



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Dogger Bank South Offshore Wind Farm

Appendix F6 to the Natural England Deadline 6 Submission
Natural England's comments and updated advice on Marine Mammals

For:

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

Planning Inspectorate Reference EN010125

13th June 2025

Appendix F6 – Natural England’s Advice on Marine Mammals at Deadline 6

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

- [REP5-033] 14.9 Illustrative Underwater Noise Reduction Technical Note (Revision 2) (Tracked)
- [REP5-010] 6.1 RIAA HRA Part 3 of 4 – Annex II Marine Mammals (Revision 3) (Tracked)
- [REP5-014] 7.11.11.4 Appendix 11-4 iPCoD Modelling (Revision 3) (Tracked)
- [REP5-003] 3.1 Draft Development Consent Order (Revision 8) (Tracked)
- [REP5-006] 3.4 Schedule of Changes (Revision 6)

Our detailed comments on documents submitted by the Applicant in relation to Marine Mammals as listed above are provided below.

1. Underwater noise impacts and mitigation

Whilst Natural England welcomes the updates made to the Illustrative Underwater Noise (UWN) Reduction Technical Note [REP5-033] to include the in-combination iPCoD modelling as per our request, it does not alter our previous advice on this document. We also note that the Applicant’s updated RIAA [REP5-010] includes statements to the effect that they are “*committed to additional mitigation to ensure that the potential PTS effects would be fully mitigated by using noise reduction methods through primary design and secondary measures such as Noise Abatement Systems (NAS)*” (para 14), however a formal commitment to delivering this mitigation has not been secured. Paragraph 340 considers that adverse effects on site integrity (AEoI) due to UWN can be ruled out as “*Potential measures have been included in the Outline MMMP and In Principle SIP, securing both design refinement and noise reduction methods as appropriate*”. However, mitigation being included in an outline plan does not necessarily secure that it will be delivered. In addition, this is not mitigation to address in-combination impacts that will not be fully known until post-consent (i.e. the SIP process); AEoI cannot be ruled out for the impacts of the projects alone, and as the Applicant does not intend to further refine the Maximum Design Parameters until post-consent, it is the current worst-case scenario that would be consented, and that assessments, conclusions and mitigation requirements must therefore be based on. We therefore maintain our previous Deadline 5

advice [REP5-057], that the Applicant commit to achieving a 10 dB reduction in UWN during construction from levels predicted in the environmental assessment via primary and/or secondary noise reduction methods.

2. Draft Development Consent Order (DCO)

Natural England note that the deemed Marine Licenses have been updated with the following condition: “1 (g) *in the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol (in accordance with the outline marine mammal mitigation protocol), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation bodies and which must include consideration of noise reduction methods and/or, deployment of noise mitigation systems or noise abatement systems that will be utilised to manage sounds from those piling activities and such protocol must include full details and justification for the mitigation chosen or excluded for deployment.*”

Natural England do not consider this new wording is sufficient to enable us to rule out adverse effects on integrity (AEol) for features of outstanding concern, as it does not secure delivery of the mitigation that would achieve this, only ‘consideration’ of it (which could be decided against). As outlined in Appendix F5 of our Deadline 5 advice [REP5-057], based on the current worst-case scenario being applied for, additional primary and/or secondary mitigation is required to enable injury zones to be fully mitigated and AEol to be ruled out. We therefore maintain our advice that a commitment to deliver mitigation (rather than consider delivering it) should be made at this stage. Should the Applicant choose not to condition a 10 dB noise reduction, we suggest the above condition is amended to: “...*which must include the use of noise reduction methods and/or, deployment of noise mitigation systems or noise abatement systems...*”.

We acknowledge that the original advice provided in our Relevant Representation [RR-039] on the DCO advised for a condition “*to include consideration of the use of NAS within the final MMMP*”, however this was prior to the publication of the Defra Policy Paper on Reducing Marine Noise (January, 2025) and confirmation that the changes in project design applied through the Change Request were insufficient to remove adverse impacts. Natural England have consistently advised within our Marine Mammal appendices (including in RR-039) that further mitigation should be fully committed to.

