

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

The Applicants' Response to Relevant Representations – National Farmers Union (NFU) (RR-1596)



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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	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. Also referred to in this report as the Transmission Assets, for ease of reading.
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 Relevant Representations

1.1 Introduction

- 1.1.1.1 Following closure of the relevant representation period under Section 56 of the Planning Act 2008 for the Morgan and Morecambe Offshore Wind Farms: Transmission Assets (referred to as 'the Transmission Assets') (the Applicants), the Applicants have taken the opportunity to review each of the Relevant Representations (RRs) received from stakeholders who registered as Interested Parties in the examination.
- 1.1.1.2 Table 2.1 provides an overview of the Applicants' response to the Relevant Representation of National Farmers Union (NFU) (RR-1596).

2 Responses to Relevant Representations

2.1 National Farmers Union (NFU)

Table 2.1: RR-1596 – National Farmers Union (NFU)

Reference	Relevant Representation Comment	Applicants' response
RR-1596 1596.1	<p>The NFU would like to register to be able to raise issues on behalf of NFU members who are directly impacted by the proposed transmission assets for the scheme. In particular the impact from the following:</p> <p>Underground cables - the depth of the cables at 1.2m from the ground to the top of the protective tile.</p>	<p>The Applicants note the response.</p> <p>The burial depth of the onshore cable will be informed by site specific information, including ground condition surveys, where required, to ensure that cable installations are appropriately designed. The indicative target depth of the onshore export cable is 1.8m to the bottom of the trench and 1.2m to the top of the protective tile (see Table 3.19 of Volume 1, Chapter 3: Project description (AS-024).</p> <p>It should be noted that this is deeper than industry standard guidelines set out in Energy Networks Association, Engineering Recommendation G57, issue 2 2019 which stipulates at least 0.9 metres of depth to the protective tile for transmission assets in good agricultural land, save for specific individual locations.</p>
RR-1596 1596.2	<p>The timing of the construction for both sets of cables for Morgan and Morecambe which if carried out one after the other is too long. The impact of the construction will then be very significant on the farming businesses.</p>	<p>The Morgan Offshore Wind Project and the Morecambe Offshore Windfarm are being developed by two separate legal entities, each with different joint venture partners. They must be constructed and remain electrically separate from each other with separate Bilateral Grid Connection Agreements (BCAs) with the NESO.</p> <p>Whilst current planning legislation provides a mechanism for consenting two projects together within one DCO application, wider regulatory regimes do</p>

Reference	Relevant Representation Comment	Applicants' response
		<p>not allow the coordinated investment which would be required for the projects to commit to the delivery of joint construction, through the project development phase. This therefore means that the Morgan Offshore Wind Project and Morecambe Offshore Windfarm cannot commit to constructing at the same time.</p> <p>The Applicants have undertaken an assessment of potential impacts to agricultural land and farm holdings. This is set out within sections 6.11.2 and 6.11.3 respectively of Volume 3, Chapter 6 of the Environmental Statement (APP-104). In addition, as presented within Table 6.17 of the above, the Applicants have made a number of commitments (CoTs) to reduce potential effects on agricultural farmland. This includes CoT08, which states that "Post-construction, the working area will be reinstated to pre-existing condition as far as reasonably practical in line with the DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (PB13298), Institute of Quarrying (IQ) Good Practice Guide for Handling Soils in Mineral Workings (IQ, 2021) and British Society of Soil Science (BSSS) Working with Soil Guidance Note on Benefitting from Soil Management in Development and Construction (BSSS, 2022)."</p> <p>The Applicants have made a commitment (see CoTs 22, 25 and 81 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to ensure soils are recorded and appropriately managed through the construction phase. These commitments are all secured by Requirement 8 within Schedules 2A and 2B of the draft Development Consent Order (AS-004). Detailed CoCP(s) will be implemented by the Applicants as approved by the local planning authority.</p> <p>As outlined within the Outline CoCP (APP-193), an Agricultural Liaison Officer (ALO) will be appointed in time for the commencement of pre-construction activities and will be the dedicated point of contact for ongoing</p>

