

Date: 03 February 2025
Our ref: Case: 17783 Consultation: 496808
Your ref: EN010130



National Infrastructure Planning
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Hornbeam House
Crewe Business
Park Electra Way
Crewe
Cheshire
CW1 6GJ

BY WEBSITE PORTAL ONLY

T 0300 060 3900

Dear Sir/Madam,

Application by GT R4 Limited (trading as Outer Dowsing Offshore Wind) for an Order Granting Development Consent for the Outer Dowsing Offshore Wind Project

The following constitutes Natural England's formal statutory response for the Outer Dowsing Offshore Windfarm (ODOW) Examination Deadline 4.

1. Natural England's Deadline 4 Submissions

For Deadline 4, Natural England has reviewed the documents relevant to our statutory remit submitted by the Applicant at Deadline 3 on 13 December 2024. An update of Natural England's position regarding these documents is provided in Annex 1, including responses that were deferred from Deadline 3. Natural England is also submitting the following, Appendices, which include advice deferred from previous deadlines, as signposted from Annex 1:

- EN010130 496808 ODOW Appendix B2 - Natural England's Advice on Marine Processes and Sandwave Levelling Study [REP03-047] Deadline 4
- EN010130 496808 ODOW Appendix C4 - Natural England's Advice on Benthic Ecology Deadline 4
- EN010130 496808 ODOW Appendix C5 - Natural England advice on cable protection assessment for offshore windfarms and inclusion in marine licenses Deadline 4

- EN010130 496808 ODOW Appendix F3 - Natural England's Advice on Offshore Ornithology Deadline 4
- EN010130 496808 ODOW Appendix G2 - Natural England's Advice on Offshore Ornithology Compensation Deadline 4
- EN010130 496808 ODOW Appendix H4- Natural England's Advice on Onshore Ecology Deadline 4
- EN010130 496808 ODOW Appendix H5 - Natural England's Advice on Soils Deadline 4
- EN010130 496808 ODOW Appendix J4 - Natural England's NE Risk and Issues Log Deadline 4
- EN010130 496808 ODOW Appendix K2 - Natural England's Response to ExA's Written Questions 2 at Deadline 4

1. Natural England's Engagement through Examination

Natural England continues to highlight to the Examining Authority (ExA) and the Applicant that the focus of our engagement during Examination will be on reviewing relevant updated Environmental Statement (ES) chapters/technical documents/outline plans or thematic clarification notes. Therefore, we have not responded to commentary on our submissions, other interested parties' representations/submissions or to comments from the Applicants or other stakeholders on the Risk and Issues Log, unless the ExA questions have directed us to do so.

Where the Applicant considers their response to be sufficient, we reiterate that for issues to be considered resolved, an amendment or commitment will need to be included within the relevant secured named technical document or plan and reviewed within the wider context of the Application. Furthermore, when providing clarifications and explanations as additional appendices to documents, Natural England strongly recommends that a summary paragraph at the beginning of each document is included to sign post to the appendices. This ensures the user of the document is aware of these additions and the appendices can be read in conjunction with the rest of the document. Please refer to Appendix C4 for further detail on this matter.

Natural England welcomes the resolutions of issues so far. However, we are keen to see the Applicant making further substantial progress earlier in Examination, rather than pushing back on aspects of our advice, which will leave outstanding issues unresolved until later in Examination.

2. Strategic Compensation Measures for offshore wind activities

Natural England draws the attention of the ExA and the Applicant to the Ministerial Statement issued on 29th January 2025 which confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund.

[Written statements - Written questions, answers and statements - UK Parliament](#)

DESNZ also issued interim guidance on the Marine Recovery Fund. The guidance will provide developers a means to access MPA designation as a compensation measure, prior to the launch of the MRF. The interim guidance also provides advice to developers in planning who are developing their own avian compensation packages on how to ensure that their consent documents include the option to switch to sourcing their avian compensation through the Marine Recovery Fund when it is in place.

[Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance - GOV.UK](#)

Natural England will provide further, more detailed advice, in due course for this project.

3. Scour and Cable Protection

The Applicant must secure within the DCO/DML that all scour and cable protection deployed must be removable within the Inner Dowsing, Race Bank and North Ridge (IDRBNR) SAC and a commitment to remove it upon decommissioning. Currently, Natural England notes that this is only included within the cable protection plan. Please refer to Appendix J4 Risks and Issues Log for our detailed advice in Tab A Point 26 and Tab C Points 3 and 12.

Within the DCO/DML, Natural England notes condition 21 now secures the deployment of cable protection up to 10 years post construction. However, this is at odds with the OOMP [APP-275] and is not in line with Natural England's best practice guidance provided at Appendix C5 to this Deadline 4 submission. Natural England will review once the Applicant has revisited this concern. Please refer to Appendix J4 Risks and Issues Log for our detailed advice in Tab A Point 5 and Tab C Point 2.

