

Date: 26 June 2025
Our ref: 17503; 489462
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 7.

1. Natural England's Deadline 7 Submissions

Natural England has reviewed the documents submitted by the Applicant at Deadline 6. 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 489462 DBS – Natural England's Risk and Issues Log Deadline 7
- EN010125 489462 DBS Appendix N7 – Natural England's Response to the RIES
- EN010125 489462 DBS Appendix O7 – Natural England's Response to ExA schedule of recommended changes to draft DCO
- EN010125 489462 DBS Appendix X – BTO Research Report 788 Rhoades et al Kittiwakes

2. Risk & Issues log

For ease of identifying issue resolution, Natural England have included an 'End of Examination Position' column on each sheet of our R&I log. For every issue that has previously reached resolution, either through full resolution or 'agree to disagree' being reached with the Applicant, we have copied the comment where resolution was achieved to this column. Any new resolutions reached at this deadline have been included in red text. Please note that this does not replace our closing statements, which will be provided at Deadline 8 as requested, but is intended to provide a simplified way to log progression and outstanding concerns as we near the end of Examination.

3. Key progress and/or areas of concern

We have provided a summary below of key outstanding concerns and/or resolutions reached at this deadline.

- **Marine Mammals**

The Applicant has given Natural England advance sight of updates to the DCO condition related to noise mitigation for piling to be submitted at Deadline 7. We advise that we are satisfied that this updated condition sufficiently secures the application of additional primary and/or secondary mitigation. Whilst the Applicant has not committed to a specific level of noise reduction in dB, we are satisfied that the assessment provided in [REP5-033] has demonstrated that mitigation could be applied to reduce impacts to a level where AEoI can be ruled out for grey seal (Humber Estuary SAC & BNNC SAC) and harbour porpoise (SNS SAC), and injury zones can be fully mitigated. We note that in the final post-consent MMMP the Applicant will need to provide a full assessment with noise modelling based on the mitigation that will be applied to demonstrate reductions have been achieved and the ES and HRA conclusions remain correct.

We remain unable to rule out AEoI for harbour seal in WNNC SAC as we are awaiting clarifications that the impacts that have been presented are correct. However, we understand from the Applicant that they will be submitting an illustrative assessment with 10 dB mitigation applied to this site/feature at Deadline 7, similar to that provided in [REP5-033]. We therefore consider it likely that resolution will be achieved in this matter within Examination timeframes.

- **Offshore Ornithology**

Natural England have reviewed the Applicant's updated RIAA for Ornithology [REP6-009] and additional clarifications provided in [REP6-052] regarding outstanding discrepancies between the in-combination totals presented for Dogger Bank South compared to other Round 4 projects currently under consideration. We acknowledge the difficulties inherent in producing in-combination values across projects, and note that all in-combination totals are ultimately estimates of impacts that are not well understood. We are therefore not able to confirm which the 'right' in-combination totals are, but are satisfied that any remaining discrepancies are unlikely to have a material impact on assessment conclusions. Accordingly, we consider that no further updates to the Offshore Ornithology in-combination assessments are required.

4. Procedural Requests

Report on the Implications for European Sites (RIES)

Natural England have reviewed the Examining Authority's (ExA) RIES [PD-025] and have provided our response in Appendix N7 of our Deadline 7 submission.

The Examining Authority's Schedule of Recommended Amendments to the Applicant's draft Development Consent Order

Natural England have reviewed the ExA's Schedule of Recommended Amendments to the Applicant's draft Development Consent Order [PD-028] and provided comments on conditions relevant to our remit in Appendix O7 of our Deadline 7 submission. As the post-consent Regulator for the dML, Natural England defer to MMO on the appropriateness of specific condition wording and have sought to align our comments where possible. Whilst we have provided initial comments with respect to monitoring conditions, we will provide further comment at Deadline 8 as we consider that further discussion is needed to ensure final advice is consistent across thematic areas.

