



**Written Submission
for the
Royal Society for the Protection of Birds**

**Submitted for Deadline 7
26 June 2025**

Planning Act 2008 (as amended)

In the matter of:

**Application by Dogger Bank South (West) Limited and Dogger Bank South
(East) Limited for an Order**

**Granting Development Consent for the Dogger Bank South Offshore Wind
Farms**

Planning Inspectorate Ref: EN010125

RSPB Registration Identification Ref: 20050122

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1. Introduction

- 1.1. This Written Submission contains the RSPB's comments on the Examining Authority's recommended amendments to the Applicant's draft Development Consent Order.

2. [RSPB comments on the Examining Authority's recommended amendments to the Applicant's draft Development Consent Order](#)

- 2.1. Below we set out the RSPB's comments on the Examining Authority's recommended amendments to the Applicant's draft Development Consent Order.

[Schedule 18 – Compensation Measures: Part 2: Flamborough and Filey Coast Special Protection Area: Kittiwake Compensation Measures](#)

- 2.2. The RSPB requests the following amendments be made to the draft DCO to address:

- The number of full breeding seasons the offshore ANS should be installed before operation of the first turbine;
- The lifetime of the offshore ANS.

[The number of full breeding seasons the offshore ANS should be installed before operation of the first turbine](#)

- 2.3. The RSPB maintains its position that the offshore ANS should be installed four full breeding seasons before operation of the first turbine e.g. see RSPB REP3-066 (answer to OR.1.26) and RSPB REP 4-113 (answer to ISH5 Action 14).

- 2.4. We recommend that Schedule 18 Part 2 is amended in line with the equivalent provision in the original Hornsea Project Three Development Consent Order (Schedule 14, Part 1, paragraph 4) which states:

"The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until four full breeding seasons following the implementation of the measures set out in the KIMP have elapsed. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September."

[The lifetime of the offshore ANS](#)

- 2.5. The RSPB has reviewed the Applicant's response to the RSPB's answer to the ExA's Second Written Question OR.2.17 (see Applicant's REP6-051, page 103-104). This is in response to the RSPB's proposal that the DCO be amended so that it states the offshore ANS should be maintained beyond the lifetime of the Project, reflecting the considerable uncertainty as to whether or when the oANS would achieve full kittiwake compensation in respect of:
- the damage caused by the Dogger Bank South array during its operational lifetime; and
 - the time it will take the kittiwake population of the FFC SPA to recover once operation of the Dogger Bank South array has ceased.
- 2.6. We note that the Applicant's position that the draft DCO already secures that the oANS cannot be decommissioned without written approval of the Secretary of State in consultation with the relevant statutory nature conservation body. This is broadly in line

with the first sentence in paragraph 4 in Part 1 of Schedule 14 of the Hornsea Project Three DCO.

- 2.7. However, we consider this does not provide sufficient certainty on the face of the DCO that the oANS will be maintained beyond the lifetime of the project. Therefore, we continue to recommend that paragraph 7 in Schedule 18, Part 2 should be amended by addition of the subsequent text in paragraph 4, Part 1, Schedule 14 of the original Hornsea Project Three DCO:

“The artificial nest structures shall be maintained beyond the operational lifetime of the authorised development if they are colonised, and routine and adaptive management measures and monitoring must continue whilst the artificial nesting structures are in place.”

Schedule 18 – Compensation Measures: Part 3: Flamborough and Filey Coast Special Protection Area [and Farne Islands Special Protection Area]: Guillemot [and Flamborough and Filey Coast Special Protection Area: Razorbill] Compensation Measures

- 2.8. In the RSPB’s Written Representation (REP1-087), we expressed concerns similar to those above for kittiwake i.e. that compensation measures should remain in place as long as the project’s adverse impact on the SPA continue. In the context of an offshore wind farm, that is the lifetime of the development plus the time it will take the affected seabird population to recover from the impacts.
- 2.9. We note that Schedule 18, Part 3 of the DCO contained no safeguards in this respect.
- 2.10. These concerns remain and are relevant to the long-term ecological success of a predator eradication measure wherever it is located. In paragraph 42 in REP4-026 (Revision 2 of the Outline Guillemot and Razorbill CIMP) the Applicant stated that *“biosecurity will be an ongoing commitment for the lifetime of the Projects”* i.e. they will end when the array stops operating.
- 2.11. This reinforces our view that the appropriate safeguards are not in place. There remains no commitment on maintaining biosecurity for the time it will take for the affected seabird populations to recover from the adverse impacts of the Project: such impacts are likely to extend beyond the lifetime of the Project. Without ongoing biosecurity measures, there would be a high risk of failure of the predator eradication should there be a biosecurity breach. Therefore, such a safeguard needs to be set out in the DCO wording to ensure the long-term success of any predator eradication measure carried out by the Applicant.