4. Marine Mammal Revised Figures as requested in Natural England's RR-045

Natural England welcomes the submission of revised figures in REP3-048 and are satisfied that the Applicant has shown that underwater noise from piling will not cause a significant barrier for harbour seals in the Wash and North Norfolk Coast SAC. We also refer the Applicant to Appendix J4 Risks and Issue Log Tab E, Point 9 for our update on this matter.

5. Defra Marine Noise Package

Defra have recently published their Marine Noise package, which provides a suite of new and updated policy and guidance relating to the reduction and mitigation of underwater noise. This package includes the following documents;

- Marine Noise Policy paper, which can be found here - [Reducing marine noise - GOV.UK](#).
- An updated Unexploded Ordnance (UXO) Joint Position Statement, which can be found here - [Marine environment: unexploded ordnance clearance Joint Position Statement - GOV.UK](#)
- UXO clearance supporting guidance providing more detail for [Supporting minimising environmental impacts from unexploded ordnance clearance - GOV.UK](#)

Alongside these documents, JNCC have also published new mitigation guidelines for UXO clearance, which can be found here - [JNCC guidelines for minimising the risk of injury to marine mammals from unexploded ordnance \(UXO\) clearance in the marine environment | JNCC Resource Hub](#), and a joint statement from science and nature conservation advisors (Cefas, JNCC and NE) on the use of noise reduction methods when piling, which can be found here - [JNCC, Natural England and Cefas position on the use of quieter piling methods and noise abatement systems when installing offshore wind turbine foundations | JNCC Resource Hub](#). The statement is supported by a CEFAS evidence review of noise reduction methods, which can be viewed here - [Evidence on the efficacy of underwater noise abatement](#).

Together, these documents set out the expectation that from January 2025., ***'all offshore wind pile driving activity across all English waters will be required to demonstrate that they have utilised best endeavours to deliver noise reductions through the use of primary and/or secondary noise reduction methods in the first instance'*** and that low-order UXO clearance should now be the default clearance method, with high-order

detonations restricted to extraordinary circumstances. They also provide updated advice regarding mitigation of UXO clearance activities. Natural England advises that the Applicant should review the content of these documents and ensure their assessment and mitigation measures are aligned. Natural England will provide further, more detailed advice in due course as required.

6. Natural England's Defer to CEFAS clarification

Natural England wishes to clarify to the Examining Authority that within our Relevant Representation's response [RR-045], we deferred our response on fish and shellfish to the technical expertise of CEFAS. Please be advised that this matter should have been deferred to the MMO, as the relevant Interested Party (IP), to provide comment. Our understanding is that the MMO seek technical expertise from CEFAS to inform their advice and therefore CEFAS are not an IP in their own right.

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

Yours sincerely

Polly Mills and Ellie Casey
Norfolk and Suffolk / Sussex and Kent

E-mail: [REDACTED]

Telephone: [REDACTED]

Annex 1: Natural England's Response/Summary Position to the Applicant's Documents Submitted at Deadline 3 and those deferred from Previous Deadlines		
REP3-001	20.1 The Applicant's Deadline 3 Covering Letter	Natural England has no comments to make on this document
REP3-002	1.2 Guide to the Application	Natural England has no comments to make on this document.
REP3-003	2.0 Schedule of Changes for Plans	Natural England has no comments to make on this document.
REP3-004	2.5 Land Plans V6 - (Part 1 of 2)	Natural England has no comments to make on this document.
REP3-005	2.5 Land Plans V6 - (Part 2 of 2)	Natural England has no comments to make on this document.
REP3-036	15.18 Statement of Commonality V3.0	Natural England has no comments to make on this document.
REP3-046	20.14 Clarification Note King Charles III England coast path	Natural England has no comments to make on this document.
REP3-037	20.2 The Applicant's Comments on Deadline 2 Submissions	Natural England's response to this document is provided in Appendix F3.
REP3-038	20.3 The Applicant's Comments on Deadline 1 Written Representations	Natural England has no comments to make on this document
REP3-039	20.4.1 The Applicant's Written Summary of oral case put at the Compulsory Acquisition Hearing, 3rd Dec	Natural England has no comments to make on this document
REP3-040	20.4.2 The Applicant's Written Summary of oral case put at Issue Specific Hearing 1 on DCO matters, 4th Dec	Natural England has no comments to make on this document
REP3-041	20.4.3 The Applicant's Written Summary of oral case put at Issue Specific Hearing 2 on Offshore matters, 4th Dec	Natural England has no comments to make on this document
REP3-051	20.4.4 The Applicant's Written Summary of oral case put at Issue Specific Hearing 3 on Onshore matters, 5th Dec	Natural England has no comments to make on this document
REP3-050	20.18 The Applicant's Change Notification dated 13 December 2024	Natural England's response to this document is provided in Appendix G2 and Appendix K2 in response to the Examiners second set of questions, Q2 HRA 2.3.
REP3-052	20.5 The Applicant's Mid Examination Principal Issues Progress Tracker	Natural England has no comments to make on this document
REP3-053	20.6 The Applicant's Response to Action Points 2, 7, 9 of ISH3 and Correction	Natural England has no comments to make on this document

