

Date: 19 March 2025
Our ref: 17503; 489456
Your ref: EN010125
Interested Party ref: 20050173



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BY EMAIL ONLY

Dear Sir/Madam,

Application by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms

The following constitutes Natural England's formal statutory response for Examination Deadline 3.

1. Natural England's Deadline 3 Submissions

Natural England has reviewed the documents submitted by the Applicant at Deadline 2. 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:

- EN010125 489456 DBS – Natural England's Risk and Issues Log Deadline 3
- EN010125 489456 DBS Appendix B3 - Natural England's Advice on Marine Physical Environment Deadline 3
- EN010125 489456 DBS Appendix C3 – Natural England's Advice on Benthic and Intertidal Ecology Deadline 3
- EN010125 489456 DBS Appendix E3 – Natural England's Advice on Fish and Shellfish Deadline 3
- EN010125 489456 DBS Appendix F3 – Natural England's Advice on Marine Mammals Deadline 3
- EN010125 489456 DBS Appendix H3 – Natural England's Advice on Offshore Ornithology

Compensation Deadline 3

- EN010125 489456 DBS Appendix J – Natural England’s Advice on In Principle Monitoring Plan Deadline 3
- EN010125 489456 DBS Appendix K – Natural England’s response to The Examining Authority’s Written Questions (ExQ1) Deadline 3 and [PD-016]
- EN010125 489456 DBS Appendix L – Natural England’s Advice on Change Request 1 Deadline 3

2. The Examining Authority’s (ExA’s) Written Questions (ExQ1)

As requested in The Examining Authority’s Written Questions (ExQ1) [PD-014] and Request for Further Information [PD-016], Natural England has compiled our responses to relevant questions in the Appendix K of our Deadline 3 submission.

3. The Natural Features Potentially Affected by this Application

Following on from our Relevant Representations [RR-039] and as requested in the Examiner’s Question [PD-014] HRA.1.7, Annex 2 provides updated Tables of designated sites and interest features which may be significantly affected by the proposed project, based on the information provided to date. It should be noted that this list may change if new evidence emerges during the Examination. GOV.UK links have been provided to Natural England’s Designated Site View system where the citation, conservation objectives and supplementary advice for designated nature conservation sites can be located. We have provided links, as these are large and live documents which are updated on a regular basis to incorporate the most up to date evidence. To avoid potentially out of date or inaccurate documents being referred to during the Examination we recommend that the links are utilised.

We will provide these tables again at Deadline 5 and with our final position as requested, or when updates of relevance can be made.

4. Draft Development Consent Order (DCO)/deemed Marine Licence (dML)

Natural England advises that a standard condition should be applied to all cable-related dMLs with wording similar to that outlined below, which will require return of information in relation to the as-built scenario, including the location, volume, area, and coordinates of the scour and cable protection laid within benthic MPAs. This is to ensure that a record is provided of all areas of scour protection and cable protection, which will be beneficial at time of decommissioning.

- (1) Not more than 4 months following completion of the construction phase of the authorised scheme, the undertaker must provide the MMO and the relevant statutory nature conservation bodies with a report setting out details of the scour protection and cable protection used for the authorised scheme.*
- (2) The report must include the following information.*
 - (a) location of the scour protection and cable protection.*
 - (b) volume and area of scour protection and cable protection; and*

- (c) any other information relating to the scour protection and cable protection as agreed between the MMO and the undertaker.*
- (3) For any subsequent deployments of scour protection and cable protection following the completion of construction, the undertaker will provide an updated report as defined in (1) and (2) not more than 4 months following deployment of the scour protection or cable protection.*

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

Yours faithfully

Emma John
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Annex 1: Natural England's Response to the Applicant's Documents Submitted prior to and at Deadline 2 Relevant to our Remit

