



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

Morgan Offshore Wind Farm: Generation Assets

Appendix N6 to the Natural England Deadline 6 Submission

**Natural England's Response to the Report on the implications for European Sites
(RIES) [PD-011]**

For:

The construction and operation of the Morgan Offshore Wind Project: Generation Assets
located approximately 37 km from the Northwest English Coast in the Irish Sea.

Planning Inspectorate Reference: EN010136

27th February 2025

Appendix N6 Natural England's Response to the Report on the Implications for European Sites (RIES) [PD-011]

Introduction

Natural England has reviewed the Report on the Implication for European Sites (RIES) [PD-011] for the Morgan Generation Offshore Windfarm Assets project. In Table 1, we provide answers to the question posed within the RIES. Further comments are detailed in Table 2.

General Comments

Natural England acknowledges that only submissions up to Deadline 5 on the 16th of January have been considered in the RIES, therefore the RIES does not take account of updated advice on various aspects since then. Where we are able to, we have signposted to our updated advice. Natural England recommends that the RIES is updated before it is included within an ExA report to the Secretary of State (SoS). As previously advised to PINS and BEIS, Natural England does not consider consultation on the RIES adequately discharges the statutory requirement to consult Natural England on Appropriate Assessments, as the RIES draws no AEoI conclusions.

Table 1: Questions within the REIS

RIES ID	RIES Question	Natural England Comment	RAG Status
Marine Mammals			
3.2.3	Q. The MMO is requested to provide its view on the need for inclusion of monitoring of SBP surveys in the IPMP. Natural England may also wish to comment on the applicant's response to ExQ MM 2.10 [REP5-015].	<p>Natural England maintains its position on the need for monitoring during the SBP surveys due the potential for both spatial and temporal effect on harbour porpoises. Our advice takes in consideration large, predicted disturbance ranges (17.3km) and new evidence suggesting displacement from the area over a number of days (Veneruso et al., 2024). Further to this, MMO data analysis showed that harbour porpoise detection rate are reduced during SBP activity (JNCC, 2024, https://hub.jncc.gov.uk/assets/db2cd099-8331-4238-ae02-91265d8647be). This report also states: <i>"Although reduced detection rates may indicate lateral displacement beyond the visual / acoustic detection range, there is no knowledge of the full extent of this displacement and whether it results in changes in distribution significantly different from natural variation, which might be considered a disturbance offence under UK regulations"</i>.</p> <p>Additionally, Natural England does not consider that a period of several months can be considered a 'very short duration' hence this cannot be used as a strong argument for not conducting monitoring. We would also like to reiterate that we did not agree with the conclusion regarding the pre-construction site investigation surveys: "... <i>all geotechnical and geophysical surveys will be of a very short duration (over a period of several months), activities are likely to be intermittent and animals are expected to recover quickly after cessation of the survey activities.</i>".</p> <p>We would thus encourage the Applicant to take a proactive stance (similar to other OWF developers willing to conduct the monitoring to contribute to the knowledge on the impact of OWF developments on marine mammals*) and propose a monitoring plan that would remove the uncertainty over the exact impact of the SBP survey on the harbour porpoise. We thus welcome an inclusion of the monitoring methodology in the IPMP which would resolve the issue.</p>	

RIES ID	RIES Question	Natural England Comment	RAG Status
		More specifically, we would be happy to consider the visual monitoring (using 'big eyes' as suggested during the call with the Applicant on 22 nd Jan 2025) as a sufficient way of monitoring as long as the data is collected before, during and after SBP surveys in order to examine changes in the baseline.	
Offshore Ornithology			
3.3.1	Q. Can Natural England and NRW confirm whether the additional measures included in the updated version of the document 'Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels' [REP5-047] allow them to agree that an AEol of all qualifying features of the Liverpool Bay SPA can be excluded, alone and in-combination.	Natural England welcomes the inclusion of our best practice guidance in the document 'Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels' (REP5-047). As a result, we can confirm that an AEol can be ruled out for the relevant qualifying features of the Liverpool Bay SPA alone and in-combination, and consider this issue resolved at Deadline 6.	
3.3.5	Q. Can Natural England explain why 95% confidence intervals are not appropriate and/ or precautionary and explain why its preferred rates are more suitable?	<p>It appears that this question has misunderstood the respective positions of the Applicant and Natural England. Natural England agree with the Applicant that the mean collision mortality value should be the primary consideration when assessing project impacts, and advise that the use of 95% confidence intervals is appropriate to describe the variation around the mean. We agree that consideration of the 95% upper confidence interval (UCI) is precautionary when considering the range of potential impact. As the Applicant employed a novel screening method that used CRM outputs to identify LSE, we maintain that consideration of the 95% UCI impact is warranted to ensure that the full range of potential impact is considered at this early stage. We again highlight that LSE is intended to be a coarse screening stage. However, we have concluded that the Applicant's screening results were satisfactory, and thus, consider this issue resolved.</p> <p>With respect to the Applicant's comments on the consideration of impact values at other projects requiring compensation, Natural England do generally advise that seabird compensatory measures are scaled against the 95% UCI predicted impact value, rather than the central impact value (though we tend to advise that a success metric should address the mean impact). We see this as necessary to ensure that, given the uncertainty regarding OWF impacts, the decision-maker can still have confidence that the compensatory measures can provide sufficient benefit should the</p>	

RIES ID	RIES Question	Natural England Comment	RAG Status
		impacts exceed those of the central prediction. We would therefore highlight that a similar logic is relevant when using mortality estimates for screening purposes.	
3.3.8	Q. Are Natural England, NRW and JNCC content that an appropriate range of displacement and mortality has been presented in [REP5-032; REP5-033 (later superseded by [AS-013]); REP5-034; and REP5-035] to enable an informed decision to be made by the Secretary of State?	Natural England are now content that the Applicant has presented displacement impacts across the full range advised by SNCB guidance, and considered these impacts throughout the impact assessment. Thus, the assessment presents suitable data and subsequent analysis to enable an informed decision to be made. Natural England would note that the only outstanding analysis of potential relevance is testing of the displacement impact at EIA scale on guillemot by PVA.	
3.3.9	Q. Further to the applicant's submissions at D5 [REP5- 032; REP5-033 (later superseded by [AS-013]); REP5-034; and REP5-035], can Natural England confirm whether it is satisfied that the applicant's approach to age class apportionment for kittiwakes in the breeding season is appropriate and whether its previous concerns have been resolved.	Natural England can confirm that we consider the issues relating to age class apportionment in the breeding season have been addressed to our satisfaction in the Applicants updated summary of impacts submitted at deadline 5, and accordingly, we consider the issue resolved.	