



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Morecambe Offshore Wind Farm: Generation Assets

Appendix I3 to Natural England's Deadline 5a submission.

**Natural England's responses to the Examining Authority's further written questions
and requests for information (ExQ3)**

For:

The construction and operation of the Morecambe Generation Offshore Wind Farm located
approximately 30 km off the Northwest English Coast in the Irish Sea.

Planning Inspectorate Reference EN010121

8th April 2025

Table 1. Natural England's comments on the Examining Authority's written questions

Ref.	Question to:	Question	Natural England Response
2. Biodiversity, Ecology and Marine Processes (BEM): General			
3BEM1.	NE	<p>Outstanding matters – general</p> <p>NE has set out various matters in the latest version of the Risk and Issues Log [REP5-083] as yellow – unlikely to make a material difference to decision making. The applicant has previously provided responses to many of these issues as identified in The Applicant's Comments on Natural England's Risk and Actions Log at Deadline 4 - Revision 01 (Volume 9) [REP5-061]</p> <p>Please can NE review those responses and confirm whether, in its view, any of these matters are now resolved and provide an update.</p>	<p>NE has reviewed the Applicants comments on yellow issues at [REP5-061] and advise that these issues can be considered as resolved, where so noted in this document, and no further action is required for yellow issues where this is indicated This is in line with the colour coding explanation included within the "How to read.." tab of the risk and issues log which sets out that these R&I, whilst not necessarily agreed, are sufficiently resolved to unlikely make a material difference to the decision making process for this project.</p>
3BEM2.	NE	<p>Outstanding matters – pre- and post-construction monitoring</p> <p>NE is asked to review the applicant's response to its Relevant Representation [PD1-011] at reference RR-061-25 in respect of its request for pre- and post-construction monitoring of benthic, marine mammal or ornithological interests, with particularly reference to the latest versions of the IPMP [REP5-026] and the draft to ensure that its Risk and Issues Log [REP5-083] is fully up-to-date. If NE is not content with the current drafting, then this reasoning needs to be fully set out.</p>	<p>Natural England has reviewed these documents and provided updates to the monitoring issues in our Risk and Issues Log for D5a, in line with the following commentary.</p> <p>Benthic monitoring: Natural England advises that the delivery of the microsiniting requirement is dependent upon inclusion of benthic survey adequate to the task of identifying Annex 1 habitats within the cable corridors. This has not yet been secured in the IPMP [REP5-026], which specifies post construction benthic survey for INNS only. Therefore, our comment for Deadline 5 against issue RI_A8</p>

