



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

Dogger Bank South Offshore Wind Farm

Appendix K5 to the Natural England Deadline 5 Submission

**Natural England's Response to The Examining Authority's Second Written Questions
(ExQ2)**

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

23rd May 2025

Appendix K5 - Natural England's Response and Comments to the Examining Authority's second set of Written Questions

This document sets out Natural England's responses to the Examining Authority's second set of Written Questions (ExQ2), published on 13th May 2025 [PD-021]. Natural England has included responses on those questions directed to NE by the ExA and/or that pertain to our remit.

ExQ2	Question to:	Question	NE Response
Benthic and intertidal ecology and relevant Habitats Regulations Assessment (HRA) aspects			
BE.2.3	Natural England (NE) The Wildlife Trusts (TWT) Lincolnshire Wildlife Trust The Marine Management Organisation (MMO)	<p>Report to Inform Appropriate Assessment (RIAA) Habitats Regulations Assessment (HRA) Part 2 of 4 - Annex 1 Offshore Habitats and Annex II Migratory Fish Revision 4</p> <p>The applicants have submitted an updated RIAA HRA Part 2 of 4 - Annex I Offshore Habitats and Annex II Migratory Fish Revision 4 into the examination at deadline (DL) 4 [REP4-014]. There were considerable updates to section 6.4.2.6.1 physical change (to another seabed / sediment type) of the Dogger Bank Special Area of Conservation (SAC). Please provide any comments you have on this updated section or any other parts of this document.</p>	Please refer to Appendix C5 of Natural England's Deadline 5 submission for our detailed response.
BE.2.6	NE	<p>Flamborough Head SAC assessment for Annex I habitats</p> <p>a) The applicants have inserted a paragraph into the RIAA Part 2 of 4 page 66 [REP4-014] stating: 'As noted in Natural England's Advice on Operations for the Flamborough Head SAC (Natural England, 2025), the evidence base suggests that there is no interaction of concern between the feature 'Vegetated sea cliffs of the Atlantic and Baltic Coasts' and the potential pressures associated with the activity 'Power cable: laying, burial and protection' (i.e. installation of the Offshore Export Cable Corridor). As such, this feature has not been considered further in this assessment.'</p>	<p>a) Natural England agrees with this statement.</p> <p>b) Natural England considers that the biotopes have now been sufficiently considered and characterised within the Flamborough Head SAC from the updates to [REP3-025] and Appendix D of the Report to Inform Appropriate Assessment [REP4-015]. We are content that all necessary information has been provided with respect to Flamborough Head. We advise that relevant updates are made to the ES chapter for completeness.</p> <p>With regards to the outstanding point in our Risk and Issues log at DL4 reference C9/C19, this was related to our previous advice on the valuing of other receptors. We maintain our previous advice on this matter.</p>

ExQ2	Question to:	Question	NE Response
		<p>Do you agree with this statement from the applicants or have any comments you wish to make about it?</p> <p>b) The applicants submitted an updated Benthic Ecology Technical Note (Revision 2) [REP3-025] at DL3 to include the additional detail for the biotopes. What is your latest position on whether biotopes have been sufficiently considered and characterised within the Flamborough Head SAC, as this remains an outstanding point on your Risk and Issue log at DL4, reference C9/C19 [REP4-129]. Have the applicants satisfactorily considered the nature of secondary impacts, point 1 of Table 2 of Appendix C2.1 [REP2-065]? If not, explain what the applicants could do within the remaining examination time to resolve these issues.</p> <p>c) What is your most recent position on whether Adverse Effects on Integrity (AEol) can or cannot be ruled out for Annex I habitats of the Flamborough Head SAC? Please break this down by impact pathway and qualifying features.</p> <p>d) If AEol cannot be ruled out, explain in detail why and what the applicants could do within the remaining examination time to resolve this.</p>	<p>Please refer to Appendix C5 of Natural England's Deadline 5 submission for our detailed response.</p> <p>c) With the necessary transparency and detail in the Applicants assessment now provided (see b), we agree with the Applicant's conclusions that an AEol can be ruled out for all features of Flamborough Head SAC.</p> <p>d) N/A</p>
BE.2.7	The Applicant	<p>Flamborough Head SAC assessment and compensation proposals for Annex I habitats</p> <p>The ExA notes your response to BE.1.16 from the ExA's first written questions and that NE's response in point 1 of Table 2 of Appendix C2.1</p>	<p>Whilst this is directed to the Applicant, Natural England would like to highlight that we now consider this issue is resolved and have ruled out AEol on Flamborough Head in our Deadline 5 submission. We do not consider that a derogations case is therefore needed.</p>

ExQ2	Question to:	Question	NE Response
		<p>[REP2-065] states the issues in question BE.2.6 above, should be readily resolvable. NE stated that without this information it is unable to provide advice with certainty on the likelihood of the conservation objectives of the Flamborough Head SAC being hindered.</p> <p>Explain how this issue has progressed since then. Given the stage of the examination, and the remaining outstanding concerns from NE in relation to this issue, the ExA believes it necessary to repeat the question in BE.1.16 asking, what compensation proposals you have for the situation in which NE, as the Statutory Nature Conservation Body (SNCB), were to advise it cannot rule out AEol for the Flamborough Head SAC in relation to Annex I habitats and the Secretary of States agrees with this position?</p>	
BE.2.8	NE	<p>Humber Estuary SAC assessment for Annex I habitats</p> <ul style="list-style-type: none"> a) Noting the revisions the applicants have made to the RIAA submitted at DL4 [REP4-014], what is your most recent position on whether AEol can or cannot be ruled out for Annex I habitats of the Humber Estuary SAC? Please break this down by impact pathway and qualifying features? b) If AEol cannot be ruled out, explain in detail why and what the applicants could do within the remaining examination time to resolve this. 	<ul style="list-style-type: none"> a. Natural England considers that all relevant features for the Humber Estuary SAC have been screened into the RIAA [REP4-014] as a result of the updates. However, we remain unable to rule out AEol on Annex 1 habitats in the Humber Estuary SAC due to ongoing discussions regarding the use of nearshore cable protection and possible interruptions to longshore sediment transport. b) We understand from discussions with the Applicant and their response to Deadline 3 documents [REP4-088], that a modelling report will be provided at Deadline 5 regarding the potential effects of cable protection measures on sediment transport in the nearshore environment. We anticipate that this

