

Date: 23 July 2025  
Our ref: Case: 27843 Consultation: 501999  
Your ref: EN010119



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**BY EMAIL ONLY**

Dear Sir/Madam,

**North Falls Offshore Wind Farm**

The following constitutes Natural England's formal statutory response for Examination Deadline 8.

**1. Natural England's Deadline 8 Submissions**

Natural England has reviewed the documents submitted by the Applicant at Deadlines 6 and 7 and the RIES provided by the ExA. An update of Natural England's position regarding documents relevant to our remit is provided in Annex 1, including which Deadline 7 documents we have been able to respond to in the time available. Natural England is also submitting the following detailed responses, signposted from Annex 1:

- EN010119 501999 North Falls - Appendix B8 Natural England's Marine Processes Advice on the Applicant's Deadline 7 Documents
- EN010119 501999 Appendix C8.1 -- Natural England's Benthic Ecology Advice on the Applicant's Deadline 7 Documents.
- EN010119 501999 Appendix C8.2 -- Natural England's Benthic Compensation Advice on the Applicant's Deadline 7 Documents.
- EN010119 501999 North Falls Appendix K8 – Natural England's Risk and Issues Log DL6.xls
- EN010119 501999 North Falls Appendix N8 – Natural England's Comments on the RIES – Deadline 8.pdf

## **2. Without Prejudice HRA Benthic Compensation**

Natural England has reviewed the updated Without Prejudice HRA DCO schedules and in particular the newly added benthic compensation provisions. We would refer you to our relevant representation response where we provided an example benthic compensation schedule. However, in specific, we consider condition 2 (2) does not provide for the requirement to monitor any compensation measures, which would be essential to inform the need for any adaptive management. Further we note there is no requirement to have adaptive management measures approved and to implement the measures as approved. We would refer to our example schedule for appropriate details to be included in such provisions. With regard to conditions 2 (1) and 3 (1) we consider the provisions for securing strategic compensation to be incomplete as they do not account for any need for monitoring or adaptive measures, again we would refer to the example compensation schedule submitted with our relevant representations. [NB: Detailed comments on Benthic compensation measures can be found at Appendix C8.2 to this response]

Natural England would advise that the coordinates at condition 7 are checked for accuracy as due to the short period of this consultation we have not been able to review their appropriateness.

## **3. Impacts on Outer Thames Estuary Special Protection Area red-throated diver**

Whilst the Applicant has generally made good progress in resolving offshore ornithology issues, there has been no progress regarding the predicted impacts of the development on red-throated diver (RTD) from the Outer Thames Estuary Special Protection Area (OTE SPA). We recognise that achieving further increases in the separation distance between the array and SPA would be very challenging in the context of maintaining a viable project. However, we consider that a seasonal restriction to cable laying and associated activities within the SPA and a 2km buffer (between 1<sup>st</sup> November and 31<sup>st</sup> March inclusive) is a feasible mitigation option. This mitigation measure has been used by other developers affecting the OTE SPA e.g. East Anglia One North and East Anglia Two OWF, and more recently Five Estuaries OWF have put a seasonal restriction in place for the SPA, with discussions ongoing regarding the 2km buffer. These commitments reflect broader practice elsewhere in the UK, with Outer Dowsing OWF, Mona OWF and the Morgan & Morecambe Transmission Assets proposals all committing to seasonal restrictions to avoid adverse effects on other red-throated diver SPAs.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours faithfully

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# **Annex 1: Natural England's Response to the Applicant's Documents Submitted at Deadlines 6 and 7 Relevant to our Remit**

<b>PINS Document Reference</b>	<b>Document Name</b>	<b>Natural England's Response/Position Summary</b>
<b>Deadline 6</b>		
REP6-014	7.2.2.1 Annex 2A Outline Lesser Black-backed Gull Compensation Implementation and Monitoring Plan (Rev 2) (Tracked)	Natural England's response on this document is provided within our Deadline 8 Risks and Issues log.
<b>Deadline 7</b>		
REP7-001	9.100 Applicant's Cover Letter D7	Natural England has no comments to make on this document.
REP7-003	1.3 Guide to the Application (Rev 10) (Tracked)	Natural England has no comments to make on this document.
REP7-005	2.6 Schedule of Mitigation (Rev 3) (Tracked)	Natural England's response on this document was provided at Deadline 7 in [REP7-086 and REP7-087] with regards to benthic and marine processes.
REP7-006	5.4 Crown Land Plans (Rev 1)	Natural England has no comments to make on this document.
REP7-008	6.1 Draft Development Consent Order (Rev 8) (Tracked)	Natural England's response to this is provided within our Deadline 8 Risks and Issues Log.
REP7-010	6.3 Book of Reference (Rev 5) (Tracked)	Natural England has no comments to make on this document.
REP7-012	6.5 Statement of Reasons (Rev 2) (Tracked)	Natural England has no comments to make on this document.