Rule 17 Letter - Request for further information dated 19 June 2025

Natural England have provided responses to the questions within the Examining Authority's Rule 17 Letter - Request for further information dated 19 June 2025 [PD-027] in Annex 2 below. Due to the limited time available, we have not been able to respond to the questions relating to EIA conclusions at this deadline. We also note that as the Applicant will be submitting their updated ES chapters at Deadline 7, aspects of the tables referred to in these questions are likely to have been updated. We will therefore provide our comments on outstanding concerns with respect to the EIA assessment for each thematic area, based on the Applicant's updated chapters, at Deadline 8.

5. British Trust for Ornithology (BTO) Research Report 788 – Review of Methods used to Calculate Scale of Artificial Nesting Structures Proposed as a Compensation Measure for Kittiwake Mortality at Offshore Wind Farms (Rhoades et al., 2025¹)

Natural England have previously highlighted the difficulty of applying different methods to calculate the scale of compensatory measures required for seabirds. To help progress this issue, Natural England commissioned the British Trust for Ornithology on behalf of the Collaboration in Offshore Wind Strategic Compensation (COWSC) to carry out an independent, evidence-based review of existing methods and consider possible alternatives. This review focuses on the use of Artificial Nest Structure (ANS) compensation measures for kittiwake, whilst briefly considering applicability for other species and measures.

Natural England previously provided the Applicant with an 'in press' copy of this report to inform their approach, noting at the time that the formal research report was not scheduled to be published until sometime in May. The BTO report has now been published and is available from the BTO website. We are submitting the report into the Examination, which can be found in Appendix X to this Deadline 7 submission. Natural England is currently considering the recommendations of the BTO report; in the meantime, our advice to the Applicant remains that the Hornsea 3 part 2 method should be used to calculate the number of breeding pairs required to compensate for impacts on kittiwake.

The BTO report recommends an approach conceptually similar to that adopted by Hornsea 3 but taking into account additional population constraints. The report also recommends monitoring to assess/validate the parameters used in terms of ANS self-sustainability, and adaptive management strategies where the observed demographic rates diverge significantly from those assumed in the compensation calculations. We advise that the Applicant should consider the findings and recommendations of the finalised BTO report in their compensation documents.

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

¹ Rhoades, J., Johnston, D.T., Humphreys, E.M. & Boersch-Supan, P.H. (2025). Review of methods used to calculate scale of artificial nesting structures proposed as a compensation measure for Kittiwake mortality at offshore wind farms. BTO Research Report 778, BTO, Thetford, UK.

Yours faithfully

[REDACTED]

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Yorkshire and North Lincolnshire Area Team

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Annex 1: Natural England's Response to the Applicant's Documents Submitted at Deadline 6 Relevant to our Remit

PINS Document Reference	Document Name	Natural England's Response/Position Summary
General		
REP6-001	16.1 Deadline 6 Cover Letter	Natural England has no comments to make on these documents.
REP6-002	1.4 Guide to the Application (Revision 7)	
REP6-051	16.3 The Applicants' Comments on Responses to the Examining Authority's Second Written Questions (ExQ2)	Natural England's response to these documents is provided in our Risk and Issues Log Deadline 7.
REP6-052	16.4 The Applicants' Responses to Deadline 5 Documents	
REP6-057	16.9 The Applicants' Responses to Rule 17 letter dated 9th June 2025	Natural England has no comments to make on this document.
PD-025	Report on the Implications for European Sites (RIES)	Natural England's response to this document is provided in Appendix N7.
PD-027	Rule 17 Letter - Request for further information dated 19 June 2025	Natural England's response to this document is provided in Annex 2 of this letter.
PD-028	The Examining Authority's Schedule of Recommended Amendments to the Applicant's draft Development Consent Order	Natural England's response to this document is provided in Appendix O7.
DCO		
REP6-004	3.1 Draft Development Consent Order (Revision 9) (Tracked).pdf	Natural England's response to these documents is provided in our Risk and Issues Log Deadline 7.
REP6-006	3.2 Explanatory Memorandum (Revision 9) (Tracked)	
REP6-007	3.4 Schedule of Changes (Revision 7).pdf	
Marine Physical Environment		
REP6-044	8.20 Cable Statement (Revision 5) (Tracked).pdf	Natural England's response to this document is provided in our Risk and Issues Log Deadline 7.
REP6-046	8.27 Outline Scour Protection Plan (Revision 4) (Tracked).pdf	
Fish and Shellfish		
REP6-014	7.10.10.3 Appendix 10-3 Back-calculation of the Peak Atlantic Herring Spawning Period	Natural England has no comments to make on this document.
REP6-050	14.8 Effects on Prey Species Technical Note (Revision 2) (Tracked)	Natural England's response to this document is

