



FAO: Wendy McKay
Lead Member of the Examining Authority
The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
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Bristol
BS1 6PN

Application Reference: EN010119
ESC Reference: 20050773
Date: 28th January 2025
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By email: northfalls@planninginspectorate.gov.uk

Dear Ms. McKay,

Re: Application by North Falls Offshore Wind Farm Limited for an Order Granting Development Consent for the North Falls Offshore Wind Farm Project – East Suffolk Council’s Local Impact Report - Deadline 1 (18th February 2025).

Introduction

East Suffolk Council (ESC) acknowledges the Examining Authority’s (ExA) letter dated 28th November 2024 setting out Procedural Decisions under Section 89(3) of the Planning Act 2008. This included ‘the preparation and submission of Local Impact Reports (LIR) by Local Planning Authorities’.

To avoid unnecessary repetition, ESC provided a detailed description and narrative surrounding the key matters which are important considerations within our district in our Relevant Representation [\[RR-084\]](#) (copy attached in Appendix A to this letter). This LIR therefore highlights pertinent points from the Relevant Representation, whilst focussing on matters which have either changed or updated since that time. A summary of relevant planning policy with explanatory/supporting text is also provided in Appendix B to this letter (as per the request within Item 4 of the ExA’s Procedural Decisions letter).

ESC submits this LIR in reference to Section 56A of the Planning Act 2008, due to the proposed habitat compensation land for Lesser Black-backed Gulls (LBBG) at Orford Ness, within or adjacent to the Alde-Ore Estuary (AOE) Special Protection Area (SPA), located within the East Suffolk District. This letter provides ESC’s LIR for consideration at Deadline 1 on 18th February 2025 (as set out in Annex D of the Rule 6 letter).

The North Falls Offshore Wind Farm project will comprise an offshore generating station with a capacity exceeding 100 megawatts (MW), classifying as a Nationally Significant Infrastructure Project (NSIP) under sections 14(1)(a) and 15(3) of the Act and requires development consent in accordance with section 31 of the Act. ESC understands that the project is being developed on a 95km² site located between 42km and 54km offshore from the Suffolk and Essex coastline, in the southern North Sea. It is an extension to the operational Greater Gabbard offshore wind farm, and will comprise up to 57 turbines, each having a maximum blade tip height of 377m above mean sea level.

LEGAL ADDRESS East Suffolk House, Station Road, Melton, Woodbridge IP12 1RT

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The project includes offshore and onshore distribution infrastructure, various miscellaneous works associated with this and relevant planning applications that may be necessary for habitat compensation amongst other matters. We note that no onshore infrastructure is proposed within East Suffolk, however we are a host authority in terms of the anticipated LBBG habitat compensation measures proposed by the Applicant at Orford Ness. Recent discussions have initiated with the Applicant regarding this possible requirement for compensation in proximity to the existing colony of birds associated with the Alde-Ore Estuary SPA. It is understood that the Applicant is exploring opportunities for working collaboratively with the Five Estuaries offshore wind farm project (EN010115) which is also currently undergoing DCO examination, in order to deliver any necessary habitat compensation for the North Falls project. ESC's and it understands that the dialogue between parties is ongoing, and our position regarding a coordinated approach to any such provision within our district is discussed in more detail later in this LIR.

ESC has previously engaged with the Applicant by responding to the project's pre-application Scoping Report in August 2021, the non-statutory consultation in December 2021, the second round of non-statutory consultation in December 2022, the statutory consultation and Preliminary Environmental Information Report (PEIR) in July 2023, and most recently, the targeted consultation in March 2024. These responses are available to view on the Council's website¹. ESC is also currently engaging with the Applicant as part of the Offshore Ornithology Expert Topic Group, alongside other key stakeholders, discussing potential LBBG habitat compensation measures at Orford Ness, should this be taken forwards.

ESC's Cabinet committee met on 7th May 2024 and approved the Council's overarching position on this project which is as follows:

1. To support the position to not object to the North Falls project with a radial connection to Essex, providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape, but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.

Need for offshore wind energy generation and project coordination

ESC acknowledges that renewable energy will play a central role in tackling climate change and in meeting Government targets in the lead up to net-zero by 2050. A significant amount of new offshore wind generation and associated infrastructure is required to meet the present Government's ambitious target to connect 50GW of offshore wind by 2030. However, the shift towards the delivery of low carbon and renewable sources of energy must consider the potential impacts it may have on the landscape, natural environment and local communities set to host or neighbour such development. Developers must also explore opportunities for greater levels of coordination between projects in relation to the objectives set out in the Offshore Transmission Network Review (OTNR).

We note that the North Falls project engaged with the OTNR as did the developer of the Five Estuaries project, and it is welcomed that the North Falls project, alongside other developers, has committed to

¹ <https://www.eastsuffolk.gov.uk/planning/national-infrastructure-and-energy-projects/offshore-windfarms/north-falls/>

exploring options within the Early Opportunities workstream². ESC believes that every opportunity should be undertaken by the two offshore wind farm developers, given it is likely that they will have the same connection location, to seek maximum coordination between the projects in order to minimise impacts on local communities and the environment. We understand that coordination will seek to reduce the potential impact of building the onshore connection to the national electricity transmission network for the two projects. The Sheringham Shoal and Dudgeon extension offshore wind farm projects located off the North Norfolk Coast are demonstrating that greater coordination is possible, and this should be replicated.

