

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

The Applicants' Response to Procedural Deadline A Submissions by Interested Parties



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Glossary

| Term | Meaning |
|---|--|
| Applicants | Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL). |
| Candidate Special Areas of Conservation | Areas that were submitted to the European Commission as candidates for designation as a Special Area of Conservation before the end of the Transition Period following the UK's exit from the EU, but not yet formally designated. See also Special Areas of Conservation. |
| Development Consent Order | An order made under the Planning Act 2008, as amended, granting development consent. |
| Environmental Impact Assessment | The process of identifying and assessing the significant effects likely to arise from a project. This requires consideration of the likely changes to the environment, where these arise as a consequence of a project, through comparison with the existing and projected future baseline conditions. |
| Environmental Statement | The document presenting the results of the Environmental Impact Assessment process. |
| European Protected Species | Species (such as bats, great crested newts, otters and dormice) which receive full protection under The Conservation of Species and Habitats Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017. |
| Generation Assets | The generation assets associated with the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm include the offshore wind turbines, inter-array cables, offshore substation platforms and platform link (interconnector) cables to connect offshore substations. |
| Greenhouse gas | A gas that absorbs and emits radiant energy within the thermal infrared range, causing the greenhouse effect. Examples include carbon dioxide and methane. |
| Habitats Regulations | The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended). |
| Kyoto Protocol | The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its parties to reducing greenhouse gas emissions by setting internationally binding emission reduction targets, implemented primarily through national measures but also via wider market-based mechanism. |
| Landfall | The area in which the offshore export cables make landfall (come on shore) and the transitional area between the offshore cabling and the onshore cabling. This term applies to the entire landfall area at Lytham St. Annes between Mean Low Water Springs and the transition joint bay inclusive of all construction works, including the offshore and onshore cable routes, intertidal working area and landfall compound(s). |
| Local Planning Authority | The local government body (e.g., Borough Council, District Council, etc.) responsible for determining planning applications within a specific area. |

| Term | Meaning |
|---|---|
| Marine licence | The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for to apply for 'deemed marine licences' in English waters as part of the development consent process. |
| Morecambe OWL | Morecambe Offshore Windfarm Ltd is a joint venture between Cobra Instalaciones y Servicios, S.A. (Cobra) and Flotation Energy Ltd. |
| Morgan and Morecambe Offshore Wind Farms: Transmission Assets | <p>The offshore export cables, landfall and onshore infrastructure for the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm. This includes the offshore export cables, landfall site, onshore export cables, onshore substations, 400 kV grid connection cables and associated grid connection infrastructure such as circuit breaker compounds.</p> <p>Also referred to in this report as the Transmission Assets, for ease of reading.</p> |
| Morgan OWL | Morgan Offshore Wind Limited is a joint venture between bp Alternative Energy investments Ltd. and Energie Baden-Württemberg AG (EnBW). |
| National Policy Statement(s) | The current national policy statements published by the Department for Energy Security and Net Zero in 2023. |
| Planning Inspectorate | The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008. |
| Protected species | A species of animal or plant which it is forbidden by law to harm or destroy. |
| Ramsar sites | Wetlands of international importance that have been designated under the criteria of the Ramsar Convention. In combination with Special Protection Areas and Special Areas of Conservation, these sites contribute to the national site network. |
| Renewable energy | Energy from a source that is not depleted when used, such as wind or solar power. |
| Special Areas of Conservation | A site designation specified in the Conservation of Habitats and Species Regulations 2017. Each site is designated for one or more of the habitats and species listed in the Regulations. The legislation requires a management plan to be prepared and implemented for each SAC to ensure the favourable conservation status of the habitats or species for which it was designated. In combination with Special Protection Areas and Ramsar sites, these sites contribute to the national site network. |
| Special Protection Areas | A site designation specified in the Conservation of Habitats and Species Regulations 2017, classified for rare and vulnerable birds, and for regularly occurring migratory species. Special Protection Areas contribute to the national site network. |
| The Secretary of State for Energy Security and Net Zero | The decision maker with regards to the application for development consent for the Transmission Assets. |
| Transmission Assets | See Morgan and Morecambe Offshore Wind Farms: Transmission Assets (above). |

1 Applicants' response to Procedural Deadline A submissions from Interested Parties

1.1 Introduction

1.1.1.1 Following Procedural Deadline A, the Applicants have taken the opportunity to review each of the submissions received from stakeholders.

1.1.1.2 This document provides the Applicants' response to Procedural Deadline A submissions from Interested Parties (IPs) where it is considered that a response is required:

1.1.1.3 PDA-040 National Farmers' Union

1.1.1.4 PDA-044 Christine Fare, John Fare, Fare Farms Ltd

1.1.1.5 The Applicant acknowledges that Procedural Deadline A submissions were also made by:

- Blackpool Borough Council (PDA-033),
- BAE Systems (PDA-034 to PDA-036),
- Canal & River Trust (PDA-037), Environment Agency (PDA-038),
- Marine Management Organisation (PDA-039),
- National Farmers' Union (PDA-041),
- National Highways (PDA-042),
- Natural England (PDA-043),
- Spirit Energy Production UK Limited (PDA-045),
- David Brian Sumner (PDA-046),
- Fylde Against Cable Transmission & Substations (PDA-047 to PDA-049),
- Geza Tarjanyi (PDA-050 and PDA-051),
- Noreen Griffiths (PDA-052) and
- Ralph Cairns (PDA-053 to PDA-055).

