

Date: 26 February 2025
Our ref: Case: 17783 Consultation: 503121
Your ref: EN010130



National Infrastructure Planning
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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 4a.

1. Natural England's Deadline 4a Submissions

For Deadline 4a, Natural England has reviewed the documents relevant to our statutory remit submitted by the Applicant at Deadline 4 on 03 February 2025. An update of Natural England's position regarding these documents is provided in Annex 1, including those responses which we were unable to bring forward in advance of Deadline 5, and documents that Natural England has reviewed, but no comments are required. Natural England is also submitting the following Appendices, as signposted from Annex 1:

- EN010130 503121 ODOW Appendix F4 - Natural England's Advice on Offshore and Intertidal Ornithology Deadline 4a
- EN010130 503121 ODOW Appendix D1 - Natural England's Advice on Benthic Compensation and Mitigation Deadline 4a

Please note, that we are currently awaiting the necessary Quality Assurance for:

- EN010130 503121 ODOW Appendix H6 - Natural England's Advice on Protected

Species Deadline 4a

We intend to submit this document tomorrow and we hope that in the interests of issue resolution the Examining Authority (ExA) will exercise their discretion and accept this advice as a late submission. Our Risks and Issues Log will be next submitted at Deadline 5, see Section 11.

2. Natural England's Engagement through Examination

Natural England continues to highlight to the 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 Applicant or other stakeholders on the Risk and Issues Log, unless the ExA questions have directed us to do so. Please see our response to the ISH 5 Action Point (6) and ISH 6 Action (1) below.

3. Issue Specific Hearing Actions 5 (ISH5) on Onshore Environmental Matters and the draft Development Consent Order

Action Point (5)

Natural England to confirm that access has been obtained to the latest confidential badger Annex to the Outline Landscape and Ecological Management Strategy (OLEMS), and to obtain this from either the Applicant or Planning Inspectorate

Natural England confirms we have access to the latest confidential Outline Landscape and Ecological Management Strategy (OLEMS) [REP3-030]. We refer the ExA to Appendix H6 for our advice to Appendix 7 of the OLEMS.

Action Point (6)

(Applicant and NE) Undertake discussions regarding the need, or not, for a badger and otter licence or Letter of no Impediment (LoNI) and provide a note on the outcome of these discussions as well as discussing other outstanding matter from the Risk & Issues Log.

We refer the ExA to Appendix H6 for our advice regarding licencing for badger and otter. Owing to the shortness of time between the ISH and Deadline 4a, the Applicant has been in contact with Natural England via e-mail in an attempt to resolve the outstanding risks and issues. Therefore, Natural England's Wildlife Licencing Service (NEWLS) has provided further

advice regarding outstanding protected species matters highlighted within our Risk and Issues log and this is presented within Appendix H6. Natural England will provide an update to the Risks and Issues Log on our position regarding these matters at Deadline 5.

4. Issue Specific Hearing Actions 6 (ISH6) on Offshore Environmental Matters Hearing Action Points

Action Point (1)

NE and the RSPB to respond to the Applicant's Deadline 4 submissions.

As advised in Natural England's response to the Rule 8 (3) letter dated 11th February 2025, for Deadline 4a Natural England has prioritised our advice to the Issue Specific Hearing Actions. At Deadline 4a we have also provided advice to [REP3-030, REP4-072, REP4-085 and REP4-087]. Owing to the technical complexity of several documents submitted by the Applicant at Deadline 4, and the relatively short timeframe with the inclusion of Deadline 4a, our advice to these documents will be submitted at Deadline 5. Please refer to Annex 1 for the status of each document review relevant to Natural England's remit at Deadline 4a.

Action Point (10)

Applicant to provide an update to their approach to supporting habitat and NE to respond to this approach.

Natural England has received a copy of the Applicant's approach to Annex 1 *Sabellaria spinulosa* reef supporting habitat, upon which Natural England has provided a response directly to the Applicant through our discretionary advice service (DAS). Natural England understands the Applicant intends to submit their Annex 1 *Sabellaria spinulosa* reef supporting habitat approach at Deadline 4a. Natural England will provide further advice at Deadline 5.

Action Point (12)

NE to provide comments on the issue of strategic benthic compensation considering the January 2025 Written Ministerial Statement. Additionally, NE to confirm whether any other benthic compensation measures should be progressed, aside from strategic benthic compensation.

Please refer to Natural England's advice provided in Appendix D1 as part of our Deadline 4a submission.

Action Point (13)

MMO and NE to provide a response to any and all relevant points covered in the hearings not already covered by action points.

Due to the volume and complexity of the documentation submitted at Deadline 4 for review, Natural England does not have capacity to listen to the ISHs and/or review the transcript in order to provide a response to any and all relevant points covered. Natural England has therefore focused on responding on the action points listed by the ExA. As noted in our response to the Rule 6 letter, Natural England would be pleased to respond to any questions from the ExA that arise from the hearings at a subsequent deadline.