Reference	Relevant Representation Comment	Applicants' response
		engagement about practical matters with landowners, occupiers and their agents during the pre-construction and construction phases.
RR-1596 1596.3	Link Boxes - no drawings have yet been provided of the link boxes to be able to understand the maximum impact on agricultural operations on a day to basis from the link boxes being at ground level. The location of the link boxes between both schemes and the location within a field.	<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 presence of link boxes. This chapter summarises that where possible link boxes will either be located 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 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>
RR-1596 1596.4	Other practical issues include : Detailed soil sampling and record of condition at the start of the works Soil reinstatement and aftercare proposed	The Applicants are mindful of the importance of recording the condition of agricultural soils prior to construction works commencing and have made a commitment (see CoTs 22, 25 and 81 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to ensure soils are recorded and appropriately managed through the construction phase. 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 collation of soils information and samples and the production of an aftercare plan to be produced for agricultural areas within the Onshore Order Limits which will be subject to agreement with the affected landowner(s).

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		<p>The Outline Soil Management Plan (APP-200) also includes methods of soil management during the construction of the Transmission Assets to ensure soil nutrients is maintained where possible, within the outline plan there are also provisions for aftercare and handover which will be agreed with the landowner and ALO. Following the end of the first year of the aftercare period, there will be an onsite meeting to establish what further management is required to ensure the land can be farmed as soon as practicable once the restored land is in a suitable condition.</p> <p>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 16 (Restoration of land temporarily used for construction) of the draft Development Consent Order Schedule 2A and 2B (AS-004).</p> <p>The detailed Soil Management Plan(s) will be prepared during detailed design and will be agreed with the relevant planning authority. As outlined within the Outline CoCP (APP-193), the ALO will be appointed in time for the 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.</p>
RR-1596 1596.5	Field drainage including pre and post works Water supplies which may be impacted, wording to agree how water supplies will be reinstated or compensated.	<p>The Applicants recognise that there are concerns regarding land drainage and have committed to a suite of measures to ensure appropriate procedures are in place to manage this and any risk from flooding.</p> <p>The Applicants have made a commitment (CoT84 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) that in order to manage impacts to field drainage, the Outline CoCP (APP-193) stipulates field drainage plans will be developed in consultation with the relevant landowners. If required,</p>

Reference	Relevant Representation Comment	Applicants' response
		<p>additional field drainage will be installed to with the agreement of the relevant landowner ensure the existing drainage of the land is maintained during and after construction.</p> <p>This is secured by Requirement 8 within Schedules 2A and 2B of the draft DCO (AS-004). Detailed CoCP(s) will be developed in accordance with the Outline CoCP and approved by the local planning authority in consultation with Lancashire County Council (as the lead local flood authority) or with the Environment Agency, as appropriate.</p> <p>The Applicants also refer to the Outline Surface and Groundwater Management Plan (APP-202) which forms part of the Outline Code of Construction Practice (oCoCP) (APP-193) and sets out measures to manage surface water runoff and site drainage from construction to minimise the pollution risk to waterbodies.</p> <p>These measures will be agreed through the discharge of requirements with the relevant authorities through the submission of detailed Surface and Groundwater Management Plans.</p> <p>This is secured through, Requirement 8 in Schedules 2A and 2B of the draft DCO (AS-004).</p> <p>The Outline Operational Drainage Management Plan (APP-215) (see CoT11, Volume 1, Annex 5.3: Commitments Register) (AS-030) includes measures to ensure that existing land drainage is reinstated and/or maintained. Measures to limit discharge rates and attenuate flows to maintain greenfield runoff rates at the onshore substations are also included along with measures to control surface water runoff. As noted in the Outline Operational Drainage Management Plan (APP-215), surface water run-off from the Morgan and Morecambe onshore substations will be collected by perimeter</p>