1.1.1.6 The Applicants consider a response is not required due to the nature of the content, e.g. the comments are responding to the Examining Authority's Rule 6 letter, provide a summary of previously submitted relevant representations or request to be an interested party.

1.1.1.7 Details of the Applicants' response to the relevant Interested Parties' (IPs) submissions are set out in the subsequent sections of this document.

1.1.1.8 The Applicants have numbered the responses to submissions in line with the Planning Inspectorate's document library with subsequent paragraph numbering.

2 Responses to Procedural Deadline A Submissions by Interested Parties

2.1 PDA-040 – National Farmers’ Union

Table 2.1: PDA-040 – National Farmers’ Union

| Reference | Interested Parties Comment | Applicants’ response |
|------------------|--|--|
| PDA-040 040.1 | <p>Dear Sirs</p> <p>I have used the ‘Have your say’ page to register my interest and requesting to attend the ISH and the CA hearings on 30th April and 2nd May 2025. I apologise but I didn’t find the page very friendly to use and it was very prescriptive and so I am making the following requests to be considered at the prelim hearing as I am afraid that I cannot attend the meeting.</p> <p>1. We have not been given much notice for these first hearings and then the second round of ISH and CA hearings are not scheduled until the week beginning 28th July 2025 which seems a long way off and also is in the middle of the summer holidays. I would like to request that these hearings are brought forward to the beginning of July. At the present time the second round of ISH and CA hearings are quite late on in the process, it is much easier to explain at a hearing the issues than to send everything as a written representation.</p> | <p>The Applicants note the response and that comments on the Rule 6 letter (PD-006), associated timings of the hearings are a matter for the Examining Authority to consider.</p> |
| PDA-040 040.2 | <p>2. That at an ISH the impact of the link boxes from both schemes is examined on day to day agricultural operations. We have not been provided with enough detail from the Applicant to be able to assess this. A request for a diagram on the worst scenario of how link boxes could be situated from the jointing bays on both schemes is required but has not been provided by the Applicant.</p> | <p>The impacts of the Transmission Assets with respect to existing farming activities (e.g., agricultural land holdings) are considered in section 6.11 Volume 3, Chapter 6: Land Use and Recreation (APP-104). The assessment has considered the permanent loss of agricultural land and disruption to existing farming operations as a result of the presence of link boxes. This chapter summarises that where possible link boxes will either be located</p> |

| Reference | Interested Parties Comment | Applicants' response |
|------------------|---|---|
| | | <p>within non-agricultural land or installed on the boundaries of agricultural land to reduce the loss of land and disruption to farming operations.</p> <p>At this stage the location of the link boxes cannot be determined as they are dependent on the final cable design and procured cable lengths. The maximum design parameters allow for up to 110 link boxes along the cable corridor, 72 for Morgan Offshore Wind and 38 for Morecambe Offshore Wind (see Table 3.18 of Volume 1, Chapter 3: Project description (AS-024).</p> |
| PDA-040 040.3 | 3. Under Item 5 Construction scenarios if it is possible to look at the situation where the two easements strips may not abut and so there will be a strip of land between the two easements for both projects that will also be impacted. What is the Applicant trying to do to make sure that both easements do abut. | <p>Detailed design has not yet taken place; however, the onshore cable route passes through predominantly agricultural land, which will be restored to its previous condition, returned to its original use and can continue to be used for agriculture upon completion of construction and reinstatement activities.</p> <p>Diagram 3.1 within the Project Description chapter (AS-024) illustrates a typical construction swathe cross-section for open cut trenching for Morgan OFWL and Morecambe OFWL. The Applicants therefore do not accept the argument of any sterilisation between Project A and Project B's easements as the land can continue to be used in accordance with the existing farming practices following completion of the cable installation, therefore having no impact on the value of the land that is not burdened by cables or their protection parameters.</p> |
| PDA-040 040.4 | 4. Under Item 5 it would be appreciated if the approach to site selection could be examined in detail especially as to why the Hillhouse route has not been taken forward. | The Applicants refer to paragraphs 2.31.2.14 – 2.31.2.18 of The Applicants' Response to Relevant Representations Part 1 – Introduction and thematic responses (PDA-006) and Hearing Action Point ISH1_9 (document reference S_D1_5.3_Annex HAP Response to ISH6, 8, 9 and 19). |
| PDA-040 040.5 | 5. Under item 8 it mentions examining shared access routes, along with this further detail is required on how temporary access across the working corridor will be provided and what has been done to make sure that there are no large areas of severed land which will not be accessible. | The Applicants have committed (CoT96 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to developing detailed CoCP(s) in accordance with the outline Code of Construction Practice (APP-193). The Outline CoCP includes that farm access routes between fields within a farm holding will be maintained (where reasonably practicable), or alternative routes agreed with the land holder to enable the continued operation of agricultural land holdings during the construction phase. This is secured by |