REP3-054	20.7 The Applicant's Comments on ExQ1 Responses	Natural England's response to this document is provided in Appendix K2.
DCO		
REP3-007	3.1 Draft Development Consent Order V6 (Tracked)	Natural England has provided comment in our Risks and Issues Log, Appendix J4.
REP3-008	3.1.1 Schedule of Changes to the Draft DCO V5.0	Natural England has provided comment in our Risks and Issues Log, Appendix J4.
REP3-010	3.2 Explanatory Memorandum V4 (Tracked)	Natural England has provided comment in our Risks and Issues Log, Appendix J4.
Onshore Ecology (including Soils)		
REP3-019	6.3.27.1 Chapter 27 Appendix 1 Transport Assessment Annex A Special Order AIL Swept Path Analysis	Natural England has no comments to make on this document
REP3-017	6.3.3.2 Onshore Crossing Schedule V5 (tracked)	Natural England has no comments to make on this document
REP3-021	8.1 Outline Code of Construction Practice V4 (Tracked)	Natural England's response to this document is provided in Appendix H4 and H5. Natural England has also provided an update in our Risks and Issues Log, Appendix J4.
REP3-024	8.1.3 Outline Organic Land Protocol	Natural England's response to this document is provided in Appendix H5.
REP3-023	8.1.3 Outline Soil Management Plan V3 (Tracked)	Natural England's response to this document is provided in Appendix H5.
REP3-032	8.15 ODOW Outline Construction Traffic Management Plan V2 (Tracked)	Natural England has no comments to make on this document
REP3-028	8.10 Outline Landscape & Ecological Management Strategy V4_with Annex A7 (Tracked)	Natural England's response to this document is provided in Appendix H4 and H5.
REP3-030	8.10 Outline Landscape and Ecological Management Strategy (OLEMS) CONFIDENTIAL (Tracked)	Natural England's response to this document is provided in Appendix H4 and H5.
REP3-055	20.08 Clarification Note Climate Change, Increased Rainfall & Soil Impacts	Natural England has no comments to make on this document
REP3-056	20.09 Clarification Note Land Take, Soil Calculation and Storage	Natural England's response to this document is provided in

	Bunds	Appendix H5. Natural England has also provided an update in our Risks and Issues Log, Appendix J4.
REP3-042	20.10 Clarification Note Borehole Locations Plan	Natural England has no comments to make on this document
REP3-043	20.11 Letter of No Impediment received from Natural England-Great Crested Newt	Natural England has no comments to make on this document
REP3-044	20.12 Letter of No Impediment received from Natural England-Water Vole	Natural England has no comments to make on this document
Offshore and Intertidal Ornithology		
REP2-026	7.7.5 Predator Control Evidence Base and Roadmap (Tracked)	Natural England's response to this document is provided in Appendix G2.
REP2-057	19.8 Levels of precaution in the assessment and compensation calculations for offshore ornithology	Natural England's response to this document is provided in Appendix F3.
REP2-058	19.9 Consideration of bioseasons in the assessment of guillemot	Natural England's response to this document is provided in Appendix F3.
REP2-059	19.10 Rates of displacement in guillemot and razorbill	Natural England's response to this document is provided in Appendix F3.
REP2-060	19.11 Lead-in periods for kittiwake breeding on Artificial Nesting Structures	Natural England's response to this document is provided in Appendix G2.
REP3-049	20.17 Guillemot and Razorbill Compensation Quanta	Natural England's response to this document is provided in Appendix G2.
Benthic		
REP3-018	6.3.9.2 Chapter 9 Appendix 2 Benthic Ecology Technical Report (ECC) V3	Natural England's response to this document is provided in Appendix C4
REP3-035	15.13 Envision Offshore Export Cable Corridor Sabellaria Spinulosa Image Reanalysis and Report	Natural England's response to this document is provided in Appendix C4
Marine Mammals		
REP3-048	20.16 Marine Mammal Revised Figures as requested in Natural England's RR (RR-045)	Please refer to Section 4 of this Cover Letter for Natural England's comment.

Marine Physical Processes		
REP3-047	20.15 Sandwave Levelling Study	Natural England's response to this document is provided in Appendix B2