

Date: 24 October 2024  
Our ref: Case: 17783 Consultation: 491137  
Your ref: EN010130



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**BY WEBSITE PORTAL ONLY**

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Dear Sir/Madam,

**Application by GT R4 Limited (trading as Outer Dowsing Offshore Wind) for an Order Granting Development Consent for the Outer Dowsing Offshore Wind Project**

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

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

In the interests of issue resolution Natural England combined our Relevant Representation and Written Representations which were submitted on 13<sup>th</sup> June 2024 [RR-045]. For Deadline 1, Natural England has reviewed the documents relevant to our statutory remit submitted by the Applicant on or before 19 September 2024. An update of Natural England's position regarding these documents is provided in Annex 1, including anticipated timing of responses. Natural England is also submitting the following detailed responses signposted from Annex 1:

- EN010130 491137 ODOW Appendix B1 – Natural England's Advice to ORBA ECC Appendix B Blockage Modelling Results [PD1-084] Deadline 1
- EN010130 491137 ODOW Appendix C1 – Natural England's Advice on Benthic Ecology Deadline 1
- EN010130 491137 ODOW Appendix E1 – Natural England's Advice on Marine Mammals [PD1-045, PD1-047, PD1-071 and PD1-094] Deadline 1
- EN010130 491137 ODOW Appendix F1 – Natural England's Advice on Offshore and Intertidal Ornithology Deadline 1
- EN010130 491137 ODOW Appendix H1 - Natural England's Advice on Onshore Ecology Deadline 1
- EN010130 491137 ODOW Appendix H2 - Natural England's Clarifications Regarding Soils Deadline 1
- EN010130 491137 ODOW Appendix I1 – Natural England's Advice on Onshore Ornithology

- EN010130 491137 ODOW Appendix J1 - Natural England's NE Risk and Issues Log Deadline 1

As outlined within our representation, we deferred our comments on the In-Principle Monitoring Plans (IPMP) [APP-245]. Owing to the volume of documentation submitted since the Relevant Representations deadline, we continue to defer our response to the IPMP until a suitable juncture in the examination timetable.

Natural England will not be providing advice at this deadline on the updates regarding the Development Consent Order (DCO) and Deemed Marine Licence (dML), this will be submitted at Deadline 2. Natural England has no comments on Benthic or Offshore Ornithology Compensation aspects, due to the Applicant providing no updates, therefore Natural England's advice provided at Relevant Representations to these thematic areas is unchanged.

## **2. Natural England's Engagement through Examination**

Natural England wishes to highlight that the focus of our engagement during Examination will be on reviewing relevant updated Environmental Statement (ES) Chapters/technical 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.

Natural England welcomes resolutions to issues highlighted in our Relevant Representations and are keen to see the Applicant making substantial progress earlier in Examination, rather than pushing back on our advice, which will leave issues unresolved until later in Examination.

In addition, Natural England highlights that where the Applicant may consider that our issues and concerns have been addressed within the Applicants response to our Relevant Representations, we are not aligned. We reiterate that for these issues to be considered resolved the amendment or commitment will need to be included within/secured within a named technical document or plan and reviewed within the wider context of the Application.

## **3. Risk and Issues Log and Principal Areas of Disagreement Summary Statement**

Natural England has submitted a Risk and Issues Log and Principal Areas of Disagreement Summary Statement (PADSS), password protected in excel format to allow ease of use. It is anticipated that the Risk and Issues Log and PADSS will be updated and submitted alongside our submissions during examination at each deadline to reflect any progress in issue resolution during examination. Please note for Deadline 1 there are no updates provided to the DCO, Benthic Compensation and Offshore Ornithology Compensation aspects of the log and PADSS.

## **4. Natural England's Initial Advice on the Offshore Restricted Build Area (ORBA) and Revision to the Offshore Export Cable Corridor**

Given that over 1,000 pages of technical documentation relevant to Natural England's remit have been submitted between Relevant Representations and Deadline 1, Natural England's

approach to the proposed Offshore Restricted Build Area (ORBA) documentation has been to carry out an initial 'triage' to identify any over-arching issues to be raised at Deadline 1. Notwithstanding any further procedural decisions, we aim to provide our detailed statutory advice at Deadline 2. In the meantime, we provide the following high-level comments:

- Natural England supports the principle of reducing impacts on auks through restricting the area in which above water infrastructure can be installed. However, this may result in increased or different impacts on some receptors, in particular marine processes, which will need to be fully assessed by the Applicant.
- The Environmental Statement (ES) should function as an authoritative and transparent assessment of the impacts of the development, including the impacts where mitigation has been applied. However, the Applicant does not intend to update the ES or the Report to inform the Appropriate Assessment (RIAA).
- We strongly recommend that for key chapters, which from Natural England's perspective are Offshore Ornithology and Marine Processes, the ES itself should be updated to reflect the specific impacts of the 'post-ORBA' development, with clean and tracked change versions submitted into the Examination once the impact assessment has been significantly progressed. The RIAA should also be updated in the same fashion. This will allow the ES to inform the post-consent phase as the key reference document for all parties and allow future developments to include an accurate quantification of the ODOW proposal in their cumulative and in-combination assessments, the ES being the standard source of such information. The Applicant's cumulative and in-combination assessments should also be updated to reflect the post-ORBA development.
- We note that the Applicant considers that a change request is not required because the ORBA is mitigation. For the ORBA to be relied upon as mitigation in the impact assessment (including the appropriate assessment) it would need to be secured through a robust DCO/dML condition. Subject to clarification from the ExA regarding the status of the ORBA within the Examination, we intend to advise on the proposed DCO/dML wording at Deadline 2.
- Nevertheless, together with the Applicant's proposal not to update the ES, Natural England considers a condition-led approach would lead to ambiguity and therefore potential confusion regarding the extent and nature of the proposal in the post-consent phase. Natural England would be more supportive of simply amending the order limits of the array area, as the Applicant is proposing for the northern cable route removal, as this would provide the clearest indication of the extent of the development.

## **5. Offshore and Intertidal Ornithology**

Natural England's relevant representations [RR-045] identified significant shortcomings with the Applicant's impact assessment. For Deadline 1 we have only carried out an initial screening of the ORBA assessment with respect to these shortcomings to identify any that

the Applicant has not sought to address. Our findings are presented in Appendix F1. Subject to clarification regarding the status of the ORBA within the Examination, we intend to provide full technical advice at Deadline 2, which will advise on whether our concerns have been addressed, and if they have, our advice on Offshore Ornithology impacts.

We highlight that it will not be possible for Natural England to advise the ExA on the extent to which the ORBA has reduced the impacts from the submitted proposal. This is because the impact assessment was based on a methodology that departed from Statutory Nature Conservation Bodies (SNCB) advice, whereas the ORBA assessment has hopefully rectified these issues. The two are therefore not comparable.

Subject to our relevant representation concerns being addressed however, Natural England should be able to advise on the impacts of the post-ORBA development in and of itself.

## **6. Noise Abatement Systems**

Natural England would like to draw attention to the announcement made by the Marine Management Organisation (MMO) and Defra in March 2024, that there will be an expectation that all offshore wind pile driving activity in English waters should be able to demonstrate that they have utilised best endeavours to deliver noise reductions through the use of primary and/or secondary noise mitigation methods in the first instance from January 2025. Natural England hopes to provide a position statement on this at Deadline 2.

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

Yours faithfully,

Polly Mills and Ellie Casey

Norfolk and Suffolk / Sussex and Kent

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

PINS Document Reference	Document Name	Natural England's Response/Position Summary
<b>General</b>		
PD1-001	15.1 Covering Letter	Natural England has no comments to make on this document.
PD1-002	1.2 Guide to the Application	Natural England has no comments to make on this document.
PD1-003	2.0 Schedule of Changes for Plans	Natural England has no comments to make on this document.
PD1-004	2.1 Works Plans Onshore	Natural England has no comments to make on this document.
PD1-005	2.2 Offshore Works Plans	Natural England has no comments to make on this document.
PD1-007	2.4 Offshore Location Plan	Natural England has no comments to make on this document.
PD1-011	2.8 Offshore Order Limits and Grid Coordinates Plan	Natural England has no comments to make on this document.
PD1-012	2.9 Access to Works Plan	Natural England has no comments to make on this document.
PD1-015	2.12 Special Category Land Onshore	Natural England has no comments to make on this document.
PD1-018	2.15 Statutory and Non Statutory Nature Conservation Sites Plan Onshore	Natural England has no comments to make on this document.
PD1-021	2.18 Onshore Crossing Plan	Natural England has no comments to make on this document.
PD1-022	2.19 Offshore Crossing Plan	Natural England has no comments to make on this document.
PD1-059	8.13 Schedule of Mitigation V2 Tracked	Natural England's response to this document is provided in Appendix C1, B1, H1 and H2
PD1-065	8.20 Outline Vessel Management Plan Tracked	Natural England has no comments to make on this

