THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

Dogger Bank South Wind Farm

Appendix P8 to Natural England's Deadline 8 Submission

Natural England's Comments on Environmental Statement Conclusions (from Rule 17 letter dated 19 June 2025 [PD-027])

For:

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

Planning Inspectorate Reference EN010125

3rd July 2025

Appendix P – Natural England's Comments on Environmental Statement Conclusions (from Rule 17 letter dated 19 June 2025)

In formulating these comments, the following documents have been considered:

- [REP7-036] 7.8 ES Chapter 8 Marine Physical Environment (Revision 2) (Tracked)
- [REP7-038] 7.9 ES Chapter 9 – Benthic and Intertidal Ecology (Revision 2) (Tracked)
- [REP7-043] 7.10 ES Chapter 10 - Fish and Shellfish Ecology (Revision 2) (Tracked)
- [REP7-046] 7.11 ES Chapter 11 - Marine Mammals (Revision 2) (Tracked)
- [REP6-016] 7.12 Environmental Statement Chapter 12 - Offshore Ornithology (Revision 4) (Tracked)

1. **Introduction**

In response to questions posed in the Examining Authority's (ExA) Rule 17 Letter dated 19 June 2025 [PD-027], this document provides an overview of Natural England's outstanding concerns with respect to the Applicant's EIA assessment and conclusions. We note that the ExA has requested confirmation on whether Natural England agree with all of the Applicants' ES conclusions of potential significant adverse impacts detailed in the summary tables of each thematic area's ES chapter. Due to the scale of these tables and the limited time available, we have not commented on each individual conclusion. Instead, we have provided a summary of our outstanding areas of concern for each assessment and how they relate to the EIA conclusions in Tables 1-5 below. We also stress that due to the nature of EIA assessments, whereby conclusions are drawn based on expert judgement views on significance, value, magnitude and sensitivity, there may be elements of the assessment of significance which we do not agree with, but which may not ultimately change the overall conclusion of significant adverse impacts.

Table 1: Natural England's Response to the ExA's Rule 17 questions on Marine Physical Environment

Ref	Question	NE response
17.4	**Applicants' environmental statement conclusions for marine physical environment** 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.	**Flamborough Front** Natural England does not agree with the assessment on significance of effect for 'Changes to water circulation (Flamborough Front) due to the presence of infrastructure (wind turbines and offshore platforms)' during operation for the Flamborough Front. We note that the Applicant has updated this in Table 8-71 (Table 8-67) of ES Chapter 8 [REP7-036] with the following: • Sensitivity - updated to low (from negligible) • Magnitude of impact – updated to medium (from low) (near-field) and to medium (from negligible) (far-field) • Pre-mitigation effect & residual effect – updated to minor adverse (from negligible adverse) However, we maintain our previous concerns. As advised in our Relevant Representations (B33, B41 [RR-039]), the presence of large OWF clusters could provoke large-scale hydrodynamic changes that impact marine primary production and the wider marine ecosystem. Therefore, we are concerned that structures in the DBS Arrays could cause turbulent current wakes which impact circulation, stratification, mixing, and sediment resuspension. Changes to the Flamborough Front could have far-reaching and long-term consequences since the frontal system gives rise to nutrient-rich waters which create a biodiversity hotspot attracting seabirds and marine mammals to the area each year. Therefore, whilst the EIA assessment has been updated, we maintain that a more precautionary approach is appropriate given the current evidence gaps and potentially long-term and wide-scale nature of the impact and high ecological value of the Flamborough Front. [R&I, B22] [REP5-054] We advise that as a minimum this could be addressed though adopting similar requirements placed on Hornsea Project 4 i.e. pre-construction update of modelling of the final built out design and inclusion of monitoring.

