



NORTH FALLS

Offshore Wind Farm

Applicant's Response to Natural England's Deadline 6 submissions

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Contents

1.	Introduction	5
1.1	Introduction	5
1.2	Purpose of the document	5
2.	Applicant's Response to Natural England's Deadline 4 submissions	6
2.1	Applicants Response to Natural England's Cover Letter [REP6-084]	6
2.2	Applicant's Response to Natural England's comments regarding Appendix B6 [REP6-085] (Marine Processes)	6
2.3	Applicant's Response to Natural England's comments regarding Appendix E6 [REP6-086]	7
2.4	Applicant's Response to Natural England's comments regarding Appendix G6 [REP6-087]	9
2.5	Applicant's Response to Natural England's comments regarding Appendix H6 [REP6-088]	9
2.6	Applicant's Response to Natural England's comments regarding Appendix K6 [REP6-089] Risk and Issues Log	10
	References	23

Tables

Table 2.1	Applicant's Response to Natural England's Cover Letter [REP6-084]	6
Table 2.2.1	Applicant's Response to Natural England's minor comments regarding Appendix B6 [REP6-085]	6
Table 2.2.2	Applicant's Response to Natural England's detailed comments regarding Appendix B6 [REP6-085]	7
Table 2.3	Applicant's Response to Natural England's comments regarding Appendix E6 [REP6-086]	7

Table 2.4 Applicant's Response to Natural England's comments regarding Appendix G6 [REP6-087]	9
Table 2.5 Applicant's Response to Natural England's comments regarding Appendix H6 [REP6-088]	9
Table 2.6 Applicant's Response to Natural England's comments regarding Appendix K6 [REP6-089].....	10

1. INTRODUCTION

1.1 Introduction

- 1.1.1 This document has been prepared by North Falls Offshore Wind Farm Limited ('the Applicant') in relation to the North Falls Offshore Wind Farm (hereinafter referred to as 'North Falls' or the 'Project').
- 1.1.2 The Examining Authority's Rule 8 letter **[PD-008]** confirmed that Deadline 6 for the Examination was Tuesday 24 June 2025.
- 1.1.3 This document has been prepared by the Applicant for submission at Deadline 7 on Tuesday 15 July 2025, and responds to submissions received at Deadline 6 from Natural England.

1.2 Purpose of the document

- 1.2.1 This document presents the Applicant's response to the following Natural England's Deadline 6 submissions:
 - Cover Letter **[REP6-084]** – Natural England's Cover Letter
 - Appendix B6 **[REP6-085]** – Natural England's Marine Processes and Benthic Ecology Advice on the Applicant's Deadline 5 Documents
 - Appendix E6 **[REP6-086]** – Natural England's Marine Mammals Advice on the Applicant's Deadline 5 Document
 - Appendix G6 **[REP6-087]** – BTO RR 788 Rhoades et al kittiwakes FINAL
 - Appendix H6 **[REP6-088]** – Natural England's LBBG Compensation Site Advice on the Applicant's Deadline 5 Documents
 - Appendix K6 **[REP6-089]** – Natural England's Risk and Issues Log

2. APPLICANT’S RESPONSE TO NATURAL ENGLAND’S DEADLINE 4 SUBMISSIONS

2.1 Applicants Response to Natural England’s Cover Letter [REP6-084]

Table 2.1 Applicant's Response to Natural England's Cover Letter [REP6-084]

REF	SECTION	NATURAL ENGLAND’S COMMENTS	APPLICANT’S RESPONSE
REP6-084_a	2. [REP5-065] Without Prejudice HRA DCO Schedules (Rev 0)	Natural England has reviewed the Without Prejudice HRA DCO Schedules and notes that the additional without prejudice compensation for guillemot and razorbill uses very similar wording to that for kittiwake. Natural England provided comments on this wording in our Relevant Reps [Appendix A, RR-243] with regards to kittiwake. We therefore advise that the same comments in our Relevant Reps regarding the kittiwake compensation schedule should be viewed as applicable to the guillemot and razorbill compensation where relevant.	This is noted. The Applicant has submitted an updated draft DCO [6.1 (Rev 8)] and updated Without Prejudice HRA DCO Schedules [9.73 (Rev 2)] at Deadline 7 to address further comments on the drafting of the compensation schedules.
REP6-084_b	3. British Trust for Ornithology (BTO) Research Report 788 – Review of Methods used to Calculate Scale of Artificial Nesting Structures Proposed as a Compensation Measure for Kittiwake Mortality at Offshore Wind Farms (Rhoades et al., 2025)	<p>Natural England highlighted at Deadline 4 [REP4-062] the difficulty of applying different methods to calculate the scale of compensatory measures required for seabirds. To help progress this issue, Natural England commissioned the British Trust for Ornithology on behalf of the Collaboration in Offshore Wind Strategic Compensation (COWSC) to carry out an independent, evidence-based review of existing methods and consider possible alternatives. This review focuses on the use of Artificial Nest Structure (ANS) compensation measures for kittiwake, whilst briefly considering applicability for other species and measures.</p> <p>Natural England previously provided the Applicant with an ‘in press’ copy of this report to inform their approach, noting at the time that the formal research report was not scheduled to be published until sometime in May. The BTO report has now been published and is available from the BTO website. We are submitting the report into the Examination, which can be found in Appendix G6 to this Deadline 6 submission. Natural England is currently considering the recommendations of the BTO report; in the meantime, our advice to the Applicant remains that the Hornsea 3 part 2 method should be used to calculate the number of breeding pairs required to compensate for impacts on kittiwake.</p> <p>The BTO report recommends an approach conceptually similar to that adopted by Hornsea 3 but taking into account additional population constraints. The report also recommends monitoring to assess/validate the parameters used in terms of ANS self-sustainability, and adaptive management strategies where the observed demographic rates diverge significantly from those assumed in the compensation calculations. We advise that the Applicant should consider the findings and recommendations of the finalised BTO report in their compensation documents.</p>	<p>The Natural England commissioned review of methods used to calculate the scale of ANS proposed as compensation measures for kittiwake at OWFs (Rhoades et al. 2025 [REP6-087]) is welcomed, and the recommendations are noted.</p> <p>For kittiwake, the Applicant has provided a revised compensation document [REP6-019/020] which presents compensation scale calculations based on the Hornsea 3 method, as requested by Natural England (in this comment and also in their Deadline 4 submission [REP4-062]). In relation to the Hornsea 3 method, the revised kittiwake compensation document also draws on information in the <i>in press</i> version of the Rhoades et al. report previously supplied by Natural England. A revised outline compensation implementation plan was provided at Deadline 6 [REP6-021/022] which provides some additional information on monitoring and adaptive management, noting that full details of proposed monitoring and adaptive management would be developed post-consent in consultation with the Kittiwake Compensation Steering Group.</p> <p>Updated compensation documents and Outline CIMPs have also been provided at D6 for all other species where compensation proposals (including without prejudice) have been provided. For species where compensation proposals apply to breeding populations: lesser black-backed gull, guillemot and razorbill [REP6-011/012 and REP6-023/024] (without prejudice for the latter species), as recommended by Natural England in their Deadline 4 submissions [REP4-060 and REP4-061], compensation scale calculations are presented using the Hornsea 4 methodology, with consideration given to natal philopatry where recommended by Natural England. Updated Outline CIMPs have also been provided for these species [REP6-013/014 and REP6-025/026], which expand on proposals for monitoring and adaptive management, while noting that full details of proposed monitoring and adaptive management would be developed post-consent in consultation with the appropriate Compensation Steering Group.</p>

2.2 Applicant’s Response to Natural England’s comments regarding Appendix B6 [REP6-085] (Marine Processes)

Table 2.2.1 Applicant’s Response to Natural England’s minor comments regarding Appendix B6 [REP6-085]

REF	DOCUMENT REVIEWED	UPDATE MADE	ISSUE RESOLVED?	APPLICANT’S RESPONSE
REP6-085_a	REP5-027	The Outline Horizontal Directional Drill Method Statement and Contingency Plan [REP5-026] has been updated in line with Natural England's advice. Natural England is content with the updates that have been made to the Plan (including walkovers, bentonite breakout management, and access to Holland Haven Marshes SSSI).	Yes	Noted.
REP6-085_b	REP5-027 Section 4.2.5 Para 116	Minor comment. “Any breakouts will be investigated to ensure the most appropriate method of clean up is selected. This will be based upon the location of the breakout and the quantity of material released. ‘Manual clean-	N/A	The Applicant can confirm that the text in bold is a typo and should read ‘spade’. An updated version of the Outline Horizontal Directional Drill Method Statement and Contingency Plan [7.15, (Rev3)] with this typo correct is being submitted at Deadline 7.

