



**N O R T H F A L L S**

*Offshore Wind Farm*

## **Statement of Common Ground**

Harwich Haven Authority (Clean)

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## Glossary of Acronyms

ALARP	As Low As Reasonably Practicable
DCO	Development Consent Order
dML	deemed Marine Licence
DWR	Deep Water Route
HHA	Harwich Haven Authority
NFOW	North Falls Offshore Wind Farm Limited
NIP	Navigation and Installation Plan
NRA	Navigational Risk Assessment
SoCG	Statement of Common Ground

## Glossary of Terminology

Navigational Risk Assessment (NRA)	A document which assesses the hazards to shipping and navigation of a proposed Offshore Renewable Energy Installation (OREI) based upon the FSA.
Offshore cable corridor	The corridor of seabed from array area to the landfall within which the offshore export cables will be located.
Offshore export cables	The cables which bring electricity from the offshore substation platform(s) to the landfall, as well as auxiliary cables.
The Applicant	North Falls Offshore Wind Farm Limited (NFOW).
The Project or 'North Falls'	North Falls Offshore Wind Farm, including all onshore and offshore infrastructure.

# 1. Introduction

## 1.1 Background

1. This Statement of Common Ground (SoCG) has been prepared by North Falls Offshore Wind Farm Limited (NFOW) (the Applicant) and Harwich Haven Authority. It identifies areas of North Falls Offshore Wind Farm (hereafter 'the Project' or 'North Falls') where matters are agreed, not agreed or that remain under discussion between the parties.
2. The Applicant has had regard to the Planning Inspectorate (2024) guidance regarding Statements of Common/Uncommon Ground for Hearings and Inquiries when compiling the SoCG.
3. This SoCG has been structured to reflect topics of the application which are of interest to Harwich Haven Authority. The applicable matters considered within the SoCG apply to Harwich Haven Authority statutory and non-statutory remit.
4. Table 1.1 presents the topics included in the SoCG with the Applicant and Harwich Haven Authority.

**Table 1.1 Topics and Relevant Documents included in the SoCG**

Topic/Chapter	Document Reference
Environmental Statement (ES) Chapter 15 Shipping and Navigation	APP-029
ES Chapter 15 Shipping and Navigation Figures	APP-060
ES Appendix 15.1 Navigation Risk Assessment Parts 1 - 3	APP-106; APP-107; APP-108
Draft Development Consent Order (DCO)	REP7-007
Outline Navigation and Installation Plan	REP6-039
Outline Cable Specification and Installation Plan	REP7-039
Outline Sediment Disposal Management Plan	REP6-049

5. Topic specific matters agreed, not agreed, and matters that remain under discussion between the Applicant and Harwich Haven Authority are included within this SoCG. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicant and Harwich Haven Authority to reach agreement on each matter whatever possible or refine the extent of disagreement between parties.

## 1.2 Consultation with Harwich Haven Authority

6. The Applicant has engaged with Harwich Haven Authority on the project during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant Section 42 of the Planning Act 2008.
7. During formal (Section 42) consultation, Harwich Haven Authority provided comments on the Preliminary Environmental Information Report (PEIR) by way of letter dated 11<sup>th</sup> July 2023.
8. Further to the statutory consultation, several meetings were held with Harwich Haven Authority through the pre-application process and during Examination (Table 1.2). These are detailed throughout the SoCG, Consultation Report (Document reference: APP-215) and minutes of the meetings.

**Table 1.2 Summary of Consultation with Harwich Haven Authority regarding Shipping and Navigation.**

Date	Contact Type	Topic
Pre-Application		
15 <sup>th</sup> March 2021	Meeting	Meeting to discuss export cable site selection.
7 <sup>th</sup> July 2022	Meeting	Update provided to the Sunk Users Group.
9 <sup>th</sup> December 2022	Meeting	Meeting to discuss the export cable.
11 <sup>th</sup> July 2023	PEIR response	Section 42 responses provided by the Harwich Haven Authority.
29 <sup>th</sup> August 2023	Meeting	Meeting to discuss methods for cable installation (with Five Estuaries).
22 <sup>nd</sup> September 2023	Meeting	Meeting to discuss methods for cable installation (with Five Estuaries).
17 <sup>th</sup> January 2024	Meeting	Update provided to the Sunk Users Group.
14 <sup>th</sup> June 2024	Workshop	North Falls in attendance at a workshop to discuss methods for cable installation with local ports (with Five Estuaries).
15 <sup>th</sup> January 2025	Meeting	Update provided to the Sunk Users Group.
20 <sup>th</sup> March 2025	Meeting	Pre D4 catch up.
17 <sup>th</sup> of July	Meeting	Pre D8 catch up

## 1.3 Summary of Agreed, Not Agreed and In Discussion

9. In order to easily identify whether a matter is ‘agreed’, ‘not agreed’, or ‘in discussion’ the position status colour coding system set out in Table 1.3 is used in the SoCG.
10. Details of specific topics that are ‘agreed’, ‘not agreed’, or ‘in discussion’ between the Applicant and Harwich Haven Authority are presented in Table 2.1.

