



N O R T H F A L L S

Offshore Wind Farm

Applicant's Further Responses to Actions List from ISH1 and ISH2

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1. INTRODUCTION

1.1 Background

- 1.1.1 Issue Specific Hearing 1 (**ISH1**) and 2 (**ISH2**) were held on 2, 3, 8, 9 and 10 April 2025. The hearings were held so that the Examining Authority (ExA) could hear evidence and ask questions in respect of various offshore and onshore environmental topics and provided an opportunity for registered Interested Parties (**IPs**) to make oral representations about the DCO application.
- 1.1.2 The Applicant notes that each IP making an oral submission was requested to provide a written summary note to the ExA for Deadline 4 (25 April 2025). The Applicant provided a written summary of oral submissions for ISH1 [**REP4-026**] and ISH2 [**REP4-034**] at Deadline 4.
- 1.1.3 The ExA requested post-hearing actions or further information from the Applicant in relation to a number of points raised at ISH1 and ISH2 (the “action items”). The majority of the action items were addressed in the Applicant’s Response to Actions List for ISH1 and ISH2 [**REP4-036**], submitted at Deadline 4. The remaining action items are addressed in this document.

1.2 Purpose of Document

- 1.2.1 This document sets out the Applicant’s further response to the action items requested by the ExA. The ExA’s requests and the Applicant’s corresponding responses are set out in the table below, against the relevant ISH1 and ISH2 agenda items.
- 1.2.2 Action items are either addressed in substance in this document, or this document cross-references to where a detailed response can be found in the package of documents submitted by the Applicant at Deadline 5.

1.3 Summary of the Applicant's Outstanding Actions List for ISH1 and the Applicant's Further Response

Agenda Item	Action items/Additional Question	Applicant's Response
3.1 Landscape and visual impact and design		
3.1.4 Whether, or not, the Applicant has coordinated the design of the proposed onshore substation (OnSS) with the proposed Five Estuaries Offshore Windfarm (VEOWF) substation. If coordinated, how this would progress?	Applicant to provide more substantive more detailed update on Design Guide development process (including views of Essex County Council (ECC)) at Deadline 5.	The Applicant has updated Section 1.5 of the Design Vision [2.3 (Rev 1)] to include further details on the process for the development of the Joint North Falls / Five Estuaries Design Guide. The updated version of the Design Vision is being submitted at Deadline 5 [2.3 (rev 1)] .
3.2 Historic Environment and Archaeology		
3.2.5 Whether any amendments are required to the draft DCO requirements or associated Management Plans.	<p>At Deadline 4, Applicant to:</p> <ul style="list-style-type: none"> • provide a response re: whether updates are required to the Outline Offshore Written Scheme of Investigation (WSI) and whether certain actions need to be formalised in draft DCO; • respond to ECC's concerns that mitigation measures are not currently contained in the Outline Code of Construction Practice (OCoCP); and • comment on whether the Applicant intends to update OCoCP to address 	<p>The Outline Offshore WSI was updated at Deadline 3 [REP3-016]. The Applicant and Historic England are in agreement that changes to the proposed DCO conditions are not required as clarified in the Applicant's Comments on Written Representations [REP3-037] and confirmed in Historic England's Comments on any submissions received at the previous deadline [REP4-076].</p> <p>The Applicant has updated the Outline Code of Construction Practice [7.13 (Rev3)] in response to ECC's concerns, and has consulted with ECC on the updates. ECC confirmed on 16 May 2025 that the</p>

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	ECC's concerns or whether the concerns have otherwise been addressed.	updates are acceptable, and this text is now agreed between the parties. The updated the Outline Code of Construction Practice [7.13 (Rev3)] is being submitted at Deadline 5.
3.3 Traffic & Transportation		
3.3.1 Whether there are any onshore port and transportation impacts that would arise from the construction, operation and decommissioning of the offshore works.	Applicant to submit draft Statement of Common Ground (SoCG) with SCC re: various issues including need for a Port Traffic Management Plan at Deadline 5.	The Applicant is still in consultation with SCC regarding a Statement of Common Ground, and is seeking to submit a Statement of Common Ground with SCC including an agreement that a Port Traffic Management Plan is not required at Deadline 6. The Applicant has had confirmation through ongoing consultation with SCC that this specific matter is agreed.
3.3.2 Whether the proposed mitigation to limit Heavy Goods Vehicle numbers would be sufficiently robust, precise and enforceable, or whether provision should be made for any additional mitigation measures.	Applicant to submit updated draft SoCG with ECC re: various issues including restriction of certain noisy activities during certain hours (and overspill parking / subcontractors arriving early etc) at Deadline 4.	The Applicant is submitting a SoCG with ECC [10.17] covering the issues raised in the ISH1 at Deadline 5.
3.5 Agriculture and other land uses, ground conditions and soils		
3.5.2 Restoration and reinstatement of soils.	At DL4 or DL5, Applicant to: <ul style="list-style-type: none"> clarify position on depth of the cables in DCO and voluntary agreement HoTs. 	Under Article 41 of the Draft DCO [REP4-004] documents listed within Schedule 12 must be certified, which includes the Outline Code of Construction Practice (OCoCP) [REP3-017] . Paragraph 100 of the OCoCP specifies a minimum cable burial depth (from