5. Outstanding Onshore Ornithology Mitigation Matters

Natural England met with the Applicant on 20 February to discuss resolving outstanding onshore ornithology issues regarding Pink-footed Geese (PFG) mitigation requirements and provided advice under our discretionary advice service (DAS).

Natural England advised our preferred PFG mitigation approach is for avoidance of works between November and February or for the Applicant to adopt a strategic mitigation approach to provide an area of supplementary feeding within the area of functionally linked land (FLL) adjacent to the Wash SPA. Natural England awaits the Applicant's update into examination on this matter.

6. Lead-in periods for kittiwake breeding on Artificial Nesting Structures (ANS) [REP4-105]

Natural England will review the updated version of 19.11 Lead-in periods for kittiwake breeding on Artificial Nesting Structures (ANS) [REP4-105] and will provide a response to this at the next appropriate deadline.

7. Noise Abatement Systems

Natural England has reviewed the updated Marine Mammal Mitigation Plan (MMMP) for piling [REP-085] and the Site Integrity Plan [REP4-087] and does not consider the statement "*the Applicant will use best endeavours to deliver noise reductions for pile driving activity through the use of primary and/or secondary noise reduction methods.*" demonstrates a commitment to utilising noise reducing technology. Once the Applicant has committed to using noise

reduction technology, the methodology should be discussed with Statutory Nature Conservation Bodies (SNCBs) and regulators as soon as possible, post-consent. The Applicant should be committing to using noise reducing technology, such as Noise Abatement Systems, at the consenting stage.

8. Marine Mammal Mitigation Plan (MMMP) [REP4-085, REP3-038]

The Applicant's response to Natural England's Risk and Issues Log [REP4-113], point 10 in tab E, has been raised directly with us as the Applicant considers it to be resolved. Natural England acknowledges the Applicant has included a recommendation in the Marine Mammal Mitigation Plan (MMMP) [REP4-085, REP3-038] that a 30 minute visual watch should occur before Acoustic Deterrent Device (ADD) activation. However, we advise for the issue to be resolved Natural England are awaiting inclusions that the Applicant will commit to conducting a 30 minute watch before ADD activation and that visual watch times for Marine Mammal Observers will be adjusted to account for this, in addition to the required time of ADD duration.

Furthermore, the Applicant has not addressed any of the other issues based on the MMMP or SIP [REP4-087] that are outlined in Natural England's Risk and Issues log, so these issues remain.

9. Interim Population Consequences of Disturbance (iPCoD) Modelling Report

Natural England has noted discrepancies in the Interim Population Consequences of Disturbance (iPCoD) results from the iPCoD modelling report [REP4-100] submitted at Deadline 4. Examples of these are, Table 6, Jackets, End year 1 piling: the confidence intervals for the impacted population are the same as the confidence intervals for the unimpacted population, but the means are different; Table 8, Jackets, 18 years after piling: the means for the impacted and unimpacted populations are the same, but the confidence intervals are different. There are also other similar occurrences within tables 5, 9 and 11. Please note, we have not checked all results and calculations; there might be other discrepancies within the report.

Natural England has advised the Applicant of these discrepancies directly and requests the iPCoD results presented in this document are checked and updated in order for us to provide comments at the next appropriate deadline.

With regard to the Applicant's response to Point 2 in tab E of Natural England's Risk and

Issues Log [REP4-113], regarding iPCoD modelling advice to the Five Estuaries DCO Examination, Natural England would highlight that we provide advice on a case-by-case basis based on, amongst other factors, consideration of the assessment methodologies and the predicted impacts outlined in the EIA and HRA for any individual project and therefore it is reasonable that our advice may differ between projects.

10. Draft Development Consent Order [REP4-007]

Schedule 1 Part 3, Requirement 10 [REP4-007]. Natural England notes that this is the requirement to submit a Landscape Management Plan. We would request this requirement is amended to note that prior to approval the Relevant Statutory Nature Conservation Body should be consulted on this document.

Schedule 22, Parts 1-5 para 4 [REP4-007]. This Schedule contains all the compensation requirements. Para 4 has had 2 additional sections included which add a requirement to provide details of ongoing monitoring, reporting, adaptive management and a mechanism to determine if adaptive management is required. Natural England considers these paragraphs a step forward in resolution of issues A2, A3, A15 and A16 of our Relevant and Written Representations. However, we would note this does not fully address the issues, for example it does not secure what would happen should the third party fail to undertake the compensation, just that the monitoring surveys, timings, methodologies and adaptive management considerations need to be provided in a report. We would also note these changes are recorded in the Schedule of Changes on version 7 of the DCO, however, the track changes draft Development Consent Order version 7 does not have these paragraphs as new changes.