**Table 1.3 Position status key**

Position Status	Position Colour Coding
<b>Agreed.</b> The matter is considered to be agreed between the parties.	<b>Agreed</b>
<b>Not Agreed- no material impact</b> The matter is not yet agreed between the parties however the outcome of the approach taken by either the Applicant and Harwich Haven Authority is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG. Discussion on these matters have concluded.	<b>Not Agreed- no material impact</b>
<b>Not Agreed- material impact</b> The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant and Harwich Haven Authority is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded.	<b>Not Agreed- material impact</b>
<b>In discussion</b> The matter is neither 'agreed' nor 'not agreed' and is a matter where further discussion is required between the parties (e.g. where the documents are yet to be shared with Harwich Haven Authority).	<b>In discussion</b>

## 2. Statement of Common Ground

11. A summary of the consultation undertaken to date with Harwich Haven Authority and the matters agreed or not agreed between the Applicant and Harwich Haven Authority (based on discussions and information exchanged between the Applicant and Harwich Haven Authority during the pre-application and post-submission phases of the Application) are set out below for each of the SoCG topic areas.

## 2.1 Shipping and Navigation

**Table 2.1 Topics agreed, in discussion or not agreed in relation to Shipping and Navigation**

ID	The Applicant Position	Harwich Haven Authority Position	Position Summary
1	<p><b>NRA</b></p> <p>The NRA (APP- APP-106, APP-107, and APP-108) and the Shipping and Navigation Chapter (APP-029) adequately identify, address and mitigate impacts associated with vessels navigating within HHA waters or in proximity or approach to them including boarding and landing pilots.</p> <p>The NRA has applied the As Low As Reasonably Practicable (ALARP) principle.</p>	It must be considered that should a serious incident occur in the wider Sunk area, there may be a significant irreversible environmental and economic harm. As the risk of the worst credible outcome is not precisely calculable in advance, the Precautionary Principle alongside the ALARP principle must be used when considering navigational risk assessment.	Agreed
A	<p><b>Vessel Draughts</b></p> <p>The vessel with the largest draught using the Harwich Deep Water Channel recorded in the AIS data studied for the NRA was 16.9m. The Applicant acknowledges that larger vessels (up to 17.1m) have also since utilised the Harwich Deep Water Channel. The NRA has included a future case scenario which considers vessels with larger draughts of up to 20m (see Item 3 below).</p>	APP 107 section 14.2 is incorrect / out of date with regard to vessel maximum draught. Harwich Haven regularly receives vessel in excess of 16.0m with the record to date being 17.1m. Again figure 14.3 is out of date as it proceeds the vessels post completion of the Harwich Capital Dredge project. Additionally, many vessel are now not transiting via the Suez due to ongoing conflict related challenges in the Middle East.	Agreed
3	<p><b>Future Case Scenario</b></p> <p>The NRA (APP- APP-106, APP-107, and APP-108) and ES Chapter (APP-029) have adequately identified and assessed a worst-case future scenario, and through mitigations associated with cable installation, cable burial, and cable</p>	In discussion	In discussion