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	<ul style="list-style-type: none"> • provide explanation of meaning of words 'where practicable' in relation to cable depth restriction / obligation in updated OCoCP (can it be rephrased - cable ducts installed at depth of 1.2m expect where impracticable to do so)? 	top of protection tiles to surface) of 0.9m. This requirement will be secured within the final Code of Construction Practice submitted post-consent secured by Requirement of the DCO. The Applicant confirms that this minimum depth of cable burial accords with the minimum depth stated within the voluntary agreements. The text on this matter has been clarified in an updated version of the Outline Code of Construction Practice [7.13 (Rev3)] , which is being submitted at Deadline 5.
3.6 Flood Risk, groundwater and surface water		
3.6.1 Whether the proposed development has adequately taken account of those residents whose water supply is only guaranteed through well water supply.	Applicant to submit evidence / explanation about sphere of influence re: downdraw calculations on wells (i.e. 250m) at DL5 as part of technical note being developed on this point.	The Applicant has prepared a Groundwater Risk Assessment – Private Water Supplies and Licenced Abstractions [9.66] which contains evidence and explanation of the potential sphere of influence (250m) used to assess effects on private water supplies (including wells), as well as details of the potential risk to private water supplies and recommended monitoring of supplies during construction. The Groundwater Risk Assessment – Private Water Supplies and Licenced Abstractions [9.66] is being submitted at Deadline 5.
3.6.6 Construction related impacts and flood risk: whether or not the position of the Environment Agency regarding the Code of Construction Practice, and trenched crossings and haul road	Applicant to engage with the LLFA and set up meeting	The Applicant has engaged with ECC on this matter since ISH1, and ECC (as the LLFA) have advised that they do not require a meeting at this stage, but request to remain involved in the development of the Project's Operational Drainage Strategy (secured by

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crossings using HDD has been addressed.		<p>Requirement 22 of the Draft DCO [REP4-004] and the Project's Construction Surface Water Drainage Plan (to be included in the Code of Construction Practice, secured by Requirement 8 of the Draft DCO [REP4-004]). ECC are the discharging authority for both of these Requirements, and therefore consultation with the LLFA on both plans is secured through the Draft DCO [REP4-004].</p> <p>The Applicant is submitting a SoCG with ECC [10.17] confirming this point at Deadline 5.</p>

1.4 Summary of the Applicant's Outstanding Actions List for ISH2 and the Applicant's Further Response

Agenda Item	Action items/Additional Question	Applicant's Response
3.1 Draft Development Consent Order (draft DCO)		
Planning obligations and other agreements 3.1.29 Whether any Framework Highways Agreement setting out the details of how the DCO, if granted, would be exercised has been agreed.	Applicant to provide an update on discussions with the ECC on the requirement for a Framework Highways Agreement.	Discussions with ECC in respect of a Framework Highways Agreement are ongoing and a meeting is to be arranged to discuss the matter in more detail.

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3.1.30 Update on the agreement sought by NGET to put in place a future crossing agreement to govern the offshore crossing in respect of the Sea Link Project and the proposed development.	Applicant to provide an update on the Crossings Agreement with National Grid.	The form of agreement has been agreed and engrossments are in circulation for signature.
Other matters 3.1.32 Whether any other amendments are required to the draft DCO to ensure consistency with the VEOWF draft DCO on common aspects.	Regarding requirement 15 (groundwater monitoring), Applicant to review drafting from Five Estuaries, consider the ECC's concerns that the requirement has no trigger, and update DCO as appropriate.	Requirement 15 has been updated in the draft DCO submitted at Deadline 5 to address ECC's concerns.
3.2 Onshore and Offshore Ecology		
Habitat Regulation Assessment considerations – the case made for derogation		The Applicant has submitted <i>without prejudice</i> compensation schedules for Guillemot and Razorbill, Kittiwake and Red-throated diver at Deadline 5 [Document Reference 9.73]
3.3 Commercial Fisheries		
3.3.1 Whether the estimate of the effects in the environmental assessment of commercial fisheries is sufficiently robust.	Provide Statement of Common Ground with fisheries following meeting on 27th March.	A Draft Statement of Common Ground (SoCG) between the Applicant and the Commercial Fisheries Working Group (CFWG) has been developed and submitted at Deadline 5 [Document Reference 10.18] . This draft SoCG has been prepared in agreement with Harwich Harbour Fishermen's Association (HHFA), which is a member of the wider CFWG. The CFWG associations represent

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		<p>approximately fifty fishing vessels. Most vessels are under 10m length, and a large portion use multiple fishing methods.</p> <p>A separate draft SoCG between the Applicant and the National Federation of Fishermen's Organisations (NFFO) is also under development and the Applicant awaits comments from this stakeholder.</p>
3.4 Navigation and Shipping		
3.4.2 Whether there are any outstanding concerns regarding the feasibility and timing of the formal removal of the Galloper Recommended Ferry route.	Applicant to consider position on alternatives available for the project if removal of the Galloper Recommended Route is refused.	Please refer to the Applicant's Position Statement on the Galloper Recommended Route submitted at Deadline 5 [Document Reference 9.83, Rev 0]
3.4.4 Whether the estimate of the effects from disruption to navigation and shipping in the assessment of socio economics is sufficiently robust.	Applicant to provide further information on the robustness of the socio-economic assessment for shipping and navigation.	See Q16.0.6 and Q16.0.7 in the Applicant's Response to ExA's Second Written Questions (ExQ2) [Document Reference 9.68].
3.5 Offshore Landscape, Visual and Seascape Effects		
3.5.1 Whether the proposal would enable the Secretary of State to discharge the section 85 Countryside Rights of Way Act 2000 duty as amended by section 245(6) of the	Applicant to provide legal submissions on discharging the CRoW Act and LURA duty. Including addressing the <i>New Forest</i> decision and the SCC's submissions as to whether the Applicant	See the Position Statement on Various Issues Relating to National Landscapes [Document Reference 9.78] submitted at Deadline 5.

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Levelling Up and Regeneration Act 2023.	is a 'relevant authority' for the purpose of the duty.	



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