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

30 May 2025

Dear Wendy McKay,

Planning Act 2008, Proposed North Falls Offshore Wind Farm Project Order Deadline 5 Submission Summary

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. Schedule 8 includes the deemed marine licence for generation assets. Schedule 9 Includes the deemed marine licence for transmission assets, and Schedule 10 includes the deemed marine licence for the offshore converter station element for the transmission assets, should that infrastructure be required.

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.

This document comprises the MMO's summary for the submission for Deadline 5. 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,



Marine Licensing Case Officer

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1. MMO Responses to Examining Authority's (ExA) Questions (ExQ2)

1.1 The MMO has reviewed the Examining Authorities Questions and has provided responses in Table 1 of the Deadline 5 response.

1.1.1 9.0.3 - Article 5 – Benefit of the Order – The MMO will provide a response to this question at Deadline 6.

1.1.2 9.2.1 – Depths in the Deep Water Routes - The MMO will review Interested Party Responses to this question at Deadline 5 and will liaise if there are any issues.

1.1.3 9.2.2 – Volume of arisings - The MMO is content with the amendments to Condition 10 (8) of Schedule 8, Condition 11 (4) of Schedule 9 and Condition 11 (4) of Schedule 10 to include the total volumes of drill arising under the licence.

1.1.4 9.2.5 – Condition 19 (10) of Schedules 8 and 10 and Condition 20 (10) of Schedules 9 - The MMO is content with the amendments that have been added. The telephone number of the correct centre ([HM Coastguard rescue coordination centre contact details - GOV.UK](#)) must be included in the condition.

1.1.5 9.2.6 - Conditions 12 (4) of Schedule 8 and 10 and Condition 13 (4) of Schedule 9 - The MMO provided context and background to the Applicant on 15 May 2025 and will review the Applicant's response submitted at Deadline 5.

1.1.6 9.2.7 – Chemicals - The MMO provided context and background to the Applicant on 15 May 2025 and will review the Applicant's response submitted at Deadline 5.

1.1.7 9.2.8 – Designation of Disposal Sites - The MMO will provide a further update on this question once it has reviewed the updated site characterisation report.

1.1.8 9.2.9 – Post Construction Monitoring – The MMO will review the Applicant's response submitted at Deadline 5.

1.1.9 9.2.10 – Outline Fisheries and Co-Existence Plan - The MMO will maintain a watching brief.

1.1.10 9.2.11 – Offshore In-Principal Monitoring Plan - Please see Section 3 below for comments on the Offshore In-Principal Monitoring Plan.

1.1.11 10.0.1 – Marine Mammals – Methodology/Cumulative Assessment – MMO defers to Natural England (NE) as the relevant Statutory Nature Conservation Body (SNCB) in relation to Marine Mammals.

1.1.12 10.0.2 - Marine Mammals – Methodology/Cumulative Assessment / Transboundary aspects – The MMO maintains a watching brief.

1.1.13 10.0.3 – Marine Mammals – Cumulative Assessment/Mitigation – The MMO defers to NE as the relevant SNCB in relation to modelling and the comments raised.

1.1.14 10.0.10 – Marine Environment/Benthic/Seabed Matters – The MMO defers to NE as the relevant SNCB in relation to modelling and the comments raised.

1.1.15 10.0.13 – Marine Environment/ Deemed Marine Licensing/dDCO – The MMO has provide further comments to address this question in Table 1 of the Deadline 5 response. In relation to the condition, the MMO is still reviewing this condition – please see comments to question 9.2.9.

1.1.16 10.0.14 – Outline Decommissioning Plan - The MMO is in agreement and requests that an Outline Decommissioning Plan is provided during the examination for review.

- 1.1.17 **10.0.17 – Overall Habitat Regulations Assessment (HRA) Derogation/Ecological Compensation/Schedule 15 Wording** - The MMO has no further comment at this stage regarding the Marine Recovery Fund and defers to NE the relevant SNCB regarding the HRA, Derogation and Ecological Compensation.
- 1.1.18 **16.01 – Commercial Fisheries – Sufficiency of mitigation** – The MMO will provide a response to this question at Deadline 6.

2. Comments on Applicant's Response to Deadline 3 Submissions and Deferred Responses from Deadline 2 [REP4-027]

2.1 REP3-056_a – Responses to Examiner's Questions (ExQ1) Q9.1.3

2.1.1 The MMO has no further comments on this.

2.2 REP3-056_b – Responses to Examiner's Questions (ExQ1) Q9.1.7

2.2.1 The MMO has further addressed this comment in its response to ExQ2 above (9.0.3).

2.3 REP3-056_c – Responses to Examiner's Questions (ExQ1) Q9.2.4

2.3.1 The MMO is content with the amendments to Condition 10 (8) of Schedule 8, Condition 11 (4) of Schedule 9 and Condition 11 (4) of Schedule 10 to include the total volumes of drill arising under the licence.

