



**NORTH FALLS**

*Offshore Wind Farm*

## **Statement of Common Ground**

**Essex Wildlife Trust**

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## Glossary of Acronyms

BNG	Biodiversity Net Gain
CION	Connection and Infrastructure Options Note
DCO	Development Consent Order
DLL	District Level Licensing
EACN	East Anglia Connection Node
EPSL	European Protected Species Licencing
EIA	Environmental Impact Assessment
ES	Environmental Statement
ETG	Expert Topic Group
LONI	Letters of No Impediment
LSE	Likely Significant Effect
MMMP	Marine Mammal Mitigation Protocol
NAS	Noise Abatement Systems
NFOW	North Falls Offshore Wind Farm
NGET	National Grid
OTNR	Offshore Transmission Network Review
OWEC	Offshore Wind Evidence and Change
OWF	Offshore Wind Farm
PEIR	Preliminary Environmental Information Report
RWE	RWE Renewables UK Swindon Limited
SIP	Site Integrity Plan
SoCG	Statement of Common Ground
SSSI	Site of Special Scientific Interest
TWT	The Wildlife Trusts

## Glossary of Terminology

Haul road	The track along the onshore cable route used by construction traffic to access different sections of the onshore cable route.
Horizontal directional drill (HDD)	Trenchless technique to bring the offshore export cables ashore at landfall. The technique will also be the primary trenchless technique used for installation of the onshore export cables at sensitive areas of the onshore cable route.
Landfall	The location where the offshore export cables come ashore at Kirby Brook.
National Grid connection point	The grid connection location for the Project. National Grid are proposing to construct new electrical infrastructure (a new substation) to allow the Project to connect to the grid, and this new infrastructure will be located at the National Grid connection point.
Onshore cable corridor(s)	Onshore corridor(s) considered at PEIR within which the onshore cable route, as assessed at ES, is located.
Onshore cable route	Onshore route within which the onshore export cables and associated infrastructure would be located.
Onshore substation	A compound containing electrical equipment required to transform and stabilise electricity generated by the Project so that it can be connected to the National Grid.
Onshore substation zone	The area considered at PEIR, within which the onshore substation will be located.
The Applicant	North Falls Offshore Wind Farm Limited (NFOW).
The Project or 'North Falls'	North Falls Offshore Wind Farm, including all onshore and offshore infrastructure.

# 1 Introduction

## 1.1 Introduction

1. This Statement of Common Ground (SoCG) has been prepared by North Falls Offshore Wind Farm Limited (NFOW) (the Applicant) and Essex Wildlife Trust. It identifies areas of North Falls Offshore Wind Farm (hereafter ‘the Project’ or ‘North Falls’) where matters are agreed, not agreed or that remain under discussion between the parties.
2. The Applicant has had regard to the Planning Inspectorate (2024) guidance regarding Statements of Common/Uncommon Ground for Hearings and Inquiries when compiling the SoCG.
3. This SoCG has been structured to reflect topics of the application which are of interest to Essex Wildlife Trust. The applicable matters considered within the SoCG apply to Essex Wildlife Trust’s statutory and non-statutory remit.
4. Table 1.1 presents the topics included in the SoCG with the Applicant and Essex Wildlife Trust.

**Table 1.1 Topics included in the SoCG**

Topic/Chapter	DCO Document Reference
Onshore Site Selection	APP-016
Marine Mammals	APP-026
Onshore Ecology	APP-037

5. Topic specific matters agreed, not agreed, and matters that remain under discussion between the Applicant and Essex Wildlife Trust are included within this SoCG. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicant and Essex Wildlife Trust to reach agreement on each matter wherever possible or refine the extent of disagreement between parties.
6. Throughout the SoCG the phrase “Agreed” identifies any point of agreement between the Applicant and Essex Wildlife Trust. The phrase “Not Agreed” identifies any point that is not agreed between the Applicant and Essex Wildlife Trust.

## 1.2 Consultation with the Essex Wildlife Trust

7. The Applicant has engaged with Essex Wildlife Trust on the project during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant Section 42 of the Planning Act 2008.
8. Further to the statutory Section 42 consultation, several meetings were held with Essex Wildlife Trust through the Evidence Plan Process. These are detailed throughout the SoCG, Consultation Report **[APP-215]** and minutes of the meetings.