REF	DOCUMENT REVIEWED	UPDATE MADE	ISSUE RESOLVED?	APPLICANT'S RESPONSE
		<p><i>up' refers to clean-up by hand, where an individual operative or operatives use handheld tools (e.g. a space and wheelbarrow or bucket) to remove the material."</i></p> <p>We would suggest that the word in bold above is a typo and should perhaps read 'spade'?</p>		

Table 2.3.2 Applicant’s Response to Natural England’s detailed comments regarding Appendix B6 [REP6-085]

REF	NE REF	SECTION	KEY CONCERN AND/OR UPDATE	NATURAL ENGLAND'S ADVICE AT D4 TO RESOLVE ISSUE	APPLICANT'S RESPONSE
REP6-085_c	1	3.1	<p>Natural England notes that UXO Clearance has been removed from the Seabed Preparation section in the CSIP. Although it is stated that “UXO will be dealt with in line with the requirements of the outline Navigation Installation Plan...,” it is unclear why it is no longer included in the CSIP.</p> <p>(Minor point: it is also stated that it [UXO clearance] “<i>will be carried out in line with the protocol as stated in Section 4.3.</i>” We assume that Section 4.3 is in Outline Navigation Installation Plan [REP5-029], but we advise that this should be clarified.)</p>	Natural England queries why UXO clearance is no longer considered in the CSIP and whether key benthic mitigation measures can still be implemented, as was previously included. We also advise that clarification is needed regarding the location of the Section 4.3 discussed here.	<p>Due to the complexities with the discussions around UXO in the vicinity of the DWRs, UXO has been agreed with the ports as part of the oNIP [REP6-039]. This protocol is contained within section 4.3 of that document. Drafting will be updated in the next update of the document to provide clarity on this matter.</p> <p>The intention of the project will always be to avoid UXO. The other important aspect is the communication with the shipping and navigation stakeholders. This is particularly relevant due to the significant shipping traffic in the vicinity. This will be updated within the Outline Cable Specification and Installation Plan submitted for Deadline 7 [9.53 (rev 3)].</p>
REP6-085_d	2	3.2 Paras 15 & 16	Natural England notes that the Applicant states that relocated boulders are placed as close to the original position as possible, but outside the area affected by the cable installation tools. It is also stated that boulders from both outside and inside the Deep Water Routes will not be relocated within the Deep Water Routes. However, it is not stated where these Deep Water Route boulders will be placed.	We advise that the Applicant should identify where the Deep Water Route boulders may be relocated.	<p>Paragraph 15 states “Relocated boulders are placed as close to the original position as possible, in order to place the boulder in a habitat similar in structure and function, but outside the area to be affected by the cable installation tools.” That paragraph is still maintained, it is just that boulders that are found in the DWRs will have the additional constraint of paragraph 17.</p> <p>Paragraph 16 also states that the relocated boulders will not be in a linear formation to prevent any impediment to sediment flow in the area.</p>
REP6-085_e	3	4.3 Para 39	Natural England notes that the following text has been deleted: “Additionally, in the intertidal any cable remedial protection methods will be buried.” has been deleted. The reason for this being removed is unclear. Furthermore, as advised previously [REP5-104], we are concerned that cable remedial protection could be placed in the nearshore out to 1600m seaward of MHWS. However, the WCS parameters and location for this cable protection with regards to potential impacts to nearshore sediment transport processes is unclear.	We would welcome clarification on the implications of the deleted text. We also seek further information on the WCS parameters and location for cable protection in nearshore shallow water. We also advise that the WCS nearshore cable protection parameters and location should be considered in the context of the recent hydrodynamic model results.	<p>The Applicant has now committed to there being no cable protection in the nearshore area, where the seabed is shallower than 5m Chart Datum. This has been included in the Deadline 6 submission in the Outline Cable Specification and Installation Plan [REP6-051].</p> <p>Reference to intertidal cable protection was removed as this was a typing error. Due to the Applicant’s commitment to HDD, there will be no cabling or cable protection in the intertidal.</p>

2.3 Applicant’s Response to Natural England’s comments regarding Appendix E6 [REP6-086]

Table 2.4 Applicant’s Response to Natural England’s comments regarding Appendix E6 [REP6-086]

REF	DOCUMENT REVIEWED	COMMENTS FROM NATURAL ENGLAND	APPLICANT'S RESPONSE
	[REP5-013] Draft Marine Mammal Mitigation Protocol		
REP6-086_a1	1.1 Section 1.3.2.8	Natural England acknowledges the further information provided by the Applicant on the implementation of Noise Abatement System (NAS). However, we maintain our original position that NAS should not be considered as an ‘additional mitigation’ but rather it should be the default mitigation strategy for reduction of noise at source, in line with the latest Defra Policy (2025). Thus, we advise that this should be reflected throughout the MMMP (and other documents including the Site Integrity Plan (SIP)). Furthermore, we note the statement in paragraph 102 that North Falls will	The revisions to the Draft MMMP and Outline SIP made at deadlines 5 and 6 regarding NAS were agreed between the Applicant and the MMO and it is noted that the MMO has welcomed the updated documents [REP6-082] .

