



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

FIVE ESTUARIES

**Appendix J8 to Natural England's Deadline 8 Submission**

**Natural England's Advice on the Applicant's Deadline 7 Documents Related to the  
Proposed Lesser Black Backed Gull Compensation Site at Orford Ness**

For:

The construction and operation of Five Estuaries Offshore Wind Farm, located approximately 57  
km from the Essex Coast in the Southern North Sea.

Planning Inspectorate Reference EN010115

10 March 2025

## Appendix J8 Natural England's Lesser Black Backed Compensation Advice on Deadline 7 documents

In formulating these comments, the following documents have been considered:

- **[REP7-018]** Five Estuaries 5.4 Report to Inform Appropriate Assessment (Tracked).
- **[REP7-020]** Five Estuaries 5.4.1 Habitats Regulations Assessments Site Integrity Matrices -Revision C (Tracked).
- **[REP7-022]** Five Estuaries 5.4.3 Habitats Regulations Assessment Screening Matrices- Revision C (Clean).
- **[REP7-024]** Five Estuaries 5.4.4 Summary of Designated Sites (Tracked).
- **[REP7-026]** Five Estuaries 5.4.5 Lesser Black Backed Gull Compensation Site Habitats Regulations Assessment (Tracked).

**Table 1: Natural England's advice on: Lesser Black Backed Gull Compensation Proposals.**

Document reviewed	Update made	Issue resolved? <a href="#">Yes/No/Progressed</a>
[REP7-026] Vol 5, Report 4.5: LBBG Compensation Site – HRA (Tracked)	Page 29 references Natural England's Deadline cover 6 letter (Ref EN010115) and agrees to include post consent surveys, and any additional mitigation required along with confirmation or updates to mitigation proposals. This is welcomed. If these commitments are secured within the DCO or appropriately conditioned plans (i.e. surveys in the appropriate season and an adaptive mitigation strategy) our outstanding issue may be progressed or potentially resolved.	Progressed pending securing seasonally appropriate surveys and adaptive mitigation strategy commitment.
[REP7-026] Vol 5, Report 4.5: LBBG Compensation Site – HRA (Tracked)	Comment number NE52 states that removal of arisings to reduce the potential for increased nutrients is included within Section 5.4 of 5.5.6 LBBG Implementation and Monitoring Plan – Revision C. However, this has not been updated and still refers to the removal of arisings as a ' <i>consideration</i> '. This needs to be secured as a commitment.	Progressed pending securing removal of arisings as a commitment in the LIMP.
[REP7-020] Vol 5, Report 4.1: HRA Site Integrity Matrices – Revision B C (Tracked)	Designated sites associated with the compensatory measures at Orfordness have been added into the matrices. The Applicant excludes LSE for the Alde-Ore Estuary Ramsar site and SPA, and Orfordness – Shingle Street SAC (Matrix 40, 41 and 42), but this is based on conclusions in the HRA Report which are not themselves based on appropriate survey information. Natural England advises that given there are potential impact pathways (as set out in e.g. our comments on the RIES [REP7-110]), a conclusion of Likely Significant Effects is inescapable. Further, Natural England cannot rule out adverse effects on	Progressed pending securing seasonally appropriate surveys and adaptive mitigation strategy commitment.

	the above sites unless seasonally appropriate surveys and an adaptive mitigation strategy commitment are secured in the DCO.	
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