



Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)	
Project name:	North Falls Offshore Wind Farm
Address/Location:	<p>Offshore: an extension of the existing Greater Gabbard Offshore Wind Farm (GGOWF), located in the southern section of the North Sea approximately 22.5km off the coast of Essex (at its closest point) and associated offshore electrical connection equipment.</p> <p>Onshore: a landfall site within a 3km length of coastline between the settlements of Clacton-on-Sea and Frinton-on-Sea in the Tendring peninsula; and an onshore substation and onshore connection cable to be located within an area of search of approximately 150km² within the Tendring District Council (TDC) administrative area.</p>
Planning Inspectorate Ref:	EN010119
Date(s) screening undertaken:	<p>First screening – 3 February 2022 following the Applicant’s request for a scoping opinion.</p> <p>Second screening – 26 November 2024 following submission of the application documents.</p>

FIRST TRANSBOUNDARY SCREENING	
Document(s) used for transboundary Screening:	North Falls Offshore Wind Farm – Environmental Impact Assessment Scoping Report (‘the Scoping Report’) 16 July 2021
Screening Criteria:	The Inspectorate’s Comments:
Characteristics of the Development	<p>Offshore The Proposed Development is for an extension to the existing Greater Gabbard Offshore Wind Farm (GGOWF), comprising up to 71 wind turbine generators with a total generating capacity of more than 100 megawatts (MW). The area of the offshore array is approximately 150 km², split over two array areas (north and south) linked by an interconnector cable. Each turbine would have a maximum rotor tip height of 397m above Mean High Water Springs (MHWS). The transmission system would be High Voltage Alternating Current (HVAC). There would be up to two offshore substation platforms and a cable route from the array areas to landfall, with a provisional length of 55km. Array cables of 33 to 132 kilovolt (kV) would link the turbines to the offshore substation(s), and up to four 400kV offshore export cables would carry the electricity from the substation(s) to the landfall point.</p> <p>Onshore Landfall for the offshore export cables is proposed between the settlements of Clacton-on-Sea and Frinton-on-Sea, at a point to be determined. The onshore components (including cables and a substation)</p>

	<p>connecting the wind farm to the electricity distribution network would be within an 'area of search' comprising approximately 150km² of land located within the administrative area of TDC.</p>
<p>Location of Development (including existing use) and Geographical area</p>	<p>Offshore</p> <p>The offshore array site is located within the southern section of the North Sea, approximately 12 nautical miles from the Essex coastline at its closest point. It is located in close proximity to two existing offshore wind farms: GGOWF and Galloper Offshore Wind Farm (GOWF). The Scoping Report identifies other planned potential wind farms in the region that may be considered as part of the cumulative impact assessment when it is undertaken, including Five Estuaries and East Anglia TWO. The offshore export cable corridor extends west from the array site to landfall on the Essex coastline, with a 3km area of search running between the settlements of Clacton-on-Sea and Frinton-on-Sea in Tendring. The Applicant has not identified the nearest EEA state to the Proposed Development. However, the offshore project area is illustrated on Figure 1.1 of the Scoping Report, which also includes an overview map to indicate the general relationship of the offshore project area to the coastlines of France, Belgium and the Netherlands. No information is provided in the Scoping Report about areas that could be affected which are under the jurisdiction of an EEA State. The Scoping Report describes that the offshore project area is located within a region that is important for commercial fishing, as well as shipping and navigation activity, and that there is a marine aggregate dredging exploration and option area bordering the proposed southern array area. A number of maritime wrecks are located within and surrounding the wind farm site, as shown on Figure 2.14 of the Scoping Report. A number of military practice and exercise areas (PEXA) are also located within and adjacent to the wind farm site.</p> <p>Onshore</p> <p>The underground onshore export cable would run from the landfall on the Essex coastline to a converter substation site to be located within an approximately 150km² area of search entirely within the administrative boundary of TDC. The area comprises a mix of land uses, including agricultural, residential, commercial, industrial and leisure. A number of A roads cross the onshore area of search, including the A120 running west to east in the northern part of the area. A railway line runs broadly west to east, and then south, in the southern part of the area. Holland Brook runs broadly north to south in the centre of the area, into the North Sea.</p>
<p>Environmental Importance</p>	<p>Offshore</p> <p>The Scoping Report identifies that:</p> <ul style="list-style-type: none"> • The offshore project area is located within or partly within a number of designated nature conservation sites, including the Southern North Sea Special Area of Conservation (SAC), Kentish Knock East Marine Conservation Zone (MCZ), Margate and Long Sands SAC and the Outer Thames Estuary Special Protection Area (SPA). • The Essex Coastal Water Body, identified under the Water Framework Directive (WFD), is within the area of search. • There is potential for impacts on designated landscape sites located within an approximate 50km zone from the offshore array areas, including Dedham Vale Area of Outstanding Natural Beauty (AONB), Suffolk Coast