REP7-014	7.1.2_RIAA Part 2 Benthic Ecology_Annex I habitat in SACs and SPA supporting habitat_Rev2_Tracked changes.	Natural England's response on this document has been provided in Appendices B8 and C8.1.
REP7-016	7.2_Habitats Regulations Derogation Provision of Evidence_Rev 2 (Tracked)	Natural England's response to this is provided within Appendix C8.2 and our Deadline 8 Risks and Issues log.
REP7-018	7.2.1 HRA Appendix 1 Compensatory Measures Overview (Rev 3) (Tracked)	Natural England's response to this is provided within Appendix C8.2.
REP7-020	7.3 Marine Conservation Zone Assessment Report (Rev 1) (Tracked).pdf	Natural England's response to this is provided within Appendices B8 and C8.1.
REP7-022	7.9_Outline Fisheries Liaison and Coexistence Plan (Rev2) (Tracked).pdf	Natural England has no comments to make on this document.
REP7-024	7.10 Offshore In-Principle Monitoring Plan (Rev 2) (Tracked).pdf	With regards to the Applicant's update on bat monitoring, we refer to our advice at Deadline 7 [REP7-091]. Please see also see our response on this document in Appendices B8 and C8.1.
REP7-026	7.13 Outline Code of Construction Practice (Rev 5) (Tracked).pdf	Natural England has no comments to make on this document.
REP7-028	7.14 Outline Landscape and Ecological Management Strategy (Rev 6) (Tracked).pdf	Natural England has no comments to make on this document.
REP7-030	7.15 Outline Horizontal Directional Drill Method Statement and Contingency Plan (Rev 3) (Tracked).pdf	Natural England has no comments to make on this document.
REP7-032	7.16 Outline Construction Traffic Management Plan (Rev 4) (Tracked).pdf	Natural England has no comments to make on this document.
REP7-034	7.26 Site Characterisation Report (Rev 2) (Tracked).pdf	Natural England has no comments to make on this

		document.
REP7-035	7.30 Schedule of Changes to the dDCO (Rev 7).pdf	Natural England's response to this is provided within our Risks and Issues Log.
REP7-037	9.11 Progress with Statements of Common Ground (Rev 6) (Tracked).pdf	Natural England has no comments to make on this document.
REP7-038	9.12 Schedule of Changes to the Book of Reference (Rev 3).pdf	Natural England has no comments to make on this document.
REP7-040	9.53 Cable Specification and Installation Plan (Rev 3) (Tracked)	Natural England's response to this is provided within our Deadline 8 Risks and Issues Log.
REP7-042	9.54 Hydrodynamic and Dispersion Modelling Report (Rev 2) (Tracked).pdf	Natural England's response on this document is provided in Appendices B8 and C8.1.
REP7-044	9.73 Without prejudice HRA DCO Schedules (Rev 2) (Tracked).pdf	Natural England's response to this is provided in the covering letter Section 2 above.
REP7-045	9.75 Habitats Regulations Assessment Land Rights Tracker (Rev 1).pdf	Natural England's response to this is provided within our Risks and Issues Log.
REP7-047	9.93 New visualisation (VP9) at Barn Lane - Grange Road Part 1 of 2 (Rev 1) (Tracked).pdf	Natural England has no comments to make on this document.
REP7-049	9.93 New visualisation (VP9) at Barn Lane - Grange Road Part 2 of 2 (Rev 1) (Tracked).pdf	Natural England has no comments to make on this document.
REP7- 050	9.95 Updated offshore ornithology in-combination tables (Rev 0).pdf	Natural England's response to this is provided within our Risks and Issues Log.
REP7-051	9.99 Applicant's Response to ExA's Third Written Questions (ExQ3) (Rev 0).pdf	Natural England has not had sufficient time review this document due to the short period between

		Deadlines 7 and 8
REP7-052	9.101 Applicant's Response to Natural England's Deadline 6 submissions (Rev 0).pdf	Natural England has provided some comments on this document in our Deadline 8 Risk and Issues Log, however, owing to the short timeframe between Deadlines 7 and 8 we have not fully reviewed this document.
REP7-053	9.102 Applicant's Response to Deadline 6 Submissions (Rev 0).pdf	Natural England has not had sufficient time review this document due to the short period between Deadlines 7 and 8.
REP7-054	9.103 Applicant's Response to the ExA's Report on the Implications for European Sites (RIES) (Rev 0) Q7, Q26.pdf	Natural England has not had sufficient time review this document due to the short period between Deadlines 7 and 8.
REP7-055	9.104 Further Information on Socio-Economic Impacts on Vessels to from Tidal Thames Estuary (Rev 0).pdf	Natural England has no comments to make on this document.
REP7-056	9.106 Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO (Rev 0).pdf	Natural England has no comments to make on this document.
REP7-057	9.108 Addendum to the Outline Skills and Employment Plan (Rev 0).pdf	Natural England has no comments to make on this document.
REP7-058	9.109 Appendix 6 Outline Benthic Compensation Implementation and Monitoring Plan (Rev 0)	Natural England's response to this is provided within Appendix C8.2.
REP7-059	9.111 Without Prejudice Ports Protective Provisions.pdf	Natural England has no comments to make on this document.
REP7-060	9.113 Appendix to Applicant's Response to ExA's Third Written Questions (ExQ3) (Rev 0).pdf	Natural England has not had sufficient time review this document due to the short period between

		Deadlines 7 and 8.
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