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		<p>drains and attenuated within water attenuation features (e.g. ponds), prior to controlled discharge. Additional Sustainable urban Drainage Systems (SuDS) components will be incorporated as necessary for source control and confirmed at the detailed design stage.</p> <p>To mitigate the potential impacts to existing field drainage the Applicants have made the following commitments:</p> <p>Retaining ditches and drainage outfalls where practicable and where it is not reasonably practicable to retain them, any damage will be repaired and reinstated as soon as reasonably practical (see CoT 39, which is secured via Requirement 8 of Schedules 2A & 2B of the draft Development Consent Order (AS-004));</p> <p>Field drainage plans will be prepared in consultation with the relevant landowners. If required, additional field drainage will be installed to ensure the existing drainage of the land is maintained during and after construction (see CoT 84, which is secured via Requirement 8 of Schedules 2A & 2B of the draft Development Consent Order (AS-004));</p> <p>The Applicants have considered potential impacts and water supply requirements in Table 2.3 of Volume 3, Chapter 2: Hydrology and Flood Risk (APP-070) and Table 1.4 of Volume 3, Chapter 1: Geology and Ground Conditions (APP-068).</p> <p>The Applicants are in ongoing dialogue with landowners and occupiers to understand the potential impacts on water supplies and the locations of these.</p> <p>As outlined within the Outline CoCP (APP-193), the ALO will be appointed in time for the 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 including water supplies for cattle. As part of the</p>

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		accommodation works the Applicants will provide temporary water supplies where those in existence are disrupted. Existing water supplies will be reinstated post construction.
RR-1596 1596.6	The need for Agricultural Liaison officer during construction.	The appointment of an Agricultural Liaison Officer is secured in the DCO (AS-004) through Requirement 8 (Code of Construction Practice) of Schedules 2A and 2B.
RR-1596 1596.7	Biosecurity measures. Agreeing what works can be carried out as enabling works before the main construction notice is served.	The Applicants have committed to implementation of detailed Biosecurity Protocols via the following commitment, CoT73 (see Volume 1, Annex 5.3: Commitments Register, document reference F1.5.3), which is secured through the Code of Construction Practice secured by Requirement 8 of the draft Development Consent Order (DCO) (AS 004) () Schedules 2A & 2B. As set out in the outline biosecurity protocol (APP-205) This includes measures to minimise the biosecurity risk which will be adhered to by all relevant staff and will be incorporated into method statements for pre-construction surveys and construction works, where required.
RR-1596 1596.8	Discharge of water on to land from the works.	<p>The Applicants have confirmed that all surface water can be managed within the Order Limits. The high-level principles are set out within the Outline Surface and Groundwater Management Plan (APP-202) and refinement of this will be undertaken at detailed design. Provision of a detailed Surface and Groundwater Management Plan is secured by Requirement 8 of Schedules 2A and 2B to the draft DCO (AS-004).</p> <p>Sustainable Drainage Systems (SuDS) will be used, where practicable, to ensure no increase in surface water runoff rates or volumes from the temporary construction compounds to surrounding land drainage ditches and to manage surface water flood risk. The installation of SuDS will follow guidance set out within the SuDS Manual (CIRIA, 2015). Subject to consent</p>

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		and in consultation with the Environment Agency, the SuDS will discharge to the local watercourses, ditches or to ground within the site boundaries.
RR-1596 1596.9	Access routes to be agreed to the working strip for construction and access routes once the scheme is operational Access to severed land during construction to be agreed.	<p><u>Construction Access.</u></p> <p>The Outline Construction Traffic Management Plan (APP-211) explains that the Applicants are seeking to construct a temporary haul road along the majority of the onshore export cable corridor and 400 kV grid connection cable corridor to provide for the HGV access for construction, with gaps only occurring at some trenchless crossing and road crossing locations. The haul road will enable vehicles to move along the onshore export cable corridor and 400 kV grid connection cable corridor and relieve the need for construction traffic to rely on longer sections of the local road network during construction. Vehicle movements should be via the construction haul road, where practicable, to minimise adverse impacts on the local road network.</p> <p>Where the construction accesses utilise existing gateways the Applicants will install crossing points that are required for the continued operation of farm holdings, the Applicants will facilitate discussions around the timing and use of these with the individual land interests through the ALO as set out in the Outline Code of Construction Management Plan (APP-193)..</p> <p><u>Operational Access.</u></p> <p>The Applicants have included operational access routes within the order limits, Works No 34A and 34B. Section 3.15.6 of Volume 1, Chapter 3: Project Description explains that the operational access routes have been designed and included along the onshore export cable corridor and 400kV grid connection corridor, from the landfall to the National Grid connection, to enable periodic access for routine operations and maintenance activities (e.g. routine inspections of joint bays via link boxes). Routine inspections are likely to take place on an annual basis.</p>

