



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

Dogger Bank South Offshore Wind Farm

**Appendix H2 to the Natural England Deadline 2 Submission**  
**Natural England's comments and advice on Offshore Ornithology Compensation**

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

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27<sup>th</sup> February 2025

## Appendix H2 – Natural England’s advice of Offshore Ornithology Compensation

In formulating these comments, the following documents submitted by the Applicant have been considered in relation to offshore ornithology compensation:

- [PDB-003] 6.2.1 Appendix 1 - Project Level Kittiwake Compensation Plan (Revision 2) (Tracked)
- [AS-088] 6.2.1 Appendix 1 - Project Level Kittiwake Compensation Plan (Revision 3) (Tracked).pdf
- [PDB-007] 10.19 Project Level Kittiwake Artificial Nesting Structure (ANS) Site Selection Report\_compressed.pdf
- [PDB-005] 6.2.2 Appendix 2 Guillemot and Razorbill Compensation Plan (Revision 2) (Tracked).pdf
- [AS-090] 6.2.2 Appendix 2 Guillemot and Razorbill Compensation Plan (Revision 3) (Tracked).pdf
- [PDB-008] 10.20 DBS Guillemot and Razorbill Compensation Site Refinement Report (REDACTED).pdf
- [AS-118] 10.42 Ornithological Mitigation Options Report.pdf
- [REP1-049] 11.4 The Applicants’ Written Summaries of Oral Submissions made at CAH1, ISH1 and ISH2.pdf

### 1. Introduction

Natural England provided initial advice on the documents listed above in our response [AS-008] to the Rule 17 letter dated 26<sup>th</sup> November 2024 [PD-008]. We advise that the advice provided here should be read alongside our previous response. Natural England’s additional advice on these documents applicable to all compensatory measures, and kittiwake and auk specific advice is set out below in sections 2-4.

### 2. Advice applicable to all measures

#### 2.1. Compensation level

Natural England’s comments on the revised ornithology assessment are provided in Appendix G2 of our Deadline 2 submission. Considerable progress has been made across the ornithology assessment, however, some outstanding methodological issues remain which prevent Natural England providing advice on final HRA impact values, and therefore compensation levels, at this time. We consider these issues should be easily resolvable within Examination timeframes.

#### 2.2. Compensation Implementation and Monitoring Plans (CIMP)

Following the publication of the interim guidance on the Marine Recovery Fund by DESNZ on 29<sup>th</sup> January 2024, which confirmed that offshore ANS and predator eradication should be progressed at a project level in the first instance, we advise that species-specific Implementation and Management Plans should be submitted into the Examination process in a fully populated

state, rather than as skeleton documents. These documents are of key importance as the success of proposed compensation measures are intrinsically linked to these Plans. We note that for auks it is stated that a detailed CIMP will be developed following confirmation of the site(s) for predator eradication. We are concerned this may not leave sufficient time for a CIMP to be submitted within Examination timeframes. We acknowledge that it will not be possible to fully populate all aspects of the CIMP prior to a site being confirmed, but several sections (e.g. success criteria) will be site independent or could be varied to reflect the sites still within consideration.

### **3. Kittiwake compensation**

#### **3.1. Mitigation**

Noting the above that impact levels remain unagreed, we consider it important to highlight that based on the current assessment values, whether using the Applicant's or Natural England's approach, Dogger Bank South is the highest impacting project in English waters on FFC SPA kittiwake to date. We therefore maintain that further consideration should be given to mitigation measures that could reduce the Project's impacts prior to the need for compensation, such as array reductions or changes to the design and layout of the arrays. We understand from the Applicant's Ornithological Mitigation Options Report [AS-118] that they do not intend to raise the hub height further on the basis of financial and engineering constraints, indicating that this may not be a viable route.

#### **3.2. Scale and delivery of measure**

As noted in our Rule 17 response [AS-008] we welcome that the Applicant has updated the Kittiwake Compensation Plan (KCP) in line with the revised ornithology assessment and presented compensation quantum calculated according to both the Hornsea 3 part 2 and Hornsea 4 approaches. Natural England provided further guidance on the Hornsea 3 part 2 versus Hornsea 4 approach in Appendix H1 of our Deadline 1 submission [REP1-065] and maintain that compensation quantum should be calculated according to the Hornsea 3 part 2 method. However, we note the Applicant disagrees with the use of the Hornsea 3 part 2 approach, in part due to a lack of information in the public domain on the calculation methodology. We acknowledge that 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 a review of existing approaches to compensation calculations, and if possible to make 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 March 2025. Natural England will endeavour to keep current Examinations and prospective applicants updated on timescales.

We welcome that the Applicant has updated the KCP to refine and clarify the delivery options. The Applicant has now committed to delivering a single project-led ANS, with a second ANS to be delivered by Outer Dowsing (ODOW) OWF. We understand that discussions are underway to secure a Memorandum of Understanding to allow resilience to be shared between DBS and the ANS delivered by ODOW. Whilst this would ensure the delivery of two offshore ANS (provided ODOW receives consent), and the Applicant states their single ANS will provide sufficient quantum of compensation for kittiwake, we remain concerned that based on the current predicted impacts (acknowledging that further revisions are necessary) the provision of a single ANS may not be sufficient to deliver the level of compensation required.

We highlight that whilst the Applicant has presented the level of compensation required for DBS according to both the Hornsea 3 and 4 approaches, only the Hornsea 4 values have been carried through for consideration of the provision required at a ratio greater than 1:1, or in-combination with ODOW (Section 5.3 of KCP). We also note that ODOW's compensation requirements have been further revised since revision 3 of the KCP was submitted. We advise that the Applicant update these values at a suitable juncture in the Examination and provide compensation requirements at ratios greater than 1:1 according to both the Hornsea 3 part 2 and 4 approaches.