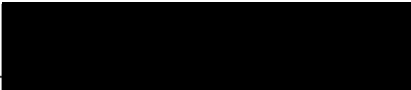
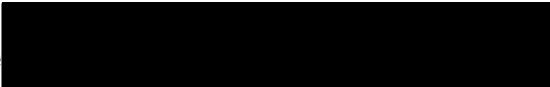
ID	The Applicant Position	Harwich Haven Authority Position	Position Summary
	protection has ensured all impacts are As Low As Reasonably Practicable (ALARP).		
4	<b>Cable Burial Depth</b> The Applicant recognises the importance of maintaining vessel access to key local ports appropriate cable burial and consideration of the potential for increases in vessel draught in the future. In the Deep Water Route and Sunk Pilotage areas deep burial to 19m and 22m is secured by the DCO requirement 2(3) [REP7-007] and is shown on the Deep Water Route Cable Installation Areas (Future Dredging Depths) Plan.[REP6-055].	We require protective measures within the DCO to ensure that the cable route is at a suitable depth to ensure future deep draught vessels can navigate the Sunk area. The cable (and any covering material e.g. rock armour) must be at least 22 metres below Chart Datum to allow future vessels with a draught of 20 metres.	Agreed
5a	<b>NIP</b> The outline NIP (REP5-029) is considered an appropriate mechanism for managing relevant shipping and navigation impacts associated with cable installation, and operation and maintenance in the area of interest (as defined in the NIP) including the potential for concurrent working. Project compliance with the NIP is secured within the DCO (deemed Marine Licence (dML)).	Yes noting 5b below.	Agreed
5b	<b>Concurrent Working</b> The Applicant has committed to this in the oNIP [REP6-039] which is the appropriate way to present the detailed information on, and commit to, a limitation on concurrent working. As the oNIP is a certified document under the DCO and must be accorded with (under condition 22(1) of Schedule 9) this sufficiently secures the concurrent working commitment.	But we would request and require the piece regarding and limiting concurrent operations with Sunk area is included within the scope and protective provisions of the functional DCO, rather than associated documentation.	Not Agreed – Material Impact
6	<b>Work License</b> It is recognised that all works within Harwich Haven Authority statutory harbour limits will require a Work License.	Yes	Agreed


ID	The Applicant Position	Harwich Haven Authority Position	Position Summary
7	<b>Protective Provisions</b> As outlined in the Applicant's Response to the Ports' Request for Protective Provisions submitted at Deadline 4 [REP4-044], the Applicant does not consider that Protective Provisions are necessary, but provides responses 7a-7d below:	Key protective provisions should include the below items:	In discussion
7a	See item 4.	<ul style="list-style-type: none"> <li>Requiring protective measures within the DCO to ensure that the cable route is at a suitable depth to ensure future deep draught vessels can navigate the Sunk area. The cable (and any covering material e.g. rock armour) must be at least 22 metres below Chart Datum to allow future vessels with a draught of 20 metres.</li> </ul>	Agreed
7b	See Item 5b	<ul style="list-style-type: none"> <li>Controlling development and project construction related marine operations to ensure that there are no concurrent Restricted Ability to Manoeuvre (RAM) operations occurring in the Sunk area. This must include the other DCO cable projects in this area; Five Estuaries project</li> </ul>	Not Agreed – Material Impact

ID	The Applicant Position	Harwich Haven Authority Position	Position Summary
		and the National Grid Sea Link project.	
7c	The Applicant does not have authority to implement formal exclusion zones. The Applicant may use advisory safe passing distances, noting under the oNIP <b>[REP6-040]</b> these will be discussed within HAZOPS with the ports.	<ul style="list-style-type: none"> <li>Exclusion zone(s) must not be put in place in the Sunk area or channel that would restrict 24/7/365 vessel access requirements or pilot boarding operations etc.</li> </ul>	In Discussion
7d	Safety zones are only permitted around the wind turbines and substations and therefore would be clear of the DWRs and pilot boarding area. The Applicant may use advisory safe passing distances, noting under the oNIP <b>[REP6-040]</b> these will be discussed within HAZOPS with the ports.	<ul style="list-style-type: none"> <li>Safety zone(s) must not impede vessel traffic movements within the Sunk area or normal operations such as pilot boarding.</li> </ul>	In Discussion

### 3. Signatures

12. The above SoCG is agreed between the Applicant and Harwich Haven Authority on the day specified below.

Signed:	
Print Name	
Job Title:	MARINE DIRECTOR - HARBOUR MASTER
Date:	23.07.2025
Duly authorised for and on behalf of the Harwich Haven Authority	

Signed:	
Print Name:	Daniel Harper MRICS
Job Title:	Consents Manager
Date:	23rd July 2025
Duly authorised for and on behalf of North Falls Offshore Wind Farm Ltd	

## 4. References

Planning Inspectorate (2024) Statements of Common/Uncommon Ground for Hearings and Inquiries. Available at: Statements of Common/Uncommon Ground for Hearings and Inquiries - GOV.UK



**NORTH FALLS**

*Offshore Wind Farm*



## **HARNESSING THE POWER OF NORTH SEA WIND**

*North Falls Offshore Wind Farm Limited*

*A joint venture company owned equally by SSE Renewables and RWE.*

*To contact please email [contact@northfallsoffshore.com](mailto:contact@northfallsoffshore.com)*

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