REF	DOCUMENT REVIEWED	COMMENTS FROM NATURAL ENGLAND	APPLICANT'S RESPONSE
		be in a position to implement NAS "if deemed necessary". This statement is not in line with the Defra Policy which states that noise reduction methods should be considered the default method. Thus, we advise the Applicant to fully commit to using NAS within the MMMP and the term 'additional mitigation' should be avoided. Please note, we are not seeking a commitment to any particular noise abatement system or noise reduction technology, just a commitment that noise reduction measure(s) will be implemented. We welcome the use of Best Endeavours by the Applicant to identify the most appropriate system(s) for the Project post-consent.	
REP6-086_a2	1.1	Additionally, Natural England would like to draw the Applicant's attention to the upcoming Defra document (due to be published this summer) which will offer the clarification on the requirements of NAS and further clarification on the term 'Best Endeavours.' This document emphasises that " <i>the deployment of noise reduction methods when pile driving should now be considered the default in all English waters and should be factored in to planning of all piling activities and related environmental assessments going forward.</i> "	Noted.
	[REP5-069] Marine Mammal Assessment Clarifications		
REP6-086_b1	2.1	Natural England notes that the Applicant has updated their assessment of sensitivity to medium for all receptors which has resulted in minor adverse effects for all marine mammal species, with the exception of harbour seal. We agree that vessel good practice measures would reduce the risk of collision to harbour seal to minor adverse i.e. not significant effect in EIA terms. Thus, this issue is resolved.	Noted.
REP6-086_b2	2.2 2.3	<p>Natural England would like to draw the Applicant's attention to a newly published paper on iPCoD modelling : <i>van Geel NCF, Benjamins S, Marmo B, Nabe-Nielsen J, Wittich A, Risch D, Todd VLG and Wilson B (2025) Suitability of assessing population-level impacts from construction of a single wind farm – a case study on North Sea harbour porpoises. Front. Mar. Sci. 12:1539143. doi: 10.3389/fmars.2025.1539143</i> The authors in the paper concluded the following:</p> <ul style="list-style-type: none"> • <i>When only single development is assessed, the construction of an individual wind farm is unlikely to result in significant impacts on the North Sea harbour porpoise population. However, no population-level impacts at the North Sea scale does not mean there is no local impact on porpoise presence, but instead suggests that the large North Sea population is inherently resilient to local impacts. This is not surprising given the relatively small spatial and temporal scale of the impact of a single development in relation to the abundance and geographic range of the population.</i> • <i>Population-level impact assessments should include all natural and anthropogenic pressures experienced by the population of interest including bycatch in fisheries, underwater noise from shipping, chemical pollution, vessel collisions, habitat degradation, prey depletion, biological interactions, and climate change. Various co-occurring pressures can currently not or only partially be captured by these models, which may result in an incomplete picture of long-term population trajectories.</i> • <i>A lack of long-term population-level impacts of individual offshore wind developments, should not be interpreted as implying that impacts of OWF development is necessarily negligible, but instead highlights the fact that model outputs should always be evaluated with the cumulative pressures in mind.</i> • <i>Scenarios where adjacent wind farm operators each independently conclude that their developments do not pose a significant risk to the local porpoise population need to be avoided.</i> • <i>The authors consider that a ~0.5% annual reduction in population size indicates a significant decrease in abundance.</i> <p>Having reviewed several iPCoD modelling reports, Natural England is largely in agreement with these conclusions. It is our view that iPCoD modelling does not carry much value when assessing the impacts of a single development. In such circumstances, the dose response curve assessment should be the primary assessment method. Furthermore, given the limitations of accounting for all pressuring within a model, Natural England considers any population decline, due to cumulative impacts of multiple developments, to be potentially significant, warranting further investigation.</p>	<p>The Applicant notes Natural England's comment. The Applicant understands the difficulties with including all potential natural and anthropogenic pressures within one model. Therefore, the different assessment results using the dose response and iPCoD methods have been presented in the 9.81 Marine Mammal Assessment Clarifications note [REP5-069].</p> <p>As stated in paragraph 12 of the 9.81 Marine Mammal Assessment Clarifications note [REP5-069]: "As outlined in Section 2.2.1 of this document, the iPCoD modelling has been used as a tool alongside the other methods (Effective Deterrent Range (EDR) and Dose Response Curve (DRC)) for assessing the impacts of disturbance for project-alone piling. As shown in this document, all assessment approaches reach the same conclusion of a minor adverse significance of effect for all species assessed for project-alone piling. The results of the iPCoD are therefore not relied on in dictating the final significance conclusion."</p> <p>Post consent an updated cumulative assessment will be undertaken to inform the Final SIP, this will also incorporate the final project design, and mitigations measures will be in place to ensure there is no significant or adverse effect. Further information on noise reduction methods within the Draft MMMP [REP6-029] and Outline SIP [REP5-014] were previously submitted, in order to mitigate any potential cumulative significant effects. As noted above these amendments were based on agreements with the MMO, who have also welcomed the updates to the Draft MMMP and Outline SIP.</p>
REP6-086_b3	2.4	Natural England welcomes further information provided on the quantitative assessment for all noisy activities with the potential for cumulative disturbance effects for marine mammals (Table 2.3) and inclusion of a new table (Table 2.4) that sums up the outcomes of the iPCoD and DRC assessments. Considering the limitations of the iPCoD modelling (mentioned above), as well as the outcomes of the DRC assessment which suggests significant effects for harbour porpoises and seals, we advise	See Applicant's response to REP6-086_b2, above.

REF	DOCUMENT REVIEWED	COMMENTS FROM NATURAL ENGLAND	APPLICANT'S RESPONSE
		that NAS is necessary. Hence, Natural England advise that the statement on NAS (included in the MMMP and SIP) should be revised and reworded (please see our comment on the MMMP).	
REP6-086_b4	2.5	Natural England welcomes the clarification on the iPCoD modelling for harbour seal and confirmation that the plot provided with the iPCoD modelling for the harbour seal cumulative assessment was incorrect. We maintain our position that, in this case, iPCoD modelling is not the most reliable assessment tool for a declining population, especially when the outcomes of the DRC (Table 2.3) are taken into account.	The Applicant notes Natural England's comment, see the Applicant's response to REP6-086_b2 above.
	[REP5-015] Outline Site Integrity Plan for the Southern North Sea Special Area of Conservation		
REP6-086_c1	3.1	Please refer to our comment on NAS in Section 1 above relating to the MMMP. This also applies to the revised SIP because the same text on NAS has been included in the SIP [REP5 015] as well.	See Applicant's response to REP6-086_a1, above.
REP6-086_c2	3.2	Natural England notes that the Applicant has made a commitment to only pile one monopile a day without noise reduction within the winter season (October to March inclusive). This commitment needs to be revised given that it is highly unlikely that piling without noise reduction would be permitted to go ahead. Thus, we advise that a new assessment should be conducted for monopile piling with noise reduction.	The final Site Integrity Plan will be provided with an assessment based on the final piling scenario including any mitigation post consent.

2.4 Applicant's Response to Natural England's comments regarding Appendix G6 [REP6-087]

Table 2.4 Applicant's Response to Natural England's comments regarding Appendix G6 [REP6-087]

REF	SECTION	NATURAL ENGLAND COMMENTS/ADVICE	APPLICANT'S RESPONSE
REP6-087_a		Appendix G6 - BTO RR 788 Rhoades et al kittiwakes FINAL	The Applicant notes this is an academic research document and will comment where relevant within other responses.

2.5 Applicant's Response to Natural England's comments regarding Appendix H6 [REP6-088]

Table 2.5 Applicant's Response to Natural England's comments regarding Appendix H6 [REP6-088]

REF	DOCUMENT REVIEWED	UPDATE MADE	ISSUE RESOLVED?	APPLICANT'S RESPONSE
REP6-088_a	9.84 HRA LBBG Comp - Gedgrave... (Rev 0)	The HRA assesses impacts on Gedgrave Marshes. This is based on a November 2024 site visit and desk-based information. Conclusions of no Likely Significant Effect (LSE) or Adverse Effect on Integrity (AEoI) are based on a precautionary approach considering the site is functionally linked to the SPA/Ramsar bird features. Therefore, we consider that whilst this is not an evidence-based conclusion, the impact assessment does assume that the area is functionally linked for construction, maintenance, and monitoring. In addition, [REP-064_b] in doc [REP5 055 9.69] confirms that baseline surveys will be undertaken post consent/pre-construction.	Progressed	Noted
REP6-088_b	9.84 HRA LBBG Comp - Gedgrave... (Rev 0)	We note that Paragraph 22 confirms that annual habitat management is anticipated to take place outside of the breeding season, and that installation and maintenance of the fence (taking approx. 2 months) will be carried out between September and January. However, the implications of the fence installation and maintenance for the adjacent RSPB Wader Project have not been considered in the assessment. We advise that if installation and maintenance activities could be carried out in September and October (only extending into November if absolutely necessary) then this would avoid the most sensitive periods for overwintering as well as breeding species.	No	The Outline Lesser Black-backed Gull Compensation Implementation and Monitoring Plan [REP6-014/015] has been updated at Deadline 6 to include a commitment that construction of the fence will take place outside the nesting seasons of relevant bird species present on Gedgrave Marshes to avoid causing significant disturbance, where possible. This will be informed by pre-construction surveys and further impact assessment prior to construction. The CIMP, including scope and timing of surveys, and mitigation measures will be discussed with the LBCSG. The Applicant has considered the Boyton and Hollesley Marshes RSPB reserve, which includes breeding wader, during site selection and in consultation with the RSPB. The indicative location on Gedgrave Marshes (Figure 1 in the LBBG Compensation Document [REP6-013/014] maintains a greater distance between the North Falls compensation and

REF	DOCUMENT REVIEWED	UPDATE MADE	ISSUE RESOLVED?	APPLICANT'S RESPONSE
				RSPB reserve than is present between the existing LBBG colony and RSPB reserve, therefore the North Falls compensation would not increase risk to the waders at Boyton and Hollesley Marshes RSPB reserve. However, as discussed above, pre-construction monitoring will be undertaken at the selected site.

2.6 Applicant's Response to Natural England's comments regarding Appendix K6 [REP6-089] Risk and Issues Log

(The Applicant has only commented here by exception to items listed within Natural England's Appendix K6. A lack of response to a particular point does not suggest the Applicant agrees with Natural England's position on that point.)

