



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

FIVE ESTUARIES OFFSHORE WIND FARM

**Appendix E4 Natural England's comments on the Margate and Long Sands Special  
Area of Conservation Benthic Mitigation Plan – Revision B (Tracked) [REP2-024]**

For:

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

Planning Inspectorate Reference EN010115

03 December 2024

## **Appendix E4 Natural England's Comments on the Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan - Revision B (Tracked) [REP2-024]**

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

- [REP2-021] 9.13 Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan – Revision B (Tracked)

### **1. Overarching comments**

#### **i) Priority Habitats**

Natural England highlights that monitoring of Priority Habitats under Section 41 of NERC (2006) is not mitigation. We advise mitigation in the form of avoiding priority habitats, where possible, should be committed to and secured. Where this is not possible then the Applicant should develop a decision tree for minimising the impacts as much as possible and this should be secured in a named plan, such as the Cable Specification and Installation plan. We also note that the MLS SAC mitigation measures, as the title of the document suggests, are only applicable to inside the designated site boundary and therefore there remains no mitigation measures for potential areas of Priority Habitats within the rest of the red line boundary. We advise that this remains an 'Amber' project risk.

#### **ii) Further commitments**

We note that no mitigation commitments to reduce potential impacts have been made for:

- benthic mitigation to be informed by specific pre-construction surveys.
- dredge disposal
- cable exposure within Margate and Long Sands (MLS) SAC over the lifetime of the project and beyond
- reducing cable protection outside of fisheries byelaw areas

Please also see our updated Deadline 4 Risk and Issues Log Benthic Ecology Tab and PADSS (Appendix L4).

## 2. Detailed comments

### Natural England's Advice On: Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan – Revision B (Tracked)

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	RAG
1	5.1.3	Natural England advises that the routing of cable within the SAC should minimise not just the spatial extent of the impact to Annex I features, but also duration of the impacts and maximising recoverability of the feature	Section 5.1.3 updates should be more aligned with Section 7 and 8 in relation to balancing between reducing cable length within MLS SAC and minimising impacts to Annex I sandbanks and priority habitats.	
2	5.1.5	Natural England notes that the Applicant states that MDS for cable protection is 'highly precautionary'	Natural England suggests that a realistic /MDS is presented and assessed, rather than an over precautionary figure. Otherwise, what is presented and assessed must be considered the WCS to inform the HRA.	
3	7.1.1	If loose rock or gravel is not to be used within MLS SAC, we advise that the impacts assessments and RIAA are updated as currently they are based upon: <i>Section 1.10.2 and 1.10.3 of the Project Description which states that 'Cable protection may consist of one or more of the following methods:</i> > <i>Rock placement;</i> > <i>Concrete mattresses;</i> > <i>Flow dissipation devices;</i> > <i>Protective aprons, coverings, cladding or pipes; and/ or</i> > <i>Rock bags.</i>	Natural England advises that the impact assessments and RIAA should be updated to reflect this commitment	

		With only in the nearshore (out to 1,600 m seaward of MHWS), removing loose rock or gravel as an option.		
4	7.1.1	Natural England notes that that the benthic mitigation plan only commits to considering the ability to remove cable protection, and not, to a) only using cable protection that is readily removable and b) that cable protection will be removed. We also note within the offshore decommissioning technical note [REP2-028] there is no commitment to remove cable protection at the time of decommissioning.	Natural England advises that the benthic mitigation plan should commit to using cable protection that is readily removable, and to removing cable protection.	