	<p>and Heaths AONB and Suffolk Heritage Coasts.</p> <ul style="list-style-type: none"> • There are a number of commercially important fish species in the Outer Thames Estuary and the offshore project area overlaps or is in close proximity with fish spawning and nursery grounds including for herring, cod, whiting, sprat, sand eel, sole and plaice. Migratory fish species such as Atlantic salmon, shad and lamprey may pass through the offshore project area, and sea trout, European eel and smelt are also known to use the Thames Estuary. The wider Thames Estuary also supports sea bass and populations of elasmobranchs and is commercially important for shellfish, including crab and lobster species. • Harbour porpoise are the most likely cetacean species to be present and short-beaked common dolphin, white-beaked dolphin and minke whale may also be present but in low numbers. Grey seal and harbour seal are present in the southern North Sea, with haul-out sites off the coast but densities within the offshore array areas are low. • Birds within the offshore project area include guillemot, razorbill, kittiwake, lesser black-backed gull, gannet, red-throated diver, great black-backed gull, herring gull, little gull, common tern, sandwich tern, fulmar, common gull, black headed gull and great skua. • The proposed southern array area overlaps with part of a Sunk Precautionary Area and the Galloper Recommended Route for regular ferry traffic to and from the Port of Ostend. The majority of vessels are cargo vessels and tankers, with smaller numbers of fishing vessels. • Immediately adjacent to the offshore project area there are palaeo landscape features and seabed deposits of palaeo environmental interest, as well as wrecks and seabed features of potential archaeological interest. • Airspace above and adjacent to the offshore array areas is used by civil and military aircraft, including international civil aviation. It is located adjacent to the Amsterdam Flight Information Region (FIR). • There are no oil and gas pipelines in the offshore project area but a number of subsea cables overlap with the proposed southern array area, including the GGOWF export cable, Atlantic crossing-1 (AC-1) and BritNed. Onshore The Scoping Report identifies eight WFD surface water bodies within the onshore area of search. These are listed in Table 3.6 of the Scoping Report. The Essex Gravels WFD groundwater body is also in the onshore area of search. The Inspectorate notes that there are a number of designated nature conservation sites within and in close proximity to the onshore area of search.
<p>Potential impacts and Carrier</p>	<p>Disturbance, displacement/ barrier effects, collision risk and changes in coastal processes, in air and water</p>
<p>Extent</p>	<p>Designated Sites</p> <p>The Scoping Report does not identify any designated nature conservation sites within an EEA State that would be directly affected by the Proposed Development.</p> <p>Fish and Shellfish</p> <p>The Scoping Report identifies potential effects on fish and shellfish in terms of disturbance and/ or loss of seabed habitat, disturbance and displacement from underwater noise, resuspension of contaminants in the water and electromagnetic field (EMF) impacts from cables. It is stated</p>

that studies carried out in respect of GGOWF and GOWF demonstrated low levels of contamination and the Applicant proposes to collect further data as a basis to scope out resuspension of contaminants. The Scoping Report states that distribution of fish is independent of geographical boundaries and the assessment will be undertaken irrespective of national jurisdictions/ a separate transboundary assessment would not be undertaken. An assessment of transboundary effects on commercial fisheries is proposed (see below).

