



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

NORTH FALLS OFFSHORE WIND FARM

Appendix C8.2 to the Natural England Deadline 8 Submission

**Natural England's advice on the Applicant's without prejudice Benthic Compensation
Implementation and Monitoring Deadline 7 documents**

For:

The construction and operation of North Falls Offshore Wind Farm, located approximately 40
km from the East Anglia Coast in the Southern North Sea.

Planning Inspectorate Reference EN010119

23 July 2025

Appendix C8.2 Natural England's Advice on without prejudice Benthic Compensation Implementation and Monitoring

In formulating these comments, the following documents have been considered:

- [REP7-017] 7.2.1 Habitats Regulations Assessment Appendix 1 Compensatory Measures Overview (Rev 2) (Tracked)
- [REP-058] 9.109 Habitat Regulation Assessment Appendix 6 Outline Benthic Compensation Implementation and Monitoring Plan

1. Summary

While Natural England notes uncertainties remain with the assessments; we advise that the risk of an Adverse Effect on Integrity of Margate and Long Sands (MLS) SAC and the hinderance of the Kentish Knock East (KKE) MCZ conservation objectives occurring to be low; with further consideration of the resulting temporal and spatial impacts and mitigation commitments by the Applicant likely to remove AEoI altogether. Therefore, this advice is provided on a without prejudice basis to our advice to assist the Secretary of State should they determine that benthic compensation/MEEB is required.

If required, Natural England is supportive of strategic compensation being taken forward for this project in the form of Marine Protected Area (MPA) designation or extension through the Marine Recovery Fund. We therefore advise that benthic compensation condition is incorporated into the DCO/dML which aligns with those included for other OWFs currently in the pre-determination phase and progressing strategic benthic compensation. However, we no longer believe that a project level CIMP is required. However, if strategic compensation is not available for whatever reason for this project, we advise that the suggested project level compensation options are invalid from an ecological and/or delivery perspective.

2. Detailed advice on project level compensation options [REP7-058 Section 1.2.1]

2.1 Marine Litter/debris removal

The SNCBs are not supportive of this measure for the following reasons: -

On 21 January 2022 Natural England and JNCC submitted statutory advice to the Secretary of State (as the relevant competent authority) on Ørsted's Hornsea Project Three (HOW03) Sandbank Implementation Plan (SBIP) and associated documents. We advised DESNZ that the proposed Marine Debris Removal Campaign and Marine Debris Awareness Campaign would not provide sufficient compensation for the long-lasting loss of designated sandbank habitat resulting from the placement of external cable protection within both North Norfolk Sandbanks and Saturn

Reef Special Area of Conservation (NNSSR SAC) and The Wash and North Norfolk Coast (WNNC SAC).

Having reviewed the Hornsea Project Three Debris Removal Campaign Field and Summary reports (2023), Natural England advises that the HOW03 findings confirm that the debris removal and awareness campaign measures are ineffective as a compensation measure in offsetting adverse effects on sandbank features.

The HOW03 findings also supports the SNCB paper regarding the ineffectiveness of marine debris removal as a compensation measure in offsetting AEol from the placement of cable protection.

As such, COWSC (Collaboration on Offshore Wind Strategic Compensation) and The Round 4 Plan Level Compensation Steering Group including the SNCBs, DEFRA and DESNZ, has also agreed this position, with Marine Debris Removal not being included in DEFRA's Strategic Compensation Library of Measures nor the R4 Plan Level Strategic compensation measure.

2.2 Site Designation or Extension

As determined for the progression of strategic compensation, designation of a new site or an extension of a designated site could compensate for the benthic habitat impacts. However, this would need to be at a scale that is ecologically meaningful which would be several ratios higher than the predicted project impact even if progressed in collaboration with another offshore windfarm projects. In addition, the delivery mechanisms for MPA extension at an individual project level are not currently supported given the available strategic compensation process.

2.3 Fisheries Management

Given the legislative changes that would be required, Natural England does not consider this option is viable within the Project's timeframe. If the Applicant wishes to pursue this there will need to be agreement from The Crown Estate for a seabed lease and management measures put into place. Note that this measure was not taken forward in the Round 4 Plan Level Compensation Plan.

In addition, it currently remains unclear how this measure will ensure the coherence of the National Site Network.

This is outside of Natural England's remit therefore the Applicant will need to liaise with TCE, DEFRA, MMO (and EIFCA depending on location).

2.4 Enhanced biodiversity - Planting of biogenic features

2.4.1 Native Oyster

Natural England refers the ExA to the published '[Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan](#)' (April 2024).

It was considered by the Round 4 Plan Level Benthic Compensation Steering Group including SNCBs, DEFRA and DESNZ, that Reef creation/enhancement is not considered to provide comparable ecological function to that of Annex I sandbanks and is therefore not an appropriate measure for compensation.

We therefore consider the same to be true for subtidal sand systems within KKE MCZ.

2.4.2 Bivalve seeding with MPAs

Whilst Natural England recognises some bivalves will form part of the infaunal benthic communities of the designated sites, they are not designated site interest features. Therefore, it remains unclear what additionally this measure would provide, and we would therefore question this being compensation. In addition, the seeding of bivalves is associated with biogenic reef communities on mixed sediment and not Annex I sandbanks and subtidal sand. Therefore, as above with Oyster Reef creation, Natural England refers the ExA to the published '[Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan](#)' (April 2024).

It was considered by the Round 4 Plan Level Benthic Compensation Steering Group including SNCBs, DEFRA and DESNZ, that Reef creation/enhancement is not considered to provide comparable ecological function to Annex I sandbank and is therefore not an appropriate measure for sandbank compensation.

2.4.3 Bivalve seeding outside of designated sites

Given the legislative changes that would be required, Natural England does not consider this option is viable within the Project's timeframe. If the Applicant wishes to pursue this there will

need to be agreement from The Crown Estate for a seabed lease and management measures put into place. Note that this type of measure was not taken forward in the Round 4 Plan Level Compensation Plan as not supported by TCE and regulators. In addition, it currently remains unclear how this measure will ensure the coherence of the National Site Network. We therefore consider the same to be true for subtidal sand systems within KKE MCZ.