ExQ2	Question to:	Question	NE Response
			will progress this issue and will provide further comment at Deadline 6.
BE.2.9	The Applicant	<p>Humber Estuary SAC assessment and compensation proposals for Annex I habitats</p> <p>Please confirm where your statement [REP3-028], that the approximate length of cable protection measures within the nearshore would be 116m per cable trench (assuming the cables were laid in a straight line) and will only protrude 50cm above the seabed, is secured in the draft DCO.</p> <p>Given the stage of the examination, and the remaining outstanding concerns from NE in relation to this issue, the ExA believes it necessary to ask, what compensation proposals you have for the situation in which NE, as the SNCB, were to state it cannot rule out AEol for the Humber Estuary SAC in relation to Annex I habitats and the Secretary of States agrees with this position. t</p>	<p>Whilst this is directed at the Applicant, Natural England would like to state that our position on this will be dependent on the nearshore modelling due to be submitted by the Applicant at Deadline 5, which we will provide comment on at Deadline 6.</p>
BE.2.10	The applicants NE	<p>Decommissioning of cable/ scour protection within the benthic designated sites</p> <p>The ExA notes that section 5.5.13 of the project description [REP1-009] states that it is anticipated that all structures above the seabed or ground level would be completely removed and that section 5.5.13.2 related to offshore cables states that it is expected that most array and export cables (and any associated cable protection) would be left in situ. NE's advice at the relevant representation stage and since [RR-039; B68, C59] [REP2-065] has been to advise that a commitment to remove all on and above seabed infrastructure associated with the development within benthic designated sites (excluding cable crossings) at the time of decommissioning should be secured in the</p>	<p>a) Natural England can confirm that an online meeting was held with RWE and associated consultants on 8th May 2025. There is no change on Natural England's position. We have reviewed the Applicant's position regarding infrastructure decommissioning and continue to disagree with it. We do not believe it is in the spirit of the Strategic Compensation Strategy or Marine Recovery Fund. In addition, there is no certainty that the Applicant will be able to use the MRF in the way they propose as the policy is not yet final. Therefore, we advise that they are planning at own risk until the MRF launches and the guidance is published. We are in discussions with DEFRA and DESNZ benthic compensation and MRF teams (respectively) and we will provide further update at Deadline 6.</p>

ExQ2	Question to:	Question	NE Response
		<p>DCO, which has also been reiterated at DL4 in Appendix C4 [REP4-127]. The ExA notes the applicants' response to this advice [REP3-028]. The ExA would like to understand:</p> <ul style="list-style-type: none"> a) Whether any further discussions have taken place between the applicants and NE on this matter and whether there is any change on either parties' position? b) Whether the applicants could propose wording for a commitment in the commitments register which may satisfy NE in this regard? c) What assessments would be required to be undertaken immediately prior to the offshore decommissioning to assess the balance between potential environmental damage from cable and cable protection removal to any benthic ecology which may have established on top during the operational lifetime and the overall benefits of cable retention to the designated site. How and when is it envisaged this judgement would be made, by whom and under what legislative procedure? d) The applicants state that the assumption is that decommissioning effects would not be any greater than construction effects. What monitoring or assessments are secured to make this judgment at the time of decommissioning to validate this assumption? e) In the scenario that at the time of decommissioning it is demonstrated that this assumption would likely be incorrect 	<ul style="list-style-type: none"> b) N/A – Question is directed to the Applicant. c) In addition to Natural England's advice already provided into examination, re. restoring the site's conservation objectives and features, which is consistent across all offshore windfarm examinations and marine sectors where there are impacts to benthic MPAs; we direct the Examiner to the BEIS (2019) Decommissioning of offshore renewable energy installations under the Energy Act 2004. Guidance notes for industry (England and Wales) Decommissioning offshore renewable energy installations - GOV.UK d) N/A – Question is directed to the Applicant. e) N/A – Question is directed to the Applicant.

ExQ2	Question to:	Question	NE Response
		and that the decommissioning effects would likely be greater than the construction effects in the designated areas, what adaptive management measures are secured which could be implemented to limit the effects to those assessed within the ES?	
Fish and shellfish ecology and relevant HRA aspects			
FSE.2.6	NE	<p>Seasonal restrictions for piling in the array areas in relation to potential impacts to herring and sandeel</p> <p>During questioning on this topic at ISH5 [EV10-005], the applicants stated that the authors of the paper on which you are basing your advice (Hawkins et al. (2014) or Popper et al. (2014)) specifically stated the paper should not be used for the purpose for which you have used it. Could you respond specifically to this point please, justifying the use of the paper in the way you have?</p>	Natural England currently uses both citations due to this currently being the best available evidence in relation to underwater noise impacts to herring. We have consulted with the MMO and Cefas, who also use the same references, and have done so in other offshore wind farm Examinations such as Rampion 2.
FSE.2.12	The applicants The MMO NE	<p>Potential effects on sandeel and herring populations</p> <p>The ExA would welcome a <u>brief, high level</u> summary of the MMO's, NE's and the applicants' latest positions on the following issues including positions on whether proposed mitigation from the applicants is adequate. Cross references to other documentation submitted into the examination which give the detail would also be helpful:</p> <p>a) Potential impacts on fish from underwater noise from piling in the array areas for:</p> <ul style="list-style-type: none"> i) Herring ii) Sandeel 	Please refer to Appendix E5 for Natural England's response to this question.

ExQ2	Question to:	Question	NE Response
		<ul style="list-style-type: none"> b) Potential impacts on fish from construction activity along the export cable corridor through the Flamborough Head spawning ground for: <ul style="list-style-type: none"> i) Herring ii) Sandeel c) Potential impacts on fish from underwater noise from UXO clearance in the array areas and along the export cable corridor through the Flamborough Head spawning ground for: <ul style="list-style-type: none"> i) Herring ii) Sandeel d) Potential effects on fish spawning areas from benthic ecological halo effects associated with above ground structures including cable protection installed on the sea bed for: <ul style="list-style-type: none"> i) Herring ii) Sandeel e) Potential effects on fish spawning areas from EMF effects and the localised heating of sediment within the array areas and along the export cable corridor for: <ul style="list-style-type: none"> i) Herring ii) Sandeel f) Potential cumulative effects from the proposed development in combination with other planned projects on: <ul style="list-style-type: none"> i) Herring ii) Sandeel g) Potential long term or permanent effects if cable protection was not removed from the export cable corridor post decommissioning within areas of high - very high potential spawning habitat for: <ul style="list-style-type: none"> i) Herring 	

