

Date: 05 June 2025
Our ref: 513609 Natural England's Covering Letter to Deadline 2
Morgan and Morecambe OWF Transmission Assets Project
Your ref: EN020028



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BY EMAIL ONLY

Dear David Cliff,

Morgan and Morecambe Offshore Wind Project: Transmission Assets

The following constitutes Natural England's formal statutory response for Examination Deadline 2.

1. Deadline 2 Submissions

Natural England have submitted the following documents at Deadline 2:

- EN020028 – 513609 Morgan and Morecambe Offshore Wind Transmission Assets - Appendix K2 - Natural England's Risk and Issues Log Deadline 2; and
- EN020028 513609 Morgan and Morecambe Offshore Wind Transmission Assets - Appendix J – Natural England's Comments on Benthic Compensation Deadline 2

2. Technical notes to address the first set of Issue Specific Hearing (ISH) Action Points

While Natural England welcomes the provision of the technical notes to address the first set of Issue Specific Hearing (ISH) Action Points relating to environmental matters; Natural England advises that unless there are further updates to Environmental Statement (ES) chapters, and/or named plans, any responses and commitments made by the Applicant within these documents will not be secured and therefore will not necessarily be 'pulled through' to the post-consent phases.

We therefore require our risks and issues to be addressed by the Applicant in updated ES

chapters, named plans and DCO/dML conditions, in order to provide a clear audit trail through to the post consent phases. All documents (including technical notes) should be clearly catalogued by the Applicant for easy reference during these phases (some of which last 10+ years) as the Planning Inspectorate (PINs) do not retain this information on their website.

In order to not confuse matters during the remainder of the Examination and reflecting the number of outstanding issues; it would be beneficial for the Applicant to focus on updating the Environmental Statement and/or named plans to reflect outcomes/agreements/commitments during Examination. If this is not undertaken, where the Applicant's representations have structured their responses as standalone 'comments on comments', Natural England will only be able to provide limited responses.

3. Updates to the Risk and Issues Log at Deadline 2

At Deadline 1 the Applicant submitted a Stage 2 Marine Conservation Zone (MCZ) Assessment [REP1-059] which included a Without Prejudice Measures of Equivalent Environmental Benefit (MEEB) In-Principle Plan. We have included detailed comments on the MEEB In-Principal Plan alongside our Deadline 2 submission in Appendix J. We highlight to the ExA that our Risk and Issues log submitted at Deadline 2 now includes an additional tab (J – Benthic Compensation) which summarises our detailed comments from Appendix J. Updates will be included in the R&I log and submitted into Examination at subsequent deadlines.

At Deadline 1 the Applicant submitted an updated draft Development Consent Order (DCO) [REP1-009]. Following our review, Natural England has identified an additional issue (R1_A13), which was not previously raised in our combined Relevant and Written Representations and Deadline 1. The additional comment has been included in Tab A – DCO of the R&I Log submitted at Deadline 2 under the reference R1_A13.

4. Onshore Ecology and Nature Conservation

Natural England acknowledge the Applicant's response to our Relevant/Written Representations [PDA-021] and [PDA-022] and the Applicants response to Hearing Action Points: ISH1 45 Agricultural Land Classification Surveys [REP1-043]. We also note the submission of an updated Water Vole Survey Technical Report [REP1-028]. Natural England are in the process of reviewing these documents; due to the short timeframe between Deadlines 1 and 2, we will provide updates in the Risk and Issues Log where relevant at Deadline 3.

Yours sincerely,


Cheshire to Lancashire Area Team

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Annex 1: Natural England's Response to the Applicant's Documents Submitted at Deadline 1

