



NORTH FALLS

Offshore Wind Farm

Statement of Common Ground

Harwich Haven Authority (Tracked)

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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~~Table 1.4~~ 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) | REP5-009 REP7-007 |
| Outline Navigation and Installation Plan | REP5-029 REP6-039 |
| Outline Cable Specification and Installation Plan | REP5-045 REP7-039 |
| Outline Sediment Disposal Management Plan | REP5-043 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 11th 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~~~~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 th March 2021 | Meeting | Meeting to discuss export cable site selection. |
| 7 th July 2022 | Meeting | Update provided to the Sunk Users Group. |
| 9 th December 2022 | Meeting | Meeting to discuss the export cable. |
| 11 th July 2023 | PEIR response | Section 42 responses provided by the Harwich Haven Authority. |
| 29 th August 2023 | Meeting | Meeting to discuss methods for cable installation (with Five Estuaries). |
| 22 nd September 2023 | Meeting | Meeting to discuss methods for cable installation (with Five Estuaries). |
| 17 th January 2024 | Meeting | Update provided to the Sunk Users Group. |
| 14 th June 2024 | Workshop | North Falls in attendance at a workshop to discuss methods for cable installation with local ports (with Five Estuaries). |
| 15 th January 2025 | Meeting | Update provided to the Sunk Users Group. |
| 20 th March 2025 | Meeting | Pre D4 catch up. |
| <u>17th of July</u> | <u>Meeting</u> | <u>Pre D8 catch up</u> |

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~~~~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 |
|---|---------------------------------------|
| Agreed. The matter is considered to be agreed between the parties. | Agreed |
| Not Agreed- no material impact 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. | Not Agreed- no material impact |
| Not Agreed- material impact 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. | Not Agreed- material impact |
| In discussion 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). | In discussion |

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>NRA</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>Vessel Draughts</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>Future Case Scenario</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,</p> | In discussion | In discussion |

| ID | The Applicant Position | Harwich Haven Authority Position | Position Summary |
|----|---|--|------------------------------------|
| | and cable protection has ensured all impacts are As Low As Reasonably Practicable (ALARP). | | |
| 4 | <p>Cable Burial Depth</p> <p>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. Technical discussions are currently ongoing internally to understand what is technically achievable in terms of burial depth over and in proximity to the DW routes (this includes the area in proximity to the Sunk pilotage), noting the ports position that burial should be such that a dredged channel depth of 22m is achievable in the future. An offshore seabed site investigation is currently out to tender, with the results feeding additional technical assessments.</p> <p>Proposals have been set out at Deadline 4 for the areas where deep burial is proposed by the Applicant. 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].</p> | 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 In discussion |
| 5a | <p>NIP</p> <p>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</p> | Yes noting 5b below. | Agreed |

| ID | The Applicant Position | Harwich Haven Authority Position | Position Summary |
|-----|--|---|--|
| | secured within the DCO (deemed Marine Licence (dML)). | | |
| 55b | <p>Concurrent Working NIP</p> <p>The outline NIP (REP5-029) is considered an Applicant has committed to this in the oNIP [REP6-039] which is the appropriate mechanism for managing relevant shippingway to present the detailed information on, 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 commit to, a limitation on concurrent working. Project compliance with As the NIP oNIP is secured within a certified document under the DCO (deemed Marine Licence (dML)) and must be accorded with (under condition 22(1) of Schedule 9) this sufficiently secures the concurrent working commitment.</p> | <p>Yes. 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.</p> | <p>In discussion Not Agreed – Material Impact</p> |
| 6 | <p>Work License</p> <p>It is recognised that all works within Harwich Haven Authority statutory harbour limits will require a Work License.</p> | Yes | Agreed |
| 7 | <p>Protective Provisions</p> <p>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:</p> | <p><u>Key protective provisions should include the below items:</u></p> | <u>In discussion</u> |
| 77a | <p>Protective Provisions</p> <p>As outlined in the Applicant's Response to the Ports' Request for Protective</p> | <p>Key protective provisions should include:</p> <ul style="list-style-type: none"> Requiring protective measures within the DCO to ensure that | <p>In discussion Agreed</p> |

| ID | The Applicant Position | Harwich Haven Authority Position | Position Summary |
|----|--|---|------------------|
| | <p>Provisions submitted at Deadline 4 [REP4-044], the Applicant does not consider that Protective Provisions are necessary. See item 4.</p> | <p>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.</p> <ul style="list-style-type: none"> 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; North Falls project and the National Grid Sea Link project. 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. Safety zone(s) must not impede vessel traffic movements within the Sunk area or normal | |

| ID | The Applicant Position | Harwich Haven Authority Position | Position Summary |
|----|---|--|------------------------------|
| | | <p>operations such as pilot boarding.</p> <ul style="list-style-type: none"> • | |
| 7b | <u>See Item 5b</u> | <ul style="list-style-type: none"> • <u>Controlling development and project construction related marine operations to ensure that there are no concurrent Restricted Ability to Manoeuvrer (RAM) operations occurring in the Sunk area. This must include the other DCO cable projects in this area; Five Estuaries project and the National Grid Sea Link project.</u> | Not Agreed – Material Impact |
| 7c | <u>The Applicant does not have authority to implement formal exclusion zones. The Applicant may use advisory safe passing distances, noting under the oNIP [REP6-040] these will be discussed within HAZOPS with the ports.</u> | <ul style="list-style-type: none"> • <u>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.</u> | In Discussion |
| 7d | <u>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 [REP6-040]</u> | <ul style="list-style-type: none"> • <u>Safety zone(s) must not impede vessel traffic movements within the Sunk area or normal</u> | In Discussion |

| ID | The Applicant Position | Harwich Haven Authority Position | Position Summary |
|----|--|---|------------------|
| | <u>these will be discussed within HAZOPS with the ports.</u> | <u>operations such as pilot boarding.</u> | |

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: _____

Date: _____

Duly authorised for and on behalf of the Harwich Haven Authority

Signed: _____

Print Name: _____

Job Title: _____

Date: _____

Duly authorised for and on behalf of North Falls Offshore Wind Farm Ltd

4. References

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| 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 |
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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

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