ExQ2	Question to:	Question	NE Response
		ii) Sandeel If there are other potential impacts on fish that remain a concern, please list them and provide a brief outline of your latest position.	
Habitat Regulations Assessment (HRA) General			
HRA.2.1	The applicants NE	Hornsea 4 announcement The ExA is aware of the announcement Hornsea 4 has made to discontinue the Hornsea 4 offshore wind project in its current form and not deliver Hornsea 4 under the Contracts for Difference awarded in AR6 and instead seek to develop the project later. Do you consider there to be any implications from this announcement to the in-combination assessments for birds, marine mammals, fish and shellfish and any other relevant offshore and onshore HRA aspect, bearing in mind the DCO is still in place for the Hornsea 4 development, granted on 12 July 2023 and is valid for seven years?	Based on our current understanding of the status of Hornsea 4 and the validity of the DCO until 2030, we advise that Hornsea 4 should remain included in the in-combination assessments for all relevant thematic areas, including those listed.
HRA.2.5	NE	Designated nature conservation sites with features for which outstanding concerns remain. The ExA thanks NE for submitting Table 5-1 in Annex 2 of NE's DL3 cover letter [REP3-059] at DL3 in response to ExQ1 HRA.1.7 [PD-014] . The ExA requests an update to this table at DL5 to confirm whether there are any changes to your position on any designated site listed in this table. The ExA requests that this table also separates out whether concerns relate to the project alone, in-combination or both.	As requested, Natural England have provided an updated version of this table in Annex 2 of our Deadline 5 cover letter.
HRA.2.6	NE	Indirect effects from impacts on forage fish prey species	a) Our concerns predominantly relate to FFC SPA, given the level of connectivity with this site during

ExQ2	Question to:	Question	NE Response
		<p>a) Regarding marine ornithology, can you confirm whether your concerns regarding indirect effects from impacts on forage fish species [REP4-129, NE12, G66] relate only to qualifying features of Flamborough and Filey Coast (FFC) SPA? If this concern also relates to other marine ornithology sites and features, please can you specify which?</p> <p>b) If on review of 'Effects on Prey Species Technical Note', to aid resolution of this issue [REP4-093], and you consider that your concerns regarding indirect effects on forage fish prey species are not resolved for offshore ornithological and/ or marine mammal features, please could you provide specific advice as to how the applicants could expand their assessments to address this point?</p>	<p>the breeding season and the rather lower apportioning rates to other SPAs.</p> <p>b) Please see Appendix E5 of our Deadline 5 submission.</p>
Marine and coastal processes			
MCP.2.1	The applicants NE	<p>Emergency intertidal access</p> <p>NE: Can you clarify why you consider an outline Contingency Plan should be provided during examination and confirm the detailed information you would like to see included as part of the document? In addition, explain why providing the information as part of the applicants' proposed Drilling Fluid Breakout Management Plan, post consent, and as part of the oCoCP [REP4-040], would not be appropriate.</p> <p>The applicants: Why do you disagree with NE and its requirement for an outline Contingency Plan to be provided during examination?</p>	<p>As advised previously [REP2-064] we are of the understanding that the temporary emergency access design will be finalised when the contractor is appointed. Whilst we welcome proposed mitigation measures such as preconstruction surveys, use of protective matting, and monitoring (as outlined in [AS-110]), more clarity is needed on the aspects that are not currently finalised. The proposed Drilling Fluid Breakout Management Plan is to be developed post consent thus an Outline Contingency Plan during examination would help to identify what mitigation measures are appropriate and need to be considered at this stage of the temporary emergency access design. We draw your attention to the Outline Contingency Plan in development for North Falls OWF. We understand that an updated version of this outline plan will be submitted at</p>

ExQ2	Question to:	Question	NE Response
			Deadline 5 on 30 May 2025, and we would encourage the Applicant to adopt a similar approach where appropriate to do so.
MCP.2.2	NE	<p>Sediment transport pathways In relation to the document 'Bed Mobility and Thermal Environment' [REP3-032], the applicants state in their Responses to DL3 Documents [REP4-088] that 'seabed morphology and mobility is characterised in section 4 of the report'. In addition, they consider that 'this is the same process as bedform crest mapping as recommended by NE, the only difference is the outputs are presented as grid instead of as lines on a map.'</p> <p>On that basis, why do you consider that no new information has been submitted? Why do you consider that the repeat bathymetry surveys to quantify seabed mobility and bedform migration speeds would not be sufficient? What is your view on the applicants' approach to bedform crest mapping and how the outputs have been presented?</p>	<p>High-resolution site- and project-specific bathymetric data were acquired in 2022 across the array areas, inter-platform corridor, and offshore export cable corridor. Within the nearshore zone to 35km seawards of landfall, there are a number of other bathymetric datasets publicly available which the Applicants have gathered and used to inform the assessment of bedform migration speed. However, further offshore (approx. 35km), there are no datasets of this resolution in areas of bedforms that can be used to quantify bedform migration speeds [APP-080]. This is reflected in the recently submitted '<i>Bed Mobility and Thermal Environment</i>' report [REP3-032] which pre-dates the ES chapter and is due to be superseded. Therefore, we advise that the Applicants will need to acquire further high-resolution site-specific bathymetric data prior to construction, to allow more accurate and confident assessment of observed bedform migration directions and rates in those locations that may be affected by the proposed development. Repeat surveys should then be carried out across the same areas, to allow comparative analysis of bedform shape and dimensions, and to inform the assessment of bedform recovery.</p>
MCP.2.3	NE	<p>Sediment transport pathways In your DL4 response [REP4-122] regarding the document 'Bed Mobility and Thermal Environment' [REP3-032], you state that the potential for seabed mobility, cable exposure and scour would require further investigation. Why do you consider that the information should be provided during the examination? Could it be provided post consent? If</p>	<p>As a general rule, Natural England advises that necessary information/evidence should be provided at the consenting phase to support the conclusions of the EIA and HRAs and provide the Secretary of State with a level of comfort in their decision making on the scale and significance of potential nature conservation impacts. Furthermore, sufficient evidence is needed to ensure that, where required, necessary mitigation measures are not only secured but are also fit for purpose. This evidence-led</p>

ExQ2	Question to:	Question	NE Response
		not, why not? What are the potential implications of the information not being provided now?	<p>approach derisks decision making and avoids 'surprises' in the pre-construction phase, which otherwise may cause avoidable delays to project construction.</p> <p>From a Marine Processes perspective, the key rationale for providing this information upfront is to ensure that the project design is appropriate such that from an engineering perspective the cables will remain buried over the project lifetime and not require remedial actions. With any remedial action there is a risk of environmental impacts occurring which could hinder the conservation objectives of designated sites.</p> <p>As above, Natural England advises that additional high-resolution site-specific bathymetric data will be required prior to construction to allow more accurate and confident assessment of observed bedform migration directions and rates, and bed elevation change rate. This information is needed to inform the seabed mobility and bedform recovery assessments.</p> <p>Furthermore, we consider that there is a need to refine the (conceptual) sediment transport model to increase understanding of the implications of the predicted changes to bed shear stress, sediment transport potential, and areas of erosion/deposition, on and around the southwest Dogger Bank area (and SAC), due to the presence of the windfarm infrastructure over the lifetime of the projects. The relative importance of tides and waves should be considered further (including climate change allowances) over the lifetime of the projects.</p>
MCP.2.6	NE	Sediment disposal a) Are you aware of any dredgers suitable for DBS which may be equipped with your	a) Natural England do not consider that this requires novel or unusual technology. We note that Five Estuaries and Outer Dowsing (and other offshore