| Reference | Interested Parties Comment | Applicants' response |
|------------------|--|--|
| | | <p>Requirement 8 within Schedules 2A and 2B of the draft DCO (AS-004). Final CoCP(s) will be implemented by the Applicants as approved by the relevant planning authority, as appropriate.</p> <p>This also includes provisions for an Agricultural Liaison Officer who will be appointed for commencement of pre-construction activities and will be the point of contact for ongoing engagement about practical matters, this includes conversations about the requirement and use of crossing points where required to access severed land during construction.</p> |
| PDA-040 040.6 | 6. Under item 4. Drainage to consider further how access in the future once the schemes are operational how will landowners be able to carry out new field drainage which may need to go under the cables depending on the fall. | <p>The rights sought as set out in section 1.2, Table 2a and 2B of the Book of Reference (AS-011), include a restrictive covenant to:</p> <p><i>prevent anything to be done by way of excavation of any kind in the land or any activities which would alter, increase or decrease ground cover or soil levels in any manner whatsoever save as are reasonably required for agricultural activities (being ploughing to no deeper than 0.6m for the purposes of arable farming) or are reasonably required to be carried out by any statutory undertaker in order to exercise their statutory functions or rights in relation to their apparatus (if any) within the land without the consent in writing of the undertaker.</i></p> <p>In the event a landowner wishes to install drainage in the future within the cable easement, the landowner will need to notify and obtain consent in writing from the undertaker. The restrictive covenant that will be secured over the cable corridor is solely to protect the safe operation and maintenance of the cables and will not prevent the continuation of normal agricultural practices post-construction.</p> |
| PDA-040 040.7 | 7. Under item 4 Water supplies and irrigation which is affected what will be carried out on a temporary basis if a supply is cut off and what and how will permanent works be carried out. | The Applicant refers to the Relevant Representation response 1596.5. |

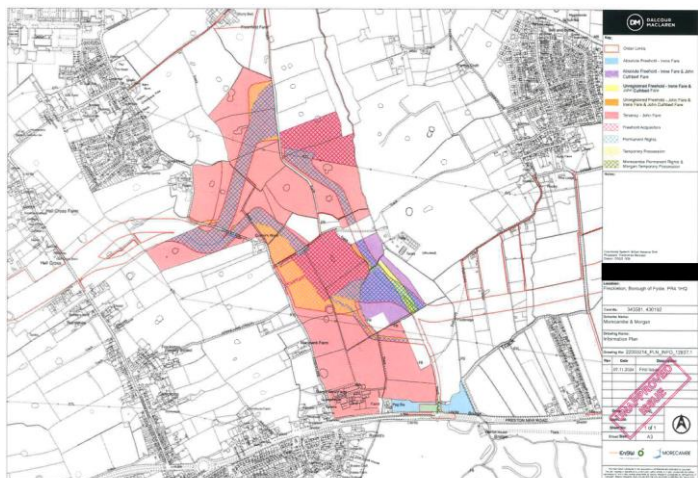
| Reference | Interested Parties Comment | Applicants' response |
|-------------------|--|--|
| PDA-040 040.8 | 8. Under item 4 if surface water discharge can be examined in detail, landowners are not happy that water may be discharged on to land within the working corridor. | The Applicant refers to the Relevant Representation response 1596.8. |
| PDA-040 040.9 | 9. It is understood that M and M are requiring the rights in perpetuity but have given no reasons as to why this is necessary. Rights granted should be for the life of the project. | Powers in the Planning Act 2008 apply the longstanding compulsory purchase regime legislation through the Compulsory Purchase Act 1965 and Acquisition of Land Act 1981 (s125 PA). It is not possible for the Applicants to seek rights in land or land for a term of years under the current compulsory acquisition legislation. |
| PDA-040 040.10 | 10. Decommissioning: it will be essential that at decommissioning any infrastructure will need to be cleared to at least 0.9m from the ground surface so that normal agricultural operations can be carried out. The examination needs to look at in detail concerns over the cables rising in the soil conditions and what conditions will M and M have to meet to re-lay the cables to 1.2m if this scenario happens. | Requirement 22 of the draft DCO (AS-004) sets out that within 6 months of the permanent cessation of commercial operational, the Applicants must submit a decommissioning plan to the relevant planning authority. At this time, the appropriate decommissioning measures will be set out and agreed. This is set out in the commitment registered CoT36 (AS-030) which confirmed that any plan will include provisions for removal of all onshore above ground infrastructure, if and where relevant and practical. This will be developed with the relevant available guidance at the time. |
| PDA-040 040.11 | 11. Time limits to be examined is right that the length of 7 years should be granted under time limits. There is concern from the landowners and occupiers that each scheme can start at different times therefore the impact from construction is greater and drawn out. What will be the maximum time frame from the start of one scheme to the finish of works for the second scheme. Landowners will need to know that maximum impact of the scheme. | Article 21 of the draft DCO sets a time limit of 7 years from the date on which the order is made for any Compulsory Acquisition to be sought through either method of notice to treat or general vesting declaration. This follows the precedent from other multi-NSIP DCOs (for example the Dogger Bank projects and Sheringham and Dudgeon Extension) in terms of timing and prevents rights existing over landowner's interests for an unreasonable period of time. The Applicant refers to their Relevant Representation response 1596.2 in relation to the construction timeframes. |
| PDA-040 040.12 | The NFU would be grateful if all the above issues could be examined at a relevant hearing during the examination. | The Applicants note the response. |

