



NORTH FALLS

*Offshore Wind Farm*

# Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes (Tracked)

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**Applicant's Response to ExA's Request for  
further information (Rule 17) –  
National Landscapes**



<b>Project</b>	North Falls Offshore Wind Farm
<b>Document Title</b>	Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes <u>(Tracked)</u>
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## Glossary of Acronyms

AONB	Area of Outstanding Natural Beauty
CRoW Act	Countryside and Rights of Way Act 2000
DCO	Development Consent Order
ES	Environmental Statement
ExA	Examining Authority
SECHNL	Suffolk and Essex Coast and Heaths National Landscape
SLVIA	Seascape, Landscape and Visual Impact Assessment

## Glossary of Terminology

Array area	The offshore wind farm area, within which the wind turbine generators, array cables, platform interconnector cable, offshore substation platform(s) and/or offshore converter platform will be located.
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 document has been prepared in response to the Examining Authority's (ExA) Rule 17 Request for Further Information **[PD-014]**, dated 6 June 2025 (Rule 17 Letter).
2. The Rule 17 Letter sets out the position of the Applicant, Natural England and Suffolk County Council as to whether further compensatory measures are required to enable the Applicant and the Secretary of State to comply with the duty in section 85(A1) of the Countryside and Rights of Way Act 2000 (Duty) in respect of the Suffolk and Essex Coast and Heaths National Landscape (SECHNL). Section 85(A1) of the Countryside and Rights of Way Act 2000 (CRoW Act) states:  
*"In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty."*
3. The ExA asked the Applicant to consider, on a without prejudice basis, specific additional compensatory measures that could be applied to enable the Applicant and the Secretary of State to discharge the Duty should the Secretary of State consider that such measures are required, including consideration of principles to form the basis for the development and delivery of a National Landscape Enhancement Scheme (or similar) together with a list of projects identified and a mechanism for securing such a scheme.
4. Following the submission of the Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes **[REP6-062]** (Applicant's Response to the Rule 17 Letter), comments have been provided by stakeholders regarding the content of this document. Table 1-1 provides a summary of the amendments that have been made in response.
- 4.5. The Department for Energy Security & Net Zero issued a request for information dated 26 November 2025 which relevantly requested that the Applicant update this document to align with the National Landscape Enhancement Scheme principles set out by the Suffolk & Essex Coast & Heaths National Landscape Partnership in REP8-094. Table 1-1 provides a summary of the amendments that have been made in response.

Table 1-1 Summary of the Applicant's Response to the ExA's Rule 17 Letter Changes

Applicant's Response to the Rule 17 Letter Revision Number	Summary of Changes	Relevant Section of the Applicant's Response to the Rule 17 Letter
01	Removal of text setting out examples of projects and initiatives which could be implemented as part of any National Landscape Enhancement Scheme.	Section 2.2

Applicant's Response to the Rule 17 Letter Revision Number	Summary of Changes	Relevant Section of the Applicant's Response to the Rule 17 Letter
<a href="#">02</a>	<a href="#">Addition of a principle setting out the purpose of any National Landscape Enhancement Scheme and how it relates to other mitigation and compensation requirements relating to the Project.</a>	<a href="#">Section 2.2</a>
<a href="#">03</a>	<a href="#">Amendment to the proposed DCO Requirement to state that the relevant works must not be commenced until legal agreements (as required) have been entered into as described to secure allocation of any National Landscape Enhancement Scheme fund amount.</a>	<a href="#">Section 2.2</a>
<a href="#">04</a>	<a href="#">Amendment to fund size.</a>	<a href="#">Section 2.2</a>
<a href="#">05</a>	<a href="#">Addition of principle governing payments made under any National Landscape Enhancement Scheme.</a>	<a href="#">Section 2.2</a>
<a href="#">06</a>	<a href="#">Addition of principle governing establishment, composition and powers of a Scheme Delivery Panel.</a>	<a href="#">Section 2.2</a>

## 1.2 The Applicant's Position

[5-6.](#) As noted in the Rule 17 Letter, and as set out in its Position Statement on various issues relating to National Landscapes **[REP5-068]**, the Applicant maintains that the Duty in respect of the Project would be discharged without the inclusion of additional measures.