Reference	Relevant Representation Comment	Applicants' response
		<p>Paragraphs 1.7.1.14 to 1.7.1.18 of the Statement of Reasons summarise the ways that the Applicants have sought to minimise both permanent and temporary impacts on agricultural land through their design work following feedback from landowners. This includes adjusting permanent access tracks to minimise severance and wherever possible use existing routes, and micro siting of compounds to minimise the number of affected parties.</p> <p>Through the voluntary land agreements, the Applicants would expect to incorporate a suitable notice provision regarding the use of the operational access.</p> <p>The Outline Code of Construction Practice (APP-193) which is secured by requirement 8 of the Draft DCO includes provisions for an ALO 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>
RR-1596 1596.10	Accommodation works which will needed by each farmholding to reduce the impact of the scheme which may include direct drilling of the cables rather than trenching	<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 Construction Management Plan (APP-193) secured through 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>The Applicants have committed to the use of trenchless techniques in a number of locations as set out in CoT02 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030), secured by Requirements 5 and</p>

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		8 within Schedules 2A and 2B of the draft Development Consent Order (AS-004).
RR-1596 1596.11	The Applicants wanting rights in perpetuity rather than agreeing to time limited rights is a big issue. Notice periods are yet to be agreed but need to be long enough to enable farm businesses to plan. Agreeing the restrictions that will be in place over the easment width. Vountary negotiations to agree heads of terms have started but are in very early stages.	<p>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 for a term of years under the current compulsory acquisition legislation.</p> <p>The Applicants confirm that the 28-day period for notice to landowners under articles 29 and 30 of the draft DCO is a standard period and highlighted that this is a minimum period of not less than 28 days. The Applicants will where possible, ensure the timing of entry onto land will be done in such a way as to minimise the impacts to landowners and minimise compensation likely to be payable. The minimum 28 day notice period is therefore considered reasonable in terms of balancing potential impacts on individual landowners against delivery of the project without unnecessary programme delays. Furthermore, the Applicants note that the 28 day notice period aligns with recent precedent including the Hornsea Four Offshore Wind Farm Order 2023 and the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024.</p> <p>The restrictive covenant that will be secured over the cable corridor as set out in section 1.2 of Tables 2A and 2B of the Book of Reference (AS-011) 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> <p>The Applicants have been working with the group of land agents representing the various land interests including the National Farmers Union (NFU) to agree precedent Heads of Term for the voluntary land agreements. Meetings</p>

Reference	Relevant Representation Comment	Applicants' response
		were held on 19th December 2024, 7th January 2025, 21st February 2025, 3rd March 2025 and 7th April 2025 to progress the drafting of the Heads of Term. Negotiations are ongoing and the Applicants anticipate the precedent Heads of Term will be in an agreeable format imminently.
RR-1596 1596.12	The NFU would like to see Morgan and Morecambe holding far more one to one meetings on farm to understand how the underground cables will impact each farmholding along the route. The NFU will provide more information regarding the issues raised when the examination of the proposed scheme starts.	<p>The Applicants been engaging with landowners and occupiers since July 2022 regarding site selection, surveys and the potential impact on land from the Joint Transmission Project. The Applicants wrote directly to landowners and occupiers requesting meetings in February 2023, December 2023, March 2024, November 2024 and January 2025 to discuss the project proposals and obtain feedback. A number of meetings have taken place and the Applicants welcome continued engagement from those with an interest in land and is happy to continue to meet landowners face to face.</p> <p>In addition to the above meetings and events held during the non statutory and statutory consultations, the Applicants, with the NFU, arranged an in person meeting on 4th December 2024. at St Marys Church Hall, Ballam to which landowners were invited.</p>