### 1.3 Summary of Agreed, Not Agreed and In Discussion

9. In order to easily identify whether a matter is 'agreed', 'not agreed', or 'in discussion' the position status colour coding system set out in Table 1.2 is used in the SoCG.
10. Details of specific topics that are 'agreed', 'not agreed', or 'in discussion' between the Applicant and Essex Wildlife Trust are presented in Table 2.2, Table 2.4 and Table 2.6.

**Table 1.2 Position status key**

Position Status	Position Colour Coding
<b>Agreed.</b> The matter is considered to be agreed between the parties.	Agreed
<b>Not Agreed- no material impact</b> The matter is not yet agreed between the parties however the outcome of the approach taken by either the Applicant and Essex Wildlife Trust is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG. Discussion on these matters have concluded.	Not Agreed- no material impact
<b>Not Agreed- material impact</b> The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant and Essex Wildlife Trust is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded.	Not Agreed- material impact
<b>In discussion</b> The matter is neither 'agreed' nor 'not agreed' and is a matter where further discussion is required between the parties (e.g. where the documents are yet to be shared with the Essex Wildlife Trust).	In discussion



## 2 Statement of Common Ground

11. A summary of the consultation undertaken to date with Essex Wildlife Trust and the matters agreed or not agreed between the Applicant and Essex Wildlife Trust (based on discussions and information exchanged between the Applicant and Essex Wildlife Trust during the pre-application phase of the Application) are set out below for each of the SoCG topic areas.

### 2.1 Onshore Site Selection

**Table 2.1 Summary of Consultation with Essex Wildlife Trust regarding Onshore Site Selection**

Date	Contact Type	Topic
<b>Pre-Application</b>		
17 <sup>th</sup> January 2022	Expert Topic Group (ETG) Meeting 1	The following topics were discussed during the meeting: <ul style="list-style-type: none"><li>• Site selection 'Golden Rules';</li><li>• Approach to site selection;</li><li>• Update on site selection activity; and</li><li>• Feedback provided.</li></ul>
9 <sup>th</sup> April 2022	ETG Meeting 2	The following topics were discussed during the meeting: <ul style="list-style-type: none"><li>• The process and initial outputs of the Project's onshore substation site selection exercise; and</li><li>• Infrastructure required for the onshore substation.</li></ul>
15 <sup>th</sup> of June 2022	ETG Meeting 3	The following topics were discussed during the meeting: <ul style="list-style-type: none"><li>• The process and initial outputs of the Project's onshore cable corridor site selection exercise; and</li><li>• Infrastructure required for the onshore cable corridor.</li></ul>
<b>Post-Application</b>		
18 <sup>th</sup> October 2024	Relevant Representation	Essex Wildlife Trust response to the relevant representation consultation

**Table 2.2 Topics agreed, in discussion or not agreed in relation to Onshore Site Selection**

ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
1	The Project's 'Golden Rules' (as described in ES Appendix 4.1 Site Selection Golden Rules <b>[APP-091]</b> ) for setting the framework for the site selection process for all aspects on transmission infrastructure, are appropriate for guiding the site selection process, and ensuring that the process is robust and will ensure compliance with environmental requirements.	No comment	Agreed
2	The methodology for onshore cable corridor site selection as described in ES Chapter 4 Site Selection and Assessment of Alternatives <b>[APP-018]</b> is adequate for ensuring that the preferred option identified is compliant will all relevant environmental requirements.	No comment	Agreed
3	The methodology for onshore substation site selection (as described in ES Chapter 4 Site Selection and Assessment of Alternatives <b>[APP-018]</b> ) is adequate for ensuring that the preferred option identified is compliant will all relevant environmental requirements.	No comment	Agreed
4	<p>The East Anglia Connection Node (EACN) is the point of connection to the national grid, offered to the Applicant as the output of the Connection and Infrastructure Options Note ('CION') process for North Falls. The CION process defines where a generating project such as an offshore wind farm connect. It is a process owned and administered by National Grid Electricity Transmission. North Falls has limited influence in the location of the EACN.</p> <p>The project has undertaken an extensive site selection process based on developing a viable option to connect into the National Grid at the location provided. The site selection process is reported on in full in ES Chapter 4 Site Selection and Assessment of Alternatives <b>[APP-018]</b>.</p> <p>The Co-ordination Report <b>[AS-006]</b> sets out the Applicant's position with respect to co-ordination with other projects and how North Falls, in conjunction with Five Estuaries, has sought to reduce impacts on communities and the local environment, including through its Biodiversity Net Gain Strategy <b>[APP-257]</b> developed in consultation with Five Estuaries and their proposals.</p>	The Wildlife Trusts (TWT), of which Essex Wildlife Trust is a member, have long advocated for greater strategic coordination in the planning, design, and delivery of offshore electricity generation together with the offshore and onshore electricity transmission infrastructure needed to distribute electricity generated offshore to where it is needed, to reduce environmental and consenting risks. To this end TWT was represented on the Offshore Transmission Network Review (OTNR) Expert Advisory Group and participated in strategic forums such as the Offshore Wind Evidence and Change (OWEC) Programme. SSE Renewables, RWE and North Falls should have regard to the findings of the OTNR and other relevant strategic forums and where possible incorporate their recommendations on reducing adverse impacts on marine and terrestrial ecology. Better coordination of offshore energy generation and transmission infrastructure will reduce the consenting risks and delays that have faced recent OWFs. Strategically planned offshore energy generation and electricity transmission infrastructure (including onshore elements) provides the opportunity for strategic approaches to compensating for residual environmental impacts that cannot be avoided or	In discussion

ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
	<p>North Falls and Five Estuaries will continue to work together on their BNG proposals and how these will be delivered.</p> <p>The Applicant's compensation proposals also include collaboration with a number of offshore wind farms, including Five Estuaries, Rampion 2 and Dogger Bank South, and the potential to contribute to strategic compensation, should a mechanism for this be established by HM Government in an appropriate timescale for North Falls. Please see Section 3.4 – 3.5 of the Compensatory Measures Overview <b>[APP-184]</b>.</p>	<p>adequately mitigated. There is significant potential for such measures to have a greater overall positive impact on the environment and biodiversity and take compensation beyond the level of no net loss into achieving net positive effects. Whilst we recognise that Biodiversity Net Gain policies and delivery frameworks are more developed for terrestrial and intertidal habitats than they are for the marine environment, we would still expect North Falls to aim to achieve an overall net positive impact on biodiversity and ecology in the marine environment. We will be examining the Developer's application to determine whether, in our view, SSE Renewables, RWE and North Falls have fully explored opportunities for strategic compensation and enhancement approaches and measures to contribute to realising this aim.</p>	

## 2.2 Marine Mammals

**Table 2.3 Summary of Consultation with Essex Wildlife Trust regarding Marine Mammals**

Date	Contact Type	Topic
<b>Pre-Application</b>		
9 <sup>th</sup> July 2021	ETG Meeting 1	The following topics were discussed during the meeting: <ul style="list-style-type: none"><li>• The Evidence Plan Process;</li><li>• Project updates;</li><li>• EIA scoping; and</li><li>• Marine Mammals.</li></ul>
<b>Post-Application</b>		
18 <sup>th</sup> October 2024	Relevant Representation	Essex Wildlife Trust response to the relevant representation consultation

**Table 2.4 Topics agreed, in discussion or not agreed in relation to Marine Mammals**

ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
1	<p>The finalisation of the Site Integrity Plan (SIP) and Marine Mammal Mitigation Protocol for piling will consider the latest policy on Noise Abatement Systems (NAS) at the time. The Applicant notes that potential mitigation options, including NAS, are proposed within the Outline SIP [APP-243] which would be finalised as a SIP post-consent in line with the final design of the Project. As secured by condition to the proposed deemed marine licences in the draft DCO [AS-022] in the event that piling is required. It is recognised that upon assessment of more developed design information, any need for the implementation of NAS will be decided in consultation with the licencing authority. The Applicant is planning appropriately for the potential requirement for NAS but maintains the position that the effects may be suitably mitigated through further design refinement and embedded mitigation. The Applicant has already committed to only pile at one monopile location in any one day during the winter season, unless NAS is utilised. The Applicant is also considering the option of no piling during the winter season (October – March inclusive), as detailed in the Outline SIP at section 1.7.2 [APP-243].</p> <p>Measures to reduce the risk of vessel disturbance and collision risk have been incorporated into the Outline Project Environmental Management Plan [APP-241].</p>	<p><b>Marine mammals</b></p> <p>A key mitigation for marine mammals that should be included in the condition wording of the marine licence is that piling activity must cease in the event the monitoring highlights the noise impact is in excess of the predicted impacts. The production and implementation of a Marine Mammal Mitigation Protocol (MMMP) will minimise the impacts of piling and unexploded ordnance clearance (if required). The Applicant should commit to specific mitigation measures, particularly Noise Abatement Systems (NAS), in the MMMP. This should sit alongside a Working in Proximity to Wildlife Plan to reduce the risk of disturbance from ships, boats and other vessels and the risk of them colliding with marine mammals.</p>	In discussion

