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Our Ref: 20048269
PINS Ref: EN010119
Date: 9 December 2025
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By Email only

Dear Mr. John Wheadon,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by North Falls Offshore Wind Farm Limited (“the Applicant”) for an Order granting Development Consent for the proposed North Falls Offshore Wind Farm (“the Proposed Development”)

I refer to your letter dated 26 November 2025 (the letter) which sets out matters on which the Secretary of State requires further information regarding the above Development Consent Order (DCO) application. In response, Essex County Council (ECC) in conjunction with Tendring District Council (TDC) [jointly referred as “the Councils”] would like to provide a written update.

Para. 6 – Planting Retention or Removal at Decommissioning of Onshore Substation

This specifically refers to decommissioning so it would be welcome to have some indication within the Outline Landscape Strategy Masterplan of what would be conserved of the new planting should that stage be reached.

Para. 7 – National Landscape Enhancement Scheme

The Councils support the National Landscape Partnership in requesting proportionate contribution to enhance the special qualities of the relevant National Landscape. This enhancement is specifically related to the East Suffolk Coast which is not a direct concern to

both Councils. The proposed costings appear to be reasonable and the recommended contribution as compared to the limited amount proposed by the applicant would undoubtedly secure more resources in achieving the aims as outlined.

Para. 47 – Wording of the Biodiversity Net Gain Requirement

As mentioned in our response to ExQ2 (REP5-091), ECC published reports regarding achieving a higher Biodiversity Net Gain (BNG) within Essex. According to the Viability Assessment of Biodiversity Net Gain in Essex and supporting documents (**Appendices 1A, 1B, 1C**), the additional costs to achieve 20% BNG is a relatively small percentage of the overall cost for NSIPs in Essex. Therefore, ECC is requesting all development proposals to investigate for 20% BNG. As the Five Estuaries and North Falls windfarm projects share the BNG, and to ensure consistency, ECC is of the view that the applicant should also investigate and seek to deliver 20% BNG, where possible.

The Councils welcome the more detailed wording of the requirement in respect of BNG as it provides clarity and certainty that a minimum 10% BNG will be secured. Sub-paragraph 2 of the suggested wording also broadly reflects the hierarchy for delivery of biodiversity units.

The Councils note the following BNG wordings have been used for Requirement 7 of the recently granted East Yorkshire Solar Farm Order 2025:

7.—(1) No part of the authorised development may commence until a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority for that part, in consultation with the relevant statutory nature conservation body. (2) The biodiversity net gain strategy must include details of how the strategy will secure a minimum of 80.42% biodiversity net gain in area-based habitat units, a minimum of 10.30% biodiversity net gain in hedgerow units, and 10.09% biodiversity net gain in watercourse units for all of the authorised development during the operation of the authorised development, using the Department of Environment, Food and Rural Affairs' 4.0 metric to calculate those percentages (or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature conservation body). (3) The biodiversity net gain strategy must be maintained throughout the operation of the relevant part of the authorised development to which the plan relates.

The above sets a precedent that the proposed levels of BNG could be secured via a requirement and that a higher percentage of BNG is not considered to be unreasonable as this is what the applicant has been forecasted to deliver. There is also a need to clarify the version of the metric used but allowing flexibility if a later or more appropriate version is available post-consent.

In view of that, our suggested revisions are highlighted in blue:

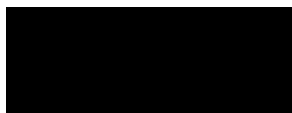
(1) No stage of the authorised project within the onshore Order limits (excluding any onshore site preparation works) may commence until—

- (a) a biodiversity net gain strategy which accords with the outline biodiversity net gain information comprising the Onshore Biodiversity Net Gain Indicative Design Stage Report (Option 1 - habitats unmanaged counted as lost) has been approved in writing by the relevant planning authority; and
- (b) the biodiversity gain plan must set out how it will secure a minimum of 10% biodiversity gain for all of the onshore works of the authorised development, using a biodiversity metric approved by the relevant planning authority; and the Department of Environment, Food and Rural Affairs' 4.0 metric to calculate those percentages (or such other biodiversity metric approved by the relevant planning authority in consultation with Natural England); and
- (c) the biodiversity net gain strategy must be accompanied by copies of any legal agreements with any offsite provider which demonstrate that the delivery of any offsite biodiversity units which contribute towards achieving a minimum of 10% biodiversity net gain for the onshore works of the authorised development, and the maintenance of the offsite works for a period of thirty years from the date of the final commissioning of the authorised development, is secured.
- (2) The location for delivery of biodiversity units is to follow a prioritisation exercise, as described in the Biodiversity Net Gain Strategy, with priority given to areas inside or within close proximity to the proposed Order limits (within Tendring District or same National Character Area within Essex).
- (3) The biodiversity net gain strategy must be implemented as approved.
- (4) Any remaining shortfall in biodiversity units identified following detailed design will be secured prior to construction works being completed.
- (5) In this paragraph "offsite biodiversity units" means any contribution to the minimum 10% biodiversity net gain for the onshore works of the authorised development that are to take place outside of the Order limits."

Paragraph 50 – Farmland Bird Compensation Plan

The Councils have no objection for a requirement on Farmland Bird Compensation Plan and would welcome the opportunity to be consulted at discharge of requirement stage.

Yours sincerely,



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