PINS Document Reference	Document Name	Natural England's Response/Position Summary
Change Request 1		
AS-129	10.48 DBS Project Change Request Application	Natural England has no comments to make on this document.
AS-141	10.49 Project Change Request 1 - Offshore and Intertidal Works	Natural England's response to this document is provided in Appendix L.
AS-142	10.50 Appendix A Fish and Shellfish Environmental Statement Update	Natural England's response to this document is provided in Appendix L.
AS-143	10.51 Appendix B Marine Mammal Environmental Statement Update	Natural England has no comments to make on this document.
AS-144	10.52 Appendix C Marine Mammal RIAA Update	Natural England's response to these documents is provided in Appendix L.
AS-131	3.1 Draft Development Consent Order (Revision 4) (Tracked)	Natural England has provided comments on all versions of the DCO submitted to date in our Risk and Issues (R&I) log.
AS-133	3.2 3.2 Explanatory Memorandum (Revision 4) (Tracked)	Natural England has no comments to make on this document.
AS-134	3.4 Schedule of Changes (Revision 2)	Natural England has no comments to make on this document.
AS-138	7.11.11.3 Appendix 11-3 - Underwater Noise Modelling Report (Revision 2) (Tracked)	Natural England has no comments to make on this document at this deadline.
AS-140	7.11.11.4 Appendix 11-4 iPCoD Modelling (Revision 2) (Tracked)	Natural England's response to these documents is provided in Appendix L.
AS-136	7.8.8.3 ES Appendix 8-3 - Marine Physical Processes Modelling Technical Report (Revision 2) (Tracked)	Natural England's response to this document is provided in Appendix L.
Documents Submitted prior to and at Deadline 2		

PINS Document Reference	Document Name	Natural England's Response/Position Summary
General		
REP2-001	12.1 Cover Letter (Superseded by AS-158 - 2.1 Deadline 2 Cover Letter (Revision 2))	Natural England has no comments to make on this document.
REP2-042	8.21 Outline Project Environmental Management Plan (Revision 2) (Tracked)	Natural England's response to this document is provided in our Risk and Issues Log Deadline 3.
REP2-044	8.23 In Principle Monitoring Plan (Revision 2) (Tracked)	Natural England's response to this document is provided in Appendix J.
REP2-026	8.6 Commitments Register (Revision 2) (Tracked)	Natural England's response to this document is provided in our Risk and Issues Log Deadline 3 and Appendix C3.
REP2-057	12.2 The Applicants' Responses to Written Representations	Natural England has no comments to make on this document.
DCO		
AS-121	Draft Development Consent Order (Rev 03) – (Tracked)	Natural England's response to these documents is provided in our Risk and Issues Log Deadline 3
AS-122	3.4 Schedule of Changes (Revision 1)	
REP1-005	3.1 Draft Development Consent Order (Revision 5) (Tracked)	
REP1-007	3.2 Explanatory Memorandum (Revision 5) (Tracked)	
REP1-008	3.4 Schedule of Changes to dDCO (to Revision 5)	
Marine Physical Environment		
REP2-036	8.18 Disposal Site Characterisation Report (Revision 2) (Tracked)	Natural England's response to these documents is provided in Appendix B3 and C3.
REP2-040	8.20 Cable Statement (Revision 3) (Tracked)	
Benthic & Intertidal Ecology		
REP2-052	8.27 Outline Scour Protection Plan (Revision 3) (Tracked)	Natural England's response to this document is provided in Appendix C3.
REP2-046	8.24 Outline Offshore Operations and Maintenance Plan (Revision 3) (Tracked)	Natural England's response to this document is provided in our Risk and Issues Log Deadline 3
Benthic Compensation		

PINS Document Reference	Document Name	Natural England's Response/Position Summary
REP2-013	6.2.3 Appendix 3 - Project Level Dogger Bank Compensation Plan (Revision 2) (Tracked)	Natural England's response to this document is provided in Appendix C3.
Fish and Shellfish		
AS-105	10.41 Heat Mapping Report Atlantic Herring and Sandeel	Natural England's response to these documents is provided in Appendix E3.
Marine Mammals		
REP2-048	8.25 Outline Marine Mammal Mitigation Protocol (Revision 3) (Tracked)	Natural England's response to these documents is provided in Appendix F3.
REP2-050	8.26 Draft In Principle Site Integrity Plan (Revision 3) (Tracked)	
Offshore Ornithology		
REP2-010	6.2.1 Report to Inform Appropriate Assessment (RIAA) - Habitats Regulations Assessment - Appendix 1 - Project-Level Kittiwake Compensation Plan (Clean) (Revision 4)	Natural England's response to these documents is provided in and Appendix H3.
REP2-060	12.6 Case for Reduction in Kittiwake Breeding Seasons for ANS Installation	
The Examining Authority's (ExA's) Written Questions (ExQ1)		
PD-014	EN010125-001290-ExQ1 - Dogger Bank South 28 February 2025	Natural England's response to this document is provided in Appendix K.
PD-016	Rule 17 letter dated 3 March 2025 - Request for further information	

