



For and on behalf of
BAE Systems
Interested Party Reference No.
20053944

SUMMARY OF ORAL SUBMISSIONS MADE AT ISSUE SPECIFIC HEARING 1

Morecambe and Morgan Offshore Wind Farms Transmission Assets DCO Examination

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CONTENTS	PAGE
1.0 Introduction	4
2.0 Summary of Oral Submissins at the Preliminary Meeting	4
Aviation Related Concerns.....	4
Introduction of the MOD (represented by DIO) into the Examination	4
3.0 Summary of Oral Sumbissions at Issue Specific Hearing 1	5
Item 5: Scope of the Proposed Development	5
Agenda Item 5 (vii): Proposed Substations	5
Item 6: Scope of the Applicant's Assessments.....	6
c) Aviation Impacts – Bird Strike Risk	6

1.0 INTRODUCTION

- 1.1 This document provides a summary of the oral submissions made by those representing BAE Systems at Issue Specific Hearing 1.
- 1.2 Further details of the matters / comments raised by BAE Systems during Issue Specific Hearing 1 are provided in BAE Systems' Deadline 1 Written Representations, which this document should be read alongside.

2.0 SUMMARY OF ORAL SUBMISSINS AT THE PRELIMINARY MEETING

Aviation Related Concerns

- 2.1 During the Preliminary Meeting, BAE Systems outlined its principal concerns in relation to the proposed development, namely: (i) a change and/or worsening of the risk of bird strike arising from the proposed Ecological Mitigation Sites and Biodiversity Benefit Areas; (ii) the impact on communication, navigation and surveillance (CNS) equipment at Warton Aerodrome; and (iii) the potential for interaction (giving rise to conflict) between the cable route of the proposed development and that of a nearby solar farm development that, once operational, will provide power to Warton Aerodrome.

Introduction of the MOD (represented by DIO) into the Examination

- 2.2 BAE Systems advised that the Ministry of Defence (MOD) (represented by Defence Infrastructure Organisation (DIO)) is responsible for the technical safeguarding of Warton Aerodrome (for further information, see BAE Systems' Relevant Representations (Examination Library Document: RR-208)).
- 2.3 Reference was made to the DIO's Relevant Representations at the EIA Scoping Opinion stage (see Document J25 at Examination Library Document: APP-230) in which they confirm that it is incumbent upon the Applicants to continue to take account of the requirements of BAE Systems in respect of technical and bird strike related safeguarding matters. In light of this, BAE Systems highlighted the potential need for further engagement with the MOD (via DIO) during the Examination which may result in the making of joint submissions, as well as the negotiation and agreement of a joint Statement of Common Ground between BAE Systems, MOD/DIO and the Applicants..

3.0 SUMMARY OF ORAL SUBMISSIONS AT ISSUE SPECIFIC HEARING 1

Item 5: Scope of the Proposed Development

Agenda Item 5 (vii): Proposed Substations

Building and Equipment Height Restrictions

- 3.1 There are discrepancies in the DCO application documents over the height of the proposed substation buildings and lightning rods.
- 3.2 Requirement 5(1) of Schedule 2A (in respect of Project A) and Schedule 2B (in respect of Project B) of the draft Development Consent Order (dDCO) (Examination Library Document: APP-005) prescribes maximum design parameters for certain specified items of onshore infrastructure. The highest part of any proposed buildings and external electrical equipment (excluding lightning rods) must not exceed 15m above Ordnance Datum (AOD) and the height of any lightning rod must not exceed 30m AOD for Project A. Requirement 5 of Schedule 2B also provides (lower) maximum height parameters for Project B, also stated as a maximum height AOD.
- 3.3 The Applicants have confirmed in their response to BAE Systems' Relevant Representations (see page 17 of Examination Library Document: PDA-008) that the reference to AOD in the dDCO is a drafting error and that heights should be limited by metres "above finished ground level". It is understood that the Applicants intend to submit a correction at Deadline 1.
- 3.4 However, at Issue Specific Hearing 1, BAE Systems requested that the maximum design parameters for the onshore infrastructure – to be secured through the dDCO Requirements – be by reference to metres AOD rather than metres "above finished ground level". The former provides certainty by virtue of the fact that it is based upon a fixed reference point..

Requirement for Aircraft Hazard Warning Lights and Prior Notification of BAE Before Use of Tall Equipment

- 3.5 BAE Systems repeated its request – made in its Relevant Representations (RR-208) – that the installation of aircraft hazard warning lights on any tall equipment used during the construction and decommissioning phases of the proposed development (such as cranes) be secured through the dDCO, as well as a requirement for BAE Systems to be notified ahead of the use of any such tall equipment.

Item 6: Scope of the Applicant's Assessments

c) Aviation Impacts – Bird Strike Risk

- 3.6 BAE Systems acknowledged the Applicants' intention to implement a mitigation strategy aimed at addressing the risk of bird strike in the airspace around Warton Aerodrome.
- 3.7 However, BAE Systems stressed that in order for the Applicants' mitigation strategy to be effective it must be informed by a robust bird strike risk assessment which establishes the baseline position with regard to bird species and number present, as well as dispersal / movement and migratory patterns, and which considers how the proposed development – in particular, the siting, design and ongoing management of the Ecological Mitigation Sites and Biodiversity Benefit Areas – might alter the same. Any such alteration has the potential to change and/or worsen the level of bird strike risk. It is crucial that this is understood and what the consequent bird related hazards to aircraft might be..
- 3.8 The Applicants confirmed that they have not undertaken a bird strike risk assessment, nor do they propose to undertake one. BAE Systems stated that they consider this to constitute a significant omission from the environmental information submitted in support of the DCO application.
- 3.9 In addition, BAE Systems made the following supplementary points in relation to the bird strike issue:
- (a) An explanation of the Applicants' site selection process for the Ecological Mitigation Sites and the Biodiversity Benefit Areas is required – with this being absent from the DCO application documents at present – including the extent to which bird strike risk and the potential for the Applicant's habitat re-provision and creation proposals to give rise to adverse impacts on aviation interests was a consideration (and, if so, its weighting). In this regard, BAE Systems made specific mention of the fact that the Biodiversity Benefit Sites are not necessary to mitigate the impacts of the proposed development. Rather they are an "added benefit" through which the Applicants will be making a purely voluntary contribution to the delivery of biodiversity net gain.
 - (b) On the assumption that any change and/or worsening of the level of bird strike risk

is found to be tolerable, suitable mitigation may take many different forms. It could include changes to the types of habitats proposed to be created, the implementation of specific habitat management and maintenance regimes, or it could mean the relocation or removal of a proposed Ecological Mitigation Sites or Biodiversity Benefit Area which would have implications for the DCO application red line. Clearly, these are matters which can only be considered as part of the Examination and not deferred to the post-consent “discharge of Requirements” stage.

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