11. Risks and Issues Log

Due to the volume of submissions provided at Deadline 4 and the introduction of Deadline 4a Natural England will provide an up-to-date Risk and Issues log at Deadline 5.

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: E-mail:

Telephone:

Annex 1: Natural England's Response/Summary Position to the Applicant's Documents Submitted at Deadline 4 and those deferred from Previous Deadlines		
REP4-001	1.2 Guide to the Application V8.0	Natural England has no comments to make on this document.
REP4-106	21.1 The Applicant's Deadline 4 Covering Letter	Natural England has no comments to make on this document.
REP4-002	2.0 Schedule of Changes for Plans V6	Natural England has no comments to make on this document.
REP4-107	21.2 The Applicant's Responses to the Examining Authority's Written Questions 2	Under review. Natural England will review with consideration of any response required at Deadline 5.
REP4-108	21.3 The Applicant's Comments on Deadline 3 Submissions	Under review. Natural England has reviewed with consideration to our response at Deadline 4a and any response required at Deadline 5.
REP4-109	21.4 The Applicant's Response to Written Summaries of Oral Cases at ISH1	Natural England has no comments to make on this document.
REP4-110	21.5 The Applicant's Response to Written Summaries of Oral Cases at ISH2	Natural England has no comments to make on this document.
REP4-111	21.6 The Applicant's Response to Written Summaries of Oral Cases at ISH3	Natural England has no comments to make on this document.
REP4-112	21.7 The Applicant's Response to Written Summaries of Oral Cases at CAH1	Natural England has no comments to make on this document.
REP4-124	21.19 The Applicants Change Request dated 3 February 2025	Natural England has reviewed this document for our awareness.
REP4-113	21.8 The Applicant's Comments on Natural England's Risk and Issues Log	Under review. Natural England will review with consideration to our response required at Deadline 5.
REP4-030	7.1 Report to Inform Appropriate Assessment V3 (Clean) Redacted	Natural England will provide advice at Deadline 5. Please see Appendix F4 regarding our advice to the Applicant's Red-Throated diver assessment and Appendix D1 in relation to IDRB NR SAC.
REP4-032	7.1 Report to Inform Appropriate Assessment V3 (Tracked) CONFIDENTIAL	Natural England will provide advice at Deadline 5.
REP4-031	7.1 Report to Inform Appropriate Assessment V3 (Tracked) Redacted_Reduced	Natural England will provide advice at Deadline 5.

REP4-038	7.2 Habitats Regulations Assessment Screening Report V2 (tracked)	Natural England will provide advice at Deadline 5.
REP4-040	7.3 Report to Inform Appropriate Assessment Appendix 1 Screening Matrices (tracked)	Natural England will provide advice at Deadline 5.
REP4-042	7.4 Report to Inform Appropriate Assessment Integrity Matrices (tracked)	Natural England will provide advice at Deadline 5.
REP4-044	7.5 Habitats Regulations Assessment Derogation Case V2 tracked	Natural England will provide advice at Deadline 5.
REP4-122	21.17 The Oyster Restoration Company Letter of Comfort	Natural England has reviewed this document for our awareness. No response required.
REP4-123	21.18 The Applicant's Change Notification dated 3 February 2025	Natural England has reviewed this document for our awareness. No response required.
REP4-101	15.18 Statement of Commonality V4.0	Natural England has no comments to make on this document
REP4-074	8.13 Schedule of Mitigation V4 (tracked)	If required, Natural England will provide further advice at Deadline 5. However, please see Deadline 4a Appendix D1 in relation to new/updated benthic mitigation measures.
DCO		
REP4-009	3.1 Draft Development Consent Order (Change Request) V7.1 (Tracked)	Natural England will provide advice at Deadline 5.
REP4-007	3.1 Draft Development Consent Order V7 (Tracked)	Please refer to Section 10 of this Cover Letter for Natural England's comment.
REP4-010	3.1.1 Schedule of Changes to the Draft DCO	Please refer to Section 10 of this Cover Letter for Natural England's comment.
REP4-012	3.2 Explanatory Memorandum V5 (Tracked)	Natural England has no comments to make on this document.
Onshore Ecology and Soils		
REP4-068	8.1 Outline Code of Construction Practice V5 (Tracked)	Natural England has no comments to make on this document
REP4-070	8.1.3 Outline Soil Management Plan V4 (Tracked)	If required, Natural England will provide advice at Deadline 5.
REP4-003	2.5 Land Plans V7 - Part 1 of 2	Natural England has no comments to make on this document
REP4-004	2.5 Land Plans V7 - Part 2 of 2	Natural England has no comments to make on this document.
REP4-005	2.18 Onshore Crossing Plan	Natural England has no comments to make on this document.