ExQ2	Question to:	Question	NE Response
		<p>recommended disposal technology using a fall pipe?</p> <p>b) Do you consider the detailed information on the dredging technology (including the use of a fall pipe) could be agreed post determination as part of the final Cable Statement? If not, why not?</p> <p>c) Clarify any further discussions that have been held with the applicants on this topic and conclusions.</p>	<p>consented OWFs) have committed to use a downpipe/discharge pipe to return sandwave levelling spoil to the same sedimentary system. If the Applicant cannot source a vessel with a downpipe, we advise that they should investigate appropriate alternative solutions.</p> <p>b) Natural England consider that the detail could be agreed post-consent, however a commitment to use this technology (or equivalent) should be made within Examination as it is essential mitigation to reduce impacts to designated sites.</p> <p>c) The Applicant has not approached Natural England for further discussions on this topic outside of the written submissions during Examination.</p>
MCP.2.10	The applicants NE The MMO	<p>Cable protection licensing</p> <p>Noting the applicants' response in relation to cable protection licensing at ISH5 [REP4-086, paragraph 257], do you consider a change in the lengths to the proposed licensing period from the applicants' proposed 10 years for new cable protection on designated sites could be more appropriate? If yes, explain the suggested lengths and why? In addition, the response states that 'any replenishment would occur on 'lost' habitat so there is no real risk of new harm to licence in this scenario.' However, if there is a period of up to 10 years of no or limited interaction, what are the possibilities of the habitat being restored during that time?</p>	<p>We have reviewed the Applicant's position regarding infrastructure decommissioning and cable protection licensing and continue to disagree with it. We do not believe it is in the spirit of the Strategic Compensation Strategy or Marine Recovery Fund which requires the mitigation hierarchy to be fully adopted to avoid, reduce and mitigate impacts on designated sites. In addition, there is no certainty that the Applicant will be able to use the MRF in the way they propose as the policy is not yet final. Therefore, we advise that they are planning at own risk until the MRF launches and the guidance is published. Following a meeting with the Applicant on 8th May we have taken an action away to explore this matter and we will provide further update at Deadline 6.</p> <p>In addition, we would query the necessity for cable protection, and maintenance thereof, within this designated site given that; the Annex I sandbanks are not consider</p>

ExQ2	Question to:	Question	NE Response
			dynamic reducing the likelihood of exposure, sandwave levelling is proposed to optimise cable burial, there is a ban on bottom-towed trawling within the SAC reducing the snagging risk and that exposed/sub-optimally buried cables (and even free spanning cables) within other more dynamic sandbank systems have only required protection where cable integrity it at risk.
MCP.2.11	NE The MMO	Flamborough Front The applicants have submitted the 'Review of Flamborough Front Technical Note' [REP4-092] at DL4. <ul style="list-style-type: none"> a) Do you consider the updated assessment of significance to be appropriate? If not, why not? b) Do you consider the detailed monitoring proposals as explained in the updated In Principle Monitoring Plan (IPMP) [REP4-052] in relation to near-field and far-field monitoring to be sufficient? If not, explain any outstanding requirements. c) Do you agree with the conclusions of the document? If you have any outstanding concerns, explain what they are and how they could be addressed. 	<ul style="list-style-type: none"> a) Natural England welcomes the Applicant's updated assessment - we note that there is no change to the significance of effect of impacts to Flamborough Front. Given the current evidence gaps, potentially long-term and large-scale nature of the impact, coupled with the high value of the Flamborough Front as an area of higher biodiversity, we would advise adopting a more precautionary approach to the impact assessment. Please refer to Appendix B5 of Natural England's Deadline 5 submission for our detailed response. b) & c) Please refer to Appendix B5 of Natural England's Deadline 5 submission for our detailed response.
MCP.2.12	NE	Wave model assessment In your DL3 response [REP3-058], you requested that wave modelling should also include waves approaching from a south and south-west direction. The applicants in their response at DL4 [REP4-088] have acknowledged that there is a secondary wave component from the south and south-west and have explained in more detail why	Natural England maintains our previous advice as set out in Table 1 of [REP3-058]. This would help inform understanding of potential overlapping effects extending towards nearby OWFs (i.e. Dogger Bank A). Moreover, cumulative, and project-specific changes to the wave climate over the lifetime of the Project need to be fully considered. [R&I B13]

ExQ2	Question to:	Question	NE Response
		they consider the predicted changes in wave regime would not hinder conservation objectives of the Dogger Bank SAC. Do you agree with the applicants' explanation? If not, explain the additional information that should be provided to address your concerns.	
Marine Conservation Zone Assessment			
MCZ.2.1	The Applicant	Holderness Inshore MCZ NE has advised at DL4 that if significant indirect impacts from cable installation on designated features of the MCZs cannot be excluded during examination then a without prejudice Measures of Equivalent Environment Benefit (MEEB) proposal and/ or commitments to invest in strategic compensation should be progressed and submitted into the examination [REP4-129 point B35/B53]. Do you intend to do this and if so at what DL can it be expected? If not, why not?	Whilst this is directed at the Applicant, Natural England would like to state that our position on this will be dependent on the nearshore modelling due to be submitted by the Applicant at Deadline 5, which we will provide comment on at Deadline 6.
MCZ.2.2	NE	Holderness Offshore MCZ Table 1 of Annex 2 of NE's cover letter at DL3 [REP3-059] refers to your DL3 risk and issue log regarding outstanding issues for the Holderness Offshore MCZ. The ExA is unable to find any specific references to the Holderness Offshore MCZ in the risk and issues log (only general references to the Maritime and Coastguard Agency (MCA) assessment). Could you provide a more precise reference to your outstanding concerns for the Holderness Offshore MCZ?	Issues raised in points B17 & B36 of Natural England's R&I log are applicable to Holderness Offshore MCZ. See Appendix B5 of our Deadline 5 submission for our latest advice on these issues.
Marine mammals and relevant HRA aspects			
MM.2.3	NE The MMO	Migratory bats	Currently there is a significant evidence gap in our understanding of how migratory bats interact and overlap