Marine Mammals

The Scoping Report states there could be potential effects of auditory injury and disturbance, including barrier effects, from underwater noise. It states that there may be effects from the impacts of collision risk with vessels, disturbance at haul out locations (seals) and indirect effects as a result of changes to availability in prey species. As marine mammals are mobile species, the Scoping Report scopes in transboundary effects to harbour porpoise, minke whale, grey seal and harbour seal. It does not specify which EEA States might be affected.

Birds

The Scoping Report states that, given the level of development in the southern North Sea by European Union (EU) Member States (ie Belgium, the Netherlands, Germany and Denmark) and that birds are highly mobile, there is potential for transboundary effects on bird species, especially from displacement/ barrier impacts and collision risk. The EEA States and potential extent are not identified in the Scoping Report.

Commercial Fisheries

The Scoping Report identifies that there is the potential for direct effects on commercial fisheries arising from restricted access to and/ or loss of traditional fishing grounds during construction and operation due to exclusion from safety zones, collision risk and indirect effects from disturbance or displacement of commercial fish species. The Scoping Report states that, as there is a prevalence of vessels from other countries in the location, transboundary effects will be assessed although it does not specify which EEA States might be affected.

Shipping and navigation

The Scoping Report notes that areas around the offshore project area are used by international vessels and the Proposed Development could result in potential effects including disruption and displacement of vessels, increased collision and allision risk, and increased navigational risk and effects on search and rescue resources. The Scoping Report does not specify which EEA States might be affected and notes that the assessment forming part of the EIA will not differentiate between UK and international vessels.

Aviation

The Scoping Report states that there is potential for effects on aviation and radar from the presence of new structures including high crane vessels and offshore structures, which could affect international civil aviation and the Amsterdam FIR.

Marine archaeology

The Scoping Report identifies the potential for presence of archaeological assets of foreign origin to be found in the offshore project area, including foreign warships and paleo landscapes that cross international

	<p>boundaries. This may include assets from other EEA States but this has not yet been determined. There is potential for direct and indirect effects during construction, including damage and/ or total destruction of archaeological material, exposure of buried assets to marine processes and burial of exposed assets following increased sedimentation.</p> <p>Infrastructure</p> <p>The Scoping Report states that the only potential receptors are cables owned by international operators, which will be covered in other assessments and therefore it is not proposed to undertake a separate transboundary assessment.</p>
<p>Magnitude</p>	<p>The magnitude of potential transboundary effects has not been specifically identified in the Scoping Report, although in all instances it is stated that the potential effects during decommissioning are likely to be similar but smaller in magnitude than those expected during construction. A similar conclusion is reached in a number of instances for the operational phase relative to the construction phase.</p>
<p>Probability</p>	<p>The probability of potential transboundary effects has not been specifically identified in the Scoping Report; however, based on the information presented, impacts to marine mammals, birds, commercial fisheries, shipping and navigation, aviation and marine archaeology are considered most likely to have potential to generate significant transboundary effects.</p>
<p>Duration</p>	<p>The Scoping Report does not define the duration of short term and long term effects, but an indicative programme is set out at paragraph 55, with milestones provided for construction and operational phases. Onshore construction is anticipated to commence in 2026 and offshore construction in 2028. The operational phase is anticipated to commence in 2030 but the Scoping Report does not state an estimated lifespan for the Proposed Development.</p> <p>Fish and Shellfish</p> <p>The majority of potential impacts during construction, eg seabed disturbance, underwater noise and resuspension of contaminants, are likely to be temporary and short-term. Potential impacts such as EMF from operational cables are likely to be long term during operation of the Proposed Development.</p> <p>Marine Mammals</p> <p>The majority of potential impacts during construction, eg underwater noise arising from piling and unexploded ordnance (UXO) clearance are likely to be temporary and short-term. Potential impacts associated with operational noise of turbines and collision with maintenance vessels are, by nature, longer term during operation of the Proposed Development.</p> <p>Birds</p> <p>Potential impacts from the presence of offshore infrastructure and movement of vessels are likely to be ongoing during construction and in the longer term during operation of the Proposed Development.</p> <p>Commercial Fisheries</p> <p>Potential impacts from the presence of offshore infrastructure and movement of vessels are likely to be ongoing during construction and in the longer term during operation of the Proposed Development.</p>

