

Date: 25 April 2025
Our ref: Case: 27843 Consultation: 501986
Your ref: EN010119



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BY EMAIL ONLY

Dear Sir/Madam,

North Falls Offshore Wind Farm

The following constitutes Natural England's formal statutory response for Examination Deadline 4.

1. Natural England's Deadline 4 Submissions

Natural England has reviewed the documents submitted by the Applicant at Deadlines 1, 2 and 3. An update of Natural England's position regarding documents relevant to our remit is provided in Annex 1, including anticipated timing of responses. Natural England is also submitting the following detailed responses, signposted from Annex 1:

- EN010119 501986 North Falls Appendix B4 – NE comments on 9.34 Further Information Regarding Seabed and Bedform Mobility, and Implications for Sand Wave Recovery after Levelling [REP3-045] - Deadline 4.pdf
- EN010119 501986 North Falls Appendix E4 – NE comments on 9.14 Further Information Regarding Marine Mammals [REP1-057] - Deadline 4.pdf
- EN010119 501986 North Falls Appendix G4.1 - Natural England's LBBG Compensation Advice on the Applicant's Deadline 1 Documents – Deadline 4.pdf
- EN010119 501986 North Falls Appendix G4.2 - Natural England's Guillemot and Razorbill Advice on the Applicant's Deadlines 1 and 3 Documents – DL4.pdf
- EN010119 501986 North Falls Appendix G4.3 - Natural England's Kittiwake Compensation Advice on the Applicant's Deadlines 1 and 2 Documents – DL4.pdf
- EN010119 501986 North Falls Appendix G4.4 - NE comments on 9.13 HRA Shadow AA

for Guillemot at the Farne Islands SPA [REP1-056] - Deadline 4.pdf

- EN010119 501986 North Falls Appendix H4.1 – Natural England's Proposed LBBG Compensation Sites Advice on the Applicant's Deadline 1 Documents – Deadline 4.pdf
- EN010119 501986 North Falls Appendix H4.2 - Natural England's Biodiversity Net Gain Advice on the Applicant's Deadline 1 and 3 Documents – DL4.pdf
- EN010119 501986 North Falls Appendix I4 – Natural England's SLVIA Advice on the Applicant's Deadline 2 and 3 Documents – Deadline 4.pdf

2. Draft Development Consent Order (DCO)

Natural England notes that the Project Environmental Statement (ES) has based assessments on an operational lifetime of 30 years. Similarly, our advice and considerations on this project thus far have been based on the proposed operational lifetime within the ES. However, we note that the draft Development Consent Order (DCO) does not include any condition or requirement that would allow enforcement of an end date. A similar issue with the lack of an enforceable end date was raised within Natural England's response to [Outer Dowsing Offshore Wind Farm Deadline 6 \(Natural England's cover letter Point 5\)](#). Given the assumptions made within the Project ES Natural England considers that there will be a need for a robust process to assess any extension to the operational life of the Project, such as through a variation or a new licence process, or other appropriate regulatory process.

Therefore, we advise that an operational end date of 30 years is included within the Deemed Marine Licence (dML), which we understand to be aligned with standard best practice for all non-Offshore wind marine licences. We note that this is a new issue raised during the Examination process of North Falls and have included it as an additional row within the updated Risks and Issues Log tab A.

For awareness, we note during discussions on this matter with the MMO, that this has highlighted a potential cross cutting issue with offshore windfarm marine licences. Natural England considers that there is a benefit to including an end date of the operational phase within the DCO/dML to ensure that it is clear that any repowering etc. would be subject to a new consent or variation, which would also require a full reassessment of impacts. Natural England notes this is also supported by the MMO. For awareness, Natural England will also be advising the inclusion of an operational end date on the dML for all OWF NSIPs Applications currently in examination.

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

Yours faithfully,

██████████
Sussex and Kent Area Team
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Telephone: ██████████

Annex 1: Natural England's Response to the Applicant's Documents Submitted at Deadlines 1, 2 and 3 Relevant to our Remit.

PINS Document Reference	Document Name	Natural England's Response/Position Summary
Deadline 1		
REP1-016	7.2.1 Habitats Regulations Assessment Appendix 1 Compensatory Measures Overview (Rev 1) (Tracked)	Natural England has no comments to make on this document.
REP1-018	7.2.2 Habitats Regulations Assessment Appendix 2 Lesser Black Backed Gull Compensation Document (Rev 1) (Tracked)	Natural England's response to this document is provided in Appendix G4.1 to this Deadline 4.
REP1-020	7.2.2.1 Habitats Regulations Assessment Annex 2A Outline Lesser Black Backed Gull Compensation Implementation and Monitoring Plan (Rev 1) (Tracked)	Natural England's response to this document is provided in Appendix G4.1 to this Deadline 4 submission.
REP1-026	7.2.4.1 Habitats Regulations Assessment Annex 4A Outline Kittiwake Compensation Implementation and Monitoring Plan (Rev 1) (Tracked)	Natural England's response to this document is provided in Appendix G4.3.
REP1-028	7.2.5 Habitats Regulations Assessment Appendix 5 Guillemot and Razorbill Compensation Document (Rev 1) (Tracked)	Natural England's response to this document is provided in Appendix G4.2.
REP1-030	7.2.5.1 Habitats Regulations Assessment Annex 5A Outline Guillemot and Razorbill Implementation and Monitoring Plan (Rev 1) (Tracked)	Natural England's response to this document is provided in Appendix G4.2.
REP1-050	9.7 BNG Strategy Technical Note	Natural England's response to this document is provided in Appendix H4.2.
REP1-056	9.13 Habitats Regulations Assessment Shadow Appropriate Assessment for Guillemot at the Farne Islands SPA	Natural England's response to this document is provided in Appendix G4.4.
REP1-057	9.14 Further Information Regarding Marine Mammals (Rev 0)	Natural England's response to this document is provided in Appendix E4.
REP1-058	9.15 Habitats Regulations Assessment Update to Breeding Season Apportioning of Lesser Black-backed Gull at the Alde-Ore Estuary Special Protection Area	Natural England's response to this document is provided in Appendix G4.1.
Deadline 2		
REP2-012	7.2.4 Appendix 4 Kittiwake Compensation Document (Rev 1) (Tracked)	Natural England's response to this document is