Annex 2: Features for which outstanding concerns remain

Table 1: Designated Nature Conservation Sites

Site Name	Conservation advice	Features for which Outstanding Concerns Remain	Reason why feature still remains a concern.	Features no longer a concern and why.
Holderness Inshore MCZ	Marine site detail (naturalengland.org.uk)	High energy circalittoral rock Intertidal sand and muddy sand Moderate energy circalittoral rock Spurn Head (subtidal) and "the Binks" Subtidal coarse sediment Subtidal mixed sediments Subtidal mud Subtidal sand	Natural England requires further information on how the Change Request and updated CBRA affects the need for cable protection within the 10m depth contour. Please see ExA Q MCZ.1.2 in Appendix K and Appendix B3 for further detail.	
Holderness Offshore MCZ	Holderness Offshore MPA JNCC - Adviser to Government on Nature Conservation	Subtidal coarse sediment Subtidal sand Subtidal mixed sediments Ocean quahog (<i>Arctica islandica</i>) North Sea glacial tunnel valleys	Please refer to our Deadline 3 Risk and Issues Log regarding outstanding issues.	
Dogger Bank SAC	Dogger Bank MPA JNCC - Adviser to Government on Nature Conservation	Sandbanks slightly covered by seawater all the time	It has already been concluded in the Plan Level HRA that an AEoI cannot be ruled out for this feature, discussions are now focussed on the quantification of impact. As such this feature will remain in this table.	

Site Name	Conservation advice	Features for which Outstanding Concerns Remain	Reason why feature still remains a concern.	Features no longer a concern and why.
Flamborough Head SAC	Marine site detail (naturalengland.org.uk)	Reefs Submerged or partially submerged sea caves Vegetated sea cliffs of the Atlantic and Baltic coasts	Please refer to BE.1.16 in our Deadline 3 Appendix K.	
Humber Estuary SAC	Marine site detail (naturalengland.org.uk)	Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) Estuaries Grey seal (<i>Halichoerus grypus</i>) Mudflats and sandflats not covered by seawater at low tide Salicornia and other annuals colonising mud and sand Sandbanks which are slightly covered by sea water all the time	Outstanding concerns remain with respect to nearshore cable protection and interruption to sediment transport for the habitat features (see Holderness Inshore MCZ). Further information is needed to support the grey seal assessment. See Appendix L for further detail.	As set out in our Deadline 1 Risk and Issues Log [REP1-067], Natural England maintain that Sea lamprey (<i>Petromyzon marinus</i>) and River lamprey (<i>Lampetra fluviatilis</i>) should be screened into the assessment, however we acknowledge that the uncertainties and data poor environment would prevent a reliable assessment being made.
Southern North Sea (SNS) SAC	Southern North Sea MPA JNCC - Adviser to Government on Nature Conservation	Harbour porpoise (<i>Phocoena phocoena</i>)	The Applicant's current commitment to securing NAS pre-consent is insufficient to remove this as a concern. Whilst other marine mammals (EPS) are not SNS SAC features, these concerns also could create a risk for them due to the full injury zone not being mitigated.	

Site Name	Conservation advice	Features for which Outstanding Concerns Remain	Reason why feature still remains a concern.	Features no longer a concern and why.
			Please see Appendix F3 for further detail.	
Berwickshire Northumberland (BNNC) SAC	North Coast Berwickshire and Northumberland Coast - Special Areas of Conservation (jncc.gov.uk)	Grey seal (<i>Halichoerus grypus</i>)	Further information is needed to support the grey seal assessment in the Berwickshire North Northumberland Coast (BNNC) SAC. See Appendix L for further detail.	
Farne Islands SPA	Marine site detail (naturalengland.org.uk)	Guillemot (<i>Uria aalge</i>), Breeding Seabird assemblage, Breeding	Please refer to Natural England's Deadline 2, Appendix G2 for outstanding issues around in-combination assessment methodology.	
Flamborough and Filey Coast SPA	Marine site detail (naturalengland.org.uk)	Gannet (<i>Morus bassanus</i>), Breeding Guillemot (<i>Uria aalge</i>), Breeding Kittiwake (<i>Rissa tridactyla</i>), Breeding Razorbill (<i>Alca torda</i>), Breeding Seabird assemblage, Breeding	Natural England highlight that we have previously advised Regulators that an AEol cannot be ruled out for kittiwake, guillemot or razorbill in-combination. Please refer to Natural England's Deadline 2, Appendix G2 for further detail.	
Greater Wash SPA	Marine site detail (naturalengland.org.uk)	Red-throated diver (<i>Gavia stellata</i>), Non-breeding	Natural England have requested further information be provided in relation to red-throated diver and the revised project parameters in the Change Request. Please	Whilst an LSE cannot be ruled out for Common scoter (<i>Melanitta nigra</i>) Non-breeding, the risk of adverse effects is low, and is likely to be addressed by mitigation measures for RTD relating to