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
		document at Deadline 1.
PD1-071	15.3 The Applicant's Response to Representation Responses - Natural England	Natural England's response to this document is provided in Appendix F1, B1, H1 and H2.
PD1-073	15.5 Pre-examination Principal Issues Progress Tracker	Natural England has no comments to make on this document.
PD1-074	15.6 Erratum to Site Selection and Consideration of Alternatives	Natural England has no comments to make on this document.
PD1-102	Responses to the Rule 6 letter relating to Examination procedure, including any submissions about the draft Examination Timetable and the use of virtual methods	Natural England has no comments to make on this document.
AS1-015	2.12 Special Category Land Onshore.pdf	Natural England has no comments to make on this document.
AS1-019	2.16 Statutory and Non Statutory Nature Conservation Sites Offshore.pdf	Natural England has no comments to make on this document.
AS1-022	2.19 Offshore Crossing Plan.pdf	Natural England has no comments to make on this document.
AS1-109	13.3 Applicants Approach to Ordnance Survey Mapping Update.pdf	Natural England has no comments to make on this document.
AS1-028	3.3 Other Consents and Licences Tracked.pdf	Natural England has no comments to make on this document.
AS1-069	6.3.24.2 Chapter 24 Appendix 2 Flood Risk Assessment Onshore ECC & 400kV Tracked.pdf	Natural England has no comments to make on this document.
AS1-071	6.3.24.3 Chapter 24 Appendix 3 Flood Risk Assessment Onshore Substation. Tracked 1of8.pdf	Natural England has no comments to make on this document.
AS1-073	6.3.24.3 Chapter 24 Appendix 3 Flood Risk Assessment Onshore Substation. Tracked 2of8.pdf	Natural England has no comments to make on this document.
AS1-096	7.1 Report to Inform Appropriate Assessment Redacted Tracked.pdf	Natural England has no comments to make on this document.
AS1-101	7.3 Report to Inform Appropriate Assessment Appendix 1 Screening Matrices Tracked.pdf	Natural England has no comments to make on this document.

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
AS1-098	7.1 Report to Inform Appropriate Assessment Tracked-CONFIDENTIAL.pdf	Natural England has no comments to make on this document.
APP-276	8.3 Offshore In Principle Monitoring Plan	Please refer to Section 1 of this cover letter. Advice will be provided at the appropriate juncture during examination.
<b>DCO</b>		
PD1-025	3.1 Draft Development Consent Order Tracked	Natural England will provide a response on this document at Deadline 2
PD1-026	3.1.1 Schedule of Changes to the Draft Development Consent Order	Natural England will provide a response on this document at Deadline 2
PD1-028	3.2 Explanatory Memorandum Tracked	Natural England will provide a response on this document at Deadline 2
AS1-025	3.1 Draft Development Consent Order Tracked.pdf	Natural England will provide a response on this document at Deadline 2
AS1-026	3.1.1 Schedule of Changes to the Draft DCO.pdf	Natural England will provide a response on this document at Deadline 2
<b>Offshore Restricted Build Area (ORBA)</b>		
PD1-081	15.9 Environmental Report for the Offshore Restricted Build Area (ORBA) and Revision to the Offshore Export Cable Corridor (ECC).pdf	Natural England's response to this document is provided in Appendix B1, C1 and F1. Please also refer to Section 4 of this cover letter.
PD1-082	15.9A ORBA and Revision to the Offshore ECC Appendix A Figures_Part 1.pdf	Natural England's response to this document is provided in Appendix B1 and C1. Please also refer to Section 4 of this cover letter.
PD1-083	15.9A Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor Appendix A Figures – Procedural Deadline 19 September. Part 2 of 2.	Natural England's response to this document is provided in Appendix B1, C1 and F1. Please also refer to Section 4 of this cover letter.
PD1-084	15.9B Procedural Deadline 19 September Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor Appendix B Blockage Modelling Results	Natural England's response to this document is provided in Appendix B1. Please also refer to Section 4 of this cover letter.