ESC wishes to highlight Section 3.3.80 within the Government Department for Energy Security and Net Zero's 'Overarching National Policy Statement for Energy (EN-1)³' which states '*...considering the potential for unwarranted and avoidable disruption, inefficiency, and visual impacts along the onshore - offshore boundary, coordination of onshore transmission, offshore transmission, and offshore generation and interconnector developments should be considered at both the strategic and more detailed project design levels. This coordinated approach is likely to provide the highest degree of consumer, environmental, and community benefits.*'. Section 3.3.81 adds that '*The importance of accelerating coordination does not, however, militate against the need for standalone electricity networks projects, and these projects are supported by this NPS and should continue to be assessed on their own merits.*'

In addition to EN-1, National Policy Statement for Electricity Networks Infrastructure (EN-5) states within Section 2.13.14 '*Co-ordinated transmission proposals, including multi-purpose interconnectors and other types of offshore transmission (see Glossary), are expected to reduce the overall environmental and community impacts associated with bringing offshore transmission onshore compared to an uncoordinated, radial approach. These reduced impacts could, for example, relate to: fewer landing sites and reduced landfall impacts; reduced overall cable length and impacts; and fewer cable corridors and reduced impacts from these.*'. Section 2.13.16 adds '*For onshore infrastructure, reduced impacts could, for example, relate to fewer or co-located substations and converter stations and transmission lines as well as demonstrating how environmental and community impacts have been avoided as far as possible.*'

The National Policy Statements for Energy therefore seek to address the need for more coordination in the design and delivery of onshore and offshore electricity transmission infrastructure. This must therefore be fully explored, with robust justification being demonstrated should this not be viable across the proposed projects. ESC notes that the Applicant is exploring opportunities for coordination with the Five Estuaries offshore wind farm project in order to align their landfall locations for their export cables to come ashore, to develop a shared export cable corridor, and by selecting a single site for both onshore substations. However, ESC defers further comment on the effectiveness of this coordination to the Essex host authorities in these areas.

ESC is being consulted on and is aware of a number of energy related projects that may have an impact on our district, and we welcome and support collaborative working between all Applicants and the National Grid

² [Joint statement from North Falls, Five Estuaries and National Grid: Commitment to exploring coordinated network designs in East Anglia](#)

³ <https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1/overarching-national-policy-statement-for-energy-en-1#the-need-for-new-nationally-significant-energy-infrastructure-projects>

to ensure that the optimal solution is delivered. We expect this to involve coordination and the sharing of infrastructure where feasible to reduce the amount required onshore. This LIR is provided on the basis that the North Falls Offshore Wind Farm proposes an onshore grid connection located outside of Suffolk and beyond the East Suffolk Council District, however, should this change in future resulting in onshore infrastructure being proposed within our district, our position on this project may need to be revisited.

Offshore connection options

ESC's overarching position is to not object to the North Falls project with a radial connection to Essex, providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape, but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.

ESC notes that North Falls offshore wind farm project promoters have been leading a consortium with the Five Estuaries offshore wind farm project promoters, and National Grid Electricity Transmission's (NGET) SeaLink network reinforcement project between Suffolk and Kent. The Consortium was awarded funding by DESNZ through the Offshore Coordination Support Scheme (OCSS) in December 2023. However, in September 2024, the Secretary of State decided not to grant further funding to the consortium, with the OCSS no longer being funded by the Government. ESC understands that the consortium supports this decision, which highlighted the significant extra costs and the negative impact on the delivery timeline of connecting more renewables to the UK energy system, especially considering the government's commitment to quadruple offshore wind and fully decarbonise the UK's electricity system by 2030.

ESC's position at the time of writing our Relevant Representation [\[RR-084\]](#) assumed that this meant that any opportunity for an offshore connection between either the North Falls and Five Estuaries offshore wind farm projects, and a subsea cable project such as NGET's SeaLink network reinforcement project linking Suffolk with Kent, had ceased in the absence of further Government funding. However, it is now understood that despite the Secretary of State deciding not to grant further funding, an offshore coordinated connection remains a connection option with North Falls' DCO application in order to safeguard against the possibility of the current onshore connection option changing, and a viable offshore coordinated connection option being brought forward by an alternative party that still allows North Falls to be operational by 2030. Therefore, 'Option 3: Offshore electrical connection, supplied by a third party' remains on the table alongside onshore connection Options 1 and 2.

ESC will therefore continue to monitor such a scenario closely in case either directly or indirectly this introduced a need for additional onshore transmission infrastructure within East Suffolk. Currently, the SeaLink project is proposing an onshore connection at Friston within the East Suffolk District, such a scenario requiring additional onshore infrastructure in East Suffolk in order to accommodate an offshore connection, would not have been supported by ESC.

Additionally, had an offshore option been deemed viable, it would have been essential that stakeholders and the decision maker should be clear what the direct and indirect impacts are. If allowing this offshore connection necessitates greater quantities of onshore infrastructure, this should be fully considered within the DCO application to ensure a fair, robust and transparent process. Had an offshore connection been consented through the Marine Licence process (being offshore), it would also have been unlikely that the Marine Licence consenting process would consider any onshore impacts within East Suffolk, being outside of

the Marine Management Organisation's (MMO's) jurisdiction. Such a piecemeal approach to planning does not provide a holistic view of potential impacts, being inconsistent with a strategic planning approach.

An offshore connection with SeaLink would also reduce the transmission capacity of the SeaLink project, potentially resulting in a need for a second connection between Suffolk and Kent to facilitate the original purpose of the SeaLink project. This situation would also not be supported by ESC as it would introduce significant additional onshore infrastructure over and above any such additional infrastructure required to facilitate an offshore connection option alone.

Seascape and Landscape Visual Impact

ESC's position regarding the potential for seascape and landscape visual impacts to be introduced on the Suffolk and Essex Coast and Heaths National Landscape (formerly AONB), remains as set out in Relevant Representation [\[RR-084\]](#).

