



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Dogger Bank South Offshore Wind Farm

Appendix F2 to the Natural England Deadline 2 Submission
Natural England's comments and advice on Marine Mammals

For:

The construction and operation of the Dogger Bank South (East and West) Offshore Wind Farm located approximately 100-122km off the Northeast Coast in the Southern North Sea.

Planning Inspectorate Reference EN010125

14th February 2025

Appendix F2 – Natural England’s Advice on Marine Mammals

In formulating these comments, the following documents submitted by the Applicant have been considered in relation to the impacts of Dogger Bank South (East and West) Offshore Wind Farm (DBS) on Marine Mammals.

- [AS-048] 10.30 - Response to Natural England's Relevant Representations (Revision 01)
- [AS-103] EN010125-000901-8.26 Draft In Principle Site Integrity Plan (Revision 2) (Tracked)
- [AS-101] EN010125-000899-8.25 Outline Marine Mammal Mitigation Protocol (Revision 2) (Tracked)
- [AS-121] EN010125-000920-3.1 Draft Development Consent Order (Rev 03) (Tracked)

1. Defra Marine Noise Package

Natural England’s Risk & Issues Log Deadline 2, point F6, F7, F8, F11, F16 & F22.

As per Natural England’s submission to Deadline 1 [REP1-063], Defra have recently published their Marine Noise package, which provides a suite of new and updated policy and guidance relating to the reduction and mitigation of underwater sound. This package includes the following documents:

- Marine Noise Policy paper, which can be found here - [Reducing marine noise - GOV.UK](#).
- An updated Unexploded Ordnance (UXO) Joint Position Statement, which can be found here - [Marine environment: unexploded ordnance clearance Joint Position Statement - GOV.UK](#)
- UXO clearance supporting guidance providing more detail for [Supporting minimising environmental impacts from unexploded ordnance clearance - GOV.UK](#)

Alongside these documents, JNCC have also published new mitigation guidelines for UXO clearance, which can be found here - [JNCC guidelines for minimising the risk of injury to marine mammals from unexploded ordnance \(UXO\) clearance in the marine environment | JNCC Resource Hub](#), and a joint statement from science and nature conservation advisors (Cefas, JNCC and NE) on the use of noise reduction methods when piling, which can be found here - [JNCC, Natural England and Cefas position on the use of quieter piling methods and noise abatement systems when installing offshore wind turbine foundations | JNCC Resource Hub](#). The statement is supported by a Cefas evidence review of noise reduction methods, which can be viewed here - [Evidence on the efficacy of underwater noise abatement](#).

Together, these documents set out the expectation that from January 2025., ***‘all offshore wind pile driving activity across all English waters will be required to demonstrate that they have utilised best endeavours to deliver noise reductions through the use of primary and/or secondary noise reduction methods in the first instance’*** and that low-order UXO clearance should now be the default clearance method, with high-order detonations restricted to extraordinary circumstances. They also provide updated advice regarding mitigation of UXO clearance activities. Natural England advises that the Applicant should review the content of these documents and ensure their assessment and mitigation

measures are aligned. Natural England will provide further, more detailed advice in due course as required.

2. Outline Marine Mammal Mitigation Protocol (MMMP) [AS-101]

Passive Acoustic Monitoring (PAM)

Natural England's Risk & Issues Log Deadline 2, point F10.

In Section 3.1.3 to 3.1.7 of the Outline MMMP (Tracked) the Applicant has updated the document regarding the use of Passive Acoustic Monitoring (PAM). Natural England can only agree to piling during reduced visibility / darkness if the Applicant can demonstrate that the PAM equipment covers the whole Mitigation Zone (MZ). The most frequently used PAM technologies for marine mammal mitigation struggle to detect harbour porpoise beyond a distance of 300 m. Natural England advises the Applicant to provide evidence to demonstrate their proposed PAM equipment and methodology will effectively monitor the whole mitigation zone for all marine mammals, and that they have considered animals that vocalise infrequently such as baleen whales and seals. If this is not possible, the MMMP should be updated to include commencing / re-starting piling during times of good visibility only.