### 3.3. Site selection

Natural England provided advice to the Applicant on the new Areas of Search (AoS) included in 10.19 Project Level Kittiwake Artificial Nesting Structure (ANS) Site Selection report [PDB-007] outside of the Examination on 9<sup>th</sup> December 2024. We have repeated this below for transparency.

- Site F - We welcome that the area that overlapped with the North Norfolk Sandbanks and Saturn Reef (NNSSR) SAC has been removed from the Area of Search.
- Sites 4 and 5 - As per our Relevant Representations advice, we highlight that these sites appear to be within the buffer zones for DBS and the Hornsea Zone offshore wind farms (OWF). Consideration should be given to a greater degree of collision risk for a colony established here.
- 6, 7 & North-West - These locations are not as far inshore as the original 'West' location, however consideration should still be given to the likelihood of competition with birds foraging from FFC SPA. We advise the Project to look into any overlap with these areas in available kittiwake utilisation distribution maps (e.g. Cleasby et al. 2020, Waggitt et al. 2020). For site

6 it would also be beneficial to present the minimum distance to Flamborough Head, for consideration of the Yorkshire Wolds AONB.

We understand from the Applicant's Issue Specific Hearing summary [REP1-049] that the sites have been further refined to three locations with geophysical and geotechnical surveys planned in April and May 2025, and Marine License Applications to follow in Q2 2025. We will provide further comment on the refined shortlisted sites following review of Revision 4 of the KCP, submitted by the Applicant at Deadline 2 [REP2-011].

#### 3.4. Delivery of measure: Timing

Natural England currently maintain the advice provided in our Relevant Representation, that ANS should be installed four breeding seasons prior to operation. However, we note that the Applicant has reduced the proposed number of breeding seasons for an ANS to be installed prior to operation from three to two, and that a document in support of this has been submitted at Deadline 2 [REP2-011]. We will therefore review this and provide further comment at Deadline 3.

### 4. **Guillemot/Razorbill**

#### 4.1. Site selection

Natural England consider that the advice provided in our Rule 17 response [AS-008] still stands with respect to the predator eradication measure. We understand from discussions with the Applicant that surveys to determine rat presence have now been undertaken at Worms Head, with results to be provided at Deadline 3, and that surveys to assess habitat suitability and rat presence on Middle Mouse were due to occur in February. We acknowledge and welcome this progress, as the results of these surveys will be an essential component in determining whether predator eradication is feasible at these locations. However, if rats are present, it will still need to be determined whether they are having, or are likely to be having, an impact on the abundance, productivity and/or distribution of guillemot and razorbill.

We welcome that the Applicant has continued to engage with identifying opportunities to support and progress an eradication measure at the Isles of Scilly, acknowledging The Wildlife Trust's position that their preference is for the measure to be delivered strategically.

#### 4.2. Scale of measure

Notwithstanding the revisions needed on the impact assessment (see Section 2.1), the updated Guillemot and Razorbill Compensation Plan (GRCP) indicates that the sites identified by the Applicant for project-led compensation are only estimated to have capacity to compensate for the Project's impacts according to the Applicant's approach. We also highlight that in contrast

to the KCP, predicted impacts and compensation quantum in the GRCP have only been provided for the central impact estimates. The upper Confidence Intervals have not been presented, and it is therefore unclear whether these sites would still have capacity were the upper Confidence Interval values to be considered.

It is also unclear from the Site Refinement Report [PDB-008] if rat presence has been confirmed at the locations identified on the Isles of Scilly. Whilst 'Are invasive predators present?' is listed as one of the questions for the site shortlist refinement, determining rat presence is not included in the survey details. The surveys are described as being to confirm suitable, available/potential auk habitat, however it is then stated that the Scilly locations could provide an estimated X amount of rat-free nesting space. We highlight that if any of these locations are already rat-free, the available habitat cannot be assumed to contribute to the compensation measure.

#### 4.3. Connectivity

Natural England welcomes that an assessment of connectivity with the National Site Network has been included within the GRCP. The Applicant acknowledges connectivity with auks at Flamborough and Filey Coast Special Protection Area (FFC SPA) is unlikely given the distances from Middle Mouse, Worms Head and the Isles of Scilly. They also confirm that benefits would be delivered to auks within the UK Western Waters Biologically Defined Minimum Population Scale (BDMPS) population rather than the UK North Sea and Channel BDMPS, which the FFC SPA population sits within. However, the Worms Head and Middle Mouse locations are within 40-200km of the Skomer, Skokholm and the Seas of Pembrokeshire SPA respectively, where guillemot and razorbill are components of the breeding bird seabird assemblage, which we agree is within the natal dispersal range of guillemot and razorbill. However, this is a data poor area and what is available suggests low natal dispersal rates for these species. We therefore agree that there is a pathway for birds from these locations to recruit and contribute to the National Site Network, however it is likely to be limited, and this uncertainty should be reflected in the level of compensation provision.

With respect to the Isles of Scilly, the situation is slightly different. Guillemot and razorbill do not currently occur in numbers to meet either of the criteria to be included as named assemblage components in the Isles of Scilly SPA seabird assemblage (national importance and over 2,000 individuals), but they nevertheless form part of the SPA's seabird assemblage and contribute to its abundance and diversity. As such, any additional breeding guillemot and razorbill on Scilly that arise as part of the strategic approach will directly benefit the National Site Network and fall under the protective provisions of the Habitats Regulations. Furthermore, it is possible that a successful eradication campaign delivered at scale could boost numbers to the extent that they become named assemblage components in the future.