Table 2.6 Applicant's Response to Natural England's comments regarding Appendix K6 [REP6-089]

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 5 (COLUMN K OF NE DOCUMENT)	NE RAG AT D5	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	APPLICANT RESPONSE AT D7
(A) DCO									
REP6-089_a1		2	A2	Schedule 15 compensation only covers impacts to Lesser Black Backed Gull (LBBG). We cannot advise that an Adverse Effect on Integrity (AEoI) on the Flamborough and Filey Coast (FFC) Special Protection Area (SPA) can be excluded. Provision for compensatory measures for the relevant features should be included in the draft DCO on a without prejudice basis.	No Change.		No Change.		The Applicant updated the draft DCO at Deadline 6 to include compensation schedules for Kittiwake at the FFC SPA and Guillemot at the FFC SPA and Farne Islands SPA (see REP6-005/006).
REP6-089_a2		4	A5	We would expect the landscape requirements to also cover survey methods, monitoring requirements and the requirement to maintain, including the potential for replanting due to plant failures. Further, we would expect to be consulted on these plans prior to their approval by the relevant Local Planning Authority (LPA).	No change, see response to ExA second written questions question 9.1.3.		No change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a3		5	A6	Natural England requests the text be amended to include a requirement to consult the relevant Statutory Nature Conservation Body (SNCB) on the Code of Construction Practice (CoCP) and recommends that the requirement should note the final CoCP must accord with the outline CoCP.	Progressed. The condition secures the works must be completed as per the authorised CoCP, but the wording on consulting NE should be amended to consult the relevant SNCB. Partially resolved.		No change.		The Applicant updated the draft DCO at Deadline 6 to include this amendment (see [REP6-005] and [REP6-006]).
REP6-089_a4		6	A7	Natural England requests that the relevant SNCB be included as a required consultee. We also note that based on the wording here, and the interpretation of onshore commencement, clearing works could be conducted prior to the submission and approval of the final Ecological Management Plan (EMP). This provision should be amended to state that no pre commencement clearance works should be undertaken until a written EMP, as relevant	Progressed. Pending resolution of outstanding issues with the OLEMS, this may be resolved in the future.		No change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] . The Applicant updated the draft DCO at Deadline 6 to list 'the relevant SNCB' as a consultee for the ecological management plan required under Requirement 12(1) (see [REP6-005] and [REP6-006]).

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 5 (COLUMN K OF NE DOCUMENT)	NE RAG AT D5	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	APPLICANT RESPONSE AT D7
				to the stage of the works, has been submitted to, and approved by, the LPA following consultation with the relevant SNCB.					
REP6-089_a5		8	A9	The relevant SNCB is not listed as a consultee on the Biodiversity Net Gain (BNG) strategy, given the nature of this plan we would request consultation on this document. Further we note that no time period is given for the duration of which the strategy should be monitored, maintained or when adaptive management measures may be implemented. The requirement should ensure the strategy is enforced for a period of thirty years, or for the lifetime of the development.	No Change. Pending resolution on H36, this issue may be resolved in the future.		No change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a6		9	A10	Due to the need to appropriately consider in-combination impacts of other developments it is important that the Site Integrity Plan (SIP) should not be submitted too early. Natural England advises this condition should be amended to give an individual timing requirement to be submitted no sooner than 9 months and no later than 6 months prior to commencement of piling.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a7		10	A11	Natural England notes that the monitoring conditions only cover benthic monitoring. Ornithological and marine mammal monitoring should also be requirements due to the potential for impact.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a8		12	A13	Natural England notes that this condition does not have provision for marine mammal monitoring. Further, we note the recent SoS decision for SADEP approved the following recommendation from Natural England and the Marine Management Organisation (MMO) for particular impacts requiring remediation or further mitigation works in the event of impacts being greater than predicted. Natural England requests that a similar condition is included within all dMLs.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a9		14	A15	Natural England notes that nowhere within these dMLs does there appear to be any requirement to notify the MMO with regard to which build option has been chosen. As Five Estuaries is still in examination we would recommend consideration for both projects to capture a requirement to co-ordinate on the onshore cable works. We recommend consideration of including provisions for co-operation and for notification to the MMO as offshore enforcing body of the build option selected.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .

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REP6-089_a10		15	A16	Natural England notes that compensation provisions have been provided for LBBG only. We have advised that compensation is required for other ornithological and benthic features, specifically kittiwake, guillemot and razorbill at Flamborough & Filey Coast Special Protection Area (SPA). The compensation schedule should be updated to cover all sites where there is currently disagreement regarding an adverse effect on site integrity.	No Change.		No Change.		The Applicant updated the draft DCO at Deadline 6 to include compensation schedules for Kittiwake at the FFC SPA and Guillemot at the FFC SPA and Farne Islands SPA (see REP6-005/006). The Applicant has provided a without prejudice HRA DCO schedule for Razorbill and Red-throated diver, which has been updated at Deadline 7 to include Annex I Sandbank features at the Margate and Long Sands SAC [6.1 (Rev 8)] .
REP6-089_a11		17	A18	The Offshore Ornithology Engagement Group appears similar to the steering groups used on other compensation provisions. However, the condition does not include the need to provide and consult upon; terms of reference for the group, details of proposed meetings, timetable for the preparation and delivery of the LBBG Compensation Implementation and Monitoring Plan (CIMP), or a dispute resolution mechanism.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] . The Applicant has updated Schedule 15 of the draft DCO at Deadline 7 to address these points [6.1 (Rev 8)] .
REP6-089_a12		18	A19	Natural England notes the wording here is confusing as it implies that compensation may be delivered through some other unknown, or undetailed, mechanism and thus the compensation within this provision may not be required. We recommend amending this provision and consideration of how to appropriately implement a provision allowing strategic compensation options. This could also be applied to other compensation schedules provided on a without prejudice basis.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a13		19	A20	The list of requirements to include in the CIMP is lacking in detail when compared to similar provisions. Within (d) we would expect to see survey methodologies, timetables for the monitoring to be conducted and reports delivered and success criteria. Within (g) we would expect to include a detailed mechanism to determine the need for any alternative compensation or adaptive management measures, along with potential further monitoring and maintenance of such measures.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] . The Applicant has updated Schedule 15 of the draft DCO at Deadline 7 to address some of these points [6.1 (Rev 8)] .
REP6-089_a14		20	A21	We note this requirement ensures that LBBG compensation must be provided three full breeding seasons prior to operation. Natural England recommends the Applicant amends the condition to reflect four full breeding seasons in line with compensation requirements for other projects.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [6.1 (Rev 8)] .

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REP6-089_a15		21	A22	The compensation may be required for longer than the lifetime of the project and so should be maintained until the SoS approves its decommissioning in consultation with the relevant SNCB. Natural England recommends the Applicant amends the provision to require the approval of the SoS and consultation with the SNCB.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a16		23	A24	It would be helpful if the Outline Operations and Maintenance plan could specifically set out O&M activities so it can be read as a standalone document.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a17		25	A26	This plan doesn't really align with the Cable statement [APP-262] and we advise that this is addressed by the Applicant.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a18		26	A27	Natural England notes the Schedule of Mitigation and [APP-262] Cable Statement are not a named documents in the DCO, Natural England considers these documents should be certified under the DCO. Further, the use of terms such as 'where practicable' throughout the document cause concern because listing out mitigation doesn't mean it is achievable and/or that there is commitment to do it. In addition, there is no detail to demonstrate that by undertaking the mitigation it will sufficiently minimise impacts to acceptable levels. We advise that this document is updated to clarify what is/isn't committed to by the Applicant.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a19		27	A28	There is reliance by the Applicant on monitoring as a form of mitigation, which it is not. We advise that all references to monitoring other than to test the effectiveness of mitigation measures are removed from the schedule.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
REP6-089_a20		28	A29	Natural England highlights that the document [APP-262] Cable Statement is currently overly simplified and too high level and that it is not clear how this plan aligns with the other named plans and document. Reliance on these documents alone as set out in the documents purpose could cause key commitments to not be implemented. Natural England would welcome further clarification from the Applicant on how the plans work together, and further detail being included within the document.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .

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REP6-089_a21		30	A31	Natural England has requested the DCO include a condition or requirement to ensure that the project does not exceed the operational lifetime considered within the Environmental Statement.	No Change.		No Change.		The Applicant has addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [9.106, (Rev 0)] .
(B) Marine Processes									
REP6-089_b1		1	B1	There is uncertainty regarding the likely success of subtidal Horizontal Directional Drilling (HDD) at the landfall point. Geotechnical/expert evidence in support of HDD should be presented. Otherwise an alternative WCS should be presented as a contingency.	No Change. No further information provided since Deadline 4.		Progressed. The Applicant has confirmed [REP4-028] that an intertidal HDD exit may not be feasible due to the depths of the seawall and the extents of the intertidal area. Therefore, the subtidal exit is optimal. Furthermore, the Applicant has confirmed [REP4-028 & REP5-027] that further site investigation works are planned for later this year to better understand the geology in the area and to inform post-consent detailed design. However, until this is provided there remains a risk re: the feasibility of HDD at this location and/or the need physically protect assets. Applicant to signpost the commitment to carry out further site investigations later this year. We also query if the timing of those surveys could inform determination if required by the Secretary of State?		The site investigations are required to inform detailed engineering design (e.g. to inform the drilling equipment required to achieve the required Horizontal Directional Drill (HDD)). Commitment is made to HDD to the subtidal zone which is secured in the Outline Horizontal Directional Drill Method Statement and Contingency Plan [REP5-026/027]. Therefore, any risk/obligation sits with the Applicant to ensure this is achieved and there is no requirement to secure site investigations required to inform detailed design. Furthermore site investigations to inform detailed design are not a requirement of the Secretary of State's determination.
(C) Benthic Ecology									
REP6-089_c	The Applicant responded to the NE risk and issues log regarding benthic ecology at Deadline 6 [REP6-059]. The Applicant is engaging with Natural England on key matters regarding benthic ecology and the Applicant will provide a final response where applicable at Deadline 8.								
(D) Fish and Shellfish Ecology									
REP6-089_d	No response required. Comments resolved or deferred to MMO/Cefas.								
(E) Marine Mammals									
REP6-089_e1		2	E2	As we have significant outstanding concerns on the Environmental Statement (ES) assessment, where the same approach is applied to Habitats Regulations Assessment (HRA), we cannot agree with the HRA conclusions at this stage. We advise that the Applicant should address concerns on the ES and cascade the changes/commitments to the HRA.	No change.		Progressed. Natural England welcomes the updated assessment. However, our concerns are not fully addressed. Please see Appendix E6 for further details.		Please see the Applicants response within Section 2.3 in response to Natural England's comments in Appendix E6. The Applicant notes Natural England's comment. These clarifications described in the response can be applied to the ES and RIAA. However, it must be noted, post consent an updated cumulative assessment will be undertaken to inform the Final SIP, this will also incorporate the final project design, and mitigations measures will be in place to ensure there is no significant or adverse effect. Further information on noise reduction methods within the Draft MMMP [REP6-029] and Outline SIP [REP5-014] were previously submitted, in order to mitigate any potential cumulative significant effects. As noted above these amendments were based on agreements with the MMO, who have also welcomed the updates to the Draft MMMP and Outline SIP.
REP6-089_e2		3	E3, E38	Natural England is concerned that the current approach to implementing Site	No change.		Partially resolved. The Applicant included a statement on the use of Noise Abatement		The revisions to the Draft MMMP and Outline SIP regarding NAS were agreed between the Applicant

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				Integrity Plans (SIPs) for piling impacts to the Southern North Sea (SNS) Special Area of Conservation (SAC) from offshore wind development does not allow sufficient time for mitigation methods, such as Noise Abatement Systems (NAS) to be procured by the Applicant prior to construction, should they be required, therefore increasing the risk that an Adverse Effect on Site Integrity cannot be avoided. We strongly advise that the Applicant commit to the use of specific mitigation measures at this stage, which may be removed at a later date if the revised SIP demonstrates they are not required.			System (NAS) in the SIP [REP5-015]. However we still have an issue with the tentative approach whereby the Applicant states that the NAS will be used 'if deemed necessary'. This is not in line with Defra's Noise Policy (2025) which requires that the noise reduction methods are considered as the default in all English waters and should be factored in to planning of all piling activities and related environmental assessments. It is Natural England's view that the NAS is necessary in order to mitigate the in-combination impacts. Natural England also notes that the final SIP will be submitted for approval approximately nine to six months prior to the commencement of pile driving for approval. We assume that this change was made in response to our comment that we are concerned that the approach to implementing SIPs for piling impacts does not allow sufficient time for mitigation methods, such as NASs to be procured by the Applicant prior to construction. We would like the Applicant to confirm this.		and the MMO and it is noted that the MMO has welcomed the updated documents [REP6-082]. The final SIP will be submitted for approval approximately nine to six months prior to the commencement of pile driving for written approval from the MMO, this is to allow for sufficient time for mitigation method procurement and planning.
REP6-089_e3		4	E4, E26	We note that the Applicant has not committed to using NAS at this stage. Natural England strongly advises the Applicant to commit to using noise abatement as mitigation, should driven or part-driven piles be used during construction. The Applicant should commit to noise abatement in the Draft Marine Mammal Mitigation Plan (MMMP) and Site Integrity Plan. The effect of noise abatement systems in reducing noise impacts should be included in the assessment.	Natural England notes the lack of commitment to NAS. Instead, NAS is considered as an additional mitigation option "which could be considered to mitigate potential effects, if required, is the use of Noise Abatement System (NAS)". This is not in line with our advice and Defra Noise Policy (2025). We also note: "All suitable, effective and available mitigation measures will be considered during preparation of the final MMMP" however we do not consider that the noise abatement should be considered as an 'additional mitigation' measure but an integral part of the mitigation protocol. Please all see Appendix E5 to our Deadline 5 submission for further information.		Progressed. The Applicant included a new statement within the MMMP [REP5-013] and SIP [REP5-015]: "If it is deemed necessary to apply noise reduction measures and/or a NAS for piled foundations in order to comply with Government policy on underwater sound, or it is identified (during discussions with the Marine Management Organisation (MMO) on the final plan following the final scheme design freeze post consent) as necessary mitigation to manage any predicted significant effects due to underwater sound from piling, then North Falls will be in a position (from a programme execution perspective) to implement such measures.'" However, full commitment is still lacking, and the NAS is still referred to within the MMMP as 'additional mitigation'.		The revisions to the Draft MMMP and Outline SIP regarding NAS were agreed between the Applicant and the MMO and it is noted that the MMO has welcomed the updated documents [REP6-082].
REP6-089_e4		5	E6, E34	We note that the multiple piling scenario includes simultaneous piling at East and South locations as the worst-case scenario (WCS). Natural England has concerns that the WCS no longer includes the North and South locations, as described in pre-application documentation, resulting in a reduction in the estimated number of impacted animals. Natural England highlights that the multiple piling scenario should include the combination of locations that produces the greatest estimates of impacted animals in order to constitute an accurate WCS. Natural England advises that the Applicant should re-calculate the simultaneous piling	No change.		No change		This has been responded to in REP6-059, the Applicant emphasizes that the assessments have already been based on the two locations that produce the WCS.