	<p>Shipping and navigation</p> <p>Potential impacts from the presence of offshore infrastructure and movement of vessels are likely to be ongoing during construction and in the longer term during operation of the Proposed Development.</p> <p>Aviation</p> <p>Potential impacts from the presence of offshore infrastructure and movement of vessels are likely to be ongoing during construction and in the longer term during operation of the Proposed Development.</p> <p>Marine archaeology</p> <p>Potential impacts are expected to occur during construction. Potential impacts could also occur during operation of the Proposed Development, for example if archaeological material is present in the footprint routine maintenance works or indirectly from new infrastructure affecting the hydrodynamic or sedimentary regime including potential for increased scour.</p> <p>Infrastructure</p> <p>Potential impacts from overlapping of proposed offshore infrastructure with existing cables owned by international operators during operation of the Proposed Development is likely to be a long term impact.</p>
<p>Frequency</p>	<p>The frequency of potential transboundary effects during construction and operation has not been identified at this stage.</p>
<p>Reversibility</p>	<p>Potential transboundary effects to the following identified receptors are likely to be reversible depending on the decommissioning strategy followed:</p> <ul style="list-style-type: none"> • Marine mammals • Birds • Commercial fisheries • Shipping and navigation • Aviation <p>Fish and shellfish</p> <p>Effects to fish and shellfish from impacts arising are likely to be reversible depending on the decommissioning strategy followed. The Inspectorate notes that it is not confirmed whether cables and foundations below the sea would be removed or left in place and therefore the potential loss of habitat and changes to seabed substrata from the presence of offshore infrastructure might not be reversible.</p> <p>Marine archaeology</p> <p>It is likely that any effects arising from impacts to marine archaeology would be irreversible and permanent.</p> <p>Infrastructure</p> <p>Effects to cables owned by international operators arising may be reversible depending on the decommissioning strategy followed. The Inspectorate notes that it is not confirmed whether cables and foundations below the sea would be removed or left in place and therefore the</p>

	potential impact from them might not be reversible
Cumulative impacts	<p>The Applicant's cumulative impact assessment (CIA) has not yet been undertaken. The Scoping Report states that screening of plans and projects for the Applicant's CIA will be undertaken during 2021/22. The potential for cumulative impacts has been identified with the following types of projects:</p> <p>Offshore</p> <ul style="list-style-type: none"> • Other wind farms • Aggregate extraction and dredging • Licensed disposal sites • Navigation and shipping • Commercial fisheries • Sub-sea cables and pipelines • Potential port and harbour development • Oil and gas activities • Unexploded ordnance (UXO) clearance <p>Onshore</p> <ul style="list-style-type: none"> • Other offshore wind farm infrastructure • Other energy generation infrastructure • Building and/ or housing development • Installation or upgrade of roads • Installation or upgrade of cables and pipelines • Coastal protection works
<p><u>Transboundary screening undertaken by the Inspectorate on behalf of the SoS</u></p> <p>Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development is likely to have a significant effect on the environment in an EEA State.</p> <p>In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts), and taken into account the information currently supplied by the Applicant.</p> <p>Action:</p> <p>Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.</p> <p>States to be notified: The Netherlands (in particular due to potential effects on aviation and radar).</p> <p>Date: 3 February 2022</p> <p>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p>	

