



Marine Management Organisation

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MMO Reference: DCO/2021/00002
Planning Inspectorate Reference: EN010119
Identification Number: 20051047

20 January 2026

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 North Falls Offshore Wind Farm Project)

Secretary of State's (SoS) Consultation 2

On 22 August 2024, the Marine Management Organisation (the MMO) received notice under section 56 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by North Falls Offshore Wind Farm Ltd, (the Applicant) for determination of a development consent order (DCO) for the construction, maintenance and operation of the proposed North Falls Offshore Wind Farm Project (the DCO Application) (MMO ref: DCO/2021/00002; PINS ref: EN010119).

The DCO Application seeks authorisation for the construction, operation and maintenance of North Falls Offshore Wind Farm (the Project or North Falls): an offshore generation station with a capacity exceeding 100 megawatts (MW) comprising up to 57 wind turbine generators together with associated onshore and offshore infrastructure and all associated development.

Three Deemed Marine Licences (DML) are included in the draft DCO. Schedule 8 includes the deemed marine licence for generation assets. Schedule 9 includes the deemed marine licence for transmission assets, and Schedule 10 includes the deemed marine licence for the offshore converter station element for the transmission assets, should that infrastructure be required.



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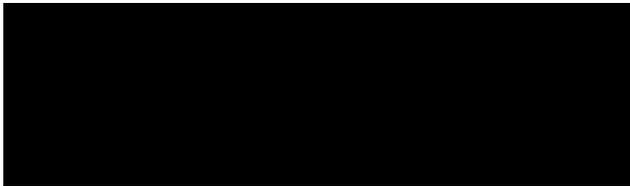


As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions are drafted in a DML that enable the MMO to fulfil these obligations.

This document comprises the MMO's response to the Request to comment on the responses provided to the SoS dated 18 December 2025.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely,



Marine Licensing Case Officer

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1. MMO's Comments on the Applicant's Response to the Request for Further Information (RFI)

1.1 Applicant's Response to the Secretary of State's (SoS's) RFI

1.1.1 Table 2.1 Applicant's Response to SoS RFI – Shipping and Navigation

1.1.1.1 The MMO notes from the Applicant's response that the removal of the Galloper Recommended Route (GRR) was raised and discussed at the 2025 UK Safety of Navigation (UKSON) Committee session on 16 October 2025. The committee had no objections and confirmed it was content for the application to remove the GRR to be made to the International Maritime Organisation (IMO). The MMO has no further comments and defers to the Maritime and Coastguard Agency and the SoS.

1.1.2 Table 2.11 Applicant's Response to the SoS's RFI – Offshore Ecology

Benthic and Intertidal Ecology

1.1.2.1 The MMO notes that the Applicant has addressed the scour protection issue raised by Natural England (NE) in [REP8-099] which was requested by the SoS in point 35 of the request for information. The MMO notes that the following condition has been included in Schedule 8, we are largely content with the condition but request the additional timescale of notice (in bold) is included within the condition:

*“35 — (1) Unless otherwise agreed in writing by the MMO in consultation with the relevant SNCB **at least six months prior to installation**, no part of the works specified in sub-paragraphs (1)(a), (b) or (c) shall be installed within 50 metres of the boundary of the site designated as the Kentish Knock East Marine Conservation Zone:*

(a) the foundations fixing the wind turbine generators to the seabed which form part of Work No. 1;

(b) the network of cables between the wind turbine generators and between the wind turbine generators and Work No. 2, including any cable crossings which form part of Work No. 1;

(c) cable protection measures which are associated development for the works specified in sub-paragraph (a) or (b).

(2) If agreement with the MMO is obtained pursuant to sub-paragraph (1), the undertaker must install any infrastructure in accordance with the details approved under sub-paragraph (1).”