REP4-096	15.7 Landfall Noise Bund Hydraulic Modelling Report V3 Appendix C (Part 2 of 4)	Natural England has no comments to make on this document.
REP4-097	15.7 Landfall Noise Bund Hydraulic Modelling Report V3 Appendix C (Part 3 of 4)	Natural England has no comments to make on this document.
REP4-094	15.7 Landfall Noise Bund Hydraulic Modelling Report V3 (Tracked) (Part 1 of 4)	Natural England has no comments to make on this document.
REP4-098	15.7 Landfall Noise Bund Hydraulic Modelling Report V3 Appendix C (Part 4 of 4)	Natural England has no comments to make on this document.
REP4-095	15.7 Noise Bund Hydraulic Modelling Report Appendix C Figures (Part 1 of 4)	Natural England has no comments to make on this document.
REP4-117	21.12 BMV Quantitative Cumulative Assessment	If required, Natural England will provide advice at Deadline 5.
REP4-021	6.3.3.2 Onshore Crossing Schedule V6 (Tracked)	Natural England has no comments to make on this document.
REP4-072	8.10 Outline Landscape & Ecological Management Strategy V5 (Tracked)	Please see our advice to this document in Appendix H6.
REP3-030	8.10 Outline Landscape & Ecological Management Strategy V4_with Annex A7 (Tracked Confidential).pdf	Please see our advice to this document in Appendix H6.
Offshore and Intertidal Ornithology		
REP4-019	6.3.12.6 MRSea Modelling for Offshore Ornithology V2 Tracked	Natural England will provide advice at Deadline 5.
REP4-105	19.11 Lead-in Periods for Kittiwake Breeding on ANS V2 Tracked	Natural England will provide advice at Deadline 5.
REP4-034	7.1.1 Offshore and Intertidal Ornithology Apportioning V3 (Tracked)	Please see our advice to this document in Appendix F4.
REP4-033	7.1.1 Offshore and Intertidal Ornithology Apportioning V3	Please see our advice to this document in Appendix F4.
REP4-036	7.1.2 Ornithology Population Viability Analysis Habitats Regulations Assessment V2 (Tracked)	Natural England will provide advice at Deadline 5.
REP4-054	7.7 Ornithology Compensation Strategy V2 Tracked	Natural England will provide advice at Deadline 5.
REP4-056	7.7.1 Kittiwake Compensation Plan Tracked	Natural England will provide advice at Deadline 5.
REP4-058	7.7.2 Guillemot Compensation Plan Tracked	Natural England will provide advice at Deadline 5.
REP4-059	7.7.3 Razorbill Compensation Plan V2 Tracked	Natural England will provide advice at Deadline 5.
REP4-062	7.7.4 Offshore Artificial Nesting Structure Evidence Base and Roadmap V2 Tracked	Natural England will provide advice at Deadline 5.

REP4-064	7.7.5 Without Prejudice Predator Control Evidence Base and Road Map V3 (Tracked)	Natural England will provide advice at Deadline 5.
REP4-066	7.7.6 Additional Measures for Compensation of Guillemot and Razorbill Tracked	Natural England will provide advice at Deadline 5.
REP4-081	8.23 Outline ORCP Lighting Management Plan	Natural England will provide advice at Deadline 5.
REP4-076	8.18 Design Approach Document V2 (Tracked)	If required, Natural England will provide advice at Deadline 5.
REP4-078	8.19 Design Principles Statement V2 (Tracked)	If required, Natural England will provide advice at Deadline 5.
REP4-121	21.16 ORCP Design Principles Statement	If required, Natural England will provide advice at Deadline 5.
Benthic		
REP4-046	7.6 Benthic Compensation Strategy V2 Tracked	Please see our advice to this document in Appendix D1.
REP4-048	7.6.1 Without Prejudice Sandbank Compensation Plan V2 Tracked	Please see our advice to this document in Appendix D1.
REP4-050	7.6.2 Without Prejudice Biogenic Reef Compensation Plan V2 Tracked	Please see our advice to this document in Appendix D1.
REP4-054	7.6.3 Without Prejudice Benthic Compensation Evidence Base and Roadmap V2 Tracked	Please see our advice to this document in Appendix D1.
REP4-083	8.5 Cable Specification and Installation Plan_V4 Tracked	Please see our advice to this document in Appendix D1.
REP4-	8.21 Outline Scour Protection Management Plan V2 (Tracked)	Please see our advice to this document in Appendix D1.
Marine Mammals		
REP4-100	15.12 Interim Population Consequences of Disturbance Modelling Report V2 Tracked	Natural England will provide advice at Deadline 5.
REP4-085	8.6.1 Outline Marine Mammal Mitigation Protocol Piling V4 (Tracked)	Please see our advice to this document in the cover letter above.
REP4-087	8.7 In Principle Southern North Sea Special Area of Conservation Site Integrity Plan V3 (Tracked)	Please see our advice to this document in the cover letter above.