefit within the Cromer MCZ at Deadline 1, and to include a Risks and Issues Log. At the request of the Examining Authority, we have also responded to the first round of written questions.

The documents Natural England are submitting at Deadline 1 are as set out in the following thematic appendices:

- EN010109 418575 SEP DEP Appendix A1 -Natural England's Comments on 9.5 SEP and DEP Offshore In-Principle Monitoring Plan [APP-289]
- EN010109 418575 SEP DEP Appendix I1 - Natural England's best practice advice on North Norfolk Coast SPA Pink Footed Geese - February 2023
- EN010109 13105 SEP & DEP Appendix K - Natural England's Risk and Issues Log Deadline 1
- EN010109 418575 SEP DEP Appendix L - NE Response to ExA Written Questions 1 Deadline 1

1. Risk and Issues Log and Engagement through Examination

Natural England has submitted a Risk and Issues Log, password protected in excel format to allow ease of use. We highlight within the Log where assessments can be improved upon and commitments made the Applicant to help inform the ExA and SoS in their determinations. It is anticipated that the Risk and Issues Log will be updated and submitted alongside our submissions during examination at each deadline to reflect any progress in issue resolution during examination.

Natural England wishes to highlight that the focus of our engagement during Examination will be on reviewing relevant updated documents/outline plans or thematic clarification notes submitted by the Applicant only. We will not be responding to commentary on our representations, other interested parties' representations or to comments from the Applicants or other stakeholders on the Risk and Issues Log, unless the ExA questions direct us to do so. The Risk and Issues Log will be used to track issue progress and we will signpost to our advice where applicable. Likewise, if the Applicant wishes to provide a signposting document that directs us and the ExA to where they address our concerns in the various plans/docs/assessments then that would be most welcomed.

2. Issue Specific Hearings

Natural England notes the Examination timetable [Rule 8] has included a series of Issue Specific Hearings (ISH) with the request that Natural England attends those occurring on the 23 March, 30 March and 31 March 2023. As set out in our Rule 6 response letter, Natural England considers this to be principally a written process and does not generally attend an ISH unless we consider that meaningful progress on key issues can be made. Without sight of a detailed agenda, and depending on the level of risk associated with the topics for discussion, it is not clear whether our attendance will add meaningful value in relation to our key project concerns. Therefore, we advise at this stage it is not our intention to attend the March ISHs. This decision will be reviewed on receipt of detailed agendas, and we will advise if there is any change at the earliest possible opportunity.

Given the timing of the ISH, Natural England will still be in the process of reviewing the Applicants submissions at Deadline 1 and 2. Any discussion on ongoing concerns at the ISH is therefore likely to take the form of an update on discussions between ourselves and the Applicant rather than a resolution. We anticipate good progress with the Applicant to address many of our concerns and therefore propose that the Applicant provides this update. Natural England will continue to engage with the Applicant and other interested parties throughout the Examination to ensure issues are progressed and wherever possible resolved.

Natural England's advice for all hearings is that we request that a detailed agenda is provided by the Planning Inspectorate at least 7 days in advance, with timing, themes and specific aspects of those themes for discussion. Based on our experience from other NSIPs, it would be helpful to Natural England and our specialists if the ISH

agendas could be focused on specific questions from the ExA. Should we attend, this will enable us to appropriately prepare for the hearing; give due consideration to any issues both internally and externally with the Applicant beforehand; and provide robust evidence-based advice to the ExA. This will reduce the need for further discussion and advice post-ISHs, prior to the next Deadline.

Our non-attendance at hearings should not be construed as a lack of concern on outstanding issues, or a lack of willingness to engage. As detailed above we are committed to proactively engaging with parties on this project and to gaining the best possible outcome.

3. Measures of Equivalent Environmental Benefit (MEEB) Oyster Restoration

Appendix G of our Relevant Representation [RR-063] stated we were in the process of seeking specialist advice regarding establishing a native Oyster bed within the Cromer Shoal Chalk Beds MCZ. We sought this further advice in order to support this option achieving the desired outcomes from an ecological perspective. Natural England can confirm we are content that issues pertaining to the suitability of the cultch and biosecurity matters have been recognised and addressed within the application documents [APP-081 to APP-083]. However, Natural England would welcome more detail on the sourcing of the seed and the cultch once the projects are consented and we will continue to engage with the Applicant to ensure that this is covered as part of any MEEB requirements.

4. Landowner Engagement and the Landscape Recovery Pilot

Natural England draws the Examining Authority's attention to the Landscape Recovery (LR) pilot scheme in the area north of the A149. This scheme has been identified and progressed as part of the first wave of DEFRA's Environmental Land Management (ELM) schemes launched on 1st February 2022. The aims and objectives of the first round of large scale (500 – 5000ha) projects is to recover and restore England's threatened native species; and restore England's streams and rivers.

Because the DEP and SEP projects will interact with LR scheme we advise the Applicant to engage with the landowners involved in the pilot scheme, for which Natural England's agri-environment advisers are currently providing advice on. This is to ensure onshore cable installation related activities, while they may slow the trajectory, do not hinder the objectives of the scheme during both the construction and lifetime of the project. Where the Applicant has to reinstate habitat post works, Natural England recommends that they re-instate the planned or proposed habitats as directed through the Landscape Recovery scheme plans or other habitat creation schemes relevant to the local region wherever possible.

5. Wensum Woodlands

Please be advised Natural England is considering the area known as Wensum Woodlands as part of its Site of Special Scientific Interest (SSSI) designations programme, due to the

Barbastelle bat colony which the area contains This is set out in [Natural England's designations programme - GOV.UK \(www.gov.uk\)](#) (updated on 15th December 2022). Inclusion on the list is not a commitment to designate, only to investigate the site further. Until these investigations have concluded, Natural England advises that there must be no damage from activities relating to development activities including the DEP and SEP projects which may hinder future notification of the site or the management of the site should it be designated as an SSSI. We advise that the Applicant treats this area as if it were a notified site in order to future proof the projects, thereby avoiding any unnecessary disruption to the projects.

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

Yours sincerely

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