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JNCC Reference: OIA-10691

PINS Reference: EN010136

Date: 26 February 2025

By email: morganoffshorewindproject@planninginspectorate.gov.uk

To whom it may concern,

Morgan Offshore Wind Project: Generation Assets – EN010136 – Response to the Examining Authority's Actions Points from Issue Specific Hearing 3

Thank you for consulting JNCC on the Morgan Offshore Wind Project Examining Authority's action points from Issue Specific Hearing (ISH) 3.

The advice contained within this minute is provided by JNCC as part of our statutory advisory role to the UK Government and devolved administrations on issues relating to nature conservation in UK offshore waters (beyond the territorial limit).

In response to the Examining Authority's actions following ISH 3, please see comments below regarding Action Point 11:

- The ExA invites the MMO, Natural England, NRW and JNCC to submit any comments they may have on the Application's compliance (or not as the case may be) with the marine noise policy and guidance documents listed in Action Point 10 above. Identify, if necessary, any revisions that would need to be made to the application, its supporting documents and/ or the draft DCO to address any application shortcomings in light of the marine noise policy and guidance.

JNCC comments

Action Point 10 required the applicant to submit a statement explaining how the application and its supporting document comply (or not) with the Marine Noise Policy papers and guidance issued by Defra and JNCC on 21 January 2025. In light of this and to support JNCC responding to Action Point 11, the applicant provided JNCC with an updated outline Underwater Sound Management Strategy (oUWSMS, F03, 27 February 2025) to review, which they plan to submit at Deadline 6.

Key changes to this document include:

- A statement that the strategy has been developed in line with the recent Defra policy paper and references to the updated UXO position statement and joint position on piling from JNCC, Natural England and Cefas (Section 1.1.1). Plus, further commitment to comply with these policies in Section 1.3.2 and Paragraph 1.3.2.2.
- Paragraph 1.1.1.7 highlights the applicant's commitment to using low order clearance and that this is in line with the latest joint position statement on UXO clearance.
- Section 1.5 has been updated to state '*Morgan Generation Assets will adhere to the policy guidance on sound reduction for driven piling, unless otherwise agreed in writing by the MMO. The selection of any appropriate NMS/NAS will be determined following final scheme design and in consultation with the MMO and its statutory advisors*'.

JNCC are content with the amendments made to this document and the applicant's commitment to comply with the Defra Noise Policy Paper and the SNCB position on the use of quieter hammer technology (primary mitigation) and/or noise abatement systems (secondary mitigation).

JNCC also agree that committing to using low order methods of UXO clearance is in line with the latest position however maintain our position that UXO clearance should not be included as a licensed activity within the DCO. We highlight advice provided to the Examining Authority for the Mona Offshore Wind Farm, also being proposed by BP. In particular:

- JNCCs Response to Applicants UXO clearance position statement [REP5-096](#) which sets out reasoning for not including UXO clearance in the DCO; and
- JNCCs Final closing statement [REP7-144](#), which includes details of additional conditions that we advise would be required if UXO clearance were to be included in the DCO.

We welcome future discussions on what mitigation measures will be employed once the design envelope has been finalised (post-consent if awarded). We note the linkage between this strategy and the Marine Mammal Mitigation Plan (MMMP) and highlight we have not been made aware of any changes being made to the MMMP ahead of Deadline 6. We note Paragraph 1.1.2.2 states that '*The UWSMS will be the mechanism for agreeing the final requirements of mitigation before the commencement of construction. The Final UWSMS will be agreed with the MMO in accordance with the DCO*'. JNCC recommend that the UWSMS, MMMP and general approach to mitigation be developed in consultation and agreement with the SNCBs ahead of or in conjunction with discussions with the MMO to reduce potential delays. We recommend this statement is amended to reflect this.

Please contact me with any questions regarding the above comments.

Yours sincerely,

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