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
PD1-085	15.9C ORBA and Revision to the Offshore ECC Appendix C Underwater Noise Modelling Report.pdf	No specific advice provided Please refer to Section 4 of this cover letter for general comment.
PD1-086	15.9D ORBA and Revision to the Offshore ECC Ornithology Baseline Summary.pdf	Natural England's response to this document is provided in Appendix F1. Please also refer to Section 4 of this cover letter.
PD1-087	15.9E ORBA and Revision to the Offshore ECC Appendix E Collision Risk Modelling.pdf	Natural England's response to this document is provided in Appendix F1. Please also refer to Section 4 of this cover letter.
PD1-088	15.9F ORBA and Revision to the Offshore ECC Appendix F Offshore Ornithology Displacement Assessment.pdf	Natural England's response to this document is provided in Appendix F1. Please also refer to Section 4 of this cover letter.
PD1-089	15.9G ORBA and Revision to the Offshore ECC Appendix G MRSea Modelling for Offshore Ornithology.pdf	Natural England's response to this document is provided in Appendix F1. Please also refer to Section 4 of this cover letter.
PD1-091	15.10 HRA for the ORBA and Revision to the Offshore ECC.pdf	Natural England's response to this document is provided in Appendix B1, C1 and F1. Please also refer to Section 4 of this cover letter.
PD1-092	15.10A HRA for the ORBA and Revision to the Offshore ECC Appendix A Offshore and Intertidal Ornithology Apportioning.pdf	Natural England's response to this document is provided in Appendix F1. Please also refer to Section 4 of this cover letter.
<b>Marine Physical Processes</b>		
AS-003	6.3.7.1 Physical Processes Technical Baseline Rev: 2.0	Natural England's response to this document is provided in Appendix B1
APP-150	6.3.7.1 Chapter 7 Appendix 1 Physical Processes Technical Baseline	Natural England has no comments to make on this document.
APP-151	6.3.7.2 Chapter 7 Appendix 2 Physical Processes Numerical Modelling Report	Natural England has no comments to make on this document.
APP-152	6.3.7.3 Seabed Mobility Report (CONFIDENTIAL)	Natural England's response to this document is provided in Appendix B1



<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
<b>Benthic</b>		
PD1-097	15.15 Disposal Site Characterisation Report	Natural England's response to this document is provided in Appendix C1
PD1-095	15.13 Envision Offshore Export Cable Corridor Sabellaria Imagery Analysis	Natural England's response to this document is provided in Appendix C1.
PD1-043	8.5 Outline Cable Specification and Installation Plan Tracked	Natural England's response to this document is provided in Appendix C1.
PD1-067	8.22 Outline Biogenic Reef Mitigation Plan Tracked	Natural England's response to this document is provided in Appendix C1
PD1-069	9.2 Cable Statement Tracked	Natural England's response to this document is provided in Appendix C1.
AS-004	6.3.9.2 Chapter 9 Appendix 2 Benthic Ecology Technical Report (ECC) v2.pdf	Natural England's response to this document is provided in Appendix C1.
<b>Marine Mammals</b>		
PD1-045	8.6.1 Outline Marine Mammal Mitigation Protocol for Piling Activities Tracked	Natural England's response to this document is provided in Appendix E1.
PD1-047	8.6.2 Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance Tracked	Natural England's response to this document is provided in Appendix E1.
PD1-049	8.7 In Principle Southern North Sea Special Area of Conservation Site Integrity Plan V2 Tracked	Natural England's response to this document is provided in Appendix E1.
PD1-094	15.12 iPCoD Interim Population Consequences of Disturbance Modelling Report	Natural England's response to this document is provided in Appendix E1.
<b>Offshore and Intertidal Ornithology</b>		
PD1-093	15.11 Additional clarifications relating to Natural England's Relevant Representations (Appendix I Onshore Ornithology).pdf	Natural England has no comments to make on this document.
PD1-098	15.16 Collaborative Delivery of Kittiwake Compensation Letter of Intent.pdf	Natural England has no comments to make on this document.