PINS Document Reference	Document Name	Natural England's Response/Position Summary
		provided in our Risk and Issues Log Deadline 7. We will also provide further comment with our Closing Statements at Deadline 8.
Offshore Ornithology		
REP6-009	6.1 Report to Inform Appropriate Assessment Habitats Regulations Assessment Part 4 of 4 – Marine Ornithological Features (Revision 5) (Tracked)	Natural England's response to this document is provided in our Risk and Issues Log Deadline 7
REP6-016	7.12 Environmental Statement Chapter 12 - Offshore Ornithology (Revision 4) (Tracked)	Natural England will provide comment on this document at Deadline 8.
REP6-019	7.12.12.13 Environmental Statement Appendix 12- 13 Population Viability Analyses (Revision 3) (Tracked)	Natural England's response to these documents is provided in our Risk and Issues Log Deadline 7.
REP6-053	16.5 Potential Auk Displacement Between Dogger Bank South Array Areas	
Offshore Ornithology Compensation		
REP6-011	6.2.1 Appendix 1 - Project Level Kittiwake Compensation Plan (Revision 6) (Tracked)	Natural England's response to this document is provided in our Risk and Issues Log Deadline 7.
REP6-013	6.2.2 Appendix 2 Guillemot and Razorbill Compensation Plan (Revision 6) (Tracked)	

Annex 2: Natural England's response to [PD-027] Rule 17 Letter - Request for further information dated 19 June 2025

Ref	Question to:	Question	NE Response
17.2	Natural England (NE)	<p>Withow Gap, Skipsea Site of Special Scientific Interest (SSSI)</p> <p>The Assessment of Coastal Processes at the Dogger Bank South Landfall [REP5-040] states in 7.1.2.3 that 'the landfall is located at the Holderness Cliffs and near the Withow Gap, Skipsea SSSI. However, as the exit pits will be located in the subtidal zone, there will be no direct impacts on these receptors.' Whilst noting your responses in the deadline 5 Risk & Issues Log [REP5-061], B42] and deadline 6 Risk & Issues Log [REP6-077], B42], provide a response to the applicants' assessment in relation to Withow Gap, Skipsea SSSI. Clarify whether the assessment has addressed your previous concerns raised? If not, explain any outstanding concerns.</p>	Natural England is satisfied with the Applicant's assessment as provided in [REP5-040] that as the exit pits are located within the subtidal zone, there will be no impact to Withow Gap, Skipsea SSSI. We have no outstanding concerns on this matter. [R&I, B42]
17.4	NE/ the Marine Management Organisation (MMO)	<p>Applicants' environmental statement conclusions for marine physical environment</p> <p>The Examining Authority (ExA) notes your disagreement with the applicants' updated impact and cumulative effects assessment of the Flamborough Front at deadline 5 [REP5-050]. Please confirm whether you agree with all the other applicants' ES conclusions detailed in Table 8-67 of ES Chapter 8 [APP-080], and updates outlined in Project Change Request 1 – Offshore and Intertidal Works [AS-141] and Assessment of Coastal Processes at the Dogger Bank South Landfall [REP5-040]. If not, please specify which impact conclusions you disagree with and, if possible, include a cross reference to your submissions which explain why.</p>	As requested by the ExA [PD-018] , the Applicant will be submitting updated ES chapters at Deadline 7. As such, Natural England defer providing a response to these questions to Deadline 8.
17.5	NE/ the MMO	<p>Applicants' environmental statement conclusions for benthic ecology</p>	