PINS Document Reference	Document Name	Natural England's Response/Position Summary
Deadline 1 – 20 May 2025		
REP1-008	C1 Draft Development Consent Order (Word)_F03.doc	Natural England's advice on the Applicant's updated DCO and updates is included in tab A – DCO of the R&I Log submitted at D2.
REP1-009	C1 Draft Development Consent Order_F02_F03_Tracked	Natural England's advice on the Applicant's updated DCO and updates is included in tab A – DCO of the R&I Log submitted at D2.
REP1-021	F1.5.5 Cumulative screening matrix and location plan_F01_F02_Tracked	Natural England has no comments to make on this document.
REP1-028	F3.3.9 Water vole survey technical report_F02	Natural England are reviewing this document and will provide a response at D3.
REP1-029	F3.3.9 Water vole survey technical report_F02_Tracked	Natural England are reviewing this document and will provide a response at D3.
REP1-001	S_D1_1 Deadline 1 Cover Letter F01	Natural England has no comments to make on this document.
REP1-060	S_D1_10 Clarification Note Construction Scenarios_F01	Natural England has no comments to make on this document.
REP1-064	S_D1_14_Errata_F01	Natural England has no comments to make on this document.
REP1-034	S_D1_2 Applicants Hearing Summary ISH1 Day 1_F01	Natural England has no comments to make on this document.
REP1-035	S_D1_3 Applicants Hearing Summary ISH1 Day 2_F01	Natural England has no comments to make on this document.
REP1-036	S_D1_4 Applicants Hearing Summary CAH_F01	Natural England has no comments to make on this document.
REP1-038	S_D1_5.1 Annex 5.1 to the Applicants response to HAP ISH1 3_F01	Natural England has no comments to make on this document.
REP1-046	S_D1_5.10 Annex 5.10 to the Applicants response to Hearing Action Points ISH1 52_F01	Natural England has no comments to make on this document.

REP1-039	S_D1_5.2 Annex 5.2 to the Applicants response to HAP ISH1 6, 8, 9, 19, 26_F01	Natural England has no comments to make on this document.
REP1-040	S_D1_5.3 Annex 5.3 to the Applicants response to HAP ISH1 13, 14, 16, 17	Natural England has no comments to make on this document.
REP1-041	S_D1_5.4 Annex 5.4 to the Applicants response to HAP ISH1 18_F01	Natural England has no comments to make on this document.
REP1-042	S_D1_5.5 Annex 5.5 to the Applicants response to HAP ISH1 20_F01	Natural England has no comments to make on this document.
REP1-043	S_D1_5.7 Annex 5.7 to the Applicants response to Hearing Action Points ISH1 45_F01	Natural England notes the additional information provided. Updates are included in tab G – Onshore Ecology and Nature Conservation of the R&I Log submitted at D2.
REP1-044	S_D1_5.8 Annex 5.8 to the Applicants response to Hearing Action Points ISH1 46_F01	Natural England has no comments to make on this document.
REP1-045	S_D1_5.9 Annex 5.9 to the Applicants response to Hearing Action Points ISH1 50_F01	Natural England has no comments to make on this document.
REP1-059	S_D1_9 Stage 2 MCZ Assessment _F01	Natural England has reviewed this document and has provided detailed comments in Appendix J.
REP1-066	S_S51_2 Schedule of Changes dDCO_F02	Natural England's advice on the Applicant's updated DCO and updates is included in tab A – DCO of the R&I Log submitted at D2.



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

**Appendix J - Natural England's advice on Stage 2 MCZ assessment and
Without Prejudice Measure of Equivalent Environmental Benefit (MEEB) for
Fylde Marine Conservation Zone (MCZ)**

For:

The construction and operation of the Morgan and Morecambe Transmission Assets
located approximately 0 - 37 km off the Northwest English Coast in the Irish Sea.

Planning Inspectorate Reference EN020028

05 June 2025

Appendix J Stage 2 MCZ assessment and without prejudice Measure of Equivalent Environmental Benefit (MEEB) for Fylde Marine Conservation Zone (MCZ)

In formulating these comments, the following documents have been considered:

- [REP1-059] S_D1_9 Stage 2 MCZ Assessment - Rev F01

The Applicant submitted an MCZ Stage 2 Assessment including an In-Principle MEEB Plan REP1 – 059] following the Planning Inspectorate issuing a Rule 9 letter [PD-005] in February 2025 requesting the Applicant provide this information. The MEEB In- Principle Plan has been produced to address the advice from Natural England and the Planning Inspectorate and to enable further consultation on the Stage 2 assessment during examination. Natural England has reviewed the MEEB Plan and detailed comments are provided below.

A. Summary of Main Concerns

1) Natural England's position on the Transmission Assets Impacts to Fylde MCZ

Natural England submitted our Relevant/Written Representations (RR/WR) to the Planning Inspectorate on 27 January 2025 [RR-1601]. Part of our response included detailed comments and recommendation on impacts to Fylde MCZ. In summary, Natural England does not agree with the conclusion of no likelihood of hindering the conservation objectives of the Fylde MCZ, which has been designated for subtidal sand and subtidal mud. Unless it can be demonstrated otherwise, the nature, scale and duration of impacts from lasting habitats change/loss from the placement of cable protection is likely to hinder the 'maintain' habitat feature conservation objectives of the site. Natural England advised the Applicant that the MCZ assessment should proceed to a Stage 2 assessment and provide a without prejudice MEEB case.