ExQ2	Question to:	Question	NE Response
		<p>a) Can NE and the MMO clarify their position in regard to migratory bats so that the ExA can inform the Secretary of State when it submits its recommendation following the conclusion of the examination. Can NE and the MMO confirm whether or not they consider that the proposed development would result in any adverse effects on migratory bats. If not, why not? If so, what mitigation would be required, if any?</p> <p>b) Can you advise as to whether or not a licence would be required in relation to any disturbance or harm to migratory bats that might be associated with the proposed development. If a licence would be required, are there any known impediments to the issue of such a licence?</p>	<p>spatially with offshore wind projects. Natural England advises that this evidence gap needs to be addressed to inform any licensing process. It would be very difficult to robustly assess against the required tests needed if a licence application was received. In this event, we would expect the MMO to assess and decide on any licence applications given the offshore marine location of any turbines. However, Natural England's Wildlife Licensing Team could support on aspects of the technical assessment, particularly where/if there are commonalities with terrestrial bat licensing and ecology.</p>
MM.2.14	The applicants	<p>HRA conclusions for the Southern North Sea SAC, Humber Estuary SAC, and Berwickshire & North Northumberland Coast SAC</p> <p>The ExA notes the applicants' response to MM.1.12 from ExQ1 [REP3-027] and that NE stated [REP3-059] that it did not consider the grey seal feature (and other features) of the Humber Estuary Ramsar site to be of immediate concern, however it could become a concern if impacts to the Humber Estuary SAC could not be ruled out. Given the stage of the examination, and the remaining outstanding concerns from NE, the ExA believes it necessary to ask what compensation proposals you have for the situation in which NE, as the SNCB, were to state it cannot rule out AEol for marine mammals (grey seal and harbour porpoise) for the Southern North Sea SAC,</p>	<p>Whilst this question was not directed at Natural England, we have provided a response to aide progress. Natural England does not consider a derogations case is required for these features, as there are suitable mitigation options still available to the Applicant that would reduce their impacts and likely enable adverse effects to be ruled out. This has been clearly demonstrated in the Applicant's Illustrative Underwater Noise Reduction Technical Note [REP4-094]. We advise that a commitment to additional mitigation should be made prior to consideration of a derogations case. Please see Section 1 of Appendix F5 of our Deadline 5 submission for further comments.</p>

ExQ2	Question to:	Question	NE Response
		Humber Estuary SAC and Berwickshire & North Northumberland Coast SAC and the Secretary of States agrees with this position? Can you provide a without prejudice derogations case for this possibility and submit this into the examination at DL5?	
Offshore and intertidal ornithology and relevant HRA aspects			
OR.2.1	The applicants NE RSPB	<p>Ornithological assessment methodology</p> <p>Given there are still several months of the examination remaining and therefore further potential opportunities within the examination to resolve issues, the ExA asks both parties once again whether any movement by either party could be made to resolve the following disagreements by the close of the examination in order to attempt to reduce the potential number of outstanding issues at the close of the examination upon which the Secretary of State would need to make a decision. If there is no change in position a reference to a previous submission is fine rather than repeating the explanation. If there is a change in position, please explain the reasons for the change in full:</p> <ul style="list-style-type: none"> a) Methodology for estimating species abundance. b) Methodology for estimating species displacement risk. c) Methodology for estimating species collision mortality risk. 	<ul style="list-style-type: none"> a) Natural England can confirm that we have no outstanding issues with the methods used by the Applicants to estimate species abundance. However, we do not agree with the Applicant's characterisation of the use of seasonal mean peak abundances to calculate annual abundances as overly precautionary. We also disagree with the Applicant's use of stable age apportioning to determine the proportion of breeding adults. Please refer to Appendix G4 [REP4-124] and Appendix K [REP3-057] for further detail. b) Natural England have no outstanding issues with the methods used by the Applicants to estimate displacement impacts. However, we continue to disagree with the Applicant on which are the appropriate displacement and mortality rates to use for auks. (see our comments in REP4-124 and REP3-057). c) Natural England can confirm that we have no outstanding issues with the methods used by the Applicants to estimate collision mortality.
OR.2.2	The applicants NE	<p>Displacement and mortality rates</p> <p>The ExA notes the differing positions of the applicants, NE and the RSPB regarding displacement and mortality rates. Can you comment as to whether applying these different</p>	Natural England do not consider the Applicant's preferred displacement and mortality rates (a single displacement rate of 50% and a single mortality rate of 1%) to be an appropriate basis on which to assess the impacts of the Projects or the scale of compensation required. Therefore,

ExQ2	Question to:	Question	NE Response
		rates would have any bearing on the outcomes of the HRA, i.e. whether an AEoI (where not already conceded by the applicants or where a without prejudice derogations case has been presented) would exist under one parties preferred rates but not the other.	we cannot agree with the assessment conclusions drawn by the Applicant based on these rates. Our own conclusions on adverse effect will not be based on these, but will consider the range of figures presented, from 30-70% displacement and 1-10% mortality, with particular focus on the figures for 70% displacement and 2% mortality. Please refer to Appendix G4 [REP4-124] and Appendix K [REP3-057] for further detail.
OR.2.3	The applicants NE	Ornithological digital aerial surveys The applicants: The RSPB state [REP4-113] that they would welcome more details of the independent external quality assurance on the digital aerial survey data that Dr Trinder stated had been undertaken during ISH5 [EV10-004]. Could the applicants submit into the examination the further information on the independent external quality assurance as the RSPB have requested? NE: Are you content with the applicants' digital aerial surveys for marine ornithology?	Natural England can confirm that we are happy with the digital aerial surveys undertaken by the Applicant for the marine ornithology assessment.
OR.2.5	NE	Ornithological mitigation a) In light of your position that the applicants should consider further ornithological mitigation, could you provide comment on the applicants' revision 3 of their ornithological mitigation report submitted at DL4 [REP4-081]. In particular, please provide comment on paragraphs 18 and 19 on page 14 which state: '18. The applicants have, in developing the design envelope, appropriately considered the air gap in relation to both mitigating impacts from bird collision risk and ensuring	Natural England acknowledge the Applicant's comments on why they are unable to increase the air gap to mitigate collision impacts. However, as they are not ecological arguments, they are not within Natural England's field of expertise to comment on. In regards to the Applicant's current use of the mitigation hierarchy, we refer the ExA to Appendix G5 and ISH5 Action Point 7 in Appendix M5 of our Deadline 5 submissions. a)

ExQ2	Question to:	Question	NE Response
		<p>the technical and commercial viability of the Projects. This reflects a good compromise between bird collision mitigation, additional steel costs and carbon footprint, radar mitigation, piling noise and other environmental effects balanced with deliverability in terms of vessels that can install turbines of the size/air gap we are proposing and cost in terms of financial viability for forthcoming Contracts for Difference (CfD) auctions. The applicants do not expect to mitigate collision risk or any other risk to zero effect and do not believe they are required to do so. The applicants have applied a precautionary assessment in terms of collision risk and have proposed adequate compensation matters to account for this and do not propose to increase the air gap any further.</p> <p>19. The applicants have, in recognition of the potential ornithological impacts, proposed a blade clearance significantly in excess of most consented and operational offshore wind farms (typically 22m above LAT), and have demonstrated why further increases would not be suitable and potentially risk the viability of the project. The applicants consider that</p>	