In summary, ESC's initial seascape visual impact concerns have been significantly reduced following the removal of the northern array of wind turbines, together with the overall reduction in proposed maximum turbine heights to below 400m at a distance of approximately 42km offshore. It is also acknowledged that the current maximum blade tip height proposed by the Applicant has been reduced further to 377m above mean sea level. As explained in our Relevant Representation, we therefore do not consider that the statutory purposes for designation of the National Landscape are compromised to an extent that justify grounds for objection.

This conclusion is based on the currently submitted proposals, should these change at any stage, ESC would need to revisit our position in terms of seascape visual impacts. ESC will continue to monitor this throughout the examination period and engage in writing where necessary to support our position in relation to possible impacts on the seascape. Should the current project proposals change, potentially resulting in a significant impact being identified, we will seek appropriate mitigation and if necessary, compensation. In addition to ESC's own assessment of impact significance, we wish to see any outstanding concerns raised by the statutory body regarding either direct or indirect impacts introduced on the National Landscape to be satisfactorily resolved.

LBBG compensation within ESC

ESC continues to monitor the proposed provision of LBBG habitat compensation at Orford Ness, within the East Suffolk District (as per Relevant Representation [\[RR-084\]](#)). At the time of writing the Relevant Representation, ESC expressed concern at the lack of engagement during the pre-application stages of this application regarding any such provision within our district. However, since that time, ESC was invited to join, and has been engaging with the Applicant, as part of the Offshore Ornithology Expert Topic Group, alongside other key stakeholders, discussing potential LBBG habitat compensation measures at Orford Ness, should this be taken forwards.

This is an important step given that Section 7.1.5 of the Applicant's Cover Letter [\[APP-001\]](#) states that '*The [Report to Inform Appropriate Assessment] RIAA concludes that the Project, whether alone or in-combination with other plans and projects will not adversely affect the integrity of any European site with the exception of in-combination collision risk on the lesser black-backed gull of the Alde Ore Estuary Special Protection Area (SPA).*' A more detailed narrative surrounding this topic is provided in the Relevant Representation.

As host authority for the proposed LBBG predator-proof fencing at Orford Ness (or other such LBBG habitat enhancements), it is important that ESC has a 'seat at the table' regarding any such proposals within our district. ESC has highlighted and directed the Applicant to some of the lessons learned through the efforts made by other projects who are already providing such compensation at Orford Ness, and ESC continues to play a key role in the Vattenfall (RWE) / SPR LBBG Steering Group meetings for the design, delivery, implementation and monitoring processes of the existing, consented and operational Orford Ness LBBG predator proof fencing compensation adjacent to Cobra Mist. As host authority, ESC also played a key role in steering group discussions alongside other key ecological stakeholders, long before the final location, design and implementation of the compensation was secured by TCPA 1990 consent, and the LBBG Implementation and Monitoring Plan had been approved by the Secretary of State.

ESC continues to monitor the LBBG proposals within our district, noting that a lot of emphasis has been placed on the North Falls Applicant's discussions with Five Estuaries to collaborate on and deliver the compensation proposals as far as reasonably practicable. This is evidenced by the North Falls project excluding any LBBG habitat compensation land at Orford Ness from their onshore order limits submitted for the DCO application. Given the identified impacts on LBBG associated with the Alde-Ore designations (as with the Five Estuaries project), it is clear that significant emphasis has been placed on the Five Estuaries team to deliver their compensation alongside their own. ESC is flagging this to the ExA as we were surprised to see such confidence by North Falls in the delivery potential of such measures via a separate DCO Examination, which is currently ongoing. This must be fully explored by the ExA in order to provide confidence in the extent and deliverability of the necessary measures proposed, either via a project alone approach, or collaboratively.

However, it must be stressed that ESC is not objecting to the proposed LBBG habitat compensation for the North Falls and Five Estuaries projects, in light of our overarching ecological position set out in our submitted Relevant Representation. We support both Applicants' ongoing engagement, working collaboratively and seeking to possibly provide a coordinated approach to LBBG compensation delivery. However, a cautious approach is warranted, with any possible cumulative impacts of a combined approach to LBBG habitat compensation being fully considered. ESC will therefore continue to proactively engage with the North Falls Applicant throughout the Examination period and throughout the lifespan of the Project as deemed necessary.

Conclusion

ESC's Cabinet committee met on 7th May 2024 and approved the Council's overarching position on this project. This was to support the position to not object to the North Falls project with a radial connection to Essex, providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape, but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.

ESC will continue to monitor the topics discussed in this LIR throughout the DCO examination period, however we do not expect that the matters discussed will become contentious for either ESC or the Applicant. We look forward to working collaboratively with both North Falls and Five Estuaries going forwards regarding the provisions of any required LBBG compensation. Our attendance at hearings is therefore not

expected to be required, with any related matters being dealt with via written representations as deemed necessary over the course of the DCO examination period.

Yours sincerely



Philip Ridley BSc (Hons) MRTPI | Head of Nationally Significant Infrastructure Planning
East Suffolk Council

Appendix A – Copy of ESC’s submitted Relevant Representation [RR-084].



The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
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BS1 6PN

Application Reference: EN010119
ESC Reference: ESC Relevant Representation –
North Falls Offshore Wind
Farm Project
Date: 14/10/2024
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By email: NorthFalls@planninginspectorate.gov.uk

Re: Application by North Falls Offshore Wind Farm Limited for an Order Granting Development Consent for the North Falls Offshore Wind Farm Project – East Suffolk Council’s Relevant Representation.

Introduction

It is understood that on 22nd August 2024, the Secretary of State for Housing, Communities and Local Government (c/o the Planning Inspectorate) accepted the application for the North Falls Offshore Wind Farm project for a Development Consent Order (DCO) under the Planning Act 2008. East Suffolk Council (ESC) have registered as an Interested Party by submitting this Relevant Representation to the Planning Inspectorate by the closing deadline of 18th October 2024.