2) Natural England's position on MEEB options for Morgan and Morecambe Transmission Assets

Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. At this stage, Natural England does not believe that there is merit in the Applicant progressing and/or placing reliance upon project specific benthic compensation measures for this project. In the call with

the Applicant on 12 February 2025 the strategic compensation option was discussed in detail and the process required to adopt this approach, namely utilising the Marine Recovery Fund (MRF).

Natural England highlights the Ministerial Statement issued on 21 January 2025 which confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund.

[Written statements - Written questions, answers and statements - UK Parliament](#)

DESNZ also issued interim guidance on the MRF. The guidance will provide developers with a means to access MPA designation as a compensation measure, prior to the launch of the MRF. The interim guidance also provides advice to developers in planning who are developing their own avian compensation packages on how to ensure that their consent documents include the option to switch to sourcing their avian compensation through the Marine Recovery Fund when it is in place.

[Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance - GOV.UK](#)

Additionally Natural England's response to ExA question ME. 1.10 for Five Estuaries provides some additional information [EN010115-000899-Natural England - Responses to ExQ1.pdf](#) relating to compensatory measures.

On Monday 10th February Natural England provided by email to the Applicant a word document outlining the draft standard conditions schedule which should be secured within the DCO/dMLs. This is applicable for standard benthic compensation conditions for strategic compensation. This has also been sent out to other projects e.g. Five Estuaries.

3) Maximum Design Scenario/ Impact Parameters

Natural England previously raised in our RR/WRs ([RR-1601], comment ref: 14) that we do not agree with the approach the Applicant has taken in the ES to determine the MDS for lasting habitats change/loss due to the placement of cable protection. The approach taken assumed that MDS for cable protection requirements could occur wholly within either the subtidal mud or sand feature. We advised that an accurate MDS and realistic Worst-Case Scenario (WCS)

for each feature should be presented and highlighted the importance of providing this information to inform compensation requirements for MEEB.

We acknowledge and welcome further reduction to the MDS for lasting habitat change/loss of the subtidal sand feature, as presented in Section A1.6.3 [REP1-059] which is due to the removal of a cable crossing within the subtidal sand feature. However, we note that the approach taken to determine the MDS within this document still assumes that cable protection requirements could occur wholly within either the subtidal sand or subtidal mud feature. The updated MDS for lasting habitat change/loss of each of the features have been provided as:

- Total: 30,400m² (0.01% of the total 260km² MCZ area);
- Subtidal sand 26,400m² (reduced by 4,000m² due to the removal of a cable crossing in this feature) (0.01% of the area of this feature in the MCZ); and
- Subtidal mud: 30,400m² (0.07% of the area of this feature in the MCZ).

Without this refinement, there would be an expectation that compensation measures for subtidal sand and subtidal mud features to the maximum extent of 26,400m² and 30,400m² for each feature respectively would be provided by the Applicant.

Natural England continues to advise that an accurate MDS and realistic WCS for each feature should be presented and assessed for lasting habitat change/loss. The site-specific surveys along with information provided within the Cable Burial Risk Assessment (CBRA) and Cable Specification Installation Plan (CSIP) should be sufficient to give a more accurate breakdown of the cable protection requirements and subsequent lasting habitat change/loss for each of the features.

We highlight the importance of providing a more realistic MDS for long-term habitat loss for each of the features to inform the compensation requirements for MEEB. Please see table 6 in Part B below for further details on compensation requirements and for each habitat feature in the MCZ. Additionally, we advise that the finalised MDS figures should be updated in all the relevant documents.

4) Significance of Impacts to Fylde MCZ

We advise as with other recently consented projects which propose to have similar 'lasting' impacts to that of Morgan and Morecambe Transmission Assets that the conservation objectives of the site will be hindered by the project alone. Therefore, our advice provided

within our RR/WR [RR-1601] remains unchanged.

Section A1.6.5 [REP1-059] outlines the feature sensitivity and the highly localised nature of the impacts. Natural England reiterates its advice from RR/WR that presenting impacts considered as a percentage of the whole MCZ is misleading given the size of the site, the lasting habitat change/loss impacts from the Transmission Assets combined are still 30,400m². Additionally, the most recent condition assessment for Fylde MCZ concluded that subtidal sand and subtidal mud were in a favourable condition. Whilst the cable protection is *in situ*, the extent and distribution attribute of the site features can neither be maintained or restored, nor can the impacts be considered temporary even if removal is secured at decommissioning.