		Dogger Bank Natural England welcomes that the value of Dogger Bank has been updated by the Applicant to high (from low) in the Sensitivity and Value Assessment tables within sections 8.7.3. and 8.7.4 of ES Chapter 8 [REP7-036]. However, the Applicant considers that as the relevant impacts assessed do not influence the broad-scale morphology of Dogger Bank, which in turn influences oceanographic conditions, its value is not considered in the definition of sensitivity and thus has mostly been defined as negligible, with non-significant (in EIA terms) residual effects (Table 8-71 (Table 8-67) of ES Chapter 8 [REP7-036]. Natural England does not agree with this method of sensitivity assessment. Therefore, we advise that there is a requirement for an updated pre-construction modelling report of the final built out design to be submitted and signed off by the MMO in consultation with the relevant SNCB, and that monitoring is a requirement of the DCO/dML. [R&I, B25, B27] Furthermore, as previously advised [REP6-072], we remain concerned and cannot support the conclusions regarding changes to bedload sediment transport and seabed morphology due to the presence of cable protection measures. The significance of changes in sediment transport due to the presence of cable protection on Dogger Bank is likely to be greater than negligible. We do not agree that the seabed at Dogger Bank can recover quickly as the presence of cable protection would persist over the lifetime of the Projects (and potentially beyond, if not removed at end of Project life) meaning potential seabed recovery would not occur for several decades. We are also concerned that interactions between the installed infrastructure with tidal currents and wave-driven currents may result in changes to the sediment dynamics and seabed morphology. [R&I, B29] **Smithic Bank** Natural England maintains our previous advice (B38 [RR-039]) that we do not agree with the low value assigned to Smithic Bank by the Applicant. We advise that the

		value is high and therefore disagree with the assessment on significance of effect for this receptor summarised in Table 8-71 (Table 8-67) of ES Chapter 8 [REP7-036]. Smithic Bank provides shelter to the northern part of the Holderness Coast including the town of Bridlington. It is an important fish nursery and feeding ground, in turn supporting the birds at Flamborough Head. [R&I, B25] We advise that as a minimum this could be addressed though adopting similar requirements placed on Hornsea Project 4 i.e. pre-construction update of modelling of the final built out design and inclusion of monitoring. **Decommissioning** Natural England maintains our previous advice (B44 [RR-039]) and continue to disagree with the Applicant's assessment that the magnitude of decommissioning effects on the marine physical environment can be assumed to be comparable to those during the construction phase. We consider that the baseline conditions at the end of design life may differ significantly from those at pre-construction and the value of receptors may change over the lifetime of the project. Consequently, the EIA cannot confidently determine decommissioning impacts at the end of the design life of the Projects. [R&I, B30]

Table 2: Natural England's Response to the ExA's Rule 17 questions on Benthic Ecology

Ref	Question	NE response
17.5	**Applicants' environmental statement conclusions for benthic ecology** 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	Natural England continues to disagree with the Applicant regarding biotopes contributing to Annex 1 feature being classed as low value, particularly where they will be subject to permanent loss/change and therefore for which sensitivity cannot be used to downgrade overall value as per the Applicants outlined methods. However, we acknowledge these will be given further consideration in the RIAA. [C9, R&I]

	conclusions you disagree with and, if possible, include a cross reference to your submissions which explain why.	Natural England maintains our previous advice (C10, [RR-039]) concerns with *"Habitats or species that provide prey items for other species of conservation value"* being considered of low value in the assessment. Of note are spawning/nursery grounds for sandeel and herring, both of which are an important prey resource for Annex I bird species and Annex II marine mammal features of designated sites. Within the wider marine environment impacts to habitats that provide prey availability may be considered as low. However, it should be recognised that some areas remain more important than others. Whilst we maintain our advice that a generic low value should not be attributed to all areas within the red line boundary, we note that this impact pathway has been given further consideration under HRA. Please see our response to RIES questions 32, 46, 52, 53 in [REP7-152] and Appendix B8 and P8 of our Deadline 8 submission for our most recent advice on this topic. [C10, R&I]

Table 3: Natural England's Response to the ExA's Rule 17 questions on Fish and Shellfish Ecology

Ref	Question	NE response
17.6	**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.	The Applicant has updated the DCO [REP7-012] to include conditions securing underwater noise mitigation for construction works, restrictions on export cable installation works during the herring spawning season and, on a without prejudice basis, restrictions on piling activity during the herring spawning season. We advise that we are satisfied that these updated conditions sufficiently secure the application of additional mitigation which would substantially reduce impacts to Atlantic herring (as demonstrated in [REP5-033]). We therefore agree with the EIA conclusions for Impact 1 (herring) and 4 (herring and sandeel). **Impacts from UXO clearance** The Applicant has stated [REP5-037] that they included a statement on impacts from UXO on fish in the ES Chapter [APP-091], which applies only to Impact 4 (construction). Whilst the Applicant has provided a nominal assessment of habitat loss for herring and sandeel in relation to UXO clearance in the updated the RIAA [REP7-017], we maintain our previous advice that this should be included in the ES Chapter and how it effects Impacts 1 and 6. Due to this not being undertaken during