[6-7.](#) The Applicant confirms that its position is fairly summarised further by the ExA in the Rule 17 Letter as follows:

*"In summary, the Applicant's position is that measures to be included as part of the Proposed Development or further measures imposed to avoid and reduce impacts on the statutory purposes of National Landscapes must be appropriate, reasonable and proportionate. The Applicant's response to ExQ14.1.3 [REP2-020] also set out its position in respect of the SECHNL. The ExA notes the Applicant's position that, in its opinion, there is no legal, policy or guidance requirement to always include specific measures (whether financial or otherwise) within a development to enhance the National Landscape regardless of the level of impact."*

[7-8.](#) The Applicant considers that the effects on the SECHNL are visual in nature only. Environmental Statement (ES) Chapter 29 Seascape, Landscape and Visual Impact Assessment (SLVIA) **[APP-043]** concludes that there will be significant effects on views from locations along the southern coastal edge of the SECHNL, between the River Deben and Orford Ness. There will be no significant effects on landscape character, and no significant effects on the special qualities of the SECHNL (see the Assessment of Special Qualities of the Suffolk and Essex Coast and Heaths National Landscape and Suffolk Heritage Coast – Technical Note **[REP5-038]**).

8-9. There are no other topics covered within the ES where it has been concluded that the Project would have significant effects on the SECHNL.

## 2. National Landscape Enhancement Scheme Principles

### 2.1 Development of Principles

~~9.10.~~ The Rule 17 Letter referred to the Awel y Môr Offshore Wind Farm Order 2023, for which a “Landscape Enhancement Scheme Principles” document was submitted during the project’s Development Consent Order (DCO) Examination. The Applicant has reviewed this document and considers that it forms a useful reference point but notes that there are substantive differences between the two projects. In particular, the Seascope, Landscape and Visual Impact Assessment (SLVIA) for the Awel y Môr Offshore Wind Farm identified significant effects on the special qualities of three nationally designated landscapes across North Wales, and as such the need for a Landscape Enhancement Scheme was a matter of agreement between the parties. This contrasts with the Applicant’s position set out in section 1.2 in relation to both compliance with the Duty and the likely effect of the Project on the relevant National Landscape. The Applicant notes that the Awel y Môr Landscape Enhancement Scheme Principles were not prepared in reference to the current Duty and were prepared to address a different purpose. Further, the Applicant is of the position that the nature of the principles presented herein are seeking to address a fundamentally different nature and scale of effect to that which was under discussion in respect of the Awel y Môr Offshore Wind Farm.

~~10.11.~~ The Applicant notes the ExA’s request to consult Interested Parties, and has circulated this document to relevant Interested Parties in advance of Deadline 6. The principles in this document therefore represent the first stage in the development of without prejudice outline principles which could inform a National Landscape Enhancement Scheme. The Applicant is in discussions with Suffolk County Council, Suffolk & Essex Coast & Heaths National Landscape Partnership and Natural England, with the aim of receiving feedback on the principles set out in this document prior to Deadline 7. Should the Secretary of State determine that a National Landscape Enhancement Scheme is required, such a scheme would be finalised following the approval of the DCO for the Project.

~~11.12.~~ The Applicant has proposed a fund of a maximum of £450,000 which it considers to be commensurate with the anticipated scale of effect of the Project on the ~~special qualities of the~~ SECHNL.

### 2.2 Proposed National Landscape Enhancement Scheme Principles

~~12.13.~~ ~~Table 2-1~~ ~~Table 2-4~~ below sets out the Applicant’s proposed principles for a National Landscape Enhancement Scheme for the Project.

