



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

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The Sizewell C Project

**Natural England's Comments on Revision 2.0 Outline Vessel Management Plan**

Planning Inspectorate Reference: EN010012

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24<sup>th</sup> September 2021

## **Natural England's comments on the Revision 2.0 Outline Vessel Management Plan [REP7-046&47]**

### **Headline comments**

- The Outer Thames Estuary Special Protection Area (OTE SPA) is designated for non-breeding Red-throated diver, which overwinters in large numbers in the southern North Sea. Which are particularly sensitive to disturbance by marine vessel traffic.
- There appears to be no attempt to avoid the Outer Thames Estuary Special Protection Area (OTE SPA) or plan the vessel routes to reduce time spent within the SPA for the primary routes proposed. Natural England advise that planning routes with no attempt to mitigate against red-throated diver disturbance is insufficient. We advise that routes that reduce vessel time/distance spent within the OTE SPA are preferred.
- It would be useful to map existing shipping lanes and established routes. Existing shipping lanes should be utilised wherever possible in route planning to reduce additional disturbance at the OTE SPA. Mapping would inform the selection of optimum routes for the Vessel Management Plan (VMP) and allow proposed routes away from pre-existing traffic to be visualised in the context of other shipping (existing disturbance 'corridors' from which red-throated divers are already displaced).
- Implementing monitoring to detect red-throated diver disturbance is considered highly unlikely to be successful. The survey methods are not suitable and will be further compromised in the winter period by weather conditions.
- Implementation of secondary routes that seek to avoid the SPA and/or causing red-throated diver disturbance once (if) detected is not considered appropriate. The VMP should identify routes that reduce the possibility of disturbance to red-throated divers within the OTE SPA from the outset, preferably by avoiding vessel movements within the SPA.
- Vessel uplift figures presented in the VMP are incorrect, and significantly underestimate the increase in vessel movements attributed to the project by considering annual vessel movements compared to seasonal uplifts.

### **Specific comments**

Par	Comment
1.1.4	Is there a commitment to deliver both rock armour and shingle for coastal defence features in the summer period?
1.2.1	<b>The primary aim of the VMP should be to reduce the number and distance of vessel movements through the OTE SPA</b> and, where that is not possible, reduce the impact of any unavoidable vessel movements within the OTE SPA by: 1. Taking account of, and avoiding, known areas of high red-throated diver density <sup>1</sup>

<sup>1</sup> [Digital video aerial surveys of red-throated diver in the Outer Thames Estuary Special Protection Area 2018 - NECR260 \(naturalengland.org.uk\)](#)

[Use of kernel density estimation and maximum curvature to set Marine Protected Area boundaries: Identifying a Special Protection Area for wintering red-throated divers in the UK - ScienceDirect](#)