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				assessment based on the two locations that produce the WCS.					
REP6-089_e5		7	E8	We note that the density of harbour seal used in the assessment has significantly reduced between the Preliminary Environmental Information Report (PEIR) and the Application, from 0.0014 to 0.00048, respectively. Natural England seeks clarification in regard to the change in harbour seal densities. We would like to emphasise that the most precautionary density needs to be taken forward to the assessment. Please refer to our advice in the Best Practice Guidance Phase III. Natural England advises that the Applicant should revise the assessment so that it uses the agreed harbour seal density as presented in the PEIR or provide a sufficient justification for the change in the densities.	No change.		No change		This comment was previously addressed within REP1-044 , the previous density used within the PEIR was based on when the proposed development included two array areas. At the ES stage (and now the examination stage) there is only one array area (the northern array area is no longer part of the development) and the red line boundary for the remaining array area being considered has been altered, therefore the new density estimates reflect the new array area. Using the previous density presented in the PEIR would not be relevant for the ES, as the northern array area is no longer considered.
REP6-089_e6		8	E9	The Applicant has assumed that other sources of noise during construction would operate constantly for 24 hours, instead of 12 hours per day as assumed in the PEIR. However, Natural England notes that for a fleeing animal, Temporary Threshold Shift (TTS) impact ranges of activities are now shorter than the ones predicted in the PEIR. It is unclear why an increase in the duration of an impact leads to a decrease in its impact range. Natural England advises that the Applicant revises the calculations of impact ranges and updates tables as required.	No change.		No change.		In the ES Chapter 12 Marine Mammals [APP-026], 12 hours was modelled for all other construction noise activities, other than vessel noise which was modelled as occurring 24 hours per day, which is the same approach used in the PEIR. The Applicant had identified an error in the PEIR, stating the TTS range for Large Vessels was 200m. In fact, all species TTS ranges for Large Vessels are <100m, and this was corrected as per ES Appendix 12.3 (Underwater Noise Modelling Report, [APP-098]), Table 5-4.
REP6-089_e7		14	E18	Natural England does not agree that Permanent Threshold Shift (PTS) should be screened out of the CEA. The Project has identified a major adverse effect from piling (APP-026, Table 12.24) that the Applicant has not committed to fully mitigate at this stage. We advise that the Applicant should assess cumulative PTS impact in the CEA or fully commit to sufficient mitigation to reduce the risk of a residual PTS impact.	No change. The Applicant did not address the issue in the [REP3-042] 9.31 Cumulative Effects Assessment Summary thus it remains unresolved.		No change		The Applicant acknowledges the need to have effective and appropriate mitigation measures in place for auditory injury (PTS). The Applicant is committed to this requirement which will be secured in the final MMMP, as described in the Draft MMMP [REP6-029] . This is a commitment that has also been made by all neighbouring projects, which have also proposed to secure adequate mitigation measures through Outline MMMPs submitted with their DCO applications. As such there would be no potential cumulative effects for PTS. As a precautionary approach, PTS numbers were included in the population modelling for the cumulative assessment, in Cumulative impact 1a, Section 12.9.3.1.1 of ES Chapter 12 Marine Mammals [APP-026]. However, the Applicant maintains the position that PTS effects will be suitably mitigated through further design refinement and embedded mitigation.
REP6-089_e8		16	E21	A site Integrity Plan (SIP) will be required due to the number of noisy activities planned within/adjacent to the Southern North Sea (SNS) SAC in order to reduce disturbance to harbour porpoise. We advise that the Applicant should revise the conclusion on the requirement of a SIP.	No change.		Partially resolved. The Applicant submitted an updated SIP [REP5-015] 7.8 Outline Site Integrity Plan for the SNS SAC (Rev 1) (Tracked)) with updated text to clarify the Applicant's approach on the use of noise reduction measures and/or NAS. Natural England welcomes this inclusion, however, there is still a high level of hesitancy in regards		The final Site Integrity Plan will be provided with an assessment based on the final piling scenario including any mitigation post consent. The revisions to the Draft MMMP and Outline SIP regarding NAS were agreed between the Applicant and the MMO and it is noted that the MMO has welcomed the updated documents [REP6-082].

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							to commitment of implementing NAS. Please refer to our detailed comments in Appendix E6 on this statement.		
REP6-089_e9		17	E22	Natural England disagrees with the conclusion that no mitigation measures will be required to minimise any potential disturbance due to UXO clearance especially as this assessment does not include in-combination effects. Appropriate measures should be considered within the SIP when final project and UXO details are known. The Applicant should revise the conclusion that no mitigation measures will be required to mitigate the disturbance due to UXO clearance.	Partially resolved. We note that the Applicant added 'disturbance' to the section on UXO mitigation in the [REP3-014] 7.7 Draft MMMP (Rev 1) (Tracked). However, as we have not seen the updated SIP we cannot comment at this stage if the measures to address the disturbance would be appropriate.		No change		<p>The Applicant agrees that UXO clearance requires appropriate mitigation measures to be applied, details of potential mitigation measures for UXO clearance are described in the Draft MMMP [REP6-029].</p> <p>In the ES Appendix 12.5 Unexploded Ordnance Clearance Information and Assessment [APP-100], the conclusion that 'no mitigation measures will be required to minimise any potential disturbance due to UXO clearance' was based on the assessment outcomes. However, this paragraph should read 'mitigation measures, as described in the Draft MMMP, will be undertaken for UXO clearance to minimise any potential disturbance'.</p> <p>Any offshore UXO clearance required for North Falls will be consented and mitigation determined as part of a separate Marine Licence application at the pre-construction stage. Therefore, disturbance from underwater noise during UXO clearance at the North Falls site has not been included in the Outline Site Integrity Plan for the Southern North Sea Special Area of Conservation [REP5-014] for piling. The requirement for a SIP for the UXO clearance for North Falls will be confirmed through the separate UXO marine licencing process. If it is deemed a SIP is required to manage underwater noise relating to the North Falls UXO clearance campaign (either alone or in-combination), this would be provided as part of that separate process.</p>
REP6-089_e10		18	E23	The Applicant established a Monitoring Area with a minimum 700m radius, and this area will be monitored both visually and acoustically. However, there are limitations of both methods for detecting harbour porpoises. Thus, the Applicant consider ways to improve detectability of harbour porpoises in order to guarantee their detections within the Monitoring Area. Natural England is happy to discuss any other options at a later stage so they can be incorporated within the Final MMMP. We advise further consideration of options for effective monitoring of harbour porpoise within the Monitoring Array of minimum 700m and an updated MMMP be submitted prior to the end of examination.	We note the Applicant's comments in Table 1.6 (Appendix A.; REP3-014] 7.7 Draft MMMP (Rev 1) (Tracked)) that the alternative monitoring strategies will be considered in the final MMMP post-consent. However, this has not been addressed in the main body text of the draft MMMP thus this issue remains unresolved.		No change		<p>The Applicant notes Natural England's comment, a final description of the PAM method including information on the equipment and sensitivity of the hydrophones will be presented in the Final MMMP, in line with the Joint Nature Conservation Committee (JNCC) PAM guidance (2023). The Applicant will ensure that the PAM equipment will be sufficient at monitoring the full MA and has the capability of detecting all vocalising marine mammals. This will be consulted on post-consent with the Statutory Nature Conservation Bodies (SNCBs) as part of the approval process by the MMO.</p> <p>In addition, the Draft MMMP [REP6-029] and Outline SIP [REP5-014] has been updated to include clarification of the Project's stance on noise reduction measures. Therefore, if noise reduction methods are applied (if it is deemed necessary) it is likely the impact ranges will reduce. Potential scenarios will be presented and assessed post consent.</p>
REP6-089_e11		22	E28	It is stated that the ramp up would be a minimum of 30 minutes. This is not in line with the worst-case scenarios outlined in Chapter 12 (Table 12.1) where it is stated that ramp up would be a minimum of 80 minutes. Consistency is required to implement mitigation measures. Natural England suggests that the MMMP should be	No change. The MMMP still states the 30min ramp-up (and 10min soft start). We request that the Applicant provides explanation about the discrepancy between the MMMP and Chapter 12.		No change		The plate 1.2 has been amended within the Draft MMMP [REP6-029] submitted at Deadline 6, to ensure the text matches the plate regarding soft-start and ramp up procedures, therefore the plate has been updated to include a minimum of 40 minutes for soft-start and ramp up durations. In the ES Chapter 12, worst case scenario Table 12.1 [APP-026], the text indicates the absolute worst case duration.

