

Date: 03 March 2025  
Our ref: Case: 27347 Consultation: 486677  
Your ref: EN010115



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**BY EMAIL ONLY**

Dear Sir/Madam,

**Five Estuaries Offshore Wind Farm**

The following constitutes Natural England's formal statutory response for Examination Deadline 7.

**1. Natural England's Deadline 7 Submissions**

Natural England has reviewed the documents submitted by the Applicant at Deadlines 5 and 6. An update of Natural England's position regarding documents relevant to our remit is provided in Annex 1, including anticipated timing of responses. Natural England is also submitting the following detailed responses, signposted from Annex 1:

- EN010115 486677 Five Estuaries Appendix B7 – Natural England's Marine Processes Advice on the Applicant's Deadline 5 and 6 Documents – Deadline 7.pdf
- EN010115 486677 Five Estuaries Appendix C7 – Natural England's Offshore Ornithology Advice on the Applicant's Deadline 5 Documents – Deadline 7.pdf
- EN010115 486677 Five Estuaries Appendix E7 – Natural England's Benthic Ecology Advice on the Applicant's Deadline 5 Documents – Deadline 7.pdf
- EN010115 486677 Five Estuaries Appendix H7 – Natural England's Marine Mammal Advice on the Applicant's Deadline 5 Documents – Deadline 7.pdf
- EN010115 486677 Five Estuaries Appendix J7 – Natural England's comments on the Applicant's Deadline 5 Documents Related to the Proposed LBBG Compensation Site – DL7.pdf
- EN010115 486677 Five Estuaries Appendix L7 – Natural England's Risk and Issues Log DL7.xls

- EN010115 486677 Five Estuaries Appendix P7 – Natural England’s comments on the Report on the Implications for European Sites (RIES) [PD-027] - Deadline 7.pdf
- EN010115 486677 Five Estuaries Appendix M5 – Natural England’s comments on the Examining Authority’s Written Questions 3 [PD-026] - Deadline 7.pdf

## **2. Marine Mammals – iPCoD modelling**

Natural England welcomes the additional results that have been provided by the Applicant as requested. However, we have outstanding concerns regarding the results of the modelling and the lack of variability in the results, particularly for seals for the project alone.

Therefore, we believe there is value in undertaking iPCoD modelling in-combination with other plans and projects which may indicate a greater level of variability and potential population level impacts. For harbour seal, this should be undertaken based on a declining population. Please see Appendix H7 for more detailed advice.

## **3. Seabird compensatory measures calculations**

Identifying a robust and proportionate approach to quantifying the compensation requirements for offshore windfarms impacting seabird SPAs has proved challenging. Multiple methods have been used but there is no clear consensus on the most appropriate method to use. On behalf of Collaboration on Offshore Wind Strategic Compensation (COWSC), Natural England has commissioned the British Trust for Ornithology (BTO) to carry out an independent review both existing and alternative approaches to compensation calculations, to help resolve the issue and establish a level playing field for projects. If possible, the BTO will provide recommendations to COWSC regarding the most appropriate method to use for black-legged kittiwake. The BTO review will also consider whether the recommendations are relevant to other seabird species.

A final report to COWSC is scheduled for the end of March 2025. We recognise that this will be after the close of the Five Estuaries Examination and so to assist the Examining Authority in reaching their recommendations, we will provide some ‘interim’ advice specific to Five Estuaries at Deadline 8/8a.

## **4. ExA Schedule of Proposed Changes to the draft Development Consent Order (DCO)**

Natural England has reviewed the Schedule of Proposed Changes and has no comment to make with regards to the changes proposed. We would note that the proposed changes do not alter Natural England’s position on outstanding issues with the draft DCO.

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

Yours faithfully,

Yolanda Foote  
 Marine Senior Officer – Offshore Wind  
 E-mail: [REDACTED]@naturalengland.org.uk  
 Telephone: [REDACTED]