			<p>in the risk and issues log stands. The IPMP does specify that further geophysical survey will be carried out across the site prior to construction. Whilst such survey is capable of indicating the potential presence of</p> <p>Habitats of Principle Importance/priority habitats, further ground truthing would be required to confirm presence and accurately classify the habitat. This should be specified as a potential action if the geophysical survey indicates potential presence of these habitats in order for NE to have confidence that the micro-siting condition is deliverable.</p> <p>Marine mammal monitoring:</p> <p>RI_D61 – Natural England notes the proposed use of PAM and MMObs as detailed in the Marine Mammal Mitigation Protocol (MMMP) [REP5-028] and advises that the reporting requirements at paragraph 150 should include the recording of observed responses of marine mammals to active sources of noise from different construction activities, including piling, ADD activation and the use of any noise abatement or reduction system. This would be sufficient to monitor the response of marine mammals to underwater noise and to test assumptions made in the ES and RIAA. We note that these measures are considered by the Applicant at Table 2.3 in the IPMP [REP5-026] to not be required. It is Natural England's view that this will be necessary and should be undertaken during construction.</p> <p>The proposal to acquire marine mammal records during post-construction monitoring for red-throated diver will provide only a partial dataset on the distribution of harbour</p>
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			<p>porpoise post-construction as the surveys are only proposed in the over winter period. Natural England advises that the Applicant should aim to acquire a dataset that is comparable to the pre-application baseline in order to be able to detect any changes.</p> <p>Offshore ornithological monitoring:</p> <p>RI_B39 – Natural England agrees that monitoring for collisions of lesser black-backed gull at this particular site is likely to be difficult and produce limited useful information. We are supportive of the Applicant’s proposal that “<i>strategic work may present options to contribute to industry wide understanding of effects</i>” in the IPMP [REP5-026] and we advise that the Applicant should submit into the examination an overview of the options for this, which can be refined post-consent.</p> <p>RI_B40 – Natural England advises that for red-throated diver monitoring, the Applicant should submit into the Examination an assessment of the likelihood that different monitoring scenarios would have the ability to detect change. This could include scenarios with no, one, or two years pre-construction survey, and options to contribute to site-wide or strategic work should the ability of further site specific survey to detect change be limited. These options can be refined post-consent.</p> <p>Because these monitoring options will not be finalised until after consent, we do not consider them to be fully resolved, and the RAG rating provided reflects this. For the same</p>
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			reason, we do not expect further progress on these issues during examination.
3BEM3.	NE	<p>Pre- and post-construction monitoring</p> <p>Can NE signpost to any made DCOs for other offshore windfarms that incorporate pre- or post-construction monitoring for benthic, marine mammals and ornithology as a standard requirement, regardless of the level of significance of ecological effects assessed?</p> <p>It would also assist the ExA if NE could identify specifically where such monitoring has been required and the level of effect on significance assessed.</p>	<p>Natural England's advice on the requirements for pre and/or post construction monitoring for this project is based upon the level of significance of ecological effects that will potentially result from the project; they are not blanket requirements. Monitoring requirements are advised on a case-by-case basis, and we advise on the appropriate measures that will be necessary for each project, there are no such examples from DCOs for other offshore wind farms because we do not advise that monitoring requirements are included without having regard for the significance of ecological effects expected. Natural England's advice on specific thematic monitoring requirements is provided in the context of In Principle Monitoring Plans and has regard to the outcomes of the 'Review of environmental data associated with post-consent monitoring of licensing conditions of offshore windfarms' (MMO 1031) - GOV.UK</p>
BEM: Benthic Ecology			
3BEM5.	NE The applicant MMO	<p>Decommissioning Plan</p> <p>NE indicates it requires an outline Decommissioning Plan to be provided and removal of infrastructure at end of life, in line with OSPAR requirements. Could NE please explain the specific OSPAR provisions that require this outcome to be secured and explain whether:</p> <p>i) the exception to dumping at Article 1 g(iii) could apply, or</p>	<p>Natural England is aware of the recent amendments to the OSPAR Convention requirements in relation to decommissioning. We will provide further comment on this at Deadline 6 following discussion with other SNCBs and the MMO.</p> <p>However, we do highlight that the Applicant will be required under S105 of the Electricity Act to provide a decommissioning plan to the Secretary of State prior to</p>

		<p>ii) a derogation as outlined in paragraph 3 of the OSPAR 98/3 decision could apply?</p> <p>The applicant and MMO are also asked to comment.</p>	<p>construction and a decommissioning plan at the time of consent could form the foundation for such a document.</p>
3BEM10	NE	<p>Outstanding issues raised by NE relating to Benthic Ecology</p> <p>In its Risk and Issues Log [REP5-083] at tab F, NE highlights a number of issues in amber, namely items F6, F7, F9 and F11 (RAG Status Rel and Wri Rep) and item F12 in yellow (RAG Status D5).</p> <p>The applicant has previously provided responses to each of these issues as identified in 'The Applicant's Comments on Natural England's Risk and Actions Log at Deadline 4 - Revision 01 (Volume 9)' [REP5-061]</p> <p>Please can NE review those responses and confirm whether, in its view, these matters are now resolved and provide an update. Where in NE's view any issue remains unresolved, please can NE make clear whether it considers this would make a material difference to the outcome of the decision-making process.</p>	<p>F6: This was a summary comment. The other rows in this tab cover the detailed issues that form this summary issue. Therefore, no update is needed for this issue.</p> <p>F7, F9, F11: Further updates to these issues are covered in tab E under RI_E8, RI_E11 and RI_E13 respectively.</p> <ul style="list-style-type: none"> • RI_E8 (F7) – This has been changed to purple status at D4 in order to draw the ExA's attention to the issue for information, but in recognition that further progress on the issue is unlikely to make a material difference to the examination. We do not consider that this needs further action. • RI_E11 (F9) – As noted by the Applicant in [REP5_061], NE has discussed this issue with them. It remains unresolved as there is no information on the formation in which cleared boulders will be deposited. This issue can be resolved if the applicant includes a commitment to deposit boulders in a fashion that avoids aggregating boulders or introducing linear features. • RI_E13 (F11) – NE is satisfied that these measures are adequately secured, with the exception of micro-siting. In regard to the micro-siting requirement, delivery of this measure depends upon inclusion of benthic survey adequate to the task of identifying Annex 1 habitats within the cable corridors. This has