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Table 2-1 National Landscape Enhancement Scheme Principles

Principle	Detail
<u>Purpose</u>	<u>The National Landscape Enhancement Scheme would relate solely to the Applicant’s obligations under section 85(A1) of the CRoW Act. It would be</u>



Principle	Detail
	<u>separate to any other mitigation or compensation requirements relating to the Project.</u>
Mechanism for <del>D</del> elivery	<p>In the event that the Secretary of State determines that a National Landscape Enhancement Scheme is required, the Applicant proposes that such a scheme be secured via DCO Requirement. Draft Requirement text is provided below:</p> <p><b>National Landscape Enhancement Scheme</b></p> <p><u>(1) <del>(1)</del> Work No. 1 and Work No. 2 must not be commenced until:</u></p> <p><u>a. a National Landscape Enhancement Scheme has been submitted to and approved by the discharging authority in consultation with Suffolk &amp; Essex Coast &amp; Heaths National Landscape Partnership;</u></p> <p><u>and</u></p> <p><u>a.b. if reasonably required, the Applicant and the discharging authority have entered into a legal agreement which secures the allocation of the fund amount under the National Landscape Enhancement Scheme as approved to the reasonable satisfaction of both parties.</u></p> <p>(2) The National Landscape Enhancement Scheme must accord with the principles and fund size set out in the National Landscape Enhancement Scheme principles document.</p> <p>(3) The National Landscape Enhancement Scheme must be implemented as approved.</p> <p>(4) In this Requirement “the National Landscape Enhancement Scheme principles document” means the principles set out in Table 2-1 of Applicant’s Response to ExA’s Request for further information (Rule 17) - National Landscapes.</p>
Scope of <del>P</del> rojects	<p>The purpose of the National Landscape Enhancement Scheme is to deliver benefits to <u>conserve</u> or to enhance the SECHNL in relation to the effects of the Project on the SECHNL. The Scheme should therefore focus on projects and initiatives relating to enjoyment of the coast and coastal views.</p> <p>Projects and initiatives should be in line with the objectives of the Suffolk &amp; Essex Coast &amp; Heaths National Landscape Management Plan 2023-2028.</p> <p>The projects or initiatives that will be delivered as part of the National Landscape Enhancement Scheme will be selected at the discretion of the Suffolk &amp; Essex Coast &amp; Heaths National Landscape Partnership.</p>
Spatial <del>S</del> cope	The focus of the National Landscape Enhancement Scheme will be on the area likely to be affected by views of the Project. This extends to the coastal edge between the River Deben and Orford Ness. All projects and initiatives must therefore be located within this area.
Fund size	<u>Up to a maximum of £45</u> 0,000
Fund timing	The fund would be made available following discharge of the relevant DCO Requirement, and as a single one-off payment made by the Applicant to the Suffolk & Essex Coast & Heaths National Landscape Partnership prior to the commencement of construction of Work No. 1 or Work No. 2. It will then be at the discretion of the Suffolk & Essex Coast & Heaths National Landscape Partnership as to the timing of when projects or initiatives benefited by the fund are bought forward.

Principle	Detail
<u>Payments</u>	<u>The fund amount will be payable to Suffolk &amp; Essex Coast &amp; Heaths National Landscape Partnership for onward payment to the relevant internal team either as a lump sum or as phased payments to be agreed.</u>
<u>Scheme Delivery Panel</u>	<p><u>A Scheme Delivery Panel will be established as part of the National Landscape Enhancement Scheme comprising a representative from the Applicant, the relevant teams within Suffolk County Council and Essex County Council (as the discharging authority) and the Suffolk &amp; Essex Coast &amp; Heaths National Landscape Partnership.</u></p> <p><u>The Panel will oversee the delivery of the National Landscape Enhancement Scheme and facilitate reporting on expenditure and project/s delivered as part of the Scheme National Landscape Enhancement. The Panel will be empowered to unanimously approve any non-material changes to the approved Scheme National Landscape Enhancement.</u></p>



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

*North Falls Offshore Wind Farm Limited*

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

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