Hammer Energy

Whilst Natural England welcomes the Applicant updating the Development Consent Order (Rev 03) [AS-121] to include the Maximum Hammer Energy, we advise that within Section 3.1.5 of the Outline MMMP [AS-101] it should be clearly stated what the Applicant's intentions are regarding the commencing hammer energy in addition to the percentage of the maximum hammer energy this represents.

3. Draft In Principle Site Integrity Plan (SIP) [AS-103]

Natural England's Risk & Issues Log Deadline 2, point F17.

Noise Abatement Systems

In addition to the Applicant updating all assessment and mitigation measures in line with Defra's Marine Noise Package, Natural England strongly advises the Applicant to commit to the use of noise reduction technology, for example NAS, in the Draft In Principle SIP before the close of Examination. The current commitment to include NAS in the final version of the SIP post-consent, if necessary, will only be submitted 6 months prior to the start of construction. This may not be in sufficient time to procure the technology, which we do not consider would satisfy the requirement for best endeavours and could risk delays in piling. Further, the in-combination assessment is still resulting in significant breaches of both the daily and seasonal disturbance thresholds for the Southern North Sea (SNS) SAC. We advise the noise reduction committed to should be sufficient to demonstrate that the Applicant has contributed to reducing the disturbed area of the SNS SAC. An updated in-combination assessment should be provided to demonstrate this.

Scheduling of UXO Clearance with other Projects

Natural England welcomes the Applicant's Scheduling of UXO clearance with other projects (Section 9.6 of Draft In Principle SIP) as a useful tool for minimising the area of disturbance on a particular day; however, this method should be in addition to noise reducing technology as outlined in Defra's recently published Marine Noise Package. Natural England will provide further comment following the Applicant's review of the Defra Noise Package documents and updated assessment and mitigation measures.

Clustering of UXO Devices

Natural England is open to discuss novel methods to reduce the disturbance area for UXO clearance; however, these will be assessed on a case-by-case basis and with consideration to potential impacts to the marine environment. Natural England advises the Applicant to follow the UXO clearance guidance in the Defra Marine Noise Package, which sets out that low-order UXO clearance should now be the default clearance method, with high-order detonations restricted to extraordinary circumstances.

We also highlight that benthic impacts will be a key consideration in UXO clearance campaigns for these projects, and clustering UXOs to minimise noise disturbance could result in greater benthic impacts. Existing OWF projects located within the Dogger Bank SAC have employed a hierarchy of mitigation for UXO clearance focussing on relocation to avoid, or prior to clearance, where safe to do so. Within the Dogger Bank SAC, we advise a similar approach to that of Dogger Bank A, which includes UXOs being relocated to areas with a surface sandy layer >5m. Supporting information should be provided in the Marine Licence Application including characteristic stratigraphic profiling of soil provinces across the array areas from geotechnical surveys, to confirm where this will be possible. This led to confirmed UXO (cUXO) relocations being undertaken as part of the investigative licence.

In the event that relocation of cUXO is not possible, Natural England have advised other projects that if high order is required in-situ and a crater is formed exposing glacial sediments, we would consider there to be adverse effect on integrity (AEoI) for Dogger Bank SAC. This would not necessarily prevent a license being granted or the works from taking place due to the overriding health and safety risks of the UXOs staying in place, however it would require monitoring of craters and recovery and possible remedial action.

4. Interim Population Consequences of Disturbance (iPCoD) Modelling

Natural England's Risk & Issues Log Deadline 2, point F13 & F14.

iPCoD modelling is a tool to support conclusions in the Impact Assessment. Owing to evidence gaps in the relationship between marine mammal ecology, sound, disturbance and population impacts, this modelling makes many assumptions, and caution should always be taken when interpreting the outputs of any model.

Natural England therefore reiterates that although the model can be used as a tool alongside other methods for assessing the impacts of disturbance, it does not mean the results of the modelling can be viewed in isolation or should solely dictate the final significance conclusion. We also maintain our previous advice regarding EDR, to use 26km for unabated monopile installation and 15km for pin piles and abated piling.