PINS Document Reference	Document Name	Natural England's Response/Position Summary
		provided in Appendix G4.3.
REP2-024	9.22 Applicant's response to NE's SLVIA Rel Reps (submitted at DL1	Natural England's response to this document is provided in Appendix I4.
Deadline 3		
REP3-001	9.24 Cover Letter (Rev 0)	Natural England has no comments to make on this document.
REP3-003	1.3 Guide to the Application (Rev 6) (Tracked)	Natural England has no comments to make on this document.
REP3-005	2.2 Planning Statement (Rev 2) (Tracked)	Natural England has no comments to make on this document.
REP3-007	5.12 Tree Preservation Order and Hedgerow Plan (Rev 1)	Natural England will provide a response on this document at Deadline 5.
REP3-009	6.1 Draft Development Consent Order (Rev 4) (Tracked)	Please refer to Section 2 of this cover letter.
REP3-010	7.2.1.4 HRA Annex 1D Letter of Comfort from Cornwall Wildlife Trust (Rev 0)	Natural England's response to this document is provided in Appendix G4.2.
REP3-012	7.6 Outline Project Environmental Management Plan (Rev 1) (Tracked)	Natural England has provided a response to this document in an update to our Deadline 4 Risk and Issues Log.
REP3-014	7.7 Draft Marine Mammal Mitigation Protocol (Rev 1) (Tracked)	Natural England will provide a response on this document at Deadline 5.
REP3-018	7.13 Outline Code of Construction Practice (Rev2) (Tracked)	Natural England will provide a response on this document at Deadline 5.
REP3-020	7.14 Outline Landscape and Ecological Management Strategy (Rev 2) (Tracked)	Natural England will provide a response on this document at Deadline 5.
REP3-026	7.20 Outline Offshore Operations and Maintenance Plan (Rev 1) (Tracked)	Natural England has provided a response to this document in an update to our Deadline 4 Risk and Issues Log.

PINS Document Reference	Document Name	Natural England's Response/Position Summary
REP3-028	7.22 Biodiversity Net Gain Strategy (Rev 1) (Tracked)	Natural England's response to this document is provided in Appendix H4.2.
REP3-029	7.30 Schedule of Changes to the dDCO (Rev 3)	Please refer to Section 2 of this cover letter.
REP3-031	9.7 Biodiversity Net Gain Strategy Technical Note (Rev1) (Tracked)	Natural England's response to this document is provided in Appendix H4.2.
REP3-036	9.25 Applicant's Comments on Responses to ExQ1 (Rev 0)	Natural England has no comments to make on this document.
REP3-038	9.27 Applicant's comments on other Deadline 2 Submissions and Applicant's responses on comments to Relevant Representations (Rev 0)	Natural England is still considering this document, if we have any comments then we will provide them at Deadline 5.
REP3-039	9.28 Applicant's Comments on Other Deadline Submissions (Rev 0)	Natural England will provide a response on this document at Deadline 5.
REP3-040	9.29 Updated Information for Offshore Ornithology Cumulative Effects Assessment (Rev 0)	Natural England will provide a response on this document at Deadline 5.
REP3-041	9.30 Indicative planting cross-sections at the onshore substation (Rev 0)	Natural England will provide a response on this document at Deadline 5.
REP3-042	9.31 Cumulative Effects Assessment Summary	Natural England is still considering this document, if we have any comments then we will provide them at Deadline 5.
REP3-044	9.33 Assessment of the Special Qualities of the Suffolk and Essex Coast and Heaths National Landscape and Suffolk Heritage Coast - Technical Note (Rev 0)	Natural England's response to this document is provided in Appendix I4.
REP3-045	9.34 Further Information Regarding Seabed and Bedform Mobility, and Implications for Sand Wave Recovery after Levelling (Rev 0)	Natural England's response to this document is provided in Appendix B4.
REP3-046	9.35 Further Information Regarding Marine Mammals Disturbance due to Vessel Presence (Rev 0)	Natural England will provide a response on this document at Deadline 5.
REP3-047	9.36 Sandeel and Herring Habitat Heat Mapping Clarification Note	Natural England has no comments to make on this

PINS Document Reference	Document Name	Natural England's Response/Position Summary
	(Rev 0)	document.
REP3-048	9.37 Environmental Statement Chapter 23 Onshore Ecology Supplemental Information - Technical Note (Rev 0)	Natural England will provide a response on this document at Deadline 5.