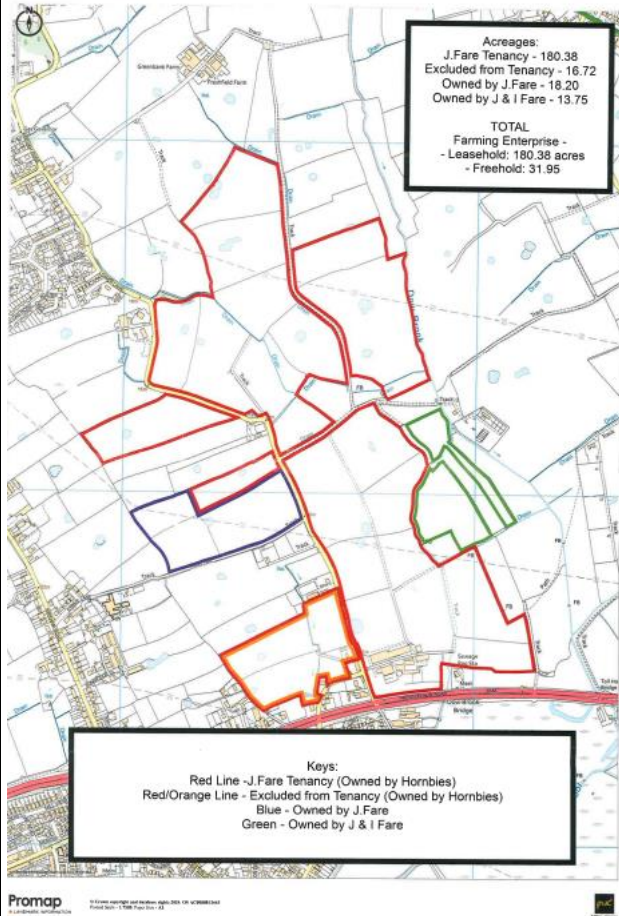
| Reference | Interested Parties Comment | Applicants' response |
|-----------|---|----------------------|
| | <p>Yours faithfully Senior Rural Surveyor</p> <p>NFU Agriculture House Stoneleigh Park Stoneleigh Warwickshire CV8 2T</p> | |

2.2 PDA-044 – Christine Fare, John Fare, Fare Farms Ltd

Table 2.2: PDA-044 – Christine Fare, John Fare, Fare Farms Ltd

| Reference | Interested Parties Comment | Applicants' response |
|------------------|---|---|
| PDA-044 044.1 | <p>1. Introduction</p> <p>I act on behalf of the above who live on Lower Lane, Freckleton and whose Farm is significantly affected by the above Schemes and in particular the Sub-Station and cable routes in and out of them and to illustrate that I attach two plans – plan A, showing the extent of my client's land ownership and occupation, noting in part that they are owners of land as well as tenants, their landlords being the Trustees of the Hornby Newton Charity (represented by others) and the second an indicative plan of the Scheme so far as it affects my client's land (Plan B).</p> | <p>The Applicants note the response and confirm the extent of the holding is understood.</p> <p>The Applicants have acknowledged and identified within the Land Use and Recreation Chapter (APP-104) that the onshore substations will result in a permanent major adverse significant effect on agricultural land quality, and a long term temporary moderate adverse significant effect on farm holdings, due, in particular to the temporary impacts on those holdings also affected by the construction works for the substations, including the earthworks and permanent access roads.</p> |

| Reference | Interested Parties Comment | Applicants' response |
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| | <p>In simple terms, approximately two thirds of my client's land and, therefore, business is affected by the proposals set out in the Draft DCO by the above Schemes.</p> <p>It is, and will be, my submission on behalf of my clients that their business as currently constituted, being a paddock grazed Dairy Farm – a sustainable food production unit with low carbon footprint and high biodiversity, will have to cease if this Scheme receives consent and the DCO is confirmed and the Schemes are constructed.</p> <p>I am unable due to prior commitments to attend virtually or in person, the Preliminary Hearing or the Specific Hearing 1 or the Compulsory Acquisition Hearing 1 all scheduled for the 29th and 30th April and the 1st and 2nd May 2025.</p> <p>I am therefore instructed by my clients to send these written Submissions to you Sir and the other members of the Examining Authority for your information and consideration.</p>  | <p>The Applicants refer to paragraph 2.3.2 of The Applicants' Response to Relevant Representations Part 1 - Introduction and thematic responses (PD-005) regarding loss of agricultural land and food security.</p> <p>The Applicants are engaging with Mr and Mrs Fare and their appointed agent on the impact on the holding to identify mitigation measures to ensure farming operations can continue for Fare Farms Ltd.</p> |

| Reference | Interested Parties Comment | Applicants' response |
|-----------|---|----------------------|
| | <p>J.Fare - Farming Acreage</p>  <p>Acreages: J.Fare Tenancy - 180.38 Excluded from Tenancy - 16.72 Owned by J.Fare - 18.20 Owned by J & I Fare - 13.75</p> <p>TOTAL Farming Enterprise - - Leasehold: 180.38 acres - Freehold: 31.95</p> <p>Keys: Red Line - J.Fare Tenancy (Owned by Hornbys) Red/Orange Line - Excluded from Tenancy (Owned by Hornbys) Blue - Owned by J.Fare Green - Owned by J & I Fare</p> <p>Promap © Crown Copyright and Ordnance Survey 2015. All Rights Reserved. Printed 2015. 1:10000 Scale.</p> | |