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				consistent regarding the chosen duration of ramp up.					However, the Draft MMMP [REP6-029] uses language such “at least / minimum of 40 minutes” as the ramp up duration will be no less than this amount. The difference of terminology is because the full soft start and ramp up procedures are yet to be finalized, these will be finalised post consent within the Final MMMP.
REP6-089_e12		27	E33, E5, E36	For HRA-level assessments of SACs designated for harbour porpoise, an Effective Deterrent Radius (EDR approach should be used to assess behavioural responses. Advice on the use of EDRs is set out within the joint Statutory Nature Conservation Body (SNCB) guidance note on assessing the significance of noise disturbance to SACs designated for harbour porpoise. We recommend that the assessment should be based solely on the EDR approach to assess disturbance of piling.	No change.		No change.		The Applicant has updated the in-combination assessment using the EDR approach in Further Information Regarding Marine Mammals [REP1-057] , under Section 3 Further Information Regarding the RIAA Marine Mammal Assessment.
REP6-089_e13		28	E35	The Applicant predicts that both the 20% spatial daily threshold and the 10% seasonal threshold could be exceeded in almost all scenarios. However, it is suggested that this scenario is unlikely thanks to other OWF SIPs, concluding that the adverse effect on the integrity of the SNS SAC will be avoided with appropriate SIPs. Since these SIPs have not yet been developed, it is not sufficient to conclude that adverse effects on the integrity of the SNS SAC will be avoided. At this stage, Natural England cannot agree that the integrity of the SAC will be preserved especially as there was no commitment to the use of NAS. The Applicant should commit to the use of noise abatement systems and incorporate this into the draft MMMP and SIP and incorporate this into the assessment.	No change.		No change.		An update on the Applicant's position to committing to noise reduction measures has been provided at Deadline 5 within the updated version of the Draft MMMP [REP5-012] and the Outline SIP [REP5-014], these updates can also be viewed in the latest version of the Draft MMMP [REP6-029].
REP6-089_e14		29	E39	Table 4.8 indicates that the average overlap with seasonal area of the SNS SAC is 15.14% for high order clearance. thus the conclusion in paragraph 51 stating: “The assessment indicates that for both high and low-order UXO clearance, less than 10% of the winter area of the SNS SAC would be affected.” is incorrect. We advise that the Applicant corrects the statement in the named paragraph and correctly present the outcome of the assessment for the high order clearance.	No change.		No change.		As previously detailed in REP1-044 Table 4.8 in Section 4.3.2.1 RIAA Appendix 3.1 [APP-177] presents the seasonal average assessment, the seasonal average for high-order clearance is 0.33% as presented, therefore less than the threshold of 10%. In order to calculate the seasonal average, the spatial assessment figures were used which is what the 15.14% represents, which falls below the threshold of 20% for the spatial assessment. The value of 15.14% was gained for the spatial assessment based on the average spatial overlap, using the maximum and minimum spatial overlaps as presented in Table 4.7 [APP-177].
(F) Offshore Ornithology									
REP6-089_f	The Applicant responded to the NE risk and issues log regarding offshore ornithology at Deadline 6 [REP6-059]. The Applicant understands Natural England is providing a response on matters relating to Offshore Ornithology at Deadline 7 and therefore the Applicant will provide a final response where applicable at Deadline 8.								

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(G) Offshore Ornithology Compensation									
REP6-089_g	The Applicant responded to the NE risk and issues log regarding offshore ornithology compensation at Deadline 6 [REP6-059]. The Applicant understands Natural England is providing a response on matters relating to Offshore Ornithology Compensation at Deadline 7 and therefore the Applicant will provide a final response where applicable at Deadline 8.								
(H) Onshore Ecology and Ornithology									
REP6-089_h1		2	H2	Lesser Black Backed Gull (LBBG) Compensation Habitats Regulations Assessment (HRA) document is relatively high level and baseline surveys to support conclusions were undertaken at the wrong time of year. The limitations need to be addressed Natural England suggests that collaboration with Five Estuaries may be appropriate to address shortfalls in evidence pre-consent.	No change. Baseline surveys are to be carried out. The Applicant states that they will carry out surveys once the LBBG compensation site option has been selected, after the Examination process has been completed. This will need to be secured in the DCO.		Progressed. The Applicant has confirmed in [REP5-072] that the LBBG CIMP will be updated at Deadline 6 to confirm their commitment to pre-construction surveys. Therefore, we will update this issue following review of the updated CIMP.		The Outline LBBG CIMP was submitted at Deadline 6 [REP6-013/-14]. This includes commitment to surveys and the Outline LBBG CIMP is secured via Schedule 15, Part 1 of the DCO.
REP6-089_h2		3	H3	A net loss is expected in watercourse module biodiversity units, which is not being addressed, even through Biodiversity Net Gain. Please see reference point 37.	No change from Deadline 4.		No change - BNG is not yet mandatory for NSIPs, although good practice would have required 10% across all modules (area, linear and watercourse). As noted below - locally we may have a list of projects / actions linked to the emerging LNRS's that could provide opportunities for watercourse enhancement in the wider area.		<p>The Applicant has previously committed to consult with ECC/TDC, Natural England and other relevant stakeholders during the development of the final BNG assessment post-consent, to further explore the potential options for watercourse enhancement, please see response 'REP4-073_c_3' in Applicant's Response to Deadline 4 Submissions [REP5-056].</p> <p>The Project's final BNG assessment prepared post-consent and secured under Requirement 21 of the Draft DCO [REP6-005] will consider any changes in policy between DCO Application submission and the detailed design stage of the Project to ensure local requirements are considered, including the finalised Essex Local Nature Recovery Strategy (Essex County Council, 2025) (LNRS). A relevant biodiversity net gain assessment prepared under Requirement 21 must be approved by the discharging authority in consultation with Natural England (as the relevant SNCB) [REP6-005].</p> <p>It is currently not certain what enhancement projects will be available at the time of the final BNG assessment post-consent. Therefore, further consideration of these enhancement opportunities will be carried out post-consent, in consultation with ECC/TDC, Natural England and other relevant stakeholders.</p>
REP6-089_h3		6	H8	Further reductions to the Maximum Design Scenario (MDS) should be considered to minimise environmental impacts including (but not exclusively) reducing the working corridor and cable crossings.	Progressed. Natural England notes in REP1-044 that the Applicant has specified the cable corridor is joint with Five Estuaries providing MDS for cable corridor at crossing points and along the remainder of the corridor. However, even as a joint cable corridor we note that this is still much greater than that proposed for East Anglia 1N and 2.		No Change since Deadline 5.		The Applicant previously responded to this point in response 'REP5-109_h1' in Applicant's Response to Natural England's Deadline 5 submissions [REP6-059] .

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REP6-089_h4		9	H11	There is an expectation that baseline data will be collected and assessed for any compensation locations prior to construction and mitigation measures implemented. Where required additional permits will also be obtained. This commitment should be secured with appropriate timelines allow for time to undertake these surveys and include the information in reporting and development of a conservation, mitigation, and monitoring plan whilst still ensuring measures are implemented 4 breeding seasons before North Falls becomes operational. This will need to be secured with the Development Consent Order (DCO)/Deemed Marine Licence (dML) compensation conditions.	No change. Please also see our advice in Appendix H5 in our Deadline 5 response and comment H2 above.		Progressing – Outline LBBG CIMP being updated at Deadline 6.		The Outline LBBG CIMP was submitted at Deadline 6 [REP6-013/-14] . This includes further commitment to surveys and mitigation, and the Outline LBBG CIMP is secured via Schedule 15, Part 1 of the DCO. In accordance with the Outline CIMP, the LBBG CSG will be consulted in the development of the final CIMP, including regarding timelines and methodologies,
REP6-089_h5		10	H12	Adaptive management measures will need to be secured for any compensation measures for LBBG.	Not resolved. The adaptive management is not sufficiently secured and deployment of decoys and playback from the outset of compensation has not been committed to. Our advice has not changed since Deadline 4.		Progressing – Outline LBBG CIMP being updated at Deadline 6.		The Outline LBBG CIMP was submitted at Deadline 6 [REP6-013/-14] . This includes further detail on adaptive management. The Outline LBBG CIMP is secured via Schedule 15, Part 1 of the DCO.
REP6-089_h6		12	H14	Climate change resilience of any of the LBBG Compensation proposals requires further consideration. For example the long-term management of Lantern Marshes/Cobra Mist land has not yet been agreed so it is possible that it could breach again, and that breach remains leaving the area tidal. There is also mention of the area being deliberately flooded through the sluice occasionally to manage the habitats.	No change. Please see our advice in Appendix H5 to our Deadline 5 response.		No change, pending review of the updated LBBG CIMP at Deadline 6.		The Applicant responded to this point in Applicant's Response to Natural England's Deadline 5 submissions [REP6-059] (Ref 'REP5-108_a2'), noting that the Applicant is working with the National Trust who are responsible for conservation on Lantern Marshes and maintaining the flood defences. The Applicant has been advised by the National Trust that extensive repairs have been made to the flood defences to avoid a further breach. This was considered during the site selection process.
REP6-089_h7		13	H15	The use of a vehicle or hides for compensation monitoring is proposed to reduce disturbance. However, commitments are required to ensure monitoring won't impact other features. If not possible a suitable alternative will need to be provided.	No change.		Partially resolved. Baseline information is needed to inform understanding of impacts due to the monitoring. Natural England will provide further comment following review of the updated LBBG CIMP due to be submitted at Deadline 6.		The Outline LBBG CIMP was submitted at Deadline 6 [REP6-013/-14] . This includes a commitment that monitoring methods will be designed in consultation with the LBCSG to minimise disturbance to LBBG and other receptors. The Outline LBBG CIMP is secured via Schedule 15, Part 1 of the DCO.
REP6-089_h8		14	H16	More detail on proposed monitoring is required. The risk of disturbing the birds during compensation monitoring should be considered and where possible the monitoring should be combined with the planned surveys to reduce the risks of disturbance. This should be considered in any outline plan and finalised prior to installation.	No Change. Monitoring will be considered post-consent and as agreed with the LBCSG.		Progressing – Outline LBBG CIMP being updated at Deadline 6.		
REP6-089_h9		15	H17	Mitigation for vehicles damage at the compensation location in Orfordness is 'reduced speed limited'. Considering habitats present on the site, there should be a commitment to use preapproved access routes only, avoiding areas of vegetated shingle, all staff driving vehicles should be given a full briefing on site protocols prior to	The Applicant has provided further information on the Lantern Marshes site [REP4-010]. This shows that the access route at Lantern Marshes is vegetated shingle and no surveys have been carried out. Heavy equipment may be carried over this shingle. No commitment has been made to using tracked vehicles.		No change, pending review of the updated LBBG CIMP at Deadline 6.		Noted.