Having reviewed the Applicant’s submission materials, and in reference to Section 4 ‘Project Description’ set out within the Applicant’s Cover Letter [[APP-001](#)], it is understood that the North Falls Offshore Wind Farm project will comprise an offshore generating station with a capacity exceeding 100 megawatts (MW). The Project is therefore classified as a nationally significant infrastructure project (NSIP) under sections 14(1)(a) and 15(3) of the Act and requires development consent in accordance with section 31 of the Act. It is for this reason that the Application falls within the remit of the Secretary of State’s decision-making powers.

ESC understands that the North Falls project is an offshore wind farm located in the outer Thames Estuary, within the southern North Sea. The DCO Application is for the construction, operation, maintenance, and decommissioning of an offshore wind farm proposed approximately 40km off the East Anglia coastline. The

project comprises a single offshore array area covering an area of 95 square kilometres with up to 57 wind turbine generators, the installation of underground cables and associated infrastructure; construction of up to two offshore substation platforms, or, up to one offshore substation platform and up to one offshore converter platform; the construction of up to two cable circuits and associated ducting with the onshore landfall taking place at between Clacton-on-Sea and Frinton-on-Sea; the construction of an electrical substation between Little Bromley and Ardleigh to connect to National Grid's proposed East Anglia Connection Node (EACN) substation; and all associated development and ancillary works.

We understand that at the time of submission, the Application provides for three options for the transmission of the electricity generated by the wind farm, these being Option 1: Onshore electrical connection at a National Grid connection point within the Tendring peninsula of Essex, with a project alone onshore cable route and onshore substation infrastructure; Option 2: Onshore electrical connection at a National Grid connection point within the Tendring peninsula of Essex, sharing an onshore cable route and onshore cable duct installation (but with separate onshore export cables) and co-locating separate Project onshore substation infrastructure with Five Estuaries Offshore Wind Farm; or Option 3: Offshore electrical connection, supplied by a third-party.

Since the application was submitted for examination, ESC understands that the Government's position for an offshore connection under the Offshore Coordination Support Scheme (OCSS) has changed and is no longer being pursued. This is discussed later in this Relevant Representation.

ESC understands that the onshore infrastructure works required under Options 1 and 2 above would be within the administrative area of Essex County Council and Tendring District Council, with no infrastructure being proposed within East Suffolk. The Applicant's description for the project also includes '*other works*', which '*temporary and permanent ecological and environmental mitigation, landscape works and habitat creation*'.

Whilst we note that no onshore infrastructure is proposed within East Suffolk, ESC would still be a host authority in terms of the anticipated lesser black-backed gull (LBBG) habitat compensation measures proposed by the Applicant at Orford Ness. Initial discussions have been held with the Applicant regarding this possible requirement for compensation in proximity to the existing colony of birds associated with the Alde-Ore Estuary Special Protection Area (SPA). However, as discussed later in this Relevant Representation, it is understood that the Applicant is working collaboratively with the Five Estuaries offshore wind farm project (EN010115) which is also currently undergoing DCO examination, in order to deliver any necessary habitat compensation for the North Falls project.

ESC has previously engaged with the Applicant by responding to the project's pre-application Scoping Report in August 2021, the non-statutory consultation in December 2021, the second round of non-statutory consultation in December 2022, the statutory consultation and Preliminary Environmental Information

Report (PEIR) in July 2023, and most recently, the targeted consultation in March 2024. These responses are available to view on the Council's website⁴.

ESC's Cabinet committee met on 7th May 2024 and approved the Council's overarching position on this project which is as follows:

1. To support the position to not object to the North Falls project with a radial connection to Essex, providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape, but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.

This Relevant Representation provides the Examining Authority with context and further detail regarding areas of interest for ESC which we wish to monitor and engage on as part of the Examination process as deemed necessary. Having reviewed the Applicant's current DCO application submission materials, this Relevant Representation provides our initial feedback and clarifies our position on relevant topic matters potentially impacting upon our District.

Need for offshore wind energy generation and project coordination

ESC acknowledges that renewable energy will play a central role in tackling climate change and in meeting Government targets in the lead up to net-zero by 2050. A significant amount of new offshore wind generation and associated infrastructure is required to meet the present Government's ambitious target to connect 50GW of offshore wind by 2030. However, the shift towards the delivery of low carbon and renewable sources of energy must consider the potential impacts it may have on the landscape, natural environment and local communities set to host or neighbour such development. Developers must also explore opportunities for greater levels of coordination between projects in relation to the objectives set out in the Offshore Transmission Network Review (OTNR).

ESC understands that the North Falls project has remained committed to exploring the potential for an offshore connection to the national electricity transmission network as part of the government's OTNR process; a government initiative launched in 2020 to review the approach to the design and delivery of offshore transmission. The OTNR process concluded in May 2023 and the organisations involved, along with the Department for Energy Security and Net Zero (DESNZ), are now implementing the findings to deliver a coordinated offshore transmission regime for Great Britain. A summary of the outputs from the review was published by the government in July 2023.

We note that the North Falls project engaged with the OTNR as did the developer of the Five Estuaries project, and it is welcomed that the North Falls project, alongside other developers, were committed to exploring options within the Early Opportunities workstream⁵. ESC believes that every opportunity should be undertaken by the two offshore wind farm developers, given it is likely that they will have the same

⁴ <https://www.eastsuffolk.gov.uk/planning/national-infrastructure-and-energy-projects/offshore-windfarms/north-falls/>

⁵ [Joint statement from North Falls, Five Estuaries and National Grid: Commitment to exploring coordinated network designs in East Anglia](#)

connection location, to seek maximum coordination between the projects in order to minimise impacts on local communities and the environment. We understand that coordination will seek to reduce the potential impact of building the onshore connection to the national electricity transmission network for the two projects. The Sheringham Shoal and Dudgeon extension offshore wind farm projects located off the North Norfolk Coast are demonstrating that greater coordination is possible, and this should be replicated.