Par	Comment
	<p>2. Following a route that reduces vessel time spent in the OTE SPA</p> <p>3. Taking account of, and utilising, existing shipping routes to minimise additional disturbance</p> <p>Mitigation of impacts arising from any vessel movements that cannot avoid the SPA should also be detailed in the VMP e.g. by avoiding revving of engines and reducing vessel speed.</p>
2.1.1	<b>Section heading and text here is obscured by plate 1.1 which means we have not been able to review</b>
Table 3.1	<p>It appears that winter vessel movements are now not being undertaken but have been 'retained for resilience'. There is no uplift in summer vessel movements. How is the lack of winter deliveries being accounted for the by the project, i.e. what is the proposal to replace the winter deliveries?</p> <p><b>Can it be confirmed that the project does not plan to undertake deliveries to the Marine Bulk Import Facility (MBIF/ Temporary BLF) in the winter season?</b></p>
	Note that each anticipated delivery tabulated represent two vessel movements. It would aid clarity if the number of vessel movements is tabulated, rather than this point being made in the text (3.1.5).
4.1.1	<p><b>Attempting to detect disturbance of red-throated divers and then using alternative routes temporarily is <u>not</u> considered by Natural England to be an acceptable solution.</b></p> <p>Satisfactory detection and reporting of disturbance will be extremely challenging, if not impossible.</p> <p><b>Vessel routes should be planned to reduce the potential for disturbance.</b></p>
4.1.7 (Plate 4.2)	<p><b>We do not consider the use of Route family 1 to be appropriate as it is novel, situated farther inshore, and is likely to cause red-throated diver disturbance alone, and cumulatively with the nearby route that is already established.</b></p> <p>Route family 2 appears to represent a suitable compromise as it follows an existing route, albeit still almost entirely within the OTE SPA, it is likely that red-throated divers are already displaced from this route area.</p> <p>Route family 3 would be preferred to reduce impacts on the OTE SPA but Natural England note factors such as emissions are also to be considered.</p>
4.1.8	<p><b>It is not considered possible to monitor the effects of vessel movements on red-throated divers in such a way as to allow adaptive management of shipping routes.</b></p> <p>The methods proposed in section 5 are not acceptable. The alternative routes proposed should be adopted as the primary routes to mitigate the potential for disturbance.</p>
4.1.9	It is noted that there is no reasonable route from Lowestoft that can avoid the SPA. It would be preferable to reduce overall impact on the SPA by only using a single port and therefore a single delivery route.
Table 4.2	<b>The percentage uplift figures highlight the significance of increase in local vessel traffic, with a 558% uplift in the winter season along a pre-existing route.</b>

Par	Comment
Table 4.3 4.1.12	It is noted that the potential for winter deliveries is retained for resilience. However, we welcome the proposed reduction of winter deliveries to zero, and agree that <u>in this scenario</u> , there will be no disturbance impacts to red-throated divers at the SPA.
Plate 4.4	<b>Route 6 could be improved by entering the OTE SPA further to the south at the closest point at the boundary to the proposed development site</b> , thus reducing the amount of vessel time spent in the SPA.
4.1.16	<b>It is not considered possible to effectively monitor the effects of vessel movements on red-throated divers as detailed in section 5 to enable adaptive management of vessel routes.</b>
5.1.1	Winter period defined here (October-April) differs from that in Para 3.1.2 (November – March). While not an issue per-se, it will be important to retain clarity on the changing definition of 'winter period' as it relates to vessel movements, and red-throated diver presence.
5.3.2	<p><b>The monitoring of red-throated divers by ship-based observers <u>is not appropriate</u>.</b>  The species is frequently flushed by vessels at distances greater than they can be reliably observed. Furthermore, some vessels described in the VMP will not enable surveyors to achieve a suitable eye-height to detect divers at distance. Poor weather and resulting rough sea states further reduce detection rates.</p> <p><b>The monitoring of red-throated divers by Unmanned Aerial Vehicle/Drone <u>is not appropriate</u>.</b>  Drone surveys are unproven offshore and, even if possible, would be heavily restricted by weather conditions and visibility issues in the winter period. Furthermore, it is likely that drones would need to be flown at a relatively low altitude, potentially causing visual and/or noise disturbance which may disturb/flush divers and other birds. Even if flown at sufficient height to avoid disturbing birds, it is not clear if a drone could be piloted far enough ahead of a vessel to detect divers and give enough time for evasive manoeuvres to be made. This seems highly unlikely.</p>
5.3.3	See comments on 5.3.2, the proposed survey methods are not considered appropriate.
5.3.4	See comments on 5.3.2, the proposed survey methods are not considered appropriate.
5.3.5	For a disturbance threshold to realistically prevent adverse impacts on red-throated diver the cumulative effects acting upon the population would also need to be considered, e.g. disturbance and displacement from other shipping and industry activity.
5.3.8	It is suggested that with good planning vessel routes should not displace large numbers of divers. It is also not clear that detection of such an event would be possible.

Par	Comment
5.3.9	It is not considered possible to detect 'chronic disturbance' using the proposed survey methods.