		Confirm whether you agree with the applicants' ES conclusions in Table 9-27 of ES Chapter 9 [APP-089] and updates outlined in Project Change Request 1 – Offshore and Intertidal Works [AS-141] . If not, please specify which impact conclusions you disagree with and, if possible, include a cross reference to your submissions which explain why.	
17.6	NE/ MMO	the Applicants' environmental statement conclusions for fish and shellfish ecology Confirm whether you agree with the applicants' ES conclusions in Table 10-35 of ES Chapter 10 [APP-091] and updates outlined in Project Change Request 1 – Offshore and Intertidal Works [AS-141] . If not, please specify which impact conclusions you disagree with and, if possible, include a cross reference to your submissions which explain why.	
17.7	NE / MMO	the Applicants' environmental statement conclusions for marine mammals NE: The ExA notes NE's continued disagreement with the applicants that: <ul style="list-style-type: none"> the number of harbour porpoise potentially disturbed during single piling at the east and west array areas of the proposed development and both projects together is high, and that you consider this should result in a major adverse impact score [REP6-077] point F13/F26]. Confirm if this disagreement remains and if so, exactly which impact reference(s) in Table 11-142 of ES Chapter 11 [APP-095] this concern refers to. the number of grey seals disturbed during single piling at DBS East at the east and west array areas of the proposed development and both projects together is high, magnitude of impact is high, and should result in an impact score of 	Natural England maintain their advice that the number of harbour porpoise and grey seal potentially disturbed during single piling at the east and west array areas of the proposed development and both projects together results in a major adverse impact score. The impact references this refers to (as per Table 11-142, APP-095) is Impact 1a (all scenarios), Impact 1b (all scenarios) and Impact 2: Disturbance or behavioural effects from underwater noise during piling at a single location or a concurrently at two locations.

		<p>moderate (significant) [REP6-077] point F14/F27]. Confirm if this disagreement remains and if so, exactly which impact reference(s) in Table 11-142 of ES Chapter 11 [APP-095] this concern refers to.</p> <ul style="list-style-type: none"> The in-combination Interim Population Consequence of Disturbance (iPCoD) modelling (see question 17.8 below). <p>NE/ the MMO: Confirm which of the applicants' ES conclusions in Table 11-142 of ES Chapter 11 [APP-095] and updates outlined in Project Change Request 1 – Offshore and Intertidal Works [AS-141] you are in agreement with and which you disagree with. In addition to those mentioned above, if in disagreement, if possible, include a cross reference to your submissions which explain why.</p>	
17.10	NE	<p>Applicants' environmental statement conclusions for offshore ornithology Confirm whether you agree with the applicants' ES conclusions in Table 12-118 of ES Chapter 12 [REP4-032]. If not, please specify which impact conclusions you disagree with and, if possible, include a cross reference to your submissions which explain why.</p>	As requested by the ExA [PD-018], the Applicant will be submitting updated ES chapters at Deadline 7. As such, Natural England defer providing a response to these questions to Deadline 8.
17.11	NE	<p>Offshore ornithology – lesser black-backed gull In response to R17.41 [REP6-057] the applicants stated NE concerns in Appendix G5 [REP5-058] exclusively referenced great black-backed gull. Whilst the ExA notes this is correct, the ExA had noted that NE's Risk and Issue log point G55/NEW [REP5-061] does include reference to the lesser black-backed gull. Can NE confirm whether or not it has an outstanding concern regarding lesser black backed gull and if so, what information the applicants should provide to resolve this issue?</p>	Natural England confirm that our concerns with respect to lesser black backed gull have been satisfactorily resolved.