| Reference | Interested Parties Comment | Applicants' response |
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| PDA-044 044.2 | <p>2. Submission In response</p> <p>Sir, to your Rule 6 Letter dated 28th March 2025 in respect of the above Schemes, I have registered via the online portal for your Preliminary Meeting and have submitted these representations via that portal as well as by email direct to the Planning Inspectorate.</p> <p><u>A. Assessment of Principal Issues</u></p> <p>Using Appendix C to your Rule 6 letter as an Agenda and the initial of Assessment of Principal Issues to be considered by the Examining Authority in respect of the Development Consent Order, I make the following submissions on behalf of my clients.</p> <p>2.1 Aviation</p> <p>None.</p> | The Applicant notes the response. |
| PDA-044 044.3 | <p>2.2 Compulsory Acquisition and Temporary Possession</p> <p>It is my submission on behalf of my clients that the extent of the land required under powers sought under the draft DCO render my client's business as incapable of continuation should the draft DCO be confirmed and the Scheme proceed.</p> <p>The impact of these Schemes, as proposed, will therefore be devastating for my client's business and their property and will require the closure of the business.</p> <p>These are issues that are compounded by the implications of two separate Projects, potentially on different timescales with two easements and one DCO. The uncertainty that that is providing render the planning for such a Project and the impact on my client's business is impossible. My clients</p> | <p>As set out at paragraphs 1.10.1.20 to 1.10.1.22 of the Statement of Reasons (AS-009), the Applicants are seeking to minimise their impact on agricultural land by using temporary possession powers to build the Transmission Assets and reduce the land within which the Applicants require permanent rights and to minimise the interference with landowners and occupiers rights. The onshore export cables and 400kv connection cables will be completely buried underground, (as specified in the works descriptions in the draft Development Consent Order, Schedule 1 Part 1 Authorised Development) (AS-004). Articles 29(4) and 29(5) of the draft DCO (temporary use of land for carrying out the authorised project) also provide for land to be returned to its owner within 1 year of the completion of work for which the land was taken and for that land to be restored to the reasonable satisfaction of the owner (article 29(6)).</p> <p>The Applicants will have ongoing engagement with occupiers of the land during the pre-construction and construction phases through the appointment of an agricultural liaison officer (ALO) as set out in the Outline Code of</p> |

| Reference | Interested Parties Comment | Applicants' response |
|------------------|---|--|
| | <p>cannot adequately prepare for the Schemes given the uncertainty that surrounds the delivery of those Schemes and the timescales thereof.</p> <p>That uncertainty is causing distress, worry and makes the managing and planning of farming business going forward over the next few years virtually impossible.</p> | <p>Construction Practice (APP-193) secured through Requirement 8 of Schedules 2A & 2B of the draft Development Consent Order (AS-004). The scope of works for the ALO will include agreeing accommodation works and ongoing engagement about practical matters such as the movement of cattle to ensure disruption to farming enterprises is minimised where possible.</p> <p>In addition to this, the Outline Soil Management Plan (APP-200) sets out measures to protect soil quality and structure during construction, ensuring that the land remains viable for farming in the long term. This includes the production of an aftercare plan for agricultural areas within the Onshore Order Limits which will be subject to agreement with the affected landowner(s). This is secured in the DCO through Requirement 8 (Code of Construction Practice), which includes production of a Soil Management Plan in accordance with the Outline Soil Management Plan (APP-200) and Requirement 18 (Restoration of land temporarily used for construction) of the draft Development Consent Order Schedule 2A and 2B (AS-004).</p> <p>The Applicants refer to paragraph 2.9.2.3 and 2.9.2.4 of The Applicants' Response to Relevant Representations Part 1 - Introduction and thematic responses (PD-005) regarding the construction scenarios.</p> <p>The Applicants welcome engagement on those matters raised to mitigate the impact and identify measures that will be suitable to ensure continued operations at the farm holding.</p> |
| PDA-044 044.4 | <p>2.3 Ecology</p> <p>Whilst not ecologists, it is clear to the layman that the Project have not completed their ecological assessments in respect of the Schemes evidenced by their ongoing requests for further ecological and intrusive surveys necessary throughout the forthcoming calendar year and, therefore, it would be my submission that the Scheme have</p> | <p>The Applicants refer to paragraph 2.12.2 of The Applicants' Response to Relevant Representations Part 1 - Introduction and thematic responses (PD-005) regarding the ecology data collected.</p> |

| Reference | Interested Parties Comment | Applicants' response |
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| | <p>not yet adequately addressed the ecological impacts of their proposal and that the DCO process is being driven by Grid connection dates imposed by National Grid on the Scheme rather than the proper assessment of the Schemes and the implications thereof.</p> <p>It is interesting to note that both the Morecambe and Morgan Sub-Station sites were selected at Freckleton before any formal ecology surveys had been undertaken on my client's property and to their knowledge, on surrounding properties affected by those Sub-Stations and therefore that site selection process has to be questioned as to its validity from an environmental perspective.</p> | |
| PDA-044 044.5 | <p>2.4 Flood Risk, Groundwater and Surface Water</p> <p>It would be my client's submission and concern that given the level of infrastructure being constructed on their property there is a serious risk of run off water increasing local flooding.</p> | The Applicants refer to paragraph 2.16 of The Applicants' Response to Relevant Representations Part 1 - Introduction and thematic responses (PD-005) regarding the flood risk concerns raised. |
| PDA-044 044.6 | <p>2.5 General Matters</p> <p>It is my client's submission that the Project's approach to construction scenarios and co-ordination between the Projects is inadequate and as yet, their approach to construction, compounds, programming, timing and delivery of the works are unknown and their processes are being driven again by connection dates supplied by National Grid and the desire to achieve a DCO approval without first adequately assessing the impact of the Schemes on the local area, the environment and the people and businesses that will be affected by the proposal.</p> | The Applicant refers Mr Coney to the hearing summaries (document references S_D1_3 Applicants' Hearing Summary ISH1) on the cumulative assessment discussed during the issue specific hearings on 30 th April and 1 st May 2025. |