1.1.2.2 The MMO defers to NE for any further comments.

1.1.2.3 The MMO notes that the Applicant's response to paragraph 36 of the SoS's RFI states that the Applicant could commit to commencing the post-construction monitoring of biogenic or geogenic reef features within 12 months of construction. As noted in section 1.2 of the MMO's response to the RFI, the MMO supports NE's position that the monitoring must be completed within 12 months of the disturbance of conduction activities being completed unless otherwise agreed with the MMO. This is to ensure that in-combination impacts and recovery can be fully assessed.



1.1.2.4 The MMO welcomes the Applicant's response to paragraph 37, that as is standard for offshore wind DCOs, any future surveys will be individually licensed by the MMO as part of either a separate Marine Licence, or a Marine Licence exemption, in line with the MMO's requirements.

1.1.2.5 The MMO welcomes the Applicant's response to paragraph 38 regarding scour protection, and would welcome the Condition 15 / 16 / 15 of Schedules 8 / 9 / 10 respectively:

“(13) The undertaker must notify the MMO in writing a minimum of 14 days in advance of the commencement of each discrete incident of cable repair, replacement, or protection replenishment activity or scour protection replacement activity. Such a notification must include proposed timings and a description of proposed methodologies.

1.1.2.6 The MMO also welcomes the Applicant's response that it is not expected that further scour protection would be required beyond the worst-case scenario assessed in the Environmental Statement (ES) and secured in the DCO, however should this be required it would be subject to additional marine licences.

Fish and Shellfish

1.1.2.7 The MMO welcomes the Applicant's additional comments in relation to paragraph 39 of the RFI. The MMO provided a response to paragraph 39 in the RFI submission dated 16 December and has no further concerns or comments to make in relation to sandeel.

1.1.2.8 The MMO welcomes the commitment by the Applicant to the piling seasonal restriction under paragraph 40 and has no further comments to make.

Marine Mammals

1.1.2.9 The MMO notes and welcomes that the Applicant is willing to accept the updated Condition 22(1)g in Schedule 9 and Condition 21(1)(g) of Schedule 10 of the DML as noted under paragraph 42, however the MMO does not agree with the inclusion of “reasonable” and would suggest that the wording is kept to “full details” as reasonable introduces ambiguity and difficulty to enforce.

1.1.2.10 The MMO welcomes the clarifications to the draft Marine Mammal Mitigation Protocol (MMMP) as requested under paragraph 43 of the RFI.

1.1.2.11 The MMO has provided comments in its response to the RFI paragraph 44 regarding the Site Integrity Plan condition. However, the MMO does not agree that Condition 21(m), Condition 22(m) and Condition 21(m) of Schedules 8, 9 and 10 respectively should be removed. The MMO has no further comments to make and maintain the position of the condition wording as submitted by the MMO to the RFI.

1.1.3 Table 2.14 Applicant's Response to SoS's RFI – Adaptive Management

1.1.3.1 The MMO has provided a response to the adaptive management condition point in section 3 of the response submitted on 16 December 2025. The MMO maintains this position and wording and has no further comments to make.

1.2 Appendix to the Applicant's Response to the SoS's RFI



1.2.1 2.2 'Where Practicable' Mitigation (Ref 21)

1.2.1.1 The MMO notes the Applicant's response to the RFI regarding worst-case scenarios and mitigation. The MMO provided further consideration of adaptive management/mitigation in section 3 of the MMO's RFI response dated 16 December 2025.

1.2.2 3. Assessment of Effect in Respect to Red Throated Diver Disturbance

1.2.2.1 The MMO notes that the Applicant has provided Seasonal Shipping Disturbance in response to paragraph 25 of the RFI. The MMO defers to NE for comment on these figures.

1.2.2.2 The MMO welcomes the updates to the RIAA part 4 Offshore Ornithology Figures to include the 12-kilometre (km) buffer from the North Falls Array Area.

