



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

NORTH FALLS OFFSHORE WIND FARM

Appendix H5 to the Natural England Deadline 5 Submission

Natural England's comments on 7.2.2.2 HRA Annex 2B HRA Annex 2B Lesser Black-backed Gull Compensation Effects on Designated Sites (Rev 0) [REP4-010]

For:

The construction and operation of North Falls Offshore Wind Farm, located approximately 40 km from the East Anglia Coast in the Southern North Sea.

Planning Inspectorate Reference EN010119

30 May 2025

Appendix H5 Natural England comments on 7.2.2.2 HRA Annex 2B Lesser Black-backed Gull Compensation Effects on Designated Sites (Rev 0) [REP4-010]

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

- [REP4-010] 7.2.2.2 HRA Annex 2B Lesser Black-backed Gull Compensation Effects on Designated Sites (Rev 0) 7.2.2.2 HRA Annex 2B LBBG Compensation Effects on Designated Sites (Rev 0) [LBBG compensation sites]

1. Summary Table

Table 1: Natural England's advice on: Lesser Black-backed Gull Compensation (LBBG) Site(s)

Document reviewed	Update made	Issue resolved?
[REP4-010] 7.2.2.2 HRA Annex 2B LBBG Comp... (Rev 0)	<p>Natural England notes that the HRA assesses impacts on Lantern Marshes as the preferred option. Although we note that, whilst they have not been assessed, the Gedgrave Marshes and Outer Trial Bank options remain under consideration.</p> <p>The assessment of potential impacts at Lantern Marshes is based on a site visit and desk-based information/3rd party data. We advise that conclusions of no Likely Significant Effect (LSE) or Adverse Effect on Integrity (AEol) have been based on assumptions and, therefore, we still do not consider them to be robust or evidence-based. In particular, we highlight that the proposed works will require installation of multiple culverts for ditch crossings within the site, which will require the tracking of heavy machinery through designated habitats (see additional notes in Section 1 below).</p> <p>However, it is also stated in Paragraph 5 that detailed design, and surveys will be undertaken post consent/pre-construction, which we welcome. We consider that these should be secured within the DCO and would suggest they may best sit within the Schedule for the compensatory measures.</p>	Progressed
[REP4-010] 7.2.2.2 HRA Annex 2B LBBG Comp... (Rev 0)	<p>The Applicant has highlighted in Paragraph 9 that Lantern Marshes previously supported a breeding colony of LBBGs; however, it is thought that the LBBG population there declined due to predation, as well as flooding and resultant changes of habitat and/or reduction in food sources. We are concerned about the potential likelihood and impact of future breaches/flooding events affecting this site. The implications of these have not been considered in the assessment. Therefore, we advise the Applicant will</p>	No

	need to consider the risks to compensation delivery of flooding events at this preferred site option.	
[REP4-010] 7.2.2.2 HRA Annex 2B LBBG Comp... (Rev 0)	We note in Paragraph 22 that the proposed fence installation and maintenance works would take place for 3 months (10-12 weeks) outside of the LBBG breeding season to avoid impacts on breeding bird receptors. There is limited consideration of impacts on overwintering bird receptors and conclusions are based on the works being temporary and short term (3 months). The value of Lantern Marshes for SPA/Ramsar site non-breeding birds has not been established, and we highlight that it is an undisturbed area of the site and therefore may support significant numbers of waterbirds. The Applicant will need to fully consider impacts to overwintering birds and if/where necessary mitigation to reduce impacts (including seasonal restrictions). Monthly Wetland Bird Survey (WeBS) and other data sources should be sought in order to understand the importance of the site on a month-by-month basis, and also whether parts of the site are more sensitive than others to ensure the mitigation strategy is appropriate for non-breeding waterbirds.	No
[REP4-010] 7.2.2.2 HRA Annex 2B LBBG Comp... (Rev 0)	It is stated in Paragraph 36 that as a worst-case scenario the fence may need to be fully replaced after approximately 20 years. However, the life of the compensation measure would be longer than the life of the predator fencing. This would lead to a repeat of the original installation impacts, and then further impacts upon decommissioning of the compensation measure. Whilst this is considered in the HRA, in line with our advice above we are concerned that the impact conclusions are based on assumptions and a lack of robust supporting evidence. This evidence will need to be gathered prior to construction and inform a mitigation strategy.	No
[REP4-010] 7.2.2.2 HRA Annex 2B LBBG Comp... (Rev 0)	In Section 3.2.7, perennial vegetation of stony banks was initially screened into assessment. However, in Table 3.5 it was subsequently screened out of the assessment because the only vegetated shingle potential habitat within the project area is already used as an access track. However, we consider that vehicles using that track are likely to differ (in weight and frequency) from those employed during construction and highlight that no surveys have been undertaken to confirm that the habitat is 'low quality' and not supporting designated flora/fauna.	No

Table 2. Additional comments on Lesser Black Backed Gull Compensation Sites

Document reviewed: 7.2.2.2 HRA Annex LBBG Compensation (Rev 0) [REP4-010]			
NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
1	2.1.2	The fence works will include scraping an area 3,590m long to a maximum 1m wide and 0.1m deep (0.36ha) of habitat that has not been site specifically surveyed.	Site specific habitat surveys will need to be carried out for the proposed fence works area and be used to update fence design and installation plans as required, including mitigation where a need is identified.
2	General comment	No assessment of the value of the site to overwintering birds within the context of the SPA/Ramsar site/SSSI as a whole has been made.	The value of the site to overwintering SPA/Ramsar site/ SSSI birds will need to be assessed, and relevant assessments updated accordingly.
3	Para 78	It is stated in Paragraph 78 that consideration has been given to the potential for run-off from construction into the coastal lagoons. However, supporting evidence has not been included on the sensitivity of the lagoons that may be affected by the proposed works, despite quoting the Abrehart Ecology Ltd, 2022 report. This concern also applies to the vascular plant and invertebrate assemblages that may be affected by the proposed works	Supporting evidence will need to be provided on the sensitivity of coastal lagoons that may be affected by the proposed works.
4	Para 89	It is stated in Paragraph 89 that habitat management (e.g. sward) is expected to be undertaken by handheld strimming prior to the LBBG breeding season. However, there is no mention of vehicle access requirements to bring equipment to this area, and this will need to be considered.	Vehicle access requirements will need to be considered, including the implications for habitats, and mitigation measures identified where needed.