2.4 REP3-056_d – Responses to Examiner's Questions (ExQ1) Q10.2.4

2.4.1 The MMO notes the comments by the Applicant and has no further comments.

2.5 REP3-056_e – 9.4.1 Schedules 8-10 DMLs

2.5.1 The MMO notes the comments by the Applicant. The MMO position remains unchanged, and the position remains not agreed.

2.6 REP3-056_f – Q9.4.2 Condition 12 Maintenance of the authorised development

2.6.1 The MMO notes the comments by the Applicant. The MMO position remains unchanged, and the position remains not agreed.

2.7 REP3-056_g – Q9.4.3 Condition 21 Pre-construction plans and documentation

2.7.1 The MMO will review the draft outline Cable Specification and Installation Plan 4 and will provide further comments at Deadline 6.

2.8 REP3-056_h – Q9.4.5 - Condition 21 Pre-construction plans and documentation

2.8.1 The MMO has addressed this comment above in its response to the ExQ2 questions – 10.0.13.

2.9 REP3-056_i – Q10.1.8 - Offshore Construction Monitoring

2.9.1 The MMO has addressed this comment above in its response to the ExQ2 questions – 10.0.3.

2.10 REP3-056_j – Q10.1.10 - Offshore Construction – winter piling

2.10.1 The MMO has no further comments on this point at this stage.

2.11 REP3-056_k – Q 15.1.12 - Further mitigation required for recreational craft

2.11.1 The MMO is content with the comments made by the Applicant and the Royal Yachting Association (RYA) on this matter. The MMO has no further comments.

2.12 REP3-056_l – 3.1 Shellfisheries

2.12.1 The MMO notes the comments by the Applicant. The MMO has no further comments.

2.13 REP3-056_m – Decommissioning

2.13.1 The MMO notes the comments raised by the Applicant and has addressed decommissioning above in its response to the ExQ2 questions - 10.0.14.

2.14 REP3-056_n – Schedule 2 Requirement 1 – Time limits/Lifespan

2.14.1 The MMO notes the response by the Applicant. The MMO may provide further comments in due course.

2.15 REP3-056_o – Condition 19 (1) Chemicals

2.15.1 The MMO provided further background and clarity to the Applicant on 15 May 2025 during a meeting with the Applicant and the position remains not agreed.

2.16 REP3-056_p – Condition 27 Adaptive Management

2.16.1 The MMO provided further background and clarity to the Applicant on 15 May 2025 during a meeting with the Applicant and this is an ongoing discussion.

2.17 REP3-056_q – Condition 29 (1) Marine Noise Registry

2.17.1 The MMO welcomes amendments made by the Applicant to the drafting of Schedule 8 and 10, Condition 29 (1) and Schedule 9, Condition 30 (1) in the draft DCO, to incorporate the MMO's recommended changes.

2.18 REP3-056_r – 5.1 Maritime and Coastguard Agency

2.18.1 Regarding proposed condition 19 (10)(c), the MMO justifies the proposed change from 'removed from the seabed' to 'removed from the marine environment', as some objects may be floating or within the marine environment and not touching the seabed, but are still considered a hazard e.g. hydrophones.

2.19 REP3-056_s – 5.2 Historic England

2.19.1 The MMO has reviewed the response by the Applicant at Deadline 3 [REP3-037] in response to REP2-039n and has no further comments at this stage.

2.20 REP3-056_t – 5.4 Natural England

2.20.1 The MMO notes the comments by the Applicant and has no further comment. The MMO defers to NE on matters relating to Marine Protected Areas (MPAs)

3. Comments on the Offshore In-Principal Monitoring Plan [APP-245]

3.1 Comments in Relation to Benthic Ecology

1.1 The MMO is broadly satisfied with the information provided in the Offshore In-Principal Monitoring Plan (IPMP). The MMO recommend that the Applicant assesses imagery from engineering related infrastructure monitoring (e.g., WTG imagery from Remotely Operated Vehicle survey), in addition to the proposed grab sampling, to determine the presence of large, easily identified, Invasive Non-Native Species (INNS) that may colonise WTG infrastructure.

3.1.1 The MMO recommend the Applicant considers collecting scrape samples from built infrastructure e.g., at the same 10% subset of WTGs, or deploying settlement plates for subsequent assessment, to determine the composition of the colonising assemblage.

3.2 Comments in Relation to Fisheries

3.2.1 The Offshore In-Principle Monitoring Plan does not propose any monitoring or independent surveys for fish and shellfish ecology receptors. The MMO is generally content with this as the key fish ecology receptors which are sensitive to proposed works are herring and sandeel.

