THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

Outer Dowsing Offshore Wind Farm

Appendix G1 to the Natural England Deadline 3 Submission

Natural England's Advice on Seabird Compensation Calculations

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 G1 - Natural England's advice on calculating the number of breeding pairs required for seabird compensation measures involving habitat provision or protection

Foreword

Natural England understands, through correspondence with the Applicant, that it would be useful for Natural England's preferred approach to calculating the number of breeding pairs required for seabird compensation measures to be provided into Examination, in particular our position regarding species other than kittiwake. Our current position is set out below.

Summary

Natural England considers that the Hornsea 3, Stage 2 method, should be used for all compensatory measures where it is necessary to calculate the requirement in terms of the number of breeding pairs. This is because the Hornsea 3 method is considered the most ecologically realistic.

Where it is not possible to adequately populate the Hornsea 3 stage 2 method due to limited demographic information regarding the species under consideration, the Hornsea 4 method could be used, provided that the calculations are updated using philopatry data to account for the need of the colony to sustain itself.

The ratio applied to that number of pairs to address the uncertainty of success should continue to be set on a case-by-case basis, taking into account the level of impact, the feasibility of the measure, and its potential effectiveness.

Rationale

Developers have used different methods for working out how many nest spaces are needed to provide adequate compensation for a given level of impact. Two main methods have emerged:

- '*Hornsea 3 Stage 2'* method – this calculates the number of birds needed to replace those lost at the impacted site, and the number of adults that need to be produced by a colony to sustain itself, as opposed to drawing birds out of the wider population to do so.
- '*Hornsea 4'* method – this solely looks at the number of birds needed to replace those lost and does not incorporate the need for the colony to sustain itself.

Whilst recognising there is legitimate debate about the merits of different methods, Natural England currently considers the Hornsea 3 Stage 2 method the most appropriate method. As there is no clear evidence to suggest that populations of kittiwake, guillemot, razorbill and large gulls are nesting space-limited, the intervention site will only be compensating for the predicted impacts when its fledglings become successful breeding adults and add 'new' birds to the population. In other words, the benefits should be seen as those fledglings that would never have been born without the intervention. Where nest space for a given species is clearly limited for example, sandwich tern, an alternative approach might be appropriate.

The use of the Hornsea 3 stage 2 method has been challenged on the basis that the intervention site should not be considered a closed population, as birds will join and leave it through the normal processes of immigration and emigration. Whilst it is correct that seabird populations are generally not closed, Natural England takes the view that any immigration of breeders into the intervention site would simply represent movement of birds within the wider population, rather than the generation of 'new' adults. If there were a large non-breeding adult population then these could indeed represent new breeders if they colonised the intervention site, but we have no evidence that this is the case.

If we were to assume that immigrant adults colonised the intervention site, we might expect productivity to be greater than that achieved at their former colony, for example if the site was closer to prey resources. However, this would already be reflected in the various productivity scenarios within the models.

More generally, there is a clear benefit to having a consistently applied, scientifically robust method of calculating the number of breeding pairs required to generate the replacements into the national site network, as opposed to having different methods for different kinds of habitat provision/protection types. Our current view is that because these measures produce the same kind of benefit, there is not a clear rationale for applying different calculations for example, predator eradication as opposed to Artificial Nesting Structures (ANS) provision.

Other aspects of calculating seabird compensation requirements

Natural England generally advises that seabird compensatory measures are scaled against the 95% upper confidence limit (UCL) predicted impact value, rather than the central impact value. We see this as necessary to ensure that, given the uncertainty regarding OWF impacts, the decision-maker can still have confidence that the compensatory measures can provide sufficient benefit should the impacts exceed those of the central prediction.

In addition, and in line with the approach taken with compensatory measures for other impacts e.g. terrestrial or intertidal habitat loss, uncertainty regarding the success of the compensatory measure should also be taken into account when developing the compensation proposals. This should be done on a case-by-case basis and including the use of ratios where relevant alongside multiple interventions, locations, different designs etc. Guidance is clear that 1:1 ratios are only appropriate where there is high confidence in the likelihood of success, which given that seabird compensation is still in its infancy, is unlikely to be the case for seabird compensation measures.

Measures with high likelihood of success and flexibility for adaptive management, e.g. island predator eradication may allow a lower ratio than for where the measure is less well tested and there are greater constraints on adaptive management e.g. ANS. Other factors such as the scale of the predicted impact and the sensitivity of the impacted species will also need to be factored in.

We recognise that using the 95% UCL impact value can, in combination with use of greater ratios, result in large compensation quanta for some species, and that therefore a pragmatic interpretation of these calculations may be needed. For example, where a compensation case for a project with a substantial quantum is well detailed and has good prospects of success, a case could be made that where the Hornsea 3 part 2 approach is adopted, it is unnecessary to then adopt both the 95% UCL impact value and a ratio higher than 2:1 to adequately account for uncertainty.

It is also important to distinguish between the compensation quantum, which informs the scaling and design of the measure to be implemented, and the target or objective for the compensation to achieve, which Habitats Regulations Assessments have generally (though not always) set with respect to the central impact value.