



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

**Appendix G to the Relevant Representations of Natural England**  
**Fish and Shellfish Ecology**

For:

The construction and operation of the Five Estuaries Offshore Wind Farm located approximately 57km from the Essex Coast in the Southern North Sea.

Planning Inspectorate Reference EN010115

---

13 August 2024

## Appendix G – Fish and Shellfish Ecology

In formulating these comments, the following documents have been considered:

- [APP-075] 6.2.6 Fish and Shellfish Ecology,
- [APP-124] 6.5.6.3 Spawning Herring Heatmaps – International Herring Larval Survey Data
- [APP-125] 6.5.6.4 Herring Seasonal Restriction Note

### 1. Natural England’s Advice and Recommendations

A summary of Natural England’s key concerns in relation to Fish and Shellfish Ecology is set out in Table 1. Our detailed advice and recommendations are presented in further detail in Table 2.

### Glossary of Acronyms and Abbreviations

EIA	Environmental Impact Assessment
SSC	Suspended Sediment Concentration

**Please note:** This appendix should be read in conjunction with the Principal Areas of Disagreement Summary Statement contained within our Relevant Representations.

**Table 1 Summary of Key Issues – Fish and Shellfish Ecology.**

NE Ref	Summary of Key Concerns	Natural England's Recommendations to Resolve Issues.	Risk
G1	Natural England welcomes the inclusion of modelling of fish as stationary receptors, however it is not clear whether conclusions of magnitude are based on either the modelling of fish as stationary or fleeing receptors.	Clarity should be provided as to whether conclusions are based on a static or fleeing receptor model.	
G2	Natural England welcomes the implementation of additional mitigation measures, namely a seasonal piling restriction and sediment disposal restriction provided that these mitigations are secured through appropriate conditions on any consent issued. However, we defer to Cefas in regard to the appropriateness of these mitigation measures and associated buffers.	Please refer to advice from Cefas for further actions.	

**Table 2 Natural England's Detailed Advice and Recommendations – Fish and Shellfish Ecology.**

Natural England's Key Considerations	Natural England's Advice				
Relevant and Written Representations	NE Ref	Ref	Comment	Recommendation	Risk (RAG)
<b>Project Parameters - Document(s) Used: N/A</b>					
Project Description			We have no comments to make at this stage.	None.	
Natural England's Position on Worst Case Scenario or Scenarios			We have no comments to make at this stage.	None.	
<b>Baseline Characterisation - Document(s) Used: N/A</b>					
Survey Data Acquisition			We have no comments to make at this stage.	None	
Data Gaps			We have no comments to make at this stage.	None.	

Natural England's Key Considerations	Natural England's Advice				
Relevant and Written Representations	NE Ref	Ref	Comment	Recommendation	Risk (RAG)
Analysis, Modelling and Reporting			We have no comments to make at this stage.	None.	
<b>Environmental Impact Assessment - Document Used:</b> [APP-075] 6.2.6 Fish and Shellfish Ecology, [APP-124] 6.5.6.3 Spawning Herring Heatmaps – International Herring Larval Survey Data [APP-125] 6.5.6.4 Herring Seasonal Restriction Note					
Identified impacts	G3	Table 6.22	<u>Spawning Herring</u> We do not agree that the sensitivity of spawning herring to noise impacts would be medium during the construction phase of the Project.	We would advise that the sensitivity of spawning herring to underwater noise impacts should be assessed as greater than medium.	
	G4	6.11.54	The potential for mortality does not equate to a low magnitude of impact, especially with regard to the current condition of the fishery.	We do not agree with this rationale and recommend this assessment is revised.	
	G5	Section 6.11, impact 1	Natural England welcomes the inclusion of underwater noise modelling results using a static receptor model. However, they do not appear to have been taken into account during the assessments of magnitude within the Environmental Impact Assessment (EIA). Natural England disagrees with the use of a fleeing receptor model as there is insufficient evidence in the literature to support this in a real world scenario.	The assessment should consider the results of the underwater noise modelling results for static receptors to inform the conclusions of magnitude and significance.	
Methodology			We have no comments to raise at this stage	None	

Natural England's Key Considerations	Natural England's Advice				
Relevant and Written Representations	NE Ref	Ref	Comment	Recommendation	Risk (RAG)
Have the impacts been avoided/reduced by the use of appropriate mitigation?	G6	Table 6.12	Natural England welcomes the implementation of a seasonal piling restriction during the peak Downs herring spawning period and defer to Cefas regarding the appropriateness of the proposed timing of the restriction and buffer required.	Please refer to advice from Cefas for further actions required.	
	G7	Table 6.12	Natural England defer to Cefas on the matter of the suitability of the sediment disposal restriction as mitigation for the impacts of high levels of suspended sediment concentration (SSC) on herring (and sandeel).	Please refer to advice from Cefas for further actions required.	
Assessment Conclusions			We have no comments to raise at this stage	None	
<b>HRA - Document Used:</b> N/A					