3.2.2 The MMO has reviewed the Sandeel and Herring Habitat Heat Mapping clarification note submitted by the Applicant at Deadline 3 (REP3-047) and note that this document does not temporally refining the restricted period. The MMO therefore maintains its recommendation that this restriction is embedded in the marine licence and the DCO as the period of the recommended piling restriction should be from the 1st November to 31st January, inclusive, as agreed by the Applicant.

3.3 Comments in Relation to Shellfisheries

3.3.1 The MMO is satisfied with the monitoring plan in relation to shellfish.

2.1 As noted in previous advice at Deadline 3, while monitoring is not required, the MMO recognises the importance of noting and examining issues raised with the Fisheries Liaison officers. Evidence for the impacts on shellfish in relation to offshore wind farms is limited and therefore any feedback provided will support any evidence bases for future ES predictions and improve the success of mitigation measures.

3.4 Comments in Relation to Marine Physical Processes

3.4.1 The IPMP sets out general guiding principles for the monitoring in Section 3, including that it should be 'necessary, relevant, enforceable, precise and reasonable'.

3.4.2 The MMO notes that further development of specific detailed plans will be conducted post-consent and in consultation with the relevant statutory bodies.

4. Comments on Applicant's Response to the Marine Management Organisation Additional Submission [AS-051] [REP4-027]

Draft DCO DML

4.1 AS-051_a – MMO-65

4.1.1 The MMO notes the comments by the Applicant. The MMO position remains unchanged, and the position remains not agreed.

4.2 AS-051_c – MMO-67

4.2.1 The MMO welcomes the amendment to Schedule 8 and 10, Condition 15(1) and Schedule 9, Condition 16(1) to remove subparagraph (1), as requested by the MMO.

4.3 AS-051_d – MMO-68

4.3.1 The MMO notes the comments by the Applicant. The MMO position remains unchanged, and the position remains not agreed.

4.4 AS-051_e – MMO-70

4.4.1 The MMO welcomes the amendments to the condition made by the Applicant. The MMO would prefer the wording be updated to require notification 10 days prior/within 10 days, the MMO is content it can remain as 14 days and has no further comments.

4.5 AS-051_f – MMO-72

4.5.1 The MMO notes the comments by the Applicant. The MMO position remains unchanged, and the position remains not agreed.

4.6 AS-051_g – MMO-75

4.6.1 The MMO has provided a response to this above [REP3-056_o].

4.7 AS-051_h – MMO-77

4.7.1 The MMO has provided further clarification on this point in 9.2.8 above. The MMO will provide a further update on this question once it has reviewed the updated site characterisation report.

4.8 AS-051_i – MMO-82

4.8.1 The MMO notes the comments by the Applicant. The MMO position remains unchanged, and the position remains not agreed.

4.9 AS-051_j – MMO-83

4.9.1 The MMO notes the comments by the Applicant. The MMO position remains unchanged, and the position remains not agreed.

4.10 AS-051_k – MMO-90

4.10.1 The MMO maintains its position as set out in the Statement of Common Ground submitted at Deadline 4.

4.11 AS-051_l – MMO-100

4.11.1 The MMO welcomes the updates to the Outline Fisheries Liaison and Coexistence Plan submitted at Deadline 4 and will review and provide comments at Deadline 6.

4.12 AS-051_m – MMO-106

4.12.1 The MMO has provided comments on the In-Principal Monitoring Plan above in Section 3.

4.13 AS-051_n – MMO-132, AS-051_o – MMO-133, AS-051_q – MMO-163

4.13.1 The MMO has reviewed the PCB results in the requested MMO template received on 18 February 2025 and provided comments at Deadline 4 [REP4-079].

4.14 AS-051_p – MMO-159

3.1 The MMO notes the Applicant's response, the MMO maintains its position that the inclusion of this sampling would show a positive gesture to demonstrate that the industry is taking steps to identify, understand and, potentially, reduce the impact should it materialise to be associated with the offshore renewables development. The MMO position remains unchanged.

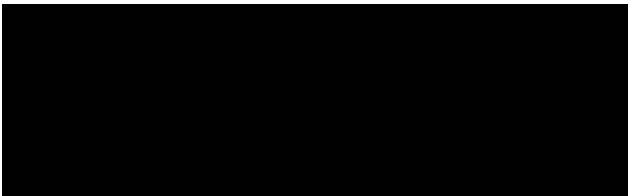
4.15 AS-051_r – MMO-164

4.15.1 The MMO welcomes the commitment by the Applicant to a piling restriction to cover the Down herring spawning period from 1st November to 31st January. The MMO would be happy to discuss wording for the final condition in the upcoming meeting with the Applicant on 11 June 2025. The MMO will provide further comments at Deadline 6.

4.16 AS-051_s – MMO-194

4.16.1 The MMO welcomes this comment by the Applicant that clarification will be added to the final version of the MMMP and may provide further comments once the MMO has reviewed the final version of the MMMP.

Yours Sincerely,



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