

By email only:

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CC:

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22 August 2025

Dear Nicola

**Application by Morecambe Offshore Windfarm Ltd for an order granting development consent for the Morecambe Offshore Windfarm project**

We understand the Planning Inspectorate's Examining Authority has considered the proposed Morecambe Offshore Windfarm and produced a recommendation to inform your own determination process.

The proposal includes a derogation case, and a package of compensation measures, aimed at addressing impacts to the non-breeding red-throated diver (RTD) population of Liverpool Bay Special Protection Area (SPA), located in England. The proposed compensation measures are to be delivered in Scotland, on the basis that the affected RTD population is likely to breed in Scotland.

Due to an ongoing and increasing high caseload of marine energy projects in Scottish waters NatureScot has a limited capacity to engage with the Planning Inspectorate processes. However, we offer the following comments for your consideration of the proposed compensation measures.

**NatureScot comments on the proposed Morecambe compensation measures located in Scotland**

We are aware of, and have had, some preliminary discussions with the applicants in respect of RTD compensation on a without prejudice basis. The detail of the measures is still relatively at an early stage, dependent on the outcome of surveys being carried out during the breeding season this year. The measures currently being proposed have a geographical focus in Scotland with a particular emphasis on the Outer Hebrides and the mainland West Coast.

We have raised practical aspects around the site selection due to the remote nature of lochs and lochans as well as the ability to secure landowner permission. We await further detail on sites to be selected and measures to be implemented post this year's surveys. Lastly, when choosing sites, we advise the applicant that consideration should also be given to likelihood of predator impacts e.g. mink, stoats, rats etc.

In terms of monitoring success, there are several aspects around this we wish to raise:

- Monitoring of implementing agreed measures i.e. are the actions carried out as agreed within any final derogation plan;
- Monitoring of efficacy and success – this is different to the above and relates to the proposition that the measures will increase productivity of RTD during breeding; and
- Monitoring of impacts on nearby SPAs – in our view the possibility of negative impacts to nearby SPAs has not adequately been considered. By implementing measures for RTD outside of the European site network - it is possible that unintended shifts in distribution, or population decline, of birds within SPAs may occur.

For each of the above aspects monitoring should be carried out based on agreement with ourselves and Natural England for the period from consent to decommissioning of the windfarm, if consented. Also, the European site network and individual sites designated with RTD as a feature are not monitored annually, but on a more cyclical basis, we advise that monitoring of efficacy and success will need to be tied into the cycle of site condition monitoring.

At this stage we consider there is still significant detail to be provided on a derogation case with a plan of compensation measures for RTD, (if it is ascertained there is an adverse effect on RTD in the Outer Thames Estuary SPA from this offshore wind proposal), including site selection, management actions – whether it be siting of rafts, shoreline (peatland) management or both, monitoring arrangements and any adaptive management measures. We also provide some more fundamental thoughts around cross border compensation considerations below.

Finally, we highlight Natural England's position that Adverse Effects on Site Integrity on the RTD population at Liverpool Bay SPA, and the need for compensation measures, could be removed by amending the turbine layout of this proposal.

### **Wider comments on cross-border compensation measures**

This case and others where there are proposals for cross border compensation measures – raise some fundamental questions, which NatureScot advise require further consideration by UK competent authorities as well as the SNCBs. These include:

- Removal of compensation and/ or mitigation opportunities for projects within the receiving jurisdiction, including for other industries etc.
- Unintended consequences of implementing compensation measures at a distance from where predicted impacts could occur at an offshore windfarm – these could include impacts to:
  - Receiving communities
  - Increased resource demand on the receiving SNCB, including input to the planning process, provision of advice, review of monitoring and analysis and any adaptive management requirements, as well as impacts on the existing European site network and the impacted feature(s)
  - Nearby European sites.
- How do compensation measures fit into any requirement for community benefit from offshore windfarms? Whilst it is accepted there may be ecological benefits there may be consequences for communities.
- Consideration of how receiving community representatives can interact and contribute to the planning process and consideration in real time and not after the event.

I trust our advice is helpful, if you require any further clarification please do not hesitate to contact myself (contact details below) or [REDACTED]@naturescot phone [REDACTED] or [marineenergy@nature.scot](mailto:marineenergy@nature.scot).

Yours faithfully

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