

# MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

**Annex 4.1 to the Applicant's response to Response to HAP  
from ISH2 & ISH3: HAP\_ISH3\_10**

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Image of an offshore wind farm

MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

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## MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

### Glossary

Term	Meaning
Applicant	Morgan Offshore Wind Limited.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
Morgan Array Area	The area within which the wind turbines, foundations, inter-array cables, interconnector cables, scour protection, cable protection and offshore substation platforms (OSPs) forming part of the Morgan Offshore Wind Project: Generation Assets will be located.
Morgan Offshore Wind Project: Generation Assets	This is the name given to the Morgan Generation Assets project as a whole (includes all infrastructure and activities associated with the project construction, operations and maintenance, and decommissioning).
The Planning Inspectorate	The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008.

### Acronyms

Acronym	Description
ADD	Acoustic Deterrent Device
DCO	Development Consent Order
DEFRA	Department for Environment, Food and Rural Affairs
dML	deemed Marine Licence
EIA	Environmental Impact Assessment
EPS	European Protected Species
ExA	Examining Authority
HRA	Habitats Regulations Assessment
ISH3	Issue Specific Hearing 3
JNCC	Joint Nature Conservation Committee
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
MPCP	Marine Pollution Contingency Plan
NAS	Noise Abatement System
offshore EMP	offshore Environmental Management Plan
OTNR	Offshore Transmission Network Review
PAM	Passive Acoustic Monitoring
SAC	Special Areas of Conservation
SIPs	Site Integrity Plans
SPA	Special Protected Area
UWSMS	Underwater Sound Management Strategy

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Acronym	Description
UXO	Unexploded Ordnance
WR	Written Representation

# **1 ANNEX 4.1 TO THE APPLICANT'S RESPONSE TO RESPONSE TO HAP FROM ISH2 & ISH3: HAP\_ISH3\_10**

## **1.1 Introduction**

1.1.1.1 This clarification note has been produced in response to Issue Specific Hearing 3 (ISH3) Action Point 10 which is provided below:

*Submit a statement explaining how the Application and its supporting documents comply (or not as the case may be) with marine noise policy papers and guidance issued by DEFRA and the JNCC on 21 January 2025, specifically the following:*

- *Reducing Marine Noise Policy;*
- *The Marine environment: unexploded ordnance clearance Joint Position Statement, and the associated
  - *JNCC guidelines for minimising the risk of injury to marine mammals from UXO clearance in the marine environment); and**
- *The Joint Position Statement on the use of quieter piling methods and noise abatement systems when installing offshore wind turbine foundations.*

## **1.2 Response**

1.2.1.1 Table 1.1 sets out the specific policies identified by the Examining Authority (ExA) in Hearing Action Point 10 and how the Application and its supporting documents comply.

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**Table 1.1: Marine noise policy papers and guidance and how they are considered within the application.**

Policy	Source	Key Provisions	How and where considered in the Application
Reducing Marine Noise Policy	<a href="https://www.gov.uk/government/publications/reducing-marine-noise/reducing-marine-noise">https://www.gov.uk/government/publications/reducing-marine-noise/reducing-marine-noise</a>	The UK government encourages all marine industries to take all necessary steps to reduce their noise. Industry's adoption of noise reduction methods during piling will be vital for ensuring that licensing authorities can continue consenting works to go ahead, whilst remaining below the noise disturbance thresholds. As set out in the revised Joint Position Statement (see below), low noise methods of clearance should be the default method used to clear any type of UXO in the marine environment.	<p>The Applicant has updated wording in the Underwater sound management strategy (UWSMS) to provide a firmer commitment to the use of measures to reduce the amount of noise contributed to the marine environment from the project alone. The UWSMS states: "... if percussive piling is required to install any foundation, the undertaker will comply with the Defra Reducing Marine Noise policy (2025) and will commit to reducing noise via the use of primary and/or secondary noise reduction technology". The Applicant discussed the updates and proposed wording in the UWSMS with Natural England prior to Deadline 6 (S_D6_30).</p> <p>Further updates have also been made to the MMMP and UWSMS to reflect the Applicant's commitment to the use of low order clearance as the preferred technology for removal of UXOs (if they cannot be first avoided). If, in the unlikely event, a high order clearance is required, consent will be sought under a separate licence but for completeness, if additional secondary mitigation measures are required the UWSMS provides assurances that mitigation for high order clearance could include the use the use of a suitable Noise Abatement System (NAS) e.g. bubble curtains, if required.</p> <p>Any mitigation technology will be determined post-consent once the final project design has been completed and will be discussed and agreed with relevant statutory consultees.</p>
Marine environment: unexploded ordnance clearance Joint Position Statement	<a href="https://www.gov.uk/government/publications/marine-environment-unexploded-ordnance-clearance-joint-position-statement/marine-environment-unexploded-ordnance-clearance-joint-position-statement">https://www.gov.uk/government/publications/marine-environment-unexploded-ordnance-clearance-joint-position-statement/marine-environment-unexploded-ordnance-clearance-joint-position-statement</a>	Clearance of UXOs using high order detonation produces a blast which can emit high levels of energy and result in considerable impacts on the marine environment. These impacts can include seabed damage, and injury and disturbance to marine species from the associated noise. The joint position paper states that low order clearance (e.g. using deflagration) should be the default option and high order should only be used as a last resort.	<p>Updates have been made to the MMMP and UWSMS as submitted at Deadline 6 (S_D6_31 and S_D6_30) to reflect the Applicant's commitment to the use of low order clearance as the preferred technology for removal of UXOs (if they cannot be first avoided). If, in the unlikely event, a high order clearance is necessary, consent will be sought under a separate licence but for completeness, if additional secondary mitigation measures are required the UWSMS provides assurances that mitigation for high order clearance could include the use of a suitable Noise Abatement System (NAS) e.g. bubble curtains, if required. The UWSMS also complies with the provision as follows:</p> <ul style="list-style-type: none"> <li>• The most appropriate low noise method has failed after a minimum of three attempts</li> <li>• All best practice will have been demonstrably applied</li> </ul>



