



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Outer Dowsing Offshore Wind Farm

Appendix E2 to the Natural England Deadline 3 Submission
Natural England's comments and updated advice on Marine Mammals
[REP2-036 and REP2-038]

For:

The construction and operation of Outer Dowsing Offshore Wind Farm located approximately 54 km from the Lincolnshire Coast in the Southern North Sea.

Planning Inspectorate Reference EN010130

13th December 2024

Appendix E2 – Natural England’s Advice on Marine Mammals at Deadline 3

In formulating these comments, the following documents submitted by the Applicant at Deadline 2 have been considered in relation to the impacts of Outer Dowsing Offshore Wind Farm (ODOW) on marine mammals:

- [REP2-036] 8.6.1 Outline Marine Mammal Mitigation Protocol for Piling Activities (Tracked)
- [REP2-038] 8.6.2 Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance (Tracked)
- [REP2-040] 8.13 Schedule of Mitigation (Tracked)
- [REP2-053] 19.4 The Applicant’s Comments on Deadline 1 Submissions

1. Introduction

Natural England welcomes the resolution of issues, identified within our Deadline 1 Submission [REP1-060], within the Outline Marine Mammal Mitigation Protocol for Piling Activities Tracked [REP2-036] and the Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance Tracked [REP2-038]. See our advice in Sections 2 and 3.

The key points raised below in Sections 4, 5 and 6 focus on issues that remain unresolved. Natural England reiterates advice regarding these issues already provided in our Relevant Representations [RR-045], Deadline 1 Submission [REP1-060] and Response to Examiners First Written Questions [REP2-074], reflecting the Applicant’s response to Natural England’s Deadline 1 Submission [REP2-053].

Natural England would like to see progress made on the outstanding issues that remain. Please also refer to Natural England Appendix J3 Risk and Issues Log to see resolved and outstanding issues.

2. Outline Marine Mammal Mitigation Protocol (MMMP) for Piling Activities [REP2-036] and UXO Clearance [REP2-038]

4.3.1 Paragraph 19: Natural England welcomes the removal of the text *'if this mitigation measure is adopted'*. We are therefore content with the Applicant's commitment to adopt a pre-piling search by a qualified MMOB in line with the minimum requirement from JNCC guidelines. Natural England considers this issue is resolved.

4.3.7 Paragraph 34: Natural England welcomes the Applicant's commitment for the soft-start to commence at no higher than 10% of the maximum hammer energy. Natural England considers this issue is resolved.

3. Outline Marine Mammal Mitigation Protocol (MMMP) for UXO Clearance [REP2-038]

4.2 Paragraph 14: Natural England welcomes the commitment to increase the number of marine mammal observers if required. PAM detections of marine mammals, particularly harbour porpoise, decline at a distance greater than 300 m (and this decline is worse in sea state >2). Natural England advises the Applicant needs to ensure all marine mammals within the mitigation zone can be detected. If effective monitoring cannot cover the mitigation zone, other methods of mitigation or sound reduction at source will be required. We therefore advise further clarification to the MMMP is required.

4.3 Paragraph 15: Natural England welcomes the removal of the text *'if this mitigation measure is adopted'*. We are therefore content there is commitment within the MMMP to pre-detonation search by a qualified MMOB as per the minimum requirement from the JNCC guidelines. Natural England considers this issue is resolved.

4. Noise Abatement Systems (NAS) - Noise Reduction at Source Mitigation

Natural England reiterates our previous advice regarding Noise Abatement Systems (NAS) or noise reduction at source as mitigation, remains unchanged. Natural England expects to see the Applicant make a commitment to the use of primary and/or secondary noise mitigation methods.

5. Harbour Seal Population in the Wash and North Norfolk Coast (WNNC) Special Area of Conservation (SAC)

The cause of the decline of harbour seals in the Wash and North Norfolk Coast (WNNC) SAC is unknown; until the cause of the decline is found, any activities that have the possibility to hinder recovery need to be carefully assessed for less impactful alternatives. In this case, the use of NAS, or other suitable alternative to reduce sound at source, and planning noisy activities to avoid sensitive timings has the potential to reduce disturbance to the population. Therefore, Natural England is committed to and reiterates the advice provided at Relevant Representations [RR-045] and in our Deadline 1 submission [REP1-060].

6. Interim Population Consequences of Disturbance (iPCoD) Modelling

Natural England reiterates that although the model can be used as a tool alongside other methods for assessing the impacts of disturbance, it does not mean the results of the modelling should dictate the final significance conclusion. Please refer to Natural England's response to ExQ1 MM 1.5 [REP2-074] for further clarification.