## 2.3 Onshore Ecology

**Table 2.5 Summary of Consultation with Essex Wildlife Trust regarding Onshore Ecology**

Date	Contact Type	Topic
<b>Pre-Application</b>		
6 <sup>th</sup> July 2021	ETG Meeting 1	<p>The following topics were discussed during the meeting:</p> <ul style="list-style-type: none"> <li>• The Evidence Plan Process;</li> <li>• Project update;</li> <li>• Onshore EIA Scoping;</li> <li>• Onshore Ecology and Ornithology;</li> <li>• Surveys undertaken to date;</li> <li>• European Protected Species Licences; and</li> <li>• Biodiversity Net Gain (BNG).</li> </ul>
15 <sup>th</sup> November 2022	ETG Meeting 2	<p>The following topics were discussed during the meeting:</p> <ul style="list-style-type: none"> <li>• Project update</li> <li>• Onshore HRA screening;</li> <li>• BNG;</li> <li>• BNG baseline; and</li> <li>• 2022 Onshore Ecology Survey Results Summary.</li> </ul>
10 <sup>th</sup> October 2023	ETG Meeting 3	<p>The following topics were discussed during the meeting:</p> <ul style="list-style-type: none"> <li>• Project update;</li> <li>• Onshore Ecology survey update since PEIR;</li> <li>• Bat activity survey;</li> <li>• Issues raised in PEIR &amp; HRA feedback</li> <li>• Approach to BNG; and</li> <li>• Approach to protected species licences.</li> </ul>
5 <sup>th</sup> February 2024	ETG Meeting 4	<p>The following topics were discussed during the meeting:</p> <ul style="list-style-type: none"> <li>• Project update;</li> <li>• Approach to BNG;</li> <li>• BNG key assumptions- baseline value calculation;</li> <li>• BNG key assumptions- post development value calculation; and</li> <li>• Next steps for BNG.</li> </ul>
29 <sup>th</sup> February 2024	ETG Meeting 5	<p>The following topics were discussed during the meeting:</p> <ul style="list-style-type: none"> <li>• Project update;</li> <li>• European Protected Species Licences (Great Crest Newts);</li> <li>• Points raised at previous ETG meetings;</li> <li>• District Level Licensing (pre-consent); and</li> <li>• District Level Licensing (post-consent).</li> </ul>
1 <sup>st</sup> March 2024	ETG Meeting 6	<p>The following topics were discussed during the meeting:</p>

Date	Contact Type	Topic
		<ul style="list-style-type: none"> <li>• Project update;</li> <li>• Protected Species Licencing; and</li> <li>• Haul Road - Proposed Mitigation Measures.</li> </ul>
<b>Post-Application</b>		
18 <sup>th</sup> October 2024	Relevant Representation	Essex Wildlife Trust response to the relevant representation consultation

**Table 2.6 Topics agreed, in discussion or not agreed in relation to Onshore Ecology**

ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
1	The approach / methodology for Environmental Impact Assessment (EIA) as set out in Section 23.4 of ES Chapter 23 of the ES Chapter Onshore Ecology and Section 24.4 ES Chapter 24 Onshore Ornithology is appropriate for assessing impacts on onshore ecology / ornithology receptors.	No comment	Agreed
2	The list of desk-based data sources set out in Section 23.4 of ES Chapter 23 of the ES Chapter Onshore Ecology and Section 24.4 ES Chapter 24 Onshore Ornithology are sufficient to inform the EIA.	No comment	Agreed
3	The study area buffers for designated sites, habitats and species set out in Section 23.4 of ES Chapter 23 of the ES Chapter Onshore Ecology and Section 24.4 ES Chapter 24 Onshore Ornithology are appropriate.	No comment	Agreed
4	The scope of the Extended Phase 1 Habitat surveys and all Phase 2 species specific-surveys undertaken to inform the EIA is appropriate and is suitable to characterise the baseline for the EIA.	No comment	Agreed
5	The proposed approach in terms of early engagement on biodiversity net gain is appropriate.	No comment	Agreed
6	The screening thresholds used within the onshore HRA screening (Doc. Ref.: 004158062-02, dated 1 November 2022) are appropriate for screening in sites potentially subject to LSE from North Falls' onshore works.	No comment	Agreed
7	The sites and potential effects screened in for further assessment within the onshore HRA screening (Doc. Ref.: 004158062-02, dated 1 November 2022) are appropriate.	No comment	Agreed
8	The approach to assessing effects upon migratory Nathusius' pipistrelle - i.e. to assess effects on their terrestrial habitat – are appropriate.	No comment	Agreed
9	The approach to assessing effects upon Holland Haven Marshes SSSI - i.e. to assess effects on the compounds of the SSSI individually - are appropriate.	No comment	Agreed



ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
10	Assessment of effects arising from HDD breakout is best assessed in the ES through a risk assessment, and geotechnical data is not required at this stage to inform this.	No comment	Agreed
11	Works taking place within 30m of Holland Mill Wood is acceptable.	No comment	Agreed
12	North Falls will submit an DLL enquiry form with a view to obtaining a DLL certificate in advance of DCO application submission. The enquiry will include a boundary which in the 'worst case' of both the North Falls and Five Estuaries boundaries, and both enquiries (from North Falls and Five Estuaries) will allow for the certificate to cover the project in the event of either (i) build out of both North Falls and Five Estuaries cable ducts or (ii) North Falls infrastructure only.	No comment	Agreed
13	No draft protected species licences are proposed to be required. Based on the data submitted to date and the outline mitigation proposed for hazel dormice as set out during the 1 March 2024 ETG meeting, this approach is appropriate.	No comment	Agreed
14	<p>Impacts on SACs, SPAs and Ramsar sites are assessed in the Report to Inform Appropriate Assessment Parts 1 to 6 <b>[APP-173 to APP-182]</b>.</p> <p>Impacts on terrestrial habitats; terrestrial mammals; reptiles and amphibians; and Fisher's Estuarine moth are assessed in ES Chapter Onshore Ecology <b>[APP-037]</b>.</p> <p>Impacts on benthic and intertidal ecology are assessed in ES Chapter 10 <b>[APP-024]</b>.</p> <p>Impacts on fish and shellfish are assessed in ES Chapter 11 <b>[APP-025]</b>.</p> <p>Impacts on marine mammals are assessed in ES Chapter 12 <b>[APP-026]</b>.</p> <p>Mitigation is listed in the Schedule of Mitigation <b>[APP-012, Rev 1]</b> and an overview of the compensation proposals is provided in Appendix 1 Compensatory Measures Overview [7.2.1, Rev 1], with further detail provided in the following documents:</p> <ul style="list-style-type: none"> <li>Annex 1A Habitats Regulations Assessment Compensation Consultation <b>[APP-185]</b></li> </ul>	<p>The areas of concern we wish to address through the DCO process are:</p> <ul style="list-style-type: none"> <li>Impacts on Margate and Long Sands SAC</li> <li>Impacts on the Southern North Sea SAC</li> <li>Impacts on the Outer Thames Estuary SPA</li> <li>Impacts on the Essex Estuaries SAC</li> <li>Impacts on the Colne Estuary SPA/Ramsar</li> <li>Impacts on Hamford Water SAC/SPA/Ramsar</li> <li>Impacts on Abberton Reservoir SPA/Ramsar</li> <li>Impacts on the Stour and Orwell Estuaries SPA/Ramsar</li> <li>Impacts on the Blackwater Estuary SPA/Ramsar</li> <li>Impacts on terrestrial habitats and protected species, including the Great Holland Pits Local Wildlife Site (LoWS) and EWT nature reserve Topics that we wish to comment on include: <ul style="list-style-type: none"> <li>Physical habitat loss and/or disturbance</li> </ul> </li> </ul>	Agreed

ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
	<ul style="list-style-type: none"> <li>Annex 1B Compensation Funding Statement <b>[APP-186]</b></li> <li>Annex 1C In Principle Letter of Agreement from Dogger Bank South East and West <b>[APP-187]</b></li> <li>Appendix 2 Lesser Black-backed Gull Compensation Document [7.2.2, Rev 1]</li> <li>Annex 2A Outline Lesser Black-backed Gull Compensation Implementation and Monitoring Plan [7.2.2.1, Rev 1]</li> <li>Appendix 3 Red Throated Diver Compensation Document [7.2.3, Rev 1]</li> <li>Annex 3A Outline Red Throated Diver Compensation Implementation and Monitoring Plan [7.2.3.1, Rev 1]</li> <li>Appendix 4 Kittiwake Compensation Document <b>[APP-192]</b></li> <li>Annex 4A Outline Kittiwake Compensation Implementation and Monitoring Plan [7.2.4.1, Rev 1]</li> <li>Appendix 5 Guillemot and Razorbill Compensation Document [7.2.5, Rev 1]</li> <li>Annex 5A Outline Guillemot and Razorbill Compensation Implementation and Monitoring Plan [7.2.5.1, Rev 1]</li> </ul>	<ul style="list-style-type: none"> <li>Marine mammals, including Harbour Porpoise (underwater noise, collision risk, changes to prey distribution and abundance) • Ornithological impacts both offshore and onshore</li> <li>Impacts on terrestrial mammals, including Bats, Hazel Dormice, Otters, Water Voles and Badgers</li> <li>Impacts on Reptiles and Amphibians</li> <li>Impacts on benthic and intertidal ecology</li> <li>Impacts on fish and shellfish</li> <li>Impacts on Fisher's Estuarine Moth</li> <li>Offshore mitigation and compensation proposals</li> <li>Onshore Biodiversity Net Gain (BNG) proposals</li> </ul>	
15	<p><b>Onshore Biodiversity Net Gain</b></p> <p>In response to this request, the Applicant has prepared a technical note detailing BNG calculations for an additional option in line with Five Estuaries' 'Option 2', i.e. with inclusion of all 'retained' habitats. The outcomes of this additional option will be set out in two further Statutory Biodiversity Metrics (one for North Falls Alone, one for a North Falls – Five Estuaries joint build). This Biodiversity Net Gain Technical Note <b>[REP1-050]</b> was submitted into the Examination at Deadline 1.</p> <p>Habitats within the Project's DCO Order Limits, but not included in the Applicant's original BNG calculations due to being retained during the Project's construction, will not result in a requirement for additional units, so their inclusion does not fundamentally change the outcomes of the BNG assessment reported in the Biodiversity Net Gain Strategy <b>[APP-257]</b>.</p>	<p>Biodiversity net gain (BNG) We note the Applicant's commitment to delivering a minimum of 10% BNG and advise that this should be secured by requirement in the DCO. Everything within the Red Line Boundary (Order Limits) should be included in the BNG baseline calculations, including any retained habitats. Any deviation from BNG best practice and principles should continue to be justified and clearly reported. We would also advise that North Falls are consistent with the approach taken by the Five Estuaries project. With regards to replaced hedgerow management, we advise that they should be maintained for a minimum of 30 years in line with BNG regulations. If the long-term management of hedgerows for this period cannot be secured, they should be treated as "habitat loss" within the BNG metric.</p>	In discussion

ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
	<p>It remains the Applicant's position that treating hedgerows as 'habitat loss' for a project of this nature is not proportionate. This is because a large linear scheme such as North Falls impacts a number of hedgerows for a short period of time, but then reinstates these to an improved standard, leading to improved habitat outcomes in the long term. The reinstatement of hedgerows to an improved standard is secured through the Outline Landscape and Ecological Management Strategy [APP-249]. It is not appropriate for the Applicant to commit to 30 years of management and maintenance for the hedgerows because as part of land agreements they are returned to the landowner to manage following the completion of construction.</p> <p>Any habitat creation and enhancement which takes place and contributes towards the project's BNG target will require a minimum 30-year monitoring and maintenance period of its condition. This excludes arable habitats as they do not receive a condition score within the Defra Statutory Biodiversity Metric.</p>		
16	<p><b>Great crested newt District Level Licensing</b></p> <p>This is correct, the Applicant proposes to enter the District Level Licensing (DLL) scheme, as outlined in Paragraph 103 of the Outline Landscape and Ecological Management Strategy [APP-249].</p>	<p>The project proposes to enter the District Level Licensing (DLL) scheme, based on current survey data and available scheme details. The DLL differs from the traditional EPSL route in that any impacts to GCN are offset at a district or county-level rather than site-level and uses a conservation fee from developers that is used to create and maintain new ponds and habitat in locations that will benefit the species for the foreseeable future.</p>	Agreed
17	<p><b>Dormice</b></p> <p>Paragraph 27 of the Outline Landscape and Ecological Management Strategy [APP-249] states the pre-application survey effort will be repeated pre-construction, where necessary, in accordance with industry guidance and methodology (i.e. following the approach used during pre-application surveys, or updated best practice at that time). The Outline Landscape and Ecological Management Strategy [APP-249] also outlines proposed timing of vegetation removal, to minimise the potential impact on protected and notable species.</p>	<p><b>Dormice</b></p> <p>The measures which are pertinent include use of HDD beneath all woodlands (rather than trenching through the woodland), and retention of trees and hedgerows wherever practicable. One hedge (reference 5EHE_38) with dormouse presence confirmed (one old nest on one occasion, at the southern end of the hedgerow) may be affected. The option of trenchless crossing and an off-route haul road should be adopted at this location, such that if dormouse are present in future impacts to the species can be avoided, and there would be no requirement for an EPSL. Two 10m wide hedgerow breaches to enable haul route access from the B1035 Thorpe Road to the onshore ECC are proposed. Current field survey data does not include records for dormouse in the hedges, but the species is present directly adjacent and so</p>	Agreed