ExQ2	Question to:	Question	NE Response
		<p>they have met the tests of both the NPS and the Habitats Regulations in respect of the consideration of alternatives’.</p> <p>b) Given the additional information the applicants have submitted regarding ornithological mitigation at ISH5 and at DL4, could you give your latest opinion on whether you believe the applicants have fully followed the mitigation hierarchy in relation to the size of the air gap for the proposed development.</p>	
OR.2.7	NE	<p>PVA results for gannet, kittiwake, guillemot and razorbill - impacts of Highly Pathogenic Avian Influenza (HPAI) and population trends</p> <p>You confirmed that density-dependence did not need to be incorporated into PVAs, but that realistic future seabird population trends needed to be considered in the interpretation of the significance of the results of PVAs and you advised the applicants to take a similar approach to the Sheringham and Dudgeon Extension Projects. The applicants [REP3-027, OR.1.9] [REP3-028, G49] [REP4-086] considered your advice to consider density dependence [AS-159, G49] contradicts your standard advice. This was discussed at ISH5 [EV10-003] for which there was an action point for you to respond to the applicants’ comments. Can you confirm what actions you require are necessary to close this matter?</p>	Please refer to Appendix M5 of our Deadline 5 submission for Natural England’s comments on this matter.
OR.2.8	NE	<p>Habitats Regulations Derogation: Provision of Evidence Guillemot [and Razorbill] Compensation Plan</p>	a) Natural England can confirm that we are content with the figures provided for impact values (mean and UCL) for guillemot and razorbill at FFC SPA in Table 4-3.

ExQ2	Question to:	Question	NE Response
		<p>a) The ExA notes that the applicants' updated Guillemot and Razorbill Compensation Plan (Revision 4) [REP4-024] presents updated data in Table 4. Can you respond to state if this now fulfils your request?</p> <p>b) Do you have any further comments on the applicant's updated Guillemot and Razorbill Compensation Plan (Revision 4) [REP4-024]?</p>	<p>However, we highlight that impacts on guillemot at the Farne Islands SPA have not been considered.</p> <p>Natural England can confirm that we are happy with the compensation values presented for guillemot at FFC SPA in Table 4-4. However, we note that we have advised that the Applicant may need to revise their calculations of compensation requirements for razorbill at FFC SPA. We also note that compensation requirements have not been calculated for guillemot at the Farne Islands SPA.</p> <p>b) Natural England have provided our full comments on the Applicant's updated Guillemot and Razorbill Compensation Plan [REP4-024] in Appendix H5 of our Deadline 5 submission.</p>
OR.2.13	NE	<p>Habitats Regulations Derogation: Provision of Evidence Guillemot [and Razorbill] Compensation Plan</p> <p>The ExA notes that the applicants' updated Guillemot and Razorbill Compensation Plan (Revision 4) [REP4-024] states in section 5.3.1.3.1 that, 'In March 2025 Defra confirmed that a task and finish group, comprising Defra, DESNZ, Natural England, The Wildlife Trusts, OWIC, The Crown Estate and the RSPB has been formed "to establish the mechanisms required to allow predator eradication to be delivered as a strategic compensation measure, noting the option for this to delivered by the Marine Recovery Fund". The statement went on to say "All parties agree that predator eradication on the Isles of Scilly has great potential to provide compensation for the impacts of offshore wind projects and would support its</p>	<p>Natural England agree that the Isles of Scilly has considerable potential as a compensation eradication site and accordingly consider that the measure, should it be successfully developed as a strategic compensation initiative, is likely to be suitable for compensating for the impacts of Dogger Bank South on FFC SPA guillemot and razorbill.</p> <p>Nevertheless, it should be recognised by all parties that the measure is very much under development at present. We welcome the Applicant's continued engagement with the Isles of Scilly Task and Finish group, but we urge some caution regarding estimates of the compensation potential of the site until the results of the work undertaken by this group on this matter become available.</p> <p>While we acknowledge that the issues with delivery of strategic compensation are outside of the Applicant's</p>

ExQ2	Question to:	Question	NE Response
		<p>inclusion in project specific compensation plans. Offshore wind projects currently seeking consent might wish to submit this statement to the examining authority to demonstrate progress with this scheme, if they seek to use it as strategic compensation for unavoidable impacts to protected species likely to be impacted by their projects". In order to avoid delays while the MRF is developed, OWIC confirmed in March 2025 that they have "procured legal services to explore the establishment of a functioning developer-led delivery mechanism which would provide the offshore wind industry with a route to collaborative tion whilst the Government-led MRF is in development". Therefore, the applicants consider that a strategic approach will be available to them in late 2025, either via the MRF in line with the guidance discussed in section 1.3, or an interim fund established by OWIC. To avoid delay in the event that an agreement cannot be reached regarding a strategic approach on the Isles of Scilly, the applicants will also continue to engage with the National Trust regarding Worms Head and the private landowner for Middle Mouse (project led) with the aim of progressing these locations as project-led compensation if necessary.'</p> <p>Could you provide comment as to whether you, as the SNCB, believe this approach to be sufficiently adequate to compensate for AEol of razorbill and guillemot from the FFC SPA and maintain the integrity of the national site network, if the ExA recommends and the Secretary of State agrees with NE that there is potential for AEol to the designated site?</p>	<p>control, we note that a delivery mechanism for compensation on the isles of Scilly has yet to be established and secured. Outstanding concerns therefore remain relating to the timescales for beginning and achieving compensation, as well as the compensation potential of the site, with potential consequences for the accrual of mortality debt.</p> <p>Natural England have provided detailed comments on these matters in Appendix H5 of our Deadline 5 submission [REP4-125].</p>

ExQ2	Question to:	Question	NE Response
OR.2.14	NE	<p>Habitats Regulations Derogation: Provision of Evidence Guillemot [and Razorbill] Compensation Plan</p> <p>a) Provide your position on the applicants' updated Guillemot and Razorbill Compensation Plan (Revision 4) [REP4-024] which states in section 5.3.1.6 that, 'According to the statement provided by Defra, detailed plans for a strategic eradication are expected in spring 2027, with an eradication to follow within an unspecified timescale. This means that an eradication on the Isles of Scilly may not be implemented two years in advance of turbine installation. However, in line with EC guidance (2019), an eradication on the Isles of Scilly would provide significant over compensation to account for any delay in implementation. Delay to the eradication programme and the knock on requirements for the applicants to over compensate, would however reduce the ecological headroom available for other projects to utilise as compensation in the future. In addition, the Defra consultation on the operation of the Marine Recovery Fund (MRF) suggests that the applicants' responsibilities with regards to compensation will be considered to be met upon payment of the agreed fee.'</p> <p>b) Could you quantify the additional compensation that would be required for every year of delay to the implementation of the proposed compensation scheme?</p>	<p>a. Natural England have several issues with the methods used by the Applicant to estimate the compensation potential of the Isles of Scilly, and as such, we cannot agree with the Applicant's statements regarding the potential of the site to overcompensate for the impacts of the Projects. We welcome the Applicant's continued engagement with the Isles of Scilly Task and Finish group, but we urge caution regarding estimates of the compensation potential of the site until the results of the work undertaken by this group become available. Natural England have provided detailed comments on these matters in Appendix H5 of our Deadline 5 submission.</p> <p>b) For every year that the Projects are operational without compensation in place, the full compensation quantum for each species will need to be added to the Projects' total compensation requirements. At present it is unclear to what extent the predator eradication could address the build-up of mortality debt.</p>

