



Marine Management Organisation

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MMO Reference: DCO/2021/00002
Planning Inspectorate Reference: EN010119
Identification Number: [REDACTED]

19 March 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 Consultation 4

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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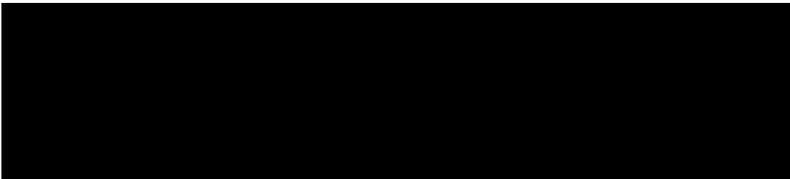


As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions are drafted in a DML that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

This document comprises the MMO's response to the Request for Information dated 18 February 2026.

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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Contents

1. MMO Comments on the Applicant’s response to the RFI	4
1.1 Applicant’s Response to Assessment of Indirect Effects on Margate and Long Sands Special Area of Conservation (“MLS SAC”) and Kentish Knock East Marine Conservation Zone (“KKE MCZ”) and Associated Monitoring.....	4
1.2 Applicant’s Response to Red-throated diver (“RTD”) Assessment, Mitigation and Compensation	5
1.3 Applicant’s Response to In-Principle Monitoring Plan	5
1.4 Applicant’s Response to Scour and Cable Protection	5
1.5 Applicant’s Response to DCO Drafting.....	6
2. MMO Comments on Natural England’s response to the RFI	6
2.1 Red-throated diver (“RTD”) Assessment, Mitigation and Compensation	6
2.2 Confirmation of number of waterbodies	6
3. MMO Comments on the Dentons UK and Middle East Limited Liability Partnership (LLP) on behalf of Network Rail Infrastructure Limited’s response to the RFI	6
3.1 Withdrawal of objection to the DCO and Section 42 representation	6



1. MMO Comments on the Applicant's response to the RFI

1.1 Applicant's Response to Assessment of Indirect Effects on Margate and Long Sands Special Area of Conservation ("MLS SAC") and Kentish Knock East Marine Conservation Zone ("KKE MCZ") and Associated Monitoring

1.1.1 The MMO welcomes the updates to the In-Principle Monitoring Plan (IPMP) (Document reference 7.10, Rev 5) to include that pre and post-construction surveying must be undertaken to show how the effects from sediment disposal from construction activities and recovery can be validated.

1.1.2 The MMO also welcomes the inclusion that the Applicant must agree with the MMO in consultation with Natural England (NE) / the Statutory Nature Conservation Body (SNCB) on what level of change between the pre-construction survey and the post-construction survey (in terms of sediment type and seabed levels) should be the threshold to trigger further monitoring with regards to the significance of indirect effects to the MLS SAC and KKE MCZ.

1.1.3 The Applicant also notes that the MMO has not provided any reason as to why the additional wording specifying timescales is required. On this basis, the Applicant suggests that the current condition wording is retained:

"Placement of infrastructure in proximity to Kentish Knock East Marine Conservation Zone 35 —

(1) Unless otherwise agreed in writing by the MMO in consultation with the relevant SNCB, no part of the works specified in subparagraphs (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)."



The MMO's response to SoS Consultation 2 (dated 20 January 2026), requested the following wording added to the above condition: *“Unless otherwise agreed in writing by the MMO in consultation with the relevant SNCB at least six months prior to installation”*. It is a standard requirement for the MMO to request timescales as it allows sufficient time to properly review and determine any request in consultation with the SNCB. Specifying a timeframe helps ensure that any request is submitted with adequate time and allows the MMO and the SNCB to ensure the request is appropriately assessed.

1.2 Applicant's Response to Red-throated diver (“RTD”) Assessment, Mitigation and Compensation

1.2.1 The MMO welcomes the updates made by the Applicant to the Outline Project Environmental Management Plan (oPEMP) [Document reference 7.6, Rev 4] in light of the comments made by NE regarding the dates of the seasonal restriction [C2-006] for cable-laying, so that the period of restriction extends from 1 November to 31 March. The MMO welcomes the additional measures in the form of extending the seasonal restriction on cable laying to apply for the OTE SPA and the 2 kilometre (km) buffer.