		the Examination process, we advise that it is included in the Marine Licence application for UXO clearance. **<u>Impact 7: EMF effects arising from cables.</u>** Natural England remain concerned about EMF in array areas which include high and very high sandeel spawning habitat. The Applicant highlights that some receptors exhibit flexibility in their range of habitats, but Natural England highlights the high site fidelity known for sandeel. Whilst we agree they are less electrosensitive when compared with elasmobranchs, there is insufficient evidence to confirm no impact on sandeel. However, we acknowledge that the lack of evidence base would prevent a more accurate assessment being undertaken. [E6, R&I] **<u>Heat impacts</u>** The effects of localised heating from the cables have been assessed in reference to water temperature increase, with no specific receptors identified as being impacted. We disagree with this being omitted from Table 10-34 as an impact and maintain our previous advice that an assessment of localised heating of sediment is provided to demonstrate that there would be no significant adverse impacts to both sandeel and herring. We note that the evidence cited by the Applicant at Deadline 6 [REP6-052] suggests that sediment could be heated from cables to a distance that would overlap with sandeel burrowing depths. See Appendix E8 of our Deadline 8 submission for further detail. [E8, R&I]

Table 4: Natural England's Response to the ExA's Rule 17 questions on Marine Mammal Ecology

Ref	Question	NE response
17.7	**Applicants' environmental statement conclusions for marine mammals** **NE/ the MMO:** 2. 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.	The Applicant has included updates to the DCO condition related to mitigation for underwater noise during construction at Deadline 7 [REP7-012]. Whilst the Applicant has not committed to a specific level of noise reduction in dB, we are satisfied that this updated condition sufficiently secures the application of additional primary and/or secondary mitigation to reduce noise levels at source. We therefore agree with the conclusions for all species for Impacts 1 and 2 (Construction). **Piling in poor visibility or hours of darkness** In relation to Construction Impacts 4b, 4c, 6 and 9, Operation impact 3b, 3c, 5 and 8, Cumulative Impact 4 Natural England has advised the Applicant [REP6-071] to present the evidence that the proposed Passive Acoustic Monitoring (PAM) equipment will cover the whole mitigation area for all marine mammals, and that they have considered animals that vocalise infrequently such as baleen whales and seals. Whilst we acknowledge the commitment from the Applicant in the Outline Marine Mammal Mitigation Protocol [REP7-118] to ensure the monitoring area (MA) is fully mitigated with the use of PAM during hours of darkness and reduced visibility for all marine mammals, Natural England maintain our advice that the Applicant should present evidence. The current Illustrative Noise Document [REP7-126] presents values that would suggest PAM is not currently sufficient, even when applying a 10db noise reduction through NAS. Without this evidence Natural England cannot ascertain if the proposed PAM equipment would be sufficient. **Cumulative Effects for Permanent Threshold Shift (PTS) (Cumulative Impact 1)** Whilst we welcome updates to the DCO condition related to underwater noise mitigation for piling submitted at Deadline 7 [REP7-017], mitigation cannot guarantee that no animals will be at risk of PTS. We therefore maintain that PTS should be included in the CEA screening. In the updated ES Chapter 11 submitted at Deadline 7 [REP7-046], the Applicant states that *'PTS has been included in the iPCoD modelling as a precautionary approach but not assessed separately'*. This is

		insufficient to resolve our concerns as it means the cumulative assessment has only taken account of the iPCoD modelling, not the other assessment methods used in the Chapter such as dose response curves. **Decommissioning Impact 1b: TTS from underwater noise** We cannot agree with the conclusions for this impact as the TTS pre-mitigation effects for grey seal is *minor to major adverse*. There is currently no mitigation for this in the table and would need to be mitigated as set out for Construction TTS impacts.

Table 5: Natural England's Response to the ExA's Rule 17 questions on Offshore Ornithology

Ref	Question	NE response
17.10	**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.	As confirmed in Natural England's Deadline 6 cover letter [REP6-071], we are satisfied that no further updates to the offshore ornithology assessment are required. The Applicant has concluded there are no significant EIA impacts on any seabird species from either the projects alone, or acting cumulatively with other existing, consented or proposed OWF developments. As detailed in [REP5-058] and Appendix G8 of our Deadline 8 submission, for some time Natural England has been unable to rule out significant adverse EIA impacts at the North Sea scale from OWF cumulative effects (Impacts 9-12) for the following species relevant to the impacts of Dogger Bank South: • Guillemot (displacement) • Razorbill (displacement) • Gannet (displacement and collision) • Kittiwake (collision) • Great black-backed gull (collision)