ExQ2	Question to:	Question	NE Response
OR.2.15	The applicants NE The RSPB	<p>Kittiwake Compensation Plan</p> <p>The applicants: The potential location of a kittiwake artificial nesting structure (ANS) was discussed at ISH5 [EV10-003]. Have you considered the potential implications of siting an ANS close to array areas of the proposed development or array areas of other operational OWFs? Could the arrays pose a threat to the ANS derived kittiwakes? If so, might this reduce the predicted recruitment back into the population such that it might not be as effective or rapid as might otherwise be the case if the ANS was remote from any risk factor? How have the applicants considered this when siting their proposed ANS, and if or how is the matter is accounted for in the modelling in the document 'Reduction in Kittiwake Breeding Seasons Prior to Artificial Nesting Structure Installation' [REP4-083]?</p> <p>NE and the RSPB: Could you provide comment on this matter?</p>	<p>Natural England have previously advised that the Applicant should consider the potential for increased risk of collision mortality to kittiwake colonies established within Area of Search 4 (which include 4b and 4d), due to proximity to both the Hornsea Zone and DBS Offshore Wind projects. Higher collision risk for kittiwakes breeding on ANS in these locations could, indeed, reduce the predicted recruitment back into the population. The Applicant does not appear to have considered this in their compensation proposals to date. We note, however, that the Applicant is yet to identify a definite location for their offshore ANS, and it is therefore possible for the Applicant to take account of these comments in their final site selection process.</p>
OR.2.17	NE The RSPB TWT	<p>Anticipated timescales to achieve full kittiwake compensation</p> <p>At ISH5 [EV10-003] and in the document labelled 'Reduction in Kittiwake Breeding Seasons Prior to Artificial Nesting Structure Installation', submitted at DL4 [REP4-083], the applicants refer to anticipated timescales to achieve full kittiwake compensation as being between 13 years to 50 years following first generation (paragraph 23). Could NE, the RSPB and TWT provide their respective positions on this?</p>	<p>Natural England note that we have raised several issues with the modelling undertaken by the Applicant and presented in REP4-083, which are detailed in Appendix H5. Natural England note that the compensation quantum used in this modelling has applied neither the H4 nor the H3pt2 method for calculating the required number of breeding pairs, nor have they considered the potential impacts of delayed colonisation, as previously requested by Natural England. However, we note that the results presented appear to cast some doubt on the ability of the Projects to compensate for their predicted impacts even within fifty years. Natural England have provided detailed comments on these matters in Appendix H5 of our Deadline 5 submission.</p>

ExQ2	Question to:	Question	NE Response
OR.2.18	The applicants NE	<p>Securing kittiwake compensation beyond the operational lifetime of the proposed development</p> <p>The applicants: In paragraph 25 of the 'Reduction in Kittiwake Breeding Seasons Prior to Artificial Nesting Structure Installation', submitted at DL4 [REP4-083], and in the 'Project-Level Kittiwake Compensation Plan' [REP4-020 paragraph 210], you state possibilities for the scenario where there could be remaining compensation debt after 30 years of operation. You suggest you could retain the option to maintain and monitor the ANS beyond the proposed development's operational duration, implemented as adaptive management. Can you state where in the DCO secures your commitment to continue kittiwake compensation beyond the operational lifetime of the proposed development if this is required? If not, could you suggest appropriate draft wording?</p> <p>NE: Could you provide your position on whether a Requirement is needed in the DCO to secure the commitment to continue kittiwake compensation beyond the operational lifetime of the proposed development if this is required, in addition to what is stated in the Project-Level Kittiwake Compensation Plan [REP4-020].</p>	<p>Natural England welcome the Applicant's stated commitment to continuing to maintain and monitor the ANS beyond the lifetime of the Projects, until such time as compensation requirements are fully delivered, should this not be achieved within the Projects' lifetime. We note that it has been standard in previously consented DCO Schedules for a condition to be included requiring written permission from the Secretary of State to decommission an ANS. We consider that this provides the requisite security that the ANS would not be decommissioned prior to compensation being delivered and therefore could extend beyond the Project's lifetime.</p>
OR.2.19	NE	<p>Farne Islands SPA</p> <p>What is NE's latest position on the applicants' assessment of guillemot at the Farne Islands SPA since the assessment was updated? Can NE confirm whether or not it considers an AEol on guillemot and the seabird assemblage from the Farne Islands SPA can be excluded from the</p>	<p>Natural England have outstanding concerns regarding the in-combination assessment and PVA(s) for guillemot at the Farne Islands SPA. However, we advise that we conclude that an AEol on guillemot at the Farne Islands SPA can be ruled out for the impacts of the Project alone, but an AEol cannot be ruled out for the impacts of the Project in-combination with other Plans or Projects. Given the modest</p>

ExQ2	Question to:	Question	NE Response
		project alone? If the response to this is clear from your response to HRA.2.4 then there is no need to repeat the response.	<p>nature of the Projects' impacts on guillemot however, we can rule out an AEol both alone and in-combination on the seabird assemblage of Farne Islands SPA.</p> <p>See Appendices G5 and H5 of our Deadline 5 submission for detailed advice.</p>
OR.2.20	The Applicants	<p>Farne Islands SPA</p> <p>Given the stage of the examination, and the remaining outstanding concerns from NE the ExA believes it necessary to ask what compensation proposals you have for the situation in which NE, as the SNCB, were to state it cannot rule out AEol for the Farne Island SAC in relation to for ornithological receptors and the Secretary of States agrees with this position? Can you provide a without prejudice derogations case for this possibility and submit this into the examination AT DL5.</p>	<p>Whilst this question was not directed at Natural England, we have provided a response to aid progress. As detailed above, we have now concluded that an AEol in-combination on guillemot at Farne Islands SPA cannot be ruled out. However, we do not anticipate that this would require an additional derogations case and advise that this could be managed through adjusting the requirements of the existing auk compensation proposals.</p>
OR.2.21	NE	<p>Greater Wash SPA</p> <p>a) Have the applicants responded adequately [REP4-086] to the clarification you requested regarding how the move from intertidal to subtidal exit pits alters vessel and construction activity within and in the vicinity of Greater Wash SPA, and how this would impact red throated diver populations?</p> <p>b) Do you still advise restricting cable installation within 2km of the Greater Wash SPA during the over-wintering period (1st November to 31st March) to avoid adverse effects as stated in its Risk and Issue log at DL4 points G50/G64 [REP4-129]? If so,</p>	<p>A) Natural England welcome the clarification provided by the Applicant in [REP4-088] and are satisfied that an AEol on Red throated diver in Greater Wash SPA can be ruled out due to the very limited interaction between the cable works area and the Greater Wash SPA and 2km buffer.</p> <p>We would welcome further discussion with the Applicant on avoiding the over-wintering period in the post-consent phase when more detail is available on the planned timings of the works, however we do not consider that it is necessary to rule out adverse effects in this instance.</p>