ESC notes that the Applicant is exploring opportunities for coordination with the Five Estuaries offshore wind farm project in order to align their landfall locations for their export cables to come ashore, to develop a shared export cable corridor, and by selecting a single site for both onshore substations. However, ESC defers further comment on the effectiveness of this coordination to the Essex host authorities, noting the currently proposed onshore infrastructure remains outside of our district's jurisdiction area.

ESC also notes that North Falls have been leading a consortium with the Five Estuaries offshore wind farm project and National Grid Electricity Transmission (NGET) SeaLink project which was awarded funding by DESNZ through the OCSS in December 2023. However, in September 2024, the Secretary of State has decided not to grant further funding to the consortium, with the OCSS no longer being funded by the Government. ESC understands that consortium supports this decision, which highlighted the significant extra costs and the negative impact on the delivery timeline of connecting more renewables to the UK energy system, especially considering the government's commitment to quadruple offshore wind and fully decarbonise the UK's electricity system by 2030. The consortium will not be pursuing a coordinated offshore connection as a result.

ESC understands that the viability of any coordinated connection is dependent on the progress made by the OTNR process, associated regulatory and commercial policy changes and the individual offshore connector projects involved. However, we also remain mindful that Section 3.3.75 of the Overarching National Policy Statement for Energy (EN-1) states *'The final Phase 1 report for National Grid ESO's Offshore Coordination Project (published December 2020) found that a more integrated approach to offshore transmission, which included efficient planning of the onshore network, could deliver consumer benefits of up to £6 billion by 2050, depending on how quickly it could be implemented. It also found that the number of new electricity infrastructure assets, including cables and onshore landing points could be reduced by up to 50 per cent over the same period, significantly reducing environmental impacts and impacts on coastal communities.'* Section 3.3.80 adds *'...considering the potential for unwarranted and avoidable disruption, inefficiency, and visual impacts along the onshore - offshore boundary, coordination of onshore transmission, offshore transmission, and offshore generation and interconnector developments should be considered at both the strategic and more detailed project design levels. This coordinated approach is likely to provide the highest degree of consumer, environmental, and community benefits.'*

It is therefore clear that the overarching National Policy Statement for Energy (EN-1) seeks to address the need for more coordination in the design and delivery of onshore and offshore electricity transmission infrastructure. This must therefore be fully explored, with robust justification being demonstrated should this not be viable across the proposed projects.

In addition to EN-1, National Policy Statement for Electricity Networks Infrastructure (EN-5) states within Section 2.13.14 *'Co-ordinated transmission proposals, including multi-purpose interconnectors and other types of offshore transmission (see Glossary), are expected to reduce the overall environmental and*

community impacts associated with bringing offshore transmission onshore compared to an uncoordinated, radial approach. These reduced impacts could, for example, relate to: fewer landing sites and reduced landfall impacts; reduced overall cable length and impacts; and fewer cable corridors and reduced impacts from these.’ Section 2.13.16 adds *‘For onshore infrastructure, reduced impacts could, for example, relate to fewer or co-located substations and converter stations and transmission lines as well as demonstrating how environmental and community impacts have been avoided as far as possible.’*

ESC is being consulted on and is aware of a number of energy related projects that may have an impact on our District, and we welcome and support collaborative working between all Applicants and the National Grid to ensure that the optimal solution is delivered. We expect this to involve coordination and the sharing of infrastructure where feasible to reduce the amount required onshore. However, we wish to highlight that this Relevant Representation is provided on the basis that the North Falls Offshore Wind Farm proposes an onshore grid connection located outside of Suffolk and beyond the East Suffolk Council District, however, should this change in future resulting in onshore infrastructure being proposed within our district, our position on this project may need to be revisited.

Offshore connection options

ESC’s overarching position is to not object to the North Falls project with a radial connection to Essex, providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape, but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.

As stated earlier in this Relevant Representation, in September 2024, the Secretary of State decided not to grant further funding to the consortium, with the OCSS no longer being funded by the Government. This effectively ceased any opportunity for an offshore connection between either the North Falls and Five Estuaries offshore wind farm projects, and a subsea cable project such as NGET’s SeaLink network reinforcement project linking Suffolk with Kent. ESC’s position regarding an offshore connection option prior to the recent news that the OCSS scheme had been closed, was however one of caution which is still worth mentioning to provide context for the Examining Authority.

Had an offshore connection scenario become viable for the North Falls project, noting the project’s proposed *‘Option 3: Offshore electrical connection, supplied by a third-party’*, ESC would need to monitor such a scenario closely in case either directly or indirectly this introduced a need for additional onshore transmission infrastructure within East Suffolk. Currently, the SeaLink project is proposing an onshore connection at Friston within the East Suffolk District, such a scenario requiring additional onshore infrastructure in East Suffolk in order to accommodate an offshore connection, would not have been supported by ESC.

Additionally, had an offshore option been deemed viable, it would have been essential that stakeholders and the decision maker should be clear what the direct and indirect impacts are. If allowing this offshore connection necessitates greater quantities of onshore infrastructure, this should be fully considered within the DCO application to ensure a fair, robust and transparent process. Had an offshore connection been consented through the Marine Licence process (being offshore), it would also have been unlikely that the Marine Licence consenting process would consider any onshore impacts within East Suffolk, being outside of

the Marine Management Organisation's (MMO's) jurisdiction. Such a piecemeal approach to planning does not provide a holistic view of potential impacts, being inconsistent with a strategic planning approach.