ID	The Applicant Position	Essex Wildlife Trust Position	Position Summary
		<p>its potential future presence cannot be ruled out. The requirement for an EPSL should be re-assessed based upon pre-commencement/ pre-construction survey results and final scheme design. In the event an EPSL is required, the EPSL application should be submitted to NE in advance of work. The conditions of the EPSL would be specified to ensure that construction and temporary presence of the haul road does not result in significant adverse impacts to the local population. This should include:</p> <ul style="list-style-type: none"> <li>• Creation of temporary compensation/ mitigation habitats for use by dormice in immediately adjacent areas.</li> <li>• Scheduling of certain work to avoid sensitive periods of the dormouse life cycle; standard practice involves a two stage removal. Top growth of the hedgerow to be removed in the winter months (November – February) when dormouse are hibernating, avoiding ground disturbance. Clearance of stumps, roots and other vegetation to be undertaken from May – September thereafter.</li> </ul>	
18	<p>Paragraph 103 of the Outline Landscape and Ecological Management Strategy <b>[APP-249]</b> states that based on the baseline data collected to date, the only protected species licence required by the Project is a great crested newt District Level Licence (DLL). Licensing requirements for all protected species will be revisited following the completion of pre-construction surveys to account for any changes in the ecological baseline.</p> <p>Paragraph 27 of the Outline Landscape and Ecological Management Strategy <b>[APP-249]</b> states the pre-application survey effort will be repeated pre-construction, where necessary, in accordance with industry guidance and methodology (i.e. following the approach used during pre-application surveys, or updated good practice at that time).</p>	<p><b>Bats</b></p> <p>The measures which are pertinent include use of HDD beneath all woodlands (rather than trenching through the woodland), and retention of trees and hedgerows wherever practicable. Reduction in corridor width at hedgerow crossings. The scheme should deliver no net loss of potential roost resource. The construction phase may result in the loss of a number of mature trees, including some which have moderate or high potential to support bats. None have been found to support roosting bats to date, but since tree roosting bats utilise a range of locations over any given season, an EPSL may later prove necessary pending the findings of pre-commencement surveys. In the event an EPSL is needed, it should cover work at all trees with potential roost features that may be affected by the project. All work undertaken under an EPSL and which could result in disturbance of bats should be overseen by the Named Ecologist, or his/ her Accredited Agent (such as a suitably skilled and experienced Ecological Clerk of Works (ECOW)).</p>	Agreed

### 3 Signatures

12. The above SoCG is agreed between the Applicant and the Essex Wildlife Trust on the day specified below.

Signed:\_\_\_\_\_



Print Name:\_\_\_\_\_



JobTitle:\_\_\_Conservation Planning Officer

Date:\_\_\_11/04/2025

Duly authorised for and on behalf of Essex Wildlife Trust

Signed:\_\_\_\_\_

Print Name:\_\_\_\_\_

Job Title:\_\_\_\_\_

Date:\_\_\_\_\_

Duly authorised for and on behalf of the Applicant



**NORTH FALLS**

*Offshore Wind Farm*



**RWE**

## **HARNESSING THE POWER OF NORTH SEA WIND**

*North Falls Offshore Wind Farm Limited*

*A joint venture company owned equally by SSE Renewables and RWE.*

*To contact please email [contact@northfallsoffshore.com](mailto:contact@northfallsoffshore.com)*

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