SECOND TRANSBOUNDARY SCREENING	
Document(s) used for transboundary Screening:	North Falls Environmental Statement (July 2024) and Habitats Regulations Assessment Report to Inform Appropriate Assessment (RIAA) (July 2024)
Date screening undertaken:	Re-screened on 26 November 2024 following acceptance of the DCO application.
<p>Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS</p> <p>Following submission of the DCO application which included the Environmental Statement and the Applicants RIAA, the Inspectorate has reviewed the transboundary screening decision made on 3 February 2022.</p> <p>The Inspectorate has identified the following matters that differ from those considered at the time of the previous transboundary screening decision:</p> <ul style="list-style-type: none"> • changes in the description of the Proposed Development; • provision of information regarding effects on European sites Natura 2000 sites; and • provision of transboundary assessments in relevant ES chapters. <p><u>Change in the description of the Proposed Development</u></p> <p>ES Chapter 4: Site Selection and Assessment of Alternatives details how the Proposed Development has been refined following submission of the Scoping Report and consultation. The key changes are as follows:</p> <ul style="list-style-type: none"> • the wind farm array area has been reduced from 150km² to approximately 95km², due to the removal of the northern area and interconnector corridor; • the southern area has been reduced in size; • the offshore cable corridor has been extended to meet the revised boundary of the array area; and • the offshore cable corridor has been reduced in width to align with the selected landfall. <p><u>Provision of the RIAA Screening Assessment</u></p> <p>The HRA Screening Report (Appendix 1.1) screens in transboundary impacts on marine mammals (harbour porpoise, harbour seal and grey seal) for Belgium (one SAC and one SPA), France (eight SACs), the Netherlands (14 SACS) and Germany (two SACs).</p> <p>Sites in Denmark and Sweden were ruled out from further assessment on the basis that the distance between European sites in those countries and the Proposed Development is beyond the range for which has potential for direct or indirect effects either alone or in-combination.</p> <p>The HRA Screening Report (Appendix 1.1) does not identify transboundary impacts on Finland, however, HRA Annex B: Compensation Funding Statement states that provision of nesting rafts at breeding areas in Finland for red throated divers has been identified as a (without prejudice) compensation measure for impacts to red throated divers which are a qualifying feature of the Outer Thames Estuary SPA. This measure was identified as there is evidence of connectivity between red throated divers breeding in Finland and the Outer Thames Estuary SPA. It is not predicted to lead to any LSE.</p> <p><u>Provision of transboundary and cumulative effects' assessments in the relevant</u></p>	

chapters in the ES

The ES assessed potential for transboundary impacts on marine mammals, offshore ornithology, commercial fisheries, shipping and navigation, aviation and radar during all phases. The potential for transboundary impacts on offshore archaeology and marine heritage during the construction phase was also considered.

Potential impacts to aviation and radar which may affect The Netherlands were identified in the first transboundary screening matrix. This has been further considered in ES Chapter 17: Aviation and Radar. The ES explains that the potential impacts of wind turbine generators on aviation are localised and due to the closest Dutch airspace being located approximately 9km to the southeast of the array area, significant transboundary impacts are unlikely and has not considered this matter further.

ES Chapter 12: Marine mammals refers the discussion of transboundary impacts on marine mammals to the RIAA.

No onshore activities have been identified which could lead to effects on an EEA state.

Other potential LSE an EEA States

Under Regulation 32 of the 2017 EIA Regulations and on the basis of the current information available from the Applicant, there is no change to the previous conclusion, and the Inspectorate remains of the view that the Proposed Development **is likely** to have a significant effect on the environment in an EEA State and this includes:

- Germany
- France
- Belgium
- The Netherlands

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note twelve: Transboundary Impacts); and taken into account the information currently supplied by the Applicant.

Action:

Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.

States to be notified: Germany, France, Belgium (due to potential impacts on marine mammals).

States to be renotified: The Netherlands (due to potential impacts on marine mammals).

Date: 26 November 2024

Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

Note:

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at

<http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>