1.3 Draft MMMP

1.3.1 Review of Updates

1.3.1.1 The MMO notes the updates to the MMMP to amend the soft-start and ramp-up procedures to note that *"Each monopile installation event would commence with a minimum of 10 minutes at 10% of the maximum hammer energy (600kJ), followed by a gradual ramp-up which will take into account the final hammer energy selected and additional mitigation measures adopted (Section 1.3.2.8). The final hammer energy and ramp up scenario will be detailed in the MMMP and will be at least 30 minutes up to 80% of the maximum hammer energy for all monopile driving activities. Indicative ramp-up hammer energies are as follows: 900kJ (15%), 1800kJ (30%), 2700kJ (45%), 3600kJ (60%), 4800kJ (80%) and 6000kJ (100%)."* The MMO understands that this update was made to address the SoS's comments in the RFI (paragraphs 41 to 44), the MMO welcomes this update.

1.4 Outline Project Environmental Management Plan

1.4.1 Review of Updates

1.4.1.1 The MMO welcomes the inclusion of the without prejudice wording for the seasonal restriction within the Outer Thames Estuary Special Protection Area (OTE SPA) in section 7.5 and Appendix B of the Outline Project Environmental Management Plan.

1.4.1.2 The MMO welcomes the wording in B.2 *"Cable laying must not take place within the OTE SPA between 1 November and 1 March unless otherwise agreed with the MMO."* The MMO requests that "in writing" is added to this.

1.4.1.3 The MMO also welcomes the inclusion of the mitigation strategy in B.3 that *"Within the offshore cable corridor where it overlaps with the OTE SPA 2km buffer, the following mitigation would be delivered between 1 November and 1 March:*

- *Avoidance of over-revving of engines (to reduce noise disturbance);*
- *Avoiding in situ rafting birds, where practicable; and*



- *Briefing of vessel crew on the purpose and implications of these vessel management practices (through, for example, tool-box talks)."*

1.5 Offshore In-Principal Monitoring Plan

1.5.1 Review of Updates

1.5.1.1 The MMO welcomes the updates to the Offshore In-Principal Monitoring Plan following the RFI from the SoS to add commitment to commencing benthic monitoring within 12 months of construction. The MMO has no further comments.

2. MMO Comments on Port of London Authority (PLA) and London Gateway Port Limited (LGPL) Responses to the RFI

2.1 Review of Updates

2.1.1 Protective Provisions

2.1.2 The MMO understands that the Applicant has not been willing to engage further on the form of the Protective Provisions for the benefit of the PLA and LGPL. The MMO understands that the PLA and LGPL have provided explanation as to why these provisions are required and that the PLA and LGPL would expect the Protective Provisions as included by Five Estuaries Offshore Wind Farm in the draft DCO. The MMO would encourage the Applicant to engage with PLA and LGPL on this matter.

3. MMO Comments on Natural England's (NE's) Response to RFI

3.1 Review of Updates

3.1.1 Offshore Ecology

3.1.1.1 The MMO agrees with NE's response to paragraph 36 relating to the In Principle Monitoring Plan.

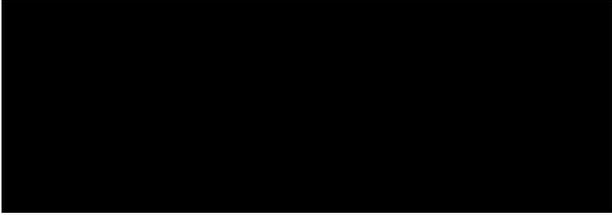
3.1.1.2 The MMO agrees with NE's response to paragraph 38 relating to scour protection and has no further comments.

3.1.2 Appendix 2: NE's Marine Mammal Advice on the Applicant's Deadlines 7 and 8 Submissions

3.1.2.1 The MMO understands that NE will be engaging further with the Applicant during the post-consent phase in order to agree the details of the mitigation measures in the final MMMP and the MMO will keep a watching brief on this.



Yours Sincerely,



Marine Licensing Case Officer



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