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Policy	Source	Key Provisions	How and where considered in the Application
JNCC guidelines for minimising the risk of injury to marine mammals from unexploded ordnance (UXO) clearance in the marine environment	<a href="https://data.jncc.gov.uk/data/cbd480f1-47ea-4d78-b94c-04e0f9389daa/jncc-guidelines-unexploded-ordnance.pdf">https://data.jncc.gov.uk/data/cbd480f1-47ea-4d78-b94c-04e0f9389daa/jncc-guidelines-unexploded-ordnance.pdf</a>	These guidelines outline measures to minimise potential injury from the clearance through detonation of unexploded ordnance (UXO) in the marine environment. These guidelines should be considered alongside The Government Joint Position Statement regarding the clearance of UXO. This sets out JNCC's and the other signatories' position on the use of lower noise alternatives to high order detonation of unexploded ordnance (UXOs) within the marine environment.	<ul style="list-style-type: none"> <li>There will be prior agreement with the appropriate licensing authority.</li> </ul> <p>Updates have been made to the MMMP and UWSMS at Deadline 6 to reflect the Applicant's commitment to the use of low order clearance as the preferred technology for removal of UXOs (if they cannot be first avoided). The guidance anticipates that injury ranges using low order clearance can be effectively mitigated using visual observers, PAM and ADDs. The MMMP and UWSMS (updated at Deadline 6) reflects this by clarifying that no additional secondary mitigation is likely to be required and therefore the measures adopted within the MMMP should be sufficient. This will be confirmed on the basis of the final project design which will include information on the size of UXOs and the type and size of low order donor charges. Selection of such devices will be based on known efficacy <i>in situ</i>. The outline MMMP sets out the standard measures as per the JNCC guidelines in respect of:</p> <ul style="list-style-type: none"> <li>MMO/PAM operator experience</li> <li>Defining the mitigation zone</li> <li>Pre-, during and post clearance searches</li> <li>Delays in operation</li> <li>Use of Acoustic Deterrents</li> </ul> <p>Further detail on the mitigation approach will be finalised post-consent in agreement with statutory consultees.</p>
JNCC, Natural England and Cefas position on the use of quieter piling methods and noise abatement systems when installing offshore wind turbine foundations	<a href="https://data.jncc.gov.uk/data/e1d38ce8-9bc6-4fb5-b867-f7f595caa25a/jncc-ne-cefas-noise-abatement-joint-position.pdf">https://data.jncc.gov.uk/data/e1d38ce8-9bc6-4fb5-b867-f7f595caa25a/jncc-ne-cefas-noise-abatement-joint-position.pdf</a>	JNCC, Natural England and Cefas advise that quieter installation methods and/or NAS should always be considered as primary and/or secondary mitigation measures when planning to undertake impact piling in the marine environment and that such technology should be considered early in the project design process. Such technology should be considered alongside the worst-case scenarios when predicted impacts. This position paper has implications for future	<p>This position paper was published after Application submission and therefore the Morgan Generation Asset had not incorporated the use of quieter installation methods and/or NAS into the design. Subsequently, a commitment has been made by the Project to reduce noise levels during piling and UXO clearance as part of the project design refinements that will be made post-consent. This has been captured in the UWSMS with the statement:</p> <p>"... if driven piling is required to install any foundation, the undertaker will comply with the Defra Reducing Marine Noise policy (2025) and will commit to reducing noise via the use of primary and/or secondary noise reduction technology".</p> <p>For EPS licensing (which will be required post-consent) the Applicant recognises that there is a more stringent burden of proof with respect</p>



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Policy	Source	Key Provisions	How and where considered in the Application
		DCO/dML conditions, European protected species (EPS) licensing, and Site Integrity Plans (SIPs). This position is relevant to both marine mammals and fish.	<p>to the test of 'no satisfactory alternatives'. Therefore, the supporting information document for the EPS licence for piling will need to demonstrate that quieter installation methods and/or NAS has been properly considered in the design.</p> <p>For the Morgan Generation Assets project the UWSMS has been produced as there is no requirement for a SIP (SIPs only being relevant where there is risk to features within a designated site). However, the content therein has been developed along the same basis as a SIP in that it requires evidence to demonstrate there are measures in place to reduce the extent of subsea noise effects on both marine mammals and fish receptors.</p>