



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

NORTH FALLS OFFSHORE WIND FARM

Appendix H4.2 to the Natural England Deadline 4 Submission
Natural England's Biodiversity Net Gain Advice on the Applicant's Deadline 1 and 3 Documents

For:

The construction and operation of North Falls Offshore Wind Farm, located approximately 40 km from the East Anglia Coast in the Southern North Sea.

Planning Inspectorate Reference EN010119

25 April 2025

Appendix H4.2 Natural England's Biodiversity Net Gain (BNG) Advice on the Applicant's Deadlines 1 and 3 Documents

In formulating these comments, the following documents have been considered:

- [REP1-050] 9.7 BNG Strategy Technical Note
- [REP3-031] 9.7 Biodiversity Net Gain Strategy Technical Note (Rev1) (Tracked)
- [REP3-028] 7.22 Biodiversity Net Gain Strategy (Rev 1) (Tracked)

Detailed comments

1. BNG Calculations: Natural England has reviewed both versions of the BNG Technical Note [REP1-050 and REP3-028]. The Applicant's position remains that *"in the absence of any statutory requirements and guidance on BNG for NSIPs, the calculations provided within the BNG Strategy provide a reasonable assessment of the BNG baseline for the purpose of pre-consent outline BNG assessment"*. It is important to note that the updated BNG calculations provided in the Technical Note are provided only for the purposes of demonstrating the BNG unit changes predicted should the Natural England assumptions be used.
2. Commitments: Natural England welcomes the Applicant continues to commit to securing a minimum 10% gain through the Development Consent Order (DCO).
3. NSIP guidance to BNG: To date, Natural England has received no further information or guidance on how BNG will apply to Nationally Significant Infrastructure Projects (NSIPs). We are awaiting clarity around the policy approach to large infrastructure. Therefore, our comments are advisory only.
4. Scale of impacts to water courses: The Technical Note compares two BNG scenarios (the project alone, and the project in-combination with Five Estuaries). We note that the technical note applies Natural England's assumptions, which are based on current Town and Country Planning Act (TCPA) guidance and assesses the impact of these on the BNG calculations for the scheme. By applying Natural England's assumptions this has resulted in a lower percentage gain for area and hedgerow units compared to the Applicant's assumptions. However, applying Natural England's assumptions has reduced the predicted loss in watercourse units and therefore we are satisfied with outcomes included within the assessment.

5. BNG Options: Natural England notes that the Applicant's metric predicts a watercourse loss of -29%. They have stated that they are minimising impacts on watercourses as far as possible, but do not intend to compensate for this loss due to the difficulties in securing offsite watercourse units. As BNG is not yet mandatory for NSIPs, the Applicant would be unable to register any offsite gains or qualify for a statutory credit purchase (as they have noted in para.86 of the BNG Strategy). While we note that the options via BNG appear limited; Natural England through our Discretionary Advice Service may be able to explore with the Applicant potential projects that align with relevant Local Nature Recovery Strategy (LNRS) watercourse actions that the Applicant could fund or contribute towards. This could enhance the proposed BNG to help address the loss.
6. Monitoring and maintenance commitments: Natural England notes that the Applicant intends to put a 5-year management and maintenance plan in place for reinstated hedgerows, which they note is typical for NSIPs. However, para.101 in the revised BNG Strategy now states the project will provide up to 10 years of post-reinstatement surveys (only). Therefore, we advise that clarity is required on whether the surveys will be linked to potential further maintenance if surveys indicate the need for further action. The Applicant notes the difficulties around land ownership, i.e. acquiring land on a temporary basis and returning it to a landowner with a 30-year BNG commitment attached. Due to the lack of clarity on land that is temporarily acquired for NSIPs, we believe that a 10-year management plan proposal for this project is reasonable. However, we advise that, where possible, plans should be in place until the end of operations.
7. Natural England supports the Applicants proposal to update BNG calculations and metric scores as the detailed design is refined.