1.3 Applicant's Response to In-Principle Monitoring Plan

1.3.1 The MMO notes that the DMLs condition that the Applicant must agree timings of post-construction surveys (e.g. Schedule 8 and 10, Condition 27(1) and Schedule 9, Condition 28 (1)) and that the Applicant has specified in the IPMP (Document reference 7.10, Rev 5) at Sections 5.3 and 5.5 that post-construction monitoring timescales for marine physical processes and benthic ecology are to be agreed with the MMO in consultation with NE post-consent, with the aim of addressing comments from the MMO [C1- 007] and NE [C1-008 and C2-006]. The MMO is content that the condition and the IPMP secures the agreement of timings.

1.4 Applicant's Response to Scour and Cable Protection

1.4.1 The MMO welcomes the confirmation from the Applicant that the below wording is acceptable, and should be implemented for Schedule 8, 9 and 10, as scour protection is relevant to the licensed activities under each DML.

27.—(1) Not more than four months following completion of the construction of the authorised scheme development, the undertaker must provide the MMO and the relevant statutory nature conservation bodies with a report setting out details of the cable protection and scour protection used for the licensed activities authorised scheme.

(2) The report must include the following information—

(a) the location of cable protection and scour protection;

(b) the volume of cable protection and scour protection; and



(c) any other information relating to the cable protection and scour protection as agreed between the MMO and the undertaker.

1.5 Applicant's Response to DCO Drafting

1.5.1 The MMO welcomes the confirmation from the Applicant that the wording for the winter piling restriction for herring spawning is acceptable.

1.5.2 The MMO welcomes the Applicant's acceptance of the definition of Mean High-Water Springs (MHWS) and confirms that it is the one contained in the MMO's Comments on the ExA's Schedule of Changes to the dDCO [REP7-080]) included below for ease:

"The height of Mean High-Water Springs (MHWS) is the average throughout the year, of two successive high waters, during a 24- hour period in each month when the range of the tide is at its greatest (Spring tides)."

2. MMO Comments on Natural England's response to the RFI

2.1 Red-throated diver ("RTD") Assessment, Mitigation and Compensation

2.1.1 The MMO notes the response from NE in relation to red-throated diver and is in agreement with their advice. The MMO defers to NE for any further comments on this matter.

2.2 Confirmation of number of waterbodies

2.2.1 The MMO notes the response from NE in relation to the number of water bodies and has no comments on this matter. The MMO defers to NE on this matter.

3. MMO Comments on the Dentons UK and Middle East Limited Liability Partnership (LLP) on behalf of Network Rail Infrastructure Limited's response to the RFI

3.1 Withdrawal of objection to the DCO and Section 42 representation

3.1.1 The MMO notes that Network Rail Infrastructure Limited (Network Rail) and North Falls Offshore Windfarm Limited have agreed a framework agreement and relevant subsidiary documents; and North Falls Offshore Wind Farm Limited have agreed to include Network Rail's standard Protective Provisions in the DCO and agreed to enter into any asset protection agreements and property agreements as required by Network Rail. The MMO also acknowledges that Network Rail withdraw their objection to the DCO, and section 42 representation dated 17 October 2024. The MMO welcomes this and has no comments on this matter.

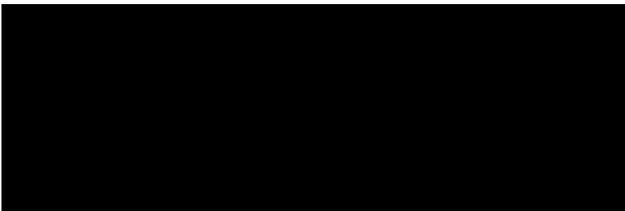


4. Disposal Site Designation

4.1 North Falls Disposal Site Designation

- 4.1.1 The MMO has been informed by Cefas that the disposal site for North Falls has been designated.
- 4.1.2 TH016 is the newly added North Falls Export Cable Corridor (ECC), the rest of its ECC is shared with Five Estuaries' ECC (TH019).
- 4.1.3 The ECC also overlaps with Warren Spring EXPTL Area 2/1 (TH024) but this is closed.

Yours Sincerely,



Marine Licensing Case Officer

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