5) Further Advice on Mitigation

Please see Table 6 in Part B of this document on Natural England's advice on MEEB In-Principle Plan, which also includes further advice on the following Commitments: CoT109, CoT116 and CoT117.

6) Strategic Compensation

Natural England welcomes the Applicant's consideration of strategic compensation within the Benthic Compensation Strategy. We agree with the Applicant on the next steps included within the compensation strategy and therefore, as agreed in the meeting (12 February 2025) we aim to agree the level of impact which requires compensation in order to apply to the Marine Recovery Fund (MRF). However, we note the application is likely to be in the post-consent phase for this project.

It is Natural England's understanding that based on the published Marine Recovery Fund Guidance (Jan 2025), DEFRA and DESNZ have included provision for the Morgan and Morecambe Transmission Assets project within the strategic compensation MPA designation and extension process. With the commitment within the Written Ministerial Statement to progress strategic benthic compensation, which as previously stated the Statutory Nature Conservation Bodies (SNCB's) believe has the greatest likelihood of maintaining the coherence of the National Site Network; we do not believe there is merit in further progressing project specific compensation measures at this time.

7) Project led compensation

We note that the Applicant agree with Natural England on progressing with the strategic compensation approach but also include a long list of project options. Going forwards Natural England will not provide any additional advice into examination on the project led options, unless a new option is proposed and/or we are asked by the Examining Authority to comment on these options specifically.

B. Detailed Comments

As the MEEB documents differ in content/structure to a standard Environmental Statement chapter, our comments are provided in a different format to the other Appendices. We have provided a summary table for; the strategic compensation measures (**Table 1**), each of the project-led short list measures (**Tables 2 – 5**) and detailed comments on the MEEB In-Principle Plan and supporting documents (**Table 6**). The summary RAG table is used to highlight areas of agreement and outstanding concern. The following criteria was used to assess each category in relation to the compensation measures:

	Note to Examining Authority (ExA)
	NE has confidence in this aspect of the measure
	There are some concerns/uncertainties regarding this aspect of the measure, but they are likely resolvable
	Considerable uncertainties remain with this aspect of the measure, which if not resolved would make compensation undeliverable. NE cannot be confident at this stage that the measure is deliverable

For ease and as set out in the DEFRA guidance (2021) there is no differentiation between compensation and MEEB requirements. Therefore, where compensation is referenced, this also relates to MEEB.

Table 1 Summary position on strategic compensation measure

Compensation measure: Strategic Compensation - New site designation or Extension for Subtidal Sand and Subtidal Mud				
NE Ref.	Aspect	RAG	NE Comment	Recommendation
J1	1.1 Theoretical merit to deliver compensation		<p>Following the Written Ministerial Statement (21-January-2025 Written statements - Written questions, answers and statements - UK Parliament) in support of progressing strategic benthic compensation in the form of Marine Protected Area (MPA) designation and/or extension of existing sites and the publication of guidance in regard to the Marine Recovery Fund (MRF); Natural England welcomes the Applicant's consideration of these. We agree with the Applicant on the next steps included within the '<i>Without Prejudice, In Principle Measures of Equivalent Environmental Benefit (MEEB) Plan</i>' and therefore, we aim to agree the level of impact which requires compensation in order to apply to the Marine Recovery Fund (MRF). However, we note the MRF application is likely to be in the post-consent phase for this project.</p> <p>It is Natural England understanding based on the published Marine Recovery Fund Guidance (Jan 2025), that DEFRA and DESNZ have included provision for the M&M transmission project within the strategic compensation MPA designation and extension process. With the commitment within the Written Ministerial Statement to progress strategic benthic compensation, which as previously stated the Statutory Nature Conservation Bodies (SNCB's) believe has the greatest likelihood of maintaining the coherence of the National Site Network; we do not believe there is merit in further progressing project specific compensation measures at this time.</p> <p>Equally, we do not believe that there is merit in the Applicant progressing their own outline Implementation and Monitoring plan, as this is something that will be undertaken through DEFRA at a later stage.</p> <p>For the ExA's awareness, Defra is currently working to identify potential areas for designating new sites, or extending existing sites, working