ExQ2	Question to:	Question	NE Response
		can you confirm whether this measure is required to avoid AEol of the red-throated diver and common scoter qualifying features?	
OR.2.25	NE	<p>Flamborough and Filey Coast SPA</p> <p>a) What is your latest position on the applicants' assessment of potential effects on gannet and the wider sea bird assemblage at the FFC SPA? If the response to this is clear from your response to HRA.2.4 then there is no need to repeat the response.</p> <p>b) In your Relevant Representation, you advised that the proposed development was the highest impacting project on the FFC SPA kittiwake to date and would likely result in an AEol alone [RR-039]. Further to the assessment updates provided by the applicants, can NE confirm whether it considers there to be an AEol on kittiwake from the project alone?</p>	<p>a) Natural England have some outstanding concerns regarding the in-combination assessments and PVAs, however these will not materially affect assessment conclusions, and we are now satisfied with the Applicant's Project alone assessment. Based on the current assessment, we conclude that an AEol can be ruled out on gannet at FFC SPA for the impacts of the project alone and in-combination with other plans or projects. However, we advise that an AEol cannot be ruled out for impacts of the Project on the seabird assemblage at FFC SPA in combination with other Plans or Projects.</p> <p>b) Natural England confirm that we consider that an AEol cannot be ruled out on kittiwake at FFC SPA for the impacts of the Project alone.</p> <p>Please see Appendix G5 of our Deadline 5 submission for our full conclusions.</p>
OR.2.26	The Applicant	<p>Flamborough and Filey Coast SPA</p> <p>Given the stage of the examination, and the remaining outstanding concerns from NE, the ExA believes it necessary to ask what compensation proposals you have for the situation in which NE, as the SNCB, were to state it cannot rule out AEol for gannet and the wider sea bird assemblage at the FFC SPA and the Secretary of States agrees with this position? Can you provide a without</p>	<p>Whilst this question was not directed at Natural England, we have provided a response to aid progress. As confirmed above, Natural England consider that an AEol can be ruled out for impacts on FFC SPA gannet. With respect to the seabird assemblage, compensation requirements for seabird assemblages are typically handled by the species-specific proposals, therefore we not consider that additional derogations proposals would be needed for these impacts. Instead, existing species-specific requirements would simply need to be adjusted.</p>

ExQ2	Question to:	Question	NE Response
		prejudice derogations case for this possibility and submit this into the examination at DL5?	
OR.2.32	The JNCC The RSPB NE	<p>Gannets – macro-avoidance</p> <p>The ExA is aware of an outstanding issue in that the RSPB and NE do not agree on the macro-avoidance correction factor to be applied to the gannet collision assessment. The applicants revised their assessment in line with NE advice [RR-049, G16] and have also presented the collision risk modelling without the application of the macro-avoidance correction factor. However, the RSPB disagreed with NE's advice [RR-049], [REP1-087], [REP4-071] stating that the JNCC also do not accept NE's advised approach and considered this would have a material impact on resulting impact assessments.</p> <p>The JNCC: Could the JNCC submit its latest position on this matter along with justification and evidence into the examination at DL5?</p> <p>NE: Could NE submit the evidence upon which its advice to use an avoidance rate of 99.3% along</p>	<p>Natural England's advice aims to account for three issues:</p> <ol style="list-style-type: none"> 1. That all avoidance rates calculated (by Ozsanlev-Harries et al 2023¹, Cook 2021², Cook 2014³) are 'within-windfarm' avoidance rates. 2. There is not a gannet specific avoidance rate, 3. That there is a clear evidence base that gannets display macro-avoidance (JNCC & SNCBs 2024⁴). <p>Natural England commissioned an evidence report to inform this approach using the best available evidence. This report (Pavat et al 2023⁵) advised that input densities for gannet are corrected by agreed macro-avoidance rates, and a 'within wind farm' avoidance rate is applied when undertaking CRM.</p>

¹Ozsanlav-Harris, L, Inger, R & Sherley R. (2023). Review of data used to calculate avoidance rates for collision risk modelling of seabirds. JNCC Report No. 732 (Research & review report), JNCC, Peterborough, ISSN 0963-8091. Available online at: [Review of data used to calculate avoidance rates for collision risk modelling of seabirds](#)

² Cook, A.S.C.P. 2021. Additional analysis to inform SNCB recommendations regarding collision risk modelling. BTO Research Report 739, BTO, Thetford, UK

³ JNCC, Natural England, Natural Resources Wales, NatureScot. 2024. Joint advice note from the Statutory Nature Conservation Bodies (SNCBs) regarding bird collision risk modelling for offshore wind developments. JNCC, Peterborough. <https://hub.jncc.gov.uk/f7892820-0f84-4e96-9eff-168f93bd343d>.

⁴ JNCC, Natural England, Natural Resources Wales, NatureScot. 2024. Joint advice note from the Statutory Nature Conservation Bodies (SNCBs) regarding bird collision risk modelling for offshore wind developments. JNCC, Peterborough. <https://hub.jncc.gov.uk/f7892820-0f84-4e96-9eff-168f93bd343d>.

⁵ Pavat, D., Harker, A.J., Humphries, G., Keogan, K., Webb, A. and Macleod, K.. 2023. Consideration of avoidance behaviour of northern gannet (*Morus bassanus*) in collision risk modelling for offshore wind farm impact assessments. NECR490. Natural England. Available online at: [NECR512 Consideration of avoidance behaviour of northern gannet \(Morus bassanus\) in collision risk modelling for offshore wind farm impact assessments - NECR512](#)

ExQ2	Question to:	Question	NE Response
		<p>with a macro-correction factor between 65-85% is based, into the examination at DL5?</p> <p>The RSPB: Could the RSPB submit justification and evidence for its position into the examination at DL5?</p>	