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				any access to the site and speed limits should be monitored and repeat breaches reported.					
REP6-089_h10		16	H18	It is important to consider that material could build-up where LBBG Compensation/fencing crossed current drainage areas at Orfordness, and that blockage could then change the path of draining water and, therefore, change hydrological processes. Documents should be updated to include a requirement to remove any build-up of material on the fence as a mitigation.	No change.		No change, pending review of the updated LBBG CIMP at Deadline 6.		The Outline LBBG CIMP was submitted at Deadline 6 [REP6-013/-14]. This includes a commitment to regular checks and clearance of debris from the fence. The Outline LBBG CIMP is secured via Schedule 15, Part 1 of the DCO.
REP6-089_h11		25	H28	There is no commitment here to avoid work in functionally linked land, this is particularly relevant to Hamford Water SPA but applies to all functionally linked land within the red line boundary. Commitments to avoid work on functionally linked land to avoid impacts to supporting habitats and/or disturbing Annex I bird features during sensitive periods. If this is not possible then a management plan would be required to ensure impacts are sufficiently minimised.	No Change. The Applicant has not provided further evidence to address our concerns as advised at Deadline 3.		No change.		The Applicant would like to draw attention to the response to Natural England's comments provided in the Applicant's Response to Natural England's Deadline 3 submissions [REP4-028], Table 2.6 response ref. REP3-064_h_2, where a detailed response was provided on the additional concerns raised by Natural England, setting out how the Project has followed the mitigation hierarchy with respect to effects on functionally-linked land associated with qualifying features to nearby SPAs.
REP6-089_h12		32	H33	The Applicant's commitment to exploring opportunities to deliver a minimum 10% BNG and advise that this should be secured by requirement in the DCO.	No change.		Progressing. We note [REP5-025] that North Falls are exploring opportunities to deliver a minimum or 10% BNG for the onshore elements of the project. However, we advise that they should meet 10% on area and hedgerow modules. As noted below, we may have local project opportunities (linked to the LNRS) that could help with the watercourse shortfall.		See response to Point 3 (NE Ref H3) above; the final BNG assessment will be developed post-consent in consultation with ECC/TDC, Natural England and other relevant stakeholders. This consultation will include establishing any further enhancements associated with the Essex LNRS.
REP6-089_h13		33	H34	Any deviation from BNG best practice and principles should continue to be justified and clearly reported. Updates to metric calculations over time are required to reflect design iterations and developments are encouraged to continue to maximise their potential biodiversity outcomes throughout the detailed design process. For consistency, everything within the Red Line Boundary (Order Limits) should be included in the BNG baseline calculations, including any retained habitats.	No change.		No Change. Our original advice applies. We would recommend that the approach to BNG continues to be justified and explained (as they have done in reports to date). To note on the RLB / Order Limits point - the current consultation suggests that the Order Limits will be used to baseline BNG for NSIPs, meaning any projects submitting DCOs after the 'go live' date of May 26 will have to follow that guidance.		Noted.
REP6-089_h14		34	H35	(a) The project is not currently proposing to commit to achieving 10% BNG in the watercourse module due to the complexity of creating and enhancing watercourse units. Watercourses should be factored into the statutory credit calculations given the metric highlights a 29% loss in the watercourse module. (b) a clear audit trail is should be kept of any land assigned for compensation, mitigation and BNG to distinguish what is being delivered for which purpose and where.	No change.		No change - but note that locally we may have a list of projects / actions linked to the LNRS that could provide opportunities for watercourse enhancement in the wider area.		See response to Point 3 (NE Ref H3) above; the final BNG assessment will be developed post-consent in consultation with ECC/TDC, Natural England and other relevant stakeholders. This consultation will include considering any further enhancements associated with the Essex LNRS.

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REP6-089_h15		35	H36	The approach to hedgerow removal is acceptable prior to mandatory BNG, but it does not reflect best practice, or the approach used for TCPA development. Best practice would be to maintain all replaced hedgerows for a minimum of 30 years in line with BNG regulations. Where the long-term management of hedgerows for this period cannot be secured, they should be treated as "habitat loss" within the BNG metric. Once BNG is mandatory, then a legal agreement would be required to secure the management for thirty years where habitats will be lost. The document should be updated to reflect this commitment.	No change.		Progressing. The D4 response stated that 'due to a 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' (REP4-065_f1). Note that the approach to temporary land within BNG calculations is being looked at via the current consultation (June 25).		Noted. The Applicant is following the current Defra consultation regarding Biodiversity Net Gain for Nationally Significant Infrastructure Projects (Defra, 2025) and is aware that this specific point is under consideration for mandatory BNG for NSIPs, once it comes into force.
REP6-089_h16		36	H37	With regards to cropland and any agricultural grassland. The correct risk multiplier is should be applied within BNG calculations, in line with the Statutory Biodiversity Metric User Guide.	No change.		No change.		The Applicant previously responded to this point in response 'REP4-067_h24' in Applicant's Response to Natural England's Deadline 4 submissions [REP5-055] .
REP6-089_h17		37	New issue	Gedgrave Marshes has been added as a potential compensation site option for LBBG at AOE SPA. There is potential for functional linkage to designated sites at Gedgrave Marshes. It is likely that the site is used by SPA waterbirds. Therefore, the Applicant will need to carry out an assessment of the potential implications of the proposed measures on waterbird features of the SPA/Ramsar site and, if warranted identify appropriate mitigation measures for the construction and operational phases to minimise effects.	No change. Please see our advice in Appendix H5 to our Deadline 5 submission.		Progressed but not resolved. As with the Orford Ness compensation site, baseline surveys will need to be secured in the DCO. These should inform the design of the measures as regarding impacts on SPA/Ramsar site waterbirds. Please see our advice in Appendix H6 to our Deadline 6 submission.		The Outline LBBG CIMP was submitted at Deadline 6 [REP6-013/-14] . This includes commitment to further post-consent assessment informed by surveys. The Outline LBBG CIMP is secured via Schedule 15, Part 1 of the DCO.
(I) Seascape									
REP6-089_i	No comments - the Applicant notes that no further responses to the Applicant's comments on the outstanding unresolved matters were provided by Natural England at Deadline 6. The Applicant would refer to the comments provided in REP5-110_y in Table 2.8 of Applicant's Response to Natural England's Deadline 5 submissions [REP6-059] for the Applicant's position on the residual unresolved matters.								
(J) Landscape VIA									
REP6-089_j	No comments – all items are in agreement.								

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