An offshore connection with SeaLink would have also reduced the transmission capacity of the SeaLink project, potentially resulting in a need for a second connection between Suffolk and Kent to facilitate the original purpose of the SeaLink project. This situation would also not be supported by ESC as it would introduce significant additional onshore infrastructure over and above any such additional infrastructure required to facilitate an offshore connection option alone.

In summary, whilst it is understood that the Applicant's application includes Option 3, in light of the recent news related to the OCSS, ESC anticipates that any plans for an offshore connection with SeaLink have effectively ceased and we will no longer be looking to raise this concern for the project on that basis.

Seascape and Landscape Visual Impact

During the pre-application stages of the North Falls project, offshore wind turbines in excess of 400m tall were initially planned to be located approximately 22km from the East Suffolk Coast due to the inclusion of a northern array (similar to the Five Estuaries offshore wind farm project, having wind turbine arrays on either side of the shipping lane). However, following feedback received at the Statutory / PIER consultation July 2023, the Applicant removed the northern array of wind turbines from the project, resulting in the closest distance between offshore wind turbines and the East Suffolk coastline increasing to approximately 42km, making the southern array the only array proposed as part of the current North Falls project.

The decision to drop the northern array was supported by ESC due to the concerns previously raised related to the seascape visual impacts the project would have introduced upon the Suffolk and Essex Coast and Heaths National Landscape (formally AONB).

At that time, ESC was concerned at the potential for seascape visual impacts being introduced and therefore commissioned an update to the Suffolk Seascape Sensitivity to Offshore Wind Farms Study (2020) produced by White Consultants which assessed the North Falls parameters, including location and maximum turbine height of 400m and above. The report update formed an addendum to the original assessment and together they act as a framework and background study for assessing the likely seascape and visual effects of wind farms off of the Suffolk coast.

The addendum to the Suffolk Seascape Study (White Consultants, June 2023) commissioned to assess the level of potential seascape visual impact introduced concluded that wind turbines of 400m or more above sea level at a distance less than 40km would result in an 'above medium magnitude' impact on the seascape vista from the National Landscape. The study together with our Statutory Consultation response are available on our website⁶. However, since that time, the Applicant has reduced the maximum height of the proposed wind turbines to below 400m and removed the northern array, mitigating our concerns.

⁶ <https://www.eastsuffolk.gov.uk/planning/national-infrastructure-and-energy-projects/offshore-windfarms/north-falls/>

ESC acknowledge that Section 5.23.16 within the submitted 'Planning Statement' [\[APP-233\]](#) (Doc Ref 2.2 Volume 2 July 2024) - states *'North Falls is predicted to have major (significant in EIA terms) effects on marine character areas, and moderate (also significant in EIA terms) effects on landscape character areas and views at Sizewell Beach, cliffs above Thorpeness, Aldeburgh, Orford Ness, Shingle Street and Pulhamite Cliffs (Bawdsey Manor), as well as sections of the Suffolk Coast Path and Suffolk Coast and Heaths AONB with visibility of North Falls during operation influencing the seascape and landscape character.'*

However, ESC's initial seascape visual impact concerns have been significantly reduced following the removal of the northern array of wind turbines, together with the overall reduction in proposed maximum turbine heights to below 400m at a distance of approximately 42km offshore. We therefore do not consider that the statutory purposes for designation of the National Landscape are compromised to an extent that justify grounds for objection.

This conclusion is based on the currently submitted proposals, should these change at any stage, ESC would need to revisit our position in terms of seascape visual impacts. ESC will continue to monitor this throughout the examination period and engage where necessary to support our position in relation to possible impacts on the seascape. Should the current project proposals change, potentially resulting in a significant impact being identified, we will seek appropriate mitigation and if necessary, compensation.

LBBG compensation within ESC

ESC notes that the North Falls project proposes no onshore infrastructure within East Suffolk. No land within East Suffolk is therefore included within the submitted Onshore Order Limits [\[APP-196\]](#) - Drawing Location Plan (Onshore) - Key Plan (PB9244-RHD-ZZ-ON-DR-GS-0502) Document 5.1 Volume 5 (July 2024).

However, Section 7.1.5 of the Applicant's Cover Letter [\[APP-001\]](#) states that *'The [Report to Inform Appropriate Assessment] RIAA concludes that the Project, whether alone or in-combination with other plans and projects will not adversely affect the integrity of any European site with the exception of in-combination collision risk on the lesser black-backed gull of the Alde Ore Estuary Special Protection Area (SPA).'*

In addition, the Applicant's Planning Statement [\[APP-233\]](#) – Section 5.7.18 states *'There is potential for cumulative effects to occur with Five Estuaries Offshore Wind Farm and other projects. However, when considering proposed mitigation measures, it is not anticipated that cumulative effects are likely to be significant in EIA terms, with the exception of collision risk for great blackbacked gull, kittiwake, and the lesser black-backed gull which were all assessed to be potentially significant in EIA terms.'* Section 5.7.20 adds that *'...no significant effects on sites designated for ornithology, with the exception of in-combination collision risk on lesser black-backed gull from the Alde Ore Estuary Special Protection Area. The Applicant has therefore proposed compensation for this species (discussed further in the Lesser Black-backed Gull Compensation Document (Document Reference:: 7.2.2).'*

Within the Applicant's 'Habitats Regulations Assessment – Appendix 2 Lesser Black-backed Gull Compensation Document' [\[APP-188\]](#) (Doc Ref 7.2.2 Volume 7 July 2024), Section 5 'Ecological Evidence' states in paragraph 22 that *'The Applicant has identified a search area within and around the AOE SPA within which compensation for LBBG could be delivered (shown in Figure 1 and Figure 2, discussed further in Section*

6.2). This comprises the central area of the SPA around Orford Ness, together with areas to the west of the River Ore, located outside of the SPA. Within this search area there are a number of locations that could provide appropriate breeding conditions for LBBGs, evidenced by previous use by nesting gulls. There is therefore high confidence that a location within this search area can be identified and secured to deliver effective compensation for this species.’ Paragraph 23 also states ‘Within this search area (discussed further in Section 6.2), potential locations for development of LBBG compensation have been identified by Five Estuaries and for LBBG conservation by the National Trust, and the Applicant is in discussion with these parties regarding potential collaboration.’ ESC wishes to highlight that the HRA LBBG compensation document states in Table 7.1 ‘Potential impacts of proposed compensation measures’ that there would be no likely significant effects.