3. iPCoD Modelling

Natural England welcomes the Applicant's inclusion of the results from the in-combination iPCoD modelling, however this does not alter our previous advice that we do not agree that a 1% annual decline over 6 years is appropriate to assess significance, and instead the assessment of a significant impact should be more conservative.

Our Deadline 4 advice [REP4-123] remains that the Applicant presents results from the iPCoD modelling using a more conservative definition of significant impacts.

4. Report to Inform Appropriate Assessment (RIAA)

Natural England's detailed comments on the updates made to the RIAA HRA Part 3 of 4 – Annex II Marine Mammals [REP5-010] are outlined in Table 1 below.

Table 1 - Natural England's Advice On: [REP5-010] 6.1 RIAA HRA Part 3 of 4 – Annex II Marine Mammals (Revision 3)

NE Ref.	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
1	8.3.4	Natural England does not support the Applicant's definition of significance with regard to iPCoD modelling. The predicted level of impact is considered to be higher than what a sustainable population can withstand from the impacts of Offshore Wind Farms alone. It does not fully account for other anthropogenic impacts to populations (for example, fisheries interactions, chemical pollution, shipping, prey depletion).	Natural England advise the Applicant to reassess its definition of significance to incorporate anthropogenic impacts to the species populations.
2	Table 8-17	For harbour porpoise, the median impacted population size is higher than the median unimpacted population size.	Natural England advises the Applicant to check all values are correct.
3	Plate 8-2	Natural England does not agree with significance conclusions derived from iPCoD conclusions alone for project impacts. Whilst iPCoD is a useful tool for assessing cumulative impacts, it cannot assess impacts to a local population and consequently does not accurately detect impacts from a project alone.	Natural England maintain our previous advice regarding the use of iPCoD modelling.
4	8.3.5.5.1.1.3; Table 8-46	Natural England does not agree with conclusions of no significant impacts from the results of iPCoD modelling, as the impacted population size as a percentage of the unimpacted population size for the	As per Comment 1, the conclusions should also consider other anthropogenic impacts to populations.

		mean and median metrics is more than 1%, indicating a decline in population size of more than 1%.	
5	8.3.5.6	Natural England does not support the conclusion of no AEol for harbour porpoise in the Sothern North Sea (SNS) SAC because of the high proportion of the SAC predicted to be impacted by the project in combination with other projects and the results of the iPCoD assessment.	Please refer to our Deadline 5 advice [REP5-057] for further detail on Natural England's current position of AEol for harbour porpoise in the Sothern North Sea (SNS).
6	8.3.6.6.1.4	Natural England does not support the conclusion of no AEol for grey seal in the Humber Estuary SAC for the project in combination with other projects because of the high proportion of seals predicted to be disturbed (15.6% of seals from the SAC).	Please refer to our Deadline 5 advice [REP5-057] for further detail on Natural England's current position of AEol for grey seal in the Humber Estuary SAC.
7	8.3.7.6.1.4; Table 8-134	<p>Natural England does not support the conclusion of no AEol for harbour seal in the Wash and North Norfolk Coast SAC for the project in combination with other projects because of the high proportion of seals predicted to be disturbed (6.2% of seals from the SAC) in an already declining population.</p> <p>Natural England notes that the predicted impacts on this population have doubled in this iteration of the RIAA [REP5-010] compared to Revision 2 [APP-047].</p>	Natural England advise that confirmation is needed on whether the updated values presented in [REP5-010] are correct, and if so, that an explanation for the increased impact is provided. If the assessment is correct, we consider it likely that a commitment to deliver a 10 dB reduction in underwater noise from construction activities would reduce impacts to a level to remove adverse effects, however this would need to be demonstrated.
8	Table 8-141	Natural England does not support the conclusion of no AEol for grey seal in the Berwickshire and North Northumberland Coast SAC for the project alone and in combination with other projects because of the high proportion of seals predicted to be disturbed	Please refer to our Deadline 5 advice [REP5-057] for further detail on Natural England's current position of AEol for grey seal in the Humber Estuary SAC.

		(project alone: 6.8% of seals from the SAC; in combination: 15.3% of seals from the SAC).	
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