



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Sea Link Energy Cable

Appendix F5 to the Natural England Deadline 5 Submission

Natural England's Additional Comments on Marine Mammals

For:

The construction and operation of the Sea Link Energy Cable.

Planning Inspectorate Reference EN020026

11th March 2026

Appendix F5 – Natural England’s advice on documentation related to Marine Mammals.

In formulating these comments, the following documents have been considered in relation to the impacts of the Sea Link Energy Cable on marine mammals:

- [REP1-122] EN020026-001440-9.49 Seals and Airborne Sound Disturbance Technical Note (Clean).pdf (Table 2)
- [REP3-022] 6.4.4.4 (F) Part 4 Marine Chapter 4 Marine Mammals (Tracked Changes) (Tables 2 and 3)
- [REP3-029] 6.6 (E) Habitats Regulations Assessment Report (Tracked) (Table 4)
- [REP4-032] 6.4.4.4 (G) Part 4 Marine Chapter 4 Marine Mammals (Tracked Changes) (Table 3)
- [REP4-070] 7.5.11 (C) Outline Marine Mammal Mitigation Plan (Tracked Changes) (Table 1)
- [REP4-082] 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A (Table 1)

The following documents have been reviewed with no further comments made:

- [REP3-070] 9.73 Applicant's Responses to First Written Questions - Appendices
- [REP4-088] 9.90.1 Hearing Actions Deadline 4 Appendix J Piling Noise Dataset

1. Summary

There are two key outstanding issues that Natural England consider essential to understanding the impact of the project on marine mammals:

- Quantification of the number of animals potentially impacted,
- Assessment of in-combination impacts of underwater noise on harbour porpoise in the Southern North Sea SAC.

If the applicant requires more guidance for these issues we recommend they refer to the Offshore Wind Phase III Best Practice guide: [Offshore wind – best practice advice to facilitate sustainable development – Natural England](#). Whilst the activities considered therein are different, the approach to assessing impact alone and in-combination for marine mammals is the same and following this approach should make undertaking a suitable

assessment easier. Section 6 covers marine mammals with the following sections being particularly relevant:

- 6.1.2.4 Abundance / population and density estimates,
- 6.3.1 EIA-level assessments,
- 6.3.2 HRA-level assessments,
- 6.3.3 Underwater noise assessments, and
- 6.5 Cumulative and in-combination impact assessments.

2. Detailed Comments

Table 1: Natural England’s advice on Marine Mammals

Documents reviewed:			
<ul style="list-style-type: none"> • [REP4-070] 7.5.11 (C) Outline Marine Mammal Mitigation Plan (Tracked Changes) • [REP4-082] 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A 			
NE Ref	Section	Key Concern and/or Update	Natural England’s Advice to Resolve Issue
1	Deadline 3 appendix F3 comment 1	<p>Natural England notes that with regards to further clarification being required for the Marine Mammal Mitigation Plan (MMMP) the update has removed some unrequired sections in [REP4-070] and Natural England are satisfied that other issues can be resolved post consent.</p> <p>However, the document still lacks focus on practical mitigation steps to undertake, although we note that it meets the minimum requirements for geophysical surveys.</p> <p>Provided updates to the EIA marine mammal chapter demonstrate this is the only activity potentially causing injury, the current document is sufficient as an outline MMMP.</p> <p>However, Natural England highlights that the purpose and further clarity noted above should be addressed when the principal contractor is in place and the final MMMP is developed. This should include separating out the information relevant to onshore activities and airborne sound levels into a separate document as this is not relevant to mitigation activity during geophysical surveys.</p>	Natural England considers this issue resolved.
2	Deadline 3 appendix F3 comment 1	Natural England notes that document [REP4-070] refers to updated JNCC guidelines and states a 30-minute pre-shooting watch.	Natural England considers this issue resolved.

3	Deadline 3 appendix F3 comment 2	Natural England notes that with regards to the environment adviser/manager role the update has removed this and other roles not relevant to the MMMP implementation.	Natural England considers this issue resolved.
4	Deadline 3 appendix F3 comment 4	Natural England notes that with regards to the Passive Acoustic Monitoring (PAM) the update has removed references to targeting PAM for harbour porpoise. Natural England now considers that this will be suitable for other receptors.	Natural England considers this issue resolved.
5	Deadline 3 appendix F3 comment 5	Natural England notes that with regards to the proposed Unexploded Ordnance (UXO) clearance the update has included reference to the need for a separate MMMP when applying for a Marine Licence for UXO clearance and the relevant guidance.	Natural England considers this issue resolved.

Table 2: Natural England's advice on Marine Mammals

Documents reviewed:			
<ul style="list-style-type: none"> • [REP3-022] 6.4.4.4 (F) Part 4 Marine Chapter 4 Marine Mammals (Tracked Changes) • [REP1-122] EN020026-001440-9.49 Seals and Airborne Sound Disturbance Technical Note (Clean).pdf 			
NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
6		The Environmental Statement (ES) marine mammal chapter has been updated based on the technical note. There have been no updates to the airborne sounds section of the HRA to reflect the updated sound modelling for seals provided in 9.49. The HRA should use the sound modelling to justify the decision to determine no Adverse Effect on Site Integrity (AEoSI). Natural England do not consider this has been adequately undertaken, however we do not believe that further	Given the late stage in Examination and that Natural England can agree with the overall conclusion, we are content to mark this as resolved in this case.

		work would change the outcome of the assessment and we are therefore content to agree with the conclusion of no AEoSI based on the assessment in its current form.	
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Table 3: Natural England’s advice on Marine Mammals

Document reviewed: [REP3-022] and [REP4-032] 6.4.4.4 (F&G) Part 4 Marine Chapter 4 Marine Mammals (Tracked Changes)			
NE Ref	Section	Key Concern and/or Update	Natural England’s Advice to Resolve Issue
8	vF page 61 and vG page 53	Natural England welcomes the useful inclusions to the EIA on the noted pages. Unfortunately, this does not resolve our key concern that we cannot currently agree with the conclusions of the EIA. At this stage we are particularly concerned that there is still <u>no quantification of the potential impacts to certain marine mammal species</u> , specifically the number of harbour and grey seal that could be impacted.	Natural England notes that the document includes figures for animal densities in the area. These should be combined with underwater noise modelling to give an estimate of the number of animals potentially impacted. We note this has been undertaken for cetaceans in paragraph 4.9.30, however the same calculations should also be carried out for the two seal species present.

Table 4: Natural England’s advice on Marine Mammals

Document reviewed: [REP3-029] 6.6 (E) Habitats Regulations Assessment Report (Tracked)			
NE Ref	Section	Key Concern and/or Update	Natural England’s Advice to Resolve Issue
7	Pg 131, 133, 134, 135, 136 & 138	Natural England welcome the addition of a paragraph on in-combination for the projects on these pages. Unfortunately, this is not a sufficiently completed in-combination assessment.	<p>Natural England recommends that to work towards resolving the issue the Applicant needs to add a full assessment of the in-combination impact of the listed projects.</p> <p>This should be in the form of a table that lists each of the projects that have been identified and require an in-combination assessment. For each project the worst-case percentage disturbance, both daily and seasonally, from the projects respective HRAs should be included alongside the percentage figures from this project. These should be added together to give total figures for the in-combination assessment.</p>

3. References

Natural England (2025) Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards. Phase III: Expectations for data analysis and presentation at examination for offshore wind applications. Available at [Offshore wind – best practice advice to facilitate sustainable development – Natural England](#)