			<p>not yet been secured in the IPMP. Therefore, our comment for Deadline 5 against issue RI_A8 in the risk and issues log stands. The IPMP does specify that further geophysical survey will be carried out across the site prior to construction. Whilst such survey is capable of indicating the potential presence of Annex 1 habitats, further ground truthing would be required to confirm presence and accurately classify the habitat. This should be specified as a potential action if the geophysical survey indicates potential presence of these habitats in order for NE to have confidence that the micro-siting condition is deliverable.</p> <p>F12: As per the latest update text, we consider this issue to be resolved. The yellow rating is reflective of the fact that it may become an issue during pre-construction, but we do not believe it is a further material consideration for the outcome of this application and needs no further action.</p>
BEM: Marine Mammals			
3BEM12	NE MMO The applicant	Noise Abatement Systems If NAS were secured for all piling activity, would this affect the provisions relating to ADD, seasonal restrictions, breaks in piling or soft start procedures? For example, if NAS were secured, would there still need to be a temporal restriction during the cod spawning season?	<p>Natural England advises that the need for NAS is in addition to the other potential mitigation measures listed. Whilst NAS has the potential to enhance those measures through reductions in the volume of noise at the source, it cannot be considered to be a replacement or substitute for them.</p> <p>Natural England notes that the MMO has been providing comment on the impacts specific to cod spawning and we refer the ExA to their response to this aspect of the question.</p>

BEM: Offshore ornithology			
3BEM14	The applicant NE	<p>Outstanding issues raised by NE</p> <p>In its Risk and Issues Log [REP5-083] at tab B, NE highlights unresolved issues in amber (RAG Status D5) relating to</p> <ul style="list-style-type: none"> •use of gap filling data in CEAs (B8, B24) •cumulative displacement effects: approach to gap-filling: guillemot (B14) •CEA: Collision impacts: little gull and herring gull (B16, B18, B37) •CEA: gap filling for LBBG (B19) •Great black-backed gull (GBBG): figures to be used in assessment (interim advice note to the applicant, April 2024) (B20) •GBBG: cumulative effects and further avoidance or mitigation measures (B21) •vessel management plan: ports and further mitigation (B31) <p>Please could both the applicant and NE provide an update. The ExA notes that several of these issues are reported as “in progress”. Where in either party view any issue is resolved, please direct the ExA to the relevant document(s), providing additional reasoning where necessary.</p>	<p>Natural England has provided an updated Risk and Issues log at D5a that contains updates to these issues. In brief, we are now content that issues B8, B24, B14, B16, B37, B18, B19 have been satisfactorily addressed and have marked them as resolved.</p> <p>Issue B20 and B21 remain unresolved. Please refer to Appendix B11 with this submission for further commentary. In brief, there is an error in the ES chapter paragraph for B20 that can be easily corrected; and for B21, we are content that the applicant has exhausted potential mitigation options, but a significant cumulative EIA level effect cannot be ruled out for GBBG, so the issue will retain an amber RAG status.</p> <p>We expect that the information submitted by the applicant at D5a will be sufficient to resolve B31 and we will provide an update to our Risk and Issues log D6.</p>