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
PD1-099	15.17 Letter From Jersey Government Anti-Predator Fence East of Plemont, Jersey, Channel Islands.pdf	Natural England has no comments to make on this document.
AS-005	Chapter12 Appendix 5 Migratory Collision Risk Modelling.pdf	Natural England has no comments to make on this document at Deadline 1.
AS1-041	6.1.12 Chapter 12 Offshore and Intertidal Ornithology Tracked.pdf	Natural England has no comments to make on this document. At Deadline 1.
AS-065	6.3.12.1 Chapter 12 Appendix 1 Intertidal and Offshore Ornithology Technical Baseline Tracked.pdf	Natural England has no comments to make on this document. However we refer the ExA to our advice in the cover letter and Appendix F1.
AS1-100	7.1.1 Offshore and Intertidal Ornithology Apportioning Tracked.pdf	Natural England has no comments to make on this document at Deadline 1.
AS-001	Ornithology Population Viability Analysis Parameter Log.pdf	Natural England has not reviewed this document at this stage in light of the proposed ORBA. See update in the Risks and Issues log.
AS-002	Offshore and Intertidal Ornithology Population Viability Analysis Parameter Log.pdf	Natural England has provided an update in our Risks and Issues log in relation to this document.
<b>Onshore Ecology</b>		
AS1-096	7.1 Report to Inform Appropriate Assessment Redacted Tracked	Natural England's response to this document is provided in Appendix H1.
AS1-059	6.3.23.1 Chapter 23 Appendix 1 Preliminary Land Quality Risk Assessment	Natural England's response to this document is provided in Appendix H1.
PD1-039	8.1 Outline Code of Construction Practice V2 Tracked	Natural England's response to this document is provided in Appendix H1.
PD1-034	6.3.3.2 Appendix 3.2 Onshore Crossing Schedule Tracked	Natural England's response to this document is provided in Appendix H1.
PD1-037	6.3.24.2 Chapter 24 Appendix 2 Flood Risk Assessment Onshore ECC & 400kV Tracked	Natural England has no comments to make on this document.
AS-014	14.3 Biodiversity Net Gain Assessment Report	Natural England's response to this document is provided

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
		in Appendix H1.
AS-015	14.3.1 Biodiversity Net Gain Assessment Report Figure 1 BNG Assessment Boundary	Natural England's response to this document is provided in Appendix H1.
AS-016	14.3.2 Biodiversity Net Gain Assessment Report Figure 2 Pre-development (Baseline) Habitats	Natural England's response to this document is provided in Appendix H1.
AS-011	14.3.3 Biodiversity Net Gain Assessment Report Figure 3 Habitat Retention and Loss Status	Natural England's response to this document is provided in Appendix H1.
AS-017	14.3.4 Biodiversity Net Gain Assessment Report Figure 4 Post Development Habitats	Natural England's response to this document is provided in Appendix H1.
AS-018	14.3.5 Biodiversity Net Gain Assessment Report Figure 5 OnSS Indicative Layout and Mitigation (BNG)	Natural England's response to this document is provided in Appendix H1.
AS-019	14.3.6 Biodiversity Net Gain Assessment Report Figure 6 Baseline Habitat Units	Natural England's response to this document is provided in Appendix H1.
AS-020	14.3.7 Biodiversity Net Gain Assessment Report Figure 7 Post Development Habitat Units	Natural England's response to this document is provided in Appendix H1.
AS1-018	2.15 Statutory and Non Statutory Nature Conservation Sites Onshore.pdf	Natural England has no comments to make on this document.
AS1-021	2.18 Onshore Crossing Plan.pdf	Natural England has no comments to make on this document.
AS1-057	6.2.21 Chapter -21 Onshore Ecology Figures Part 1.pdf	Natural England has no comments to make on this document.
AS1-047	6.1.19 Chapter 19 Onshore Air QualityTracked.pdf	Natural England has no comments to make on this document.
AS1-063	6.3.3.2 Onshore Crossing Schedule Tracked.pdf	Natural England has no comments to make on this document.
AS1-067	6.3.19.1 Chapter 19 Appendix 1 Construction Dust Assessment Methodology Tracked.pdf	Natural England's response to this document is provided in Appendix H1.

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
AS1-104	8.10 Outline Landscape and Ecological Management Strategy Rev 2 Tracked.pdf	Natural England has no comments to make on this document.
PD1-056	8.10 Outline Landscape and Ecological Management Strategy V3 Tracked	Natural England's response to this document is provided in Appendix H1.
PD1-057	8.10 Outline Landscape and Ecological Management Strategy Tracked [CONFIDENTIAL]	Natural England's response to this document is provided in Appendix H1.
<b>Soils</b>		
PD1-006	2.3 Onshore Location Plan	Natural England's response to this document is provided in Appendix H2.
PD1-041	8.1.3 Outline Soil Management Plan V2 Tracked	Natural England's has no specific comments to this document, however our further advice to soils is provided in Appendix H2.
AS-013	14.2 The Applicants response to the rule 17 letter dates 3 July 2024 ODOW	Natural England's response to this document is provided in Appendix H2.
<b>Onshore Ornithology</b>		
AS1-108	13.2 Addendum Winter Bird Survey 2023-2024	Natural England's response to this document is provided in Appendix I1.
PD1-096	15.14 Addendum to RIAA Onshore Ornithology.pdf	Natural England's response to this document is provided in Appendix I1.