## Annex 1: Natural England's Response to the Applicant's Documents Submitted at Deadlines 5 and 6 Relevant to our Remit

PINS Document Reference	Document Name	Natural England's Response/Position Summary
<b>Deadline 5</b>		
REP5-001	Five Estuaries Cover Letter	Natural England has no comments to make on this document.
REP5-002	Five Estuaries Schedule of Changes to the Draft Development Consent Order (To Revision F, Deadline 5)	Natural England provided comments on this version of the document at Deadline 6.
REP5-004	Five Estuaries 1.3 Applicant's Updated Guide to the Applicant Documents – Revision I (Tracked)	Natural England has no comments to make on this document.
REP5-005	Five Estuaries 2.8 Street Works and Access Plans - Revision C	Natural England has no comments to make on this document.
REP5-008	Five Estuaries 3.1 Draft Development Consent Order - Revision F (Tracked)	Natural England provided comments on this version of the DCO at Deadline 6.
REP5-012	Five Estuaries 5.4.3 HRA Screening Matrices – Revision B (Tracked)	Natural England's response to this document is provided in Appendices C7 and E7.
REP5-014	Five Estuaries 5.5.2 Outline Benthic Implementation and Monitoring Plan - Revision B (Tracked)	Natural England's response to this document is provided in Appendix E7.
REP5-016	Five Estuaries 5.5.3 Lesser Black Backed Gull Compensation – Evidence, Site Selection and Roadmap – Revision C (Tracked)	Natural England's response to this document is provided in Appendix C7.
REP5-018	Five Estuaries 5.5.4 Kittiwake – Evidence, Site Selection and Roadmap – Revision C (Tracked)	Natural England's response to this document is provided in Appendix C7.
REP5-020	Five Estuaries 5.5.5 Guillemot and Razorbill – Evidence, Site Selection and Roadmap – Revision C (Tracked)	Natural England's response to this document is provided in Appendix C7.
REP5-022	Five Estuaries 5.5.6 Lesser Black Backed Gull Implementation and Monitoring Plans – Revision C (Tracked)	Natural England's response to this document is provided in Appendices C7 and J7.
REP5-024	Five Estuaries 5.5.7 Kittiwake Implementation and Monitoring Plans – Revision C (Tracked)	Natural England's response to this document is provided in Appendix C7.

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
REP5-026	Five Estuaries 5.5.8 Guillemot and Razorbill Implementation and Monitoring Plans – Revision C (Tracked)	Natural England's response to this document is provided in Appendix C7.
REP5-028	Five Estuaries 9.13 Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan - Revision D (Tracked)	Natural England's responses to this document are provided in Appendices B7 and E7.
REP5-034	Five Estuaries 9.21 Code of Construction Practice – Revision C (Tracked)	Natural England has no comments to make on this document.
REP5-038	Five Estuaries 9.25 Outline Public Access Management Plan - Revision B (Tracked)	Natural England has no comments to make on this document.
REP5-042	Five Estuaries 9.31 Schedule of Mitigation – Routemap – Revision B (Tracked)	Natural England's response to this document is provided in Appendices B7.
REP5-044	Five Estuaries 9.32 Offshore In-Principle Monitoring Plan – Revision C (Tracked)	Natural England's response to this document is provided in Appendix H7.
REP5-071	Five Estuaries 10.13 Marine Mammal iPCoD Modelling for Project Alone – Revision B (Tracked)	Natural England's response to this document is provided in Appendix H7.
REP5-073	Five Estuaries 10.34 Applicant's Comments on Deadline 4 Submissions- Revision A	Natural England has no comments to make on this document.
REP5-074	Five Estuaries 10.34.1 Applicant's Comments on Natural England's Deadline 4 Submissions - Revision A	Natural England has provided comments on this document in Appendices H7 and J7.
REP5-075 to REP5-086	Five Estuaries LVIA Viewpoints	Natural England welcomes the provision of these documents but has no comments to make on these documents at this stage.
REP5-087	Five Estuaries 10.35 Change Request Consultation Report	Natural England has no comments to make on this document.
REP5-090	Five Estuaries 10.38 Without Prejudice HRA DCO Schedules	Natural England provided comments on this document within the Deadline 6 Cover Letter [REP6-066].
REP5-091	Five Estuaries 10.39 Applicant's Response to Rule 17 Requests for	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>
	Information for Deadline 5 - Revision A	document.
<b>Procedural Decisions and Notifications from the Examining Authority</b>		
PD-028	The Examining Authority's schedule of proposed changes to the draft Development Consent Order (dDCO)	Natural England has no comments to make on this document.
<b>Deadline 6</b>		
REP6-038	10.20.1 Technical Note – Methodology for Determining MDS (Offshore) - Revision C (Tracked)	Natural England has provided comments on this document in Appendix B7.