Site Name	Conservation advice	Features for which Outstanding Concerns Remain	Reason why feature still remains a concern.	Features no longer a concern and why.
			refer to Deadline 3 Appendix L for further detail.	<p>construction, operations and maintenance vessel movements.</p> <p>Natural England can confirm that Little gull (<i>Hydrocoloeus minutus</i>) Non-breeding, and Little tern (<i>Sternula albifrons</i>) Breeding were included in this table in error.</p>
Humber Estuary SPA	Marine site detail (naturalengland.org.uk)	<p>Avocet (<i>Recurvirostra avosetta</i>)</p> <p>Bar-tailed godwit (<i>Limosa lapponica</i>)</p> <p>Bittern (<i>Botaurus stellaris</i>)</p> <p>Black-tailed godwit (<i>Limosa limosa islandica</i>)</p> <p>Dunlin (<i>Calidris alpina alpina</i>)</p> <p>Golden plover (<i>Pluvialis apricaria</i>)</p> <p>Hen harrier (<i>Circus cyaneus</i>)</p> <p>Knot (<i>Calidris canutus</i>)</p> <p>Little tern (<i>Sternula albifrons</i>)</p> <p>Marsh harrier (<i>Circus aeruginosus</i>)</p> <p>Redshank (<i>Tringa totanus</i>)</p> <p>Ruff (<i>Calidris pugnax</i>)</p> <p>Shelduck (<i>Tadorna tadorna</i>)</p> <p>Waterbird assemblage</p>	Natural England do not consider these features to be of immediate concern, however they could become a concern if impacts to the Humber Estuary SAC and Spurn Point cannot be ruled out.	
Humber Estuary Ramsar	Designated Sites View (naturalengland.org.uk)	Bar-tailed godwit (<i>Limosa lapponica</i>)	As for Humber Estuary SPA.	Please see above point regarding River lamprey

Site Name	Conservation advice	Features for which Outstanding Concerns Remain	Reason why feature still remains a concern.	Features no longer a concern and why.
		Black-tailed godwit (<i>Limosa limosa</i>) Dunlin (<i>Calidris alpina</i>) Golden plover (<i>Pluvialis apricaria</i>) Grey seal (<i>Halichoerus grypus</i>) Knot (<i>Calidris canutus</i>) Natterjack toad (<i>Epidalea calamita</i>) Redshank (<i>Tringa tetanus</i>) Shelduck (<i>Tadorna tadorna</i>), Wintering		(<i>Lampetra fluviatilis</i>), Passage and Sea lamprey (<i>Petromyzon marinus</i>), Passage.

Table 2: National Sites

Site Name	Conservation advice	Features for which Outstanding Concerns Remain	Reason why feature still remains a concern.	Features no longer a concern and why.
Dimlington Cliff SSSI	SSSI detail (naturalengland.org.uk)	EC Geological Conservation Review blocks - Quaternary of East England (Quaternary stratigraphy)		Dimlington Cliff SSSI was included in this table in error and should have been Withow Gap SSSI.
Withow Gap SSSI	SSSI detail (naturalengland.org.uk)	EC - Quaternary of North-East England		Please refer to Appendix L for further details on clarification needed to rule this site out.

Site Name	Conservation advice	Features for which Outstanding Concerns Remain	Reason why feature still remains a concern.	Features no longer a concern and why.
Flamborough Head SSSI	SSSI detail (naturalengland.org.uk)	Reefs Submerged or partially submerged sea caves Vegetated sea cliffs of the Atlantic and Baltic coasts Aggregations of breeding birds including	As for Flamborough Head SAC	
Humber Estuary SSSI	Humber Estuary - 2000480 SSSI - 2000480	As per Humber Estuary SPA Above. Non-breeding birds: Brent goose (dark-bellied) (<i>Branta bernicla bernicla</i>) Curlew (<i>Numenius arquata</i>) Golden plover (<i>Pluvialis apricaria</i>) Lapwing (<i>Vanellus vanellus</i>) Marine Mammals: Grey seal, (<i>Halichoerus grypus</i>) Features: Assemblages of breeding birds - Lowland open waters and their margins	As per Humber Estuary SPA and SAC Above.	