



# Marine Management Organisation

Marine Licensing  
Lancaster House  
Hampshire Court  
Newcastle upon Tyne  
NE4 7YH

T +44 (0)300 123 1032  
[www.gov.uk/mmo](http://www.gov.uk/mmo)

Wendy McKay  
North Falls Lead Panel Member  
North Falls Offshore Wind Farm Case  
Team  
Planning Inspectorate  
[NorthFalls@planninginspectorate.gov.uk](mailto:NorthFalls@planninginspectorate.gov.uk)  
(Email only)

MMO Reference: DCO/2021/00002  
Planning Inspectorate Reference: EN010119  
Identification Number: 20051047

17 February 2025

Dear Wendy McKay,

## **Planning Act 2008, Proposed North Falls Offshore Wind Farm Project Order Deadline 1 Submission**

On 22 August 2024, the Marine Management Organisation (the “MMO”) received notice under section 56 of the Planning Act 2008 (the “PA 2008”) that the Planning Inspectorate (“PINS”) had accepted an application made by North Falls Offshore Wind Farm Ltd, (the “Applicant”) for determination of a development consent order for the construction, maintenance and operation of the proposed North Falls Offshore Wind Farm Project (the “DCO Application”) (MMO ref: DCO/2021/00002; PINS ref: EN010119).

The DCO Application seeks authorisation for the construction, operation and maintenance of North Falls Offshore Wind Farm (the ‘Project’ or ‘North Falls’): an offshore generation station with a capacity exceeding 100 megawatts (MW) comprising up to 57 wind turbine generators together with associated onshore and offshore infrastructure and all associated development.

Three Deemed Marine Licences (DML) are included in the draft DCO. One in relation to generation assets and two in relation to transmission assets. One in relation to Wind Turbine Generators (WTG) and Associated Infrastructure, and one for Offshore Substation Platforms and Interconnector Cables.

As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions are drafted in a DML that enable the MMO to fulfil these obligations.



Marine  
Management  
Organisation

...ambitious for our  
seas and coasts



This document comprises the summary of the MMO's written Relevant Representation (RR). This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely,

[Redacted Signature]

Marine Licensing Case Officer

[Redacted Name] [\[Redacted Name\]@marinemanagement.org.uk](mailto:[Redacted Name]@marinemanagement.org.uk)

Copies provided to:

Marine Licensing Senior Case Manager – [Redacted Name] [\[Redacted Name\]@marinemanagement.org.uk](mailto:[Redacted Name]@marinemanagement.org.uk)

Marine Licensing Case Manager - [Redacted Name] [\[Redacted Name\]@marinemanagement.org.uk](mailto:[Redacted Name]@marinemanagement.org.uk)

## 1. Development Consent Order (DCO) and Deemed Marine Licences (DMLs)

1.1 The MMO's Relevant Representation response contains detailed comments on the following Interested Parties' Relevant Representations:

- Corporation of Trinity House of Deptford Strong (TH)
- Environment Agency (EA)
- Historic England (HE)
- Maritime and Coastguard Agency (MCA)
- National Federation of Fishermen's Organisations (NFFO)
- Natural England (NE)
- Essex Wildlife Trusts (EWT)
- Royal Society for the Protection of Birds (RSPB)
- UK Chamber of Shipping (UKCOS)

1.2 The MMO will be reviewing the responses from the Interested Parties (IPs) throughout examination and hopes to see issues between the above IPs and the Applicant resolved.

## 2. Environmental Statement

### 2.1 General Comments

2.1.1 The MMO has focused its review on the following chapters of Volume 3 North Falls Offshore Wind Farm Environmental Statement (ES) July 2024 Revision: 0, by North Falls Offshore Wind. However, the MMO has also reviewed the accompanying figures and relevant chapters where required:

- Chapter 1: Introduction
- Chapter 3: Policy and Legislative Context
- Chapter 5: Project Description
- Chapter 8: Marine Geology, Oceanography and Physical Processes
- Chapter 8: Marine Water and Sediment Quality
- Chapter 10: Benthic and Intertidal Ecology
- Chapter 11: Fish and Shellfish Ecology
- Chapter 12: Marine Mammals

2.1.2 An up-to-date schedule including specific timings and dates for each of the proposed works must be provided to the MMO.

## **2.2 Coastal Processes**

2.2.1 The MMO notes that the introduction does not cover a detailed introduction to the North Falls Offshore Wind Farm project, and the ES takes until Chapter 5 before there is any indication to the reviewer what this project proposes, by which stage substantial amounts of project specific detail are presented with no meaningful context.

2.2.2 Overall, the data is high quality and informative in terms of Coastal Processes.

## **2.3 Dredge and Disposal**

2.3.1 The MMO requests that the applicant provides the sample results in the standard MMO excel template, and the PCB data from the 2021 Benthic survey to support their assessment. The disposal site characterisation report and Horizontal Directional Drilling (HDD) Method Statement and Contingency Plan are also inaccessible currently and the MMO requests these are provided.

2.3.2 The MMO considers the description of the aspects of the project within the remit of dredge and disposal in Chapters 1 and 5 of the ES to be clear, and as such do not require any further information at this time.

2.3.3 The Applicant should inform the MMO of the dredging methodology and source of the material.

2.3.4 The MMO does not consider the implementation of embedded mitigations to be robust and would expect to see further consideration of mitigations.

## **2.4 Benthic Ecology**

2.4.1 The MMO recommends that the Applicant considers collecting scrape samples and assesses imagery from infrastructure monitoring alongside grab sampling to determine the presence and composition of the Invasive Non-Native Species assemblage that may colonise WTG infrastructure.

2.4.2 The MMO has also outlined a point to be considered regarding assessment of surficial sediment bound paint flakes (5.4.4 of RR).

## **2.5 Fish Ecology**

2.5.1 The MMO request clarifications in relation to Herring spawning habitat and potential Sandeel habitat 'heat' maps and requests that the Applicant redoes their 'heat' maps for their Herring spawning habitat following the updated version of the MarineSpace methodology. (5.5.4 to 5.5.9 of the RR).

## **2.6 Shellfish Ecology**

2.6.1 The MMO agrees with the conclusions reached by the applicant and rationale behind the scoping of shellfish in or out of assessment.

2.6.2 The MMO considers that there are no outstanding concerns in relation to this application in relation to shellfish.

## **2.7 Underwater Noise and the Draft Marine Mammal Mitigation Protocol**

2.8 The MMO has presented the concerns relating to the Draft Marine Mammal Mitigation Protocol (MMMP) in the original RR, 5.7. There are several points in relation to underwater noise that need to be resolved throughout examination.

### 3. Other Application Documents

3.1 The MMO has provided comments on the remaining chapters and plans in pages 28 to 31 of the RR. These comments contain several recommendations and proposed measures that the MMO would like to see addressed during examination.

Yours Sincerely,

[Redacted Signature]

[Redacted Name]

Marine Licensing Case Officer

[Redacted Email Address]

[\[Redacted Email Address\]@marinemanagement.org.uk](mailto:[Redacted Email Address]@marinemanagement.org.uk)

Copies provided to:

Marine Licensing Senior Case Manager – [Redacted Email Address]@marinemanagement.org.uk

Marine Licensing Case Manager - [Redacted Email Address]@marinemanagement.org.uk