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| <p>PDA-044 044.7</p> | <p>2.6 Greenbelt</p> <p>My client's property is situated within the Greenbelt so far as the Schemes are proposed save as to a very small area that is situated within Countryside Area and is, therefore, the land affected is afforded the Protective Policies that the Fylde Borough Local Plan affords to such identified areas. It would be my submission on behalf of my clients that the Scheme has failed to demonstrate that the design and location of the Sub-Stations at Freckleton has met the Greenbelt requirements or demonstrated that the very special circumstances exist that should mean that they should be an exception to that Greenbelt Policy.</p> | <p>Development proposals within the Green Belt are in, terms of planning policy, either considered to be 'inappropriate development' or 'not inappropriate development' (NPPF, Chapter 13). It is considered that the onshore substation proposals would be considered inappropriate development in the context of Green Belt policy.</p> <p>In promoting inappropriate development, it is for the promoter to seek to minimise the harm and any other harm on the Green Belt as directed by policy. Policy directs, at paragraph 153 of the NPPF, that inappropriate development <i>"...should not be approved except in very special circumstances..."</i> and <i>"... 'very special circumstances' [VSC] will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."</i></p> <p>The Applicants consider that VSC exist and clearly outweigh any harm arising from the inappropriate development. The Applicants also consider that the Transmission Assets, including the onshore substations, benefit from the presumption in favour of Critical National Priority Infrastructure (CNP Infrastructure), as evidenced in Section 3.4.4 of the Planning Statement (APP-233) and EN-1 paragraphs 3.3.62 and 3.3.63.</p> <p>NPS EN-1 states that CNP infrastructure is assumed, as a starting point, to have met any 'tests' set out in NPPF and/or other planning policy, which requires a demonstration of clear outweighing of harm, exceptionality or VSCs (EN-1 paragraph 4.2.16 and 4.2.17). This presumption applies provided that the Applicants have demonstrated compliance with the mitigation hierarchy requirements, as outlined in paragraphs 4.2.10 to 4.2.15 of EN-1 and detailed in section 3.4.4.15 of the Planning Statement (APP-233). This includes the requirements for VSCs to allow for development in the Green Belt, in accordance with paragraphs 5.11.20 and 5.11.26 of NPS EN-1, paragraphs 2.8.57 - 2.8.58 of NPS EN-3, Policy CS6 (Green Infrastructure) of the Blackpool Local Plan Part 1 and Strategic Policy GD2 (Green Belt) of the Fylde Local Plan, as well as other related local planning policies, considered in further detail in the Local Planning Policy Tracker (APP-236).</p> <p>Green Belt policy was considered during the site optioneering process for the Project. Green Belt land was assigned an 'Amber' rating in the BRAG appraisal schedule, supporting the site selection process during Stage 3 (APP-030, Chapter 4 of the Environmental Statement and APP-033, Annex</p> |
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| | | <p>4.3: Site Selection and Refinement of the Onshore Infrastructure of the Environmental Statement). An Amber rating constituted an ‘intermediate’ status, recognising that the land covered by Green Belt policy had the ‘potential to constrain development’.</p> <p>At a strategic level, key Stages 1 – 3, (APP-030 and APP-033) criteria that would fundamentally influence the site location included: proximity to residential receptors, engineering complexity, accessibility etc, which influenced the main early site options considerations.</p> |
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| Reference | Interested Parties Comment | Applicants' response |
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| PDA-044 044.8 | 2.7 Historic Environment No comment. | No response required. |
| PDA-044 044.9 | 2.8 Land Use and Recreation As scheduled in my preliminary comments above, the affect of the proposals here on the agricultural land that comprises my client's farm, its soil quality and associated farming operations and therefore my client's business here by these proposals and the uncertainty surrounding their delivery will have a devastating effect and require the closure of my client's current farming business. This has been brought to the attention of the Schemes in conversations with them over the last many months and I reserve the right to make further submissions in this respect at a later date in the further Compulsory Acquisition and Site Specific Hearings. | <p>Within the ES Volume 3, Chapter 6: Land Use and Recreation [APP-104] temporary and permanent effects on farm holdings are assessed in Section 6.11. The sensitivity of farm holdings within the study is assessed to be high, due to the types of enterprises that exist, particularly livestock-based enterprises where there is an important relationship between the location of land and its proximity to the farming infrastructure.</p> <p>In terms of temporary effects, paragraph 6.11.3.3 identifies the measures to be implemented as part of Transmission Assets to maintain the operation of farm holdings as laid out in Table 6.17. Paragraph 6.11.7.4 identifies that:</p> <p><i>"The implementation of appropriate measures within the CoCP and Soil Management Plans during this period to maintain the operation of the farm holdings, as far as practicable, would be particularly important for the two farm holdings also affected by the installation of the onshore substations, earthworks and permanent access roads. The Outline CoCP (document reference J1) sets out that an ALO will be appointed in time for commencement of pre-construction activities and will be the dedicated point of contact for ongoing engagement about practical matters with landowners, occupiers and their agents during the pre-construction and construction phases."</i></p> <p>Taking into account the implementation of appropriate measures and the temporary impacts on those holdings also affected by the installation of the onshore substations, earthworks and permanent access roads, significance of effect on farm holdings during construction is assessed as moderate adverse, which is significant in EIA terms.</p> <p>The areas of land to be taken permanently from farm holdings include the areas of land affected by the substations and permanent access roads, together with the areas of biodiversity benefit, enhancement and/or mitigation areas. Within these areas paragraph 6.11.3.21 identifies that <i>"the permanent impact of the Transmission Assets is predominantly associated with the land required permanently for the substation and the changes that would be</i></p> |

| Reference | Interested Parties Comment | Applicants' response |
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| | | <p><i>required in the operation of two of the farm holdings, both intensive dairy units, due to the loss of land used for grazing and silage production."</i></p> <p><i>6.11.3.22 However, with the implementation of a suitable package of measures to be agreed in consultation with the farmers to facilitate the required adjustments to the operation of these enterprises, it is assessed that the construction of the Transmission Assets would not comprise the continued operation of these two farm enterprises.</i></p> |
| PDA-044 044.10 | <p>2.9 Landscape</p> <p>My submissions here are that the design and appearance of the Onshore Sub-Stations included within the Application do not meet the Greenbelt or other acceptable design criteria.</p> | <p>The Applicants refer to paragraph 2.20 of The Applicants' Response to Relevant Representations Part 1 - Introduction and thematic responses (PD-005) regarding the landscape and visual and to PDA-044.7 above regarding Green Belt.</p> <p>The Applicants have sought to minimise any harm that may be caused to the Green Belt by the construction of the onshore substations, through careful consideration of siting and design matters (see APP-033 and APP-209), in accordance with the mitigation hierarchy requirements set out in NPS EN-1 (Paragraphs 4.2.10 - 4.2.12).</p> <p>The approach to securing good design and appearance in relation to the substations is set out in the design principles outlined in the Outline Design Principles document (APP-209), in accordance with the mitigation hierarchy set out in accordance with National Policy Statements.</p> <p>Requirement 4 of Schedules 2A and 2B of the draft DCO [AS-004] secures the detailed design proposals which will be submitted to the local planning authority for approval in accordance with the Outline Design Principles document (APP-209). The Outline Design Principles document provides the key considerations that will guide the development of the detailed design.</p> |

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| PDA-044 044.11 | 2.10 Marine Physical Processes and Coastal Change No comment. | No response required. |
| PDA-044 044.12 | 2.11 Noise and Vibration The operational effects and construction effects of this Scheme on my client's business, property, and livelihood and home environment will be devastating and will require the closure of his existing farming business as scheduled above. | <p>The Applicants confirm the potential impacts of construction and operational noise, and vibration have been considered at both Marsh Farm and Marybank Farm, situated on Lower Lane.</p> <p>The construction and operational assessments have concluded a negligible to low impact at both receptors (APP-119). The Applicants however have committed to the implementation of mitigation measures, such as installing local noise screening, using plant with fitted noise insulation and shutting down equipment when not in use. These have been identified in the Construction Noise and Vibration Management Plan(s), which will be developed from the Outline Construction Noise and Vibration Management Plan (APP-196) which forms part of the Outline Code of Construction Practice (OCoCP). The detailed CoCP(s) are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (AS-004). Detailed Construction Noise and Vibration Management Plan(s) will be implemented by the Applicants as approved by the relevant local planning authorities in consultation with the relevant statutory stakeholders, as appropriate.</p> <p>The Applicants have also made a commitment (CoT80 of Volume 1, Annex 5.3: Commitments Register of the Environmental Statement (AS-030)) to produce detailed Operational Noise Management Plan(s) for the onshore substations. This is secured under Requirement 18 of Schedules 2A and 2B of the draft DCO (AS-004). Detailed Operational Noise Management Plan(s) will be prepared and submitted to the relevant local authority for approval. The detailed Plan(s) will identify the noise limits for the operation of the onshore substations and the measures for how these limits would be monitored.</p> |
| PDA-044 044.13 | 2.12 Other Offshore Matters No comment. | No response required |

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| PDA-044 044.14 | <p>2.13 Social Economic Effects on Human Health</p> <p>As scheduled above, the uncertainty surrounding the delivery of this Project – will the DCO be approved and if so, how will the Scheme be constructed and over what timescales – are having significant impact on my client's human health and mental wellbeing.</p> | <p>The Applicants note your client's concerns regarding the potential impacts of the Transmission Assets on health and mental wellbeing, including related to feelings of uncertainty during the application determination stage. The Applicants have provided an overview below of how human health has been considered within the DCO application.</p> <p>Volume 1, Annex 5.1: Human health (APP-035) recognises the importance of mental health and wellbeing in the assessment of public health effects, and mental health is considered throughout the assessment within a wide variety of health determinants. As stated in section 1.1 (Introduction), Annex 5.1 includes the WHO definition of mental health when defining health: “a state of mental well-being that enables people to cope with the stresses of life, to realize their abilities, to learn well and work well, and to contribute to their communities”. Specific regard has been given in Annex 5.1 to vulnerable population groups, including those with existing pressures on their mental wellbeing, as well as to mental health outcomes that may be associated with the Project's impacts.</p> <p>With regard to concern about the Project and associated mental health effects, the Environmental Statement assessments deliver the statutory requirement to set out the likely significant effects of the Project. The availability of such information, including on human health in the non-technical summary (APP-020) supports the community understanding of the likely project impacts and outcomes. Availability of such information is an important factor in supporting population mental health, including in relation to concerns that may arise during the application determination process. Further to this, the Outline Communications Plan (APP-194) includes regular meetings to dissemination information to the community and the appointment of a Community Liaison Officer as a point of contact to raise any concerns. These measures are supportive of community mental health and wellbeing as the Project progresses.</p> <p>With regard to information currently available, timeframes for the construction scenarios are set out in section 3.9 of the Environmental Statement (ES), Volume 1, Chapter 3: Project description (AS-024). ES Chapter 3 also</p> |

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| | | <p>sets out the information on the construction activities and the approach to construction management. Other relevant documentation that sets out commitments to safeguard community health includes the: Outline Code of Construction Practice (APP-193); Outline Dust Management Plan (APP-195); Outline construction noise and vibration management plan (APP-196); and the Outline Pollution Prevention Plan (APP-197).</p> <p>More broadly, Volume 1, Annex 5.1: Human health (APP-035) considers the population health implication due to changes from the 'Transmission Assets'. The assessment concludes the 'Transmission Assets' should not result in any significant adverse impact on public health, including for vulnerable groups. The UK Health Security Agency and the Department of Health's Office for Health Improvement and Disparities have reviewed the assessment and state that they agree with the methods and that they are satisfied that the proposed development should not result in any significant adverse impact on public health (AS-061).</p> |
| PDA-044 044.15 | <p><u>B. Specific Hearing 1</u></p> <p>2.14 Agenda Items 4, 5, 6, 7 and 8</p> <p>I would make submissions on behalf of my clients that the issues here around the site selection processes; proposed construction scenarios and stages and durations; co-ordination between Morgan and Morecambe Projects; the proposed construction hours and mobilisation and the cumulative effects and inter-relationships between the Projects have not been properly assessed and taken into account in arriving at the proposals contained within the Draft DCO and that as a consequence, the effects on local business have not been properly assessed and that, furthermore, progress and discussions with interested parties in respect of the DCO and how matters can be addressed within the DCO to address specific landowner's and occupier's concerns have been painfully slow and have</p> | <p>The Applicants refer Mr Coney to the hearing summaries submitted at Deadline 1 (document references: S_D1_2 and S_D1_3) on those items discussed during the issue specific hearings on 30th April and 1st May 2025</p> |

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| | not allowed those affected to properly assess the impact of the Scheme and/or make relevant representations to the Examining Authority. | |
| PDA-044 044.16 | <p><u>C. Compulsory Acquisition Hearing 1</u></p> <p>2.15 Agenda Items 2, 3 & 5</p> <p>The applicant's approach here to the Draft DCO and their approach to negotiations with landowners and occupiers affected by the Scheme bears in my submission examination. I understand the need for the Scheme to pursue the Draft DCO and I also understand the Scheme's desire and quite rightly, to pursue by negotiation the acquisition rights sought under the Draft DCO by agreement with landowners and occupiers.</p> <p>The Scheme have asserted to those affected that irrespective of the Draft DCO and/or its confirmation, their preference is to proceed by way of negotiated agreement for an option to take an easement.</p> <p>The Scheme, through their agents have conducted those negotiations which are ongoing and although progress is being made in respect of the same, the outcome thereof is far from certain and has again created significant uncertainty for landowners and occupiers here as to how to respond to the Scheme and the Draft DCO. There is a good deal of scepticism as to whether or not the Scheme will eventually rely on any negotiated terms or the Draft DCO and that compounded with the uncertainty about how the Schemes will proceed – separately or in unison and over what timescales, has created a great deal of difficulty for those affected by the Scheme as to how proceed and the impact of the Scheme on their livelihoods, businesses and wellbeing. Again, negotiations within individual landowners</p> | <p>It is the Applicants preference to agree all land rights required for the delivery of the Project by voluntary negotiation. The Applicants are in negotiation with Mr and Mrs Fare and their appointed agents on the impact on the farm holding, mitigation measures, and the voluntary rights sought. Where voluntary agreements are in place, the Applicants will rely on those agreements rather than the powers being sought under the DCO, however it is essential that the rights are secured through the DCO to ensure delivery of the Projects.</p> <p>The Applicants refer to paragraph 2.9.2.3 and 2.9.2.4 of The Applicants' Response to Relevant Representations Part 1 - Introduction and thematic responses (PD-005) regarding the construction scenarios.</p> <p>The Applicants acknowledge that the impact on the holding is complex and therefore negotiations will take time however it is the preference of the Applicants to agree a voluntary position during the examination period wherever possible.</p> |

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| | are painfully slow and create the uncertainty scheduled above. | |
| PDA-044 044.17 | 3. Conclusions 3.1 The above is a summary of the issues and concerns that my clients have in respect of the Scheme and I reserve their position to make further submissions in respect of the matters scheduled here in subsequent Specific and Compulsory Acquisition Hearings as to the detail behind those submissions here and the effect of this Scheme on my client's property. | The Applicants note the response and will continue to engage with Mr Coney and his clients on the matters set out above. |