

Date: 03 October 2024  
Our ref: Case: 27347 Consultation: 486669  
Your ref: EN010115



National Infrastructure Planning  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Hornbeam House  
Crewe Business  
Park Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Sir/Madam,

**Five Estuaries Offshore Wind Farm Project**

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

**1. Natural England's Deadline 1 Submissions**

Natural England has reviewed the documents submitted by the Applicant at Deadline 1. An update of Natural England's position regarding documents relevant to our remit is provided in Annex 1, including anticipated timing of responses. Natural England is also submitting the following detailed responses, signposted from Annex 1:

- EN010115 486669 Five Estuaries Appendix L – Natural England's Risk and Issues Log

**2. Relevant and Written Representations**

In the interests of issue resolution Natural England combined our Relevant Representations and Written Representations which were submitted on 21 June 2024 (then formatted and re-submitted on 13 August 2024, as requested by the Examining Authority). This combined approach aims to provide the detail on all issues as early as possible to allow more time for discussion and resolution. As advised in the cover letter of our Relevant Representations, Natural England will, if required and appropriate, develop these points through further Written Representations or in response to Examiner's questions.

**3. Risks and Issues Log**

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 by 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.

#### **4. Principal Areas of Disagreement Summary Statement (PADSS)**

Natural England will provide updates to our PADSS from Deadline 2 onwards, this will address the request, by the Examining Authority, in their Procedural Decision letter (dated 23 July 2024). This will be captured within our Risk and Issues Log. Thereafter, we will work on the basis that the PADSS will be updated at each subsequent Examination deadline. We hope this will be of assistance to the ExA in understanding Natural England's current outstanding issues and on demonstrating progress on issue resolution.

#### **5. Issue Specific Hearings (ISHs)**

As set out in Natural England's Rule 6 response letter (23 August 2024), we will only attend hearings by exception, targeting those ISHs that have the greatest likelihood of resolving significant environmental risks. In such instances our attendance will be virtual. 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. Natural England would be pleased to respond to any questions from the ExA that arise from the hearings at a subsequent deadline.

Natural England's advice for all hearings is that we request a detailed agenda be 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.

#### **6. In-Principle Monitoring Plan (IPMP)**

Natural England will review the IPMP at Deadline 2, by which time we hope to have received further information from the Applicant on their proposed monitoring.

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

Yours faithfully,

Yolanda Foote (Dr)

Marine Senior Advisor – Sussex and Kent Area Team  
E-mail: [REDACTED]@naturalengland.org.uk

## Annex 1: Natural England's Response to the Applicant's Documents Submitted at Deadline 1 Relevant to our Remit

PINS Document Reference	Document Name	Natural England's Response/Position Summary
<b>Procedural Deadline A – 06 August 2024</b>		
Natural PD1-001	Five Estuaries OWF Cover Letter	We note in the Applicant's cover letter reference to submitted document <b>10.1 Further species surveys – timetable and schedule</b> . Natural England attended a meeting on 22 August 2024 with the Applicant to discuss onshore survey requirements. We have no comments to make at this time.
PD1-002	Five Estuaries OWF 10.1 Further Species Surveys - Timetable and Reporting Schedule	Natural England has reviewed this document and discussed the further onshore survey requirements with the Applicant in a meeting on 22 August 2024. We have no comments to make at this time.
<b>Procedural Deadline B – 13 August 2024</b>		
PD2-001	Five Estuaries OWF 10.3 Statements of Common Ground – Position Statement	Natural England has no comments to make on this document at this time.
PD3-001	Five Estuaries Letter to the Examining Authority	Natural England has no comments to make.
PD4-001	Five Estuaries OWF Letter to the Examining Authority - Response to Procedural Deadline D	Natural England has no comments to make.
PD4-004	Five Estuaries OWF 6.2.12 Infrastructure and Other Marine Users - Revision B (Clean)	Natural England notes the minor revision to this document and has no other comments to make.
PD4-005	Five Estuaries OWF 6.2.12 Infrastructure and Other Marine Users - Revision B (Tracked)	As above.
PD4-006	Five Estuaries OWF 10.4 Applicant's Response to Relevant Representation	Natural England has no comments to make on this document.
PD4-007	Five Estuaries OWF 10.5 Five Estuaries and Natural England Survey Discussion Summary	Natural England provided comments to the Applicant on the minutes from our meeting on 22 August 2024

PINS Document Reference	Document Name	Natural England's Response/Position Summary
		of which this document is a summary. We have no further comments to make.
PD4-008	Five Estuaries OWF 10.6 Independent Review of OCSS Qualifying Coordinated Project OCSS 01 North Falls, Five Estuaries & Sea Link	We have no comments to make on this document at this stage.
PD4-009	Five Estuaries OWF 0.7 Notification of Intention to Submit a Change Request	We have no comments to make on this document.
PD4-010	Five Estuaries OWF 10.8.1 SLVIA Wireline Figures 10.47-10.53	Natural England will provide a response on this at in due course.
PD4-011	Five Estuaries OWF 10.8.2 SLVIA Wireline Figures 10.54-10.60	As above.
PD4-012	Five Estuaries OWF 10.8.3 SLVIA Wireline Figures 10.61-10.67	As above.
PD4-013	Five Estuaries OWF 10.9 Historic Environment Desk-Based Assessment - Appendix 4 APS Report	We have no comments to make on this document.
PD4-014	Marine Management Organisation Response to Procedural Deadline D	We have no comments to make on this document.
EV3-014	Examining Authority - Action Points from Issue Specific Hearing 1	We have no comments to make.
EV4-004	Examining Authority - Action Points from Issue Specific Hearing 2	We have no comments to make