Section 8.7 within the Applicant’s Co-ordination Report [\[APP-236\]](#) (Doc Ref 2.5 Volume 2 July 2024) 8.7.2 states ‘In summary, the ornithological features and their respective European sites for which compensation proposals are provided are: Lesser black-backed gull from the Alde Ore Estuary (AOE) SPA.’ Section 8.7 ‘Ecology – Offshore ornithology’ states in 8.7.4 that ‘North Falls is proposing breeding habitat enhancement (e.g. predator exclusion, predator control, and/or disturbance management) compensation measure for lesser black-backed gulls and has been in discussion with Five Estuaries to collaborate on and deliver the compensation proposals as far as reasonably practicable.’

ESC also notes that 8.7.3 within the Co-ordination Report states ‘The Report to Inform the Appropriate Assessment (Document References: 7.1.1 – 7.1.6) concludes that an AEoI cannot be ruled out as a result of predicted mortality due to collision risk, when considered in-combination with other offshore wind farms. Consequently, North Fall’s has provided proposals for compensatory measures which are secured in the draft DCO (Document Reference: 6.1), Article 51 and Schedule 15’. However, ESC is not mentioned in reference to invited representatives for the Offshore Ornithology Engagement Group (OOEG) under Schedule 15 of the Draft DCO [\[APP-005\]](#) (Document 6.1 Volume 6 July 2024). This would mean that ESC, as host authority for the proposed LBBG compensatory measures at Orford Ness, would have no input in the LBBG compensation implementation and monitoring plan (CIMP) to be developed in accordance with the LBBG compensation document.

It is therefore clear that the North Falls project seeks possible LBBG habitat compensation within East Suffolk in proximity to the existing consented LBBG mitigation scheme for the Vattenfall (RWE) and SPR offshore wind farm projects on Orford Ness. Whilst it is understood that the Applicant is seeking to deliver any required LBBG compensation through its coordination with the Five Estuaries project, who are also currently within the DCO examination process and have been in constant dialogue with ESC on these matters over the pre-application phase of their DCO, in comparison, very little engagement has been held by North Falls for any possible project alone scenario for the provision of LBBG compensation within our district.

ESC also notes that potential LBBG compensation land has been omitted from the onshore order limits for this application. We note that the Applicant states in Lesser Black-backed Gull Compensation Document [\[APP-188\]](#) (Document Reference 7.2.2) Section 9 ‘Summary’ paragraph 104 that ‘The delivery of breeding enhancement has been identified by the Applicant as the preferred measure that could be taken forward as

part of a project alone or collaborative delivery model, whereby the Applicant would seek to deliver compensation through a partnership arrangement with Five Estuaries and/or the National Trust.'

If a project alone scenario were to become the most likely scenario, then ESC has not had sufficient 'project alone' engagement with the Applicant on this aspect of provision within our District, in the same way that we have engagement with Five Estuaries. This needs to be highlighted. Additionally, should the Applicant rely on a TCPA 1990 to deliver the required compensation, this means it will be determined under a separate consenting regime with no guarantee of success. The existing provision of LBBG predator proof fencing for the consented Vattenfall (RWE) and SPR projects at Orford Ness may result in cumulative impacts, and in the absence of detailed engagement with the Applicant for a project alone approach, the conclusion in Section Table 7.1 and paragraph 107 that *'There are no likely significant effects associated with the compensatory Measures'* may prove to be inaccurate. Section 2 within the same HRA LBBG compensation document *'Development of compensatory measures – methodology'* states in paragraph 10 that *'Consultation with relevant stakeholders including: Natural England and RSPB to develop proposals through the Offshore Ornithology Expert Topic Group (ETG) as part of the Project's Evidence Plan Process (EPP); and Department for Environment, Food & Rural Affairs (Defra).'* It is highlighted that ESC, as host authority for the proposed LBBG compensation measures at Orford Ness, is not mentioned here as we have not been included in these detailed discussions.

This is reflected in the Applicant's *'Habitats Regulations Assessment – Appendix 1 Compensatory Measures Overview'* [\[APP-184\]](#) (Doc Ref: 7.2.1 Volume 7 July 2024), which states in Section 3 *'The Applicant's Approach to Developing Compensatory Measures'* paragraph 13 that *'Consultation (Section 3.2) was undertaken throughout the pre-application process with relevant stakeholders which informed the selection and development of the measures. Consultation regarding compensatory measures will continue post DCO submission, Examination phase and post consent'*, and Table 3.1 *'Description of Activities Undertaken to Identify and Develop Compensatory Measures'* and Table 3.2 *'Consultation regarding HRA compensation'* where the Examining Authority will notice that ESC are not listed. The Applicant is therefore assuming that ESC's engagement with the Five Estuaries project team during their own pre-application period suffices ESC engagement for their own project. This should be clarified, as mentioned above, should a project alone scenario emerge for LBBG compensation, then North Falls have not suitably engaged with ESC. It is apparent that they are relying on ESC's engagement with Five Estuaries to deliver their possible LBBG compensation requirements.

For comparison, ESC continues to play a key role in the Vattenfall (RWE) / SPR LBBG Steering Group meetings for the design, delivery, implementation and monitoring processes of the consented and operational Orford Ness LBBG predator proof fencing compensation. As host authority, ESC played a key role in steering group discussions alongside other key ecological stakeholders, long before the final location, design and implementation of the compensation was secured by TCPA 1990 consent, and the LBBG Implementation and Monitoring Plan had been approved by the Secretary of State.

The projects referenced above provided similar compensation measures for their consented offshore windfarm projects (the 'Norfolk Boreas and Vanguard offshore wind farms' and 'East Anglia ONE North and

TWO offshore wind farms'). The construction of the anti-predator fence in this area was granted planning consent by East Suffolk Council under our reference DC/22/3447/FUL.

ESC wishes to highlight that the Applicant's 'HRA Derogation: Provision of Evidence – Annex 1A HRA Compensation Consultation' [\[APP-185\]](#) (Doc Ref: 7.2.1.1 Volume 7 July 2024) states in paragraph 1 that '*The Applicant has consulted extensively throughout the pre-application process*', yet ESC also fails to appear in this document including Table 1.1 '*Compensation Consultation comments and responses*' for the reasons stated above.

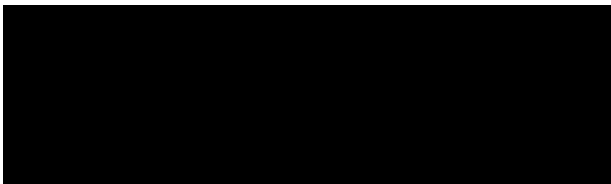
ESC is not objecting to the proposed LBBG habitat compensation for the North Falls project, we support the Applicant's ongoing engagement with the Five Estuaries offshore wind farm project, working collaboratively and seeking to possibly provide a coordinated approach to LBBG compensation delivery. However, upon reading the Applicant's submission materials for the North Falls project, ESC's role in the delivery of the compensation measures appears to have been overlooked by the Applicant, which is important, especially if a project alone approach to its delivery is progressed.

Conclusion

As set out earlier in this Relevant Representation, ESC's Cabinet committee met on 7th May 2024 and approved the Council's overarching position on this project, i.e. to not object to the North Falls project with a radial connection to Essex, providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.

ESC will continue to monitor the topics discussed within this Relevant Representation throughout the DCO examination period, however we do not expect that the matters discussed will become a sticking point for either ESC or the Applicant. We look forward to working collaboratively with North Falls and Five Estuaries going forwards regarding the provisions of any required LBBG compensation. Our attendance at hearings is therefore not expected to be required, with any related matters being dealt with via written representations as deemed necessary over the course of the DCO examination period.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Philip Ridley BSc (Hons) MRTPI | Head of Nationally Significant Infrastructure Planning

East Suffolk Council

Appendix B - Summary of relevant planning policy.

Seascape and Landscape Visual Impacts

- The National Planning Policy Framework (NPPF) (December 2023)
 - Section 15 'Conserving and enhancing the natural environment'
 - Paragraph 182: *'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'*
- Suffolk Coastal Local Plan (September 2020)
 - Policy SCLP10.4: 'Landscape Character'
 - *'Development proposals will be expected to demonstrate their location, scale, form, design and materials will protect and enhance: d) Visually sensitive skylines, seascapes, river valleys and significant views towards key landscapes and cultural features;'*
 - *'Development will not be permitted where it would have a significant adverse impact on the natural beauty and special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty, that cannot be adequately mitigated. Development within the Area of Outstanding Natural Beauty, or within its setting, will be informed by landscape and visual impact assessment to assess and identify potential impacts and to identify suitable measures to avoid or mitigate these impacts.'*

LBBG compensation within ESC

- Natural Environment and Rural Communities (NERC) Act (2006)
 - Section 41 'Biodiversity lists and action (England)'
 - It is important that construction of the proposed LBBG habitat compensation does not result in the destruction, damage or

disturbance of any designated site qualifying feature or other protected or UK Priority habitats or species.

- Suffolk Coastal Local Plan (September 2020)
 - Policy SCLP10.1: 'Biodiversity and Geodiversity'
 - *'All development should follow a hierarchy of seeking firstly to avoid impacts, mitigate for impacts so as to make them insignificant for biodiversity, or as a last resort compensate for losses that cannot be avoided or mitigated for. Adherence to the hierarchy should be demonstrated.*
 - *Proposals that will have a direct or indirect adverse impact (alone or in-combination with other plans or projects) on locally designated sites of biodiversity or geodiversity importance, including County Wildlife Sites, priority habitats and species, will not be supported unless it can be demonstrated with comprehensive evidence that the benefits of the proposal, in its particular location, outweighs the biodiversity loss.*
 - *Where compensatory habitat is created, it should be of equal or greater size and ecological value than the area lost as a result of the development, be well located to positively contribute towards the green infrastructure network, and biodiversity and/or geodiversity and be supported with a management plan.*
 - *Where there is reason to suspect the presence of protected UK or Suffolk Priority species or habitat, applications should be supported by an ecological survey and assessment of appropriate scope undertaken by a suitably qualified person. If present, the proposal must follow the mitigation hierarchy in order to be considered favourably. Any proposal that adversely affects a European site, or causes significant harm to a Site of Special Scientific Interest, will not normally be granted permission.*
 - *Any development with the potential to impact on a Special Protection Area, Special Area for Conservation or Ramsar site within or outside of the plan area will need to be supported by information to inform a Habitat Regulations Assessment, in accordance with the Conservation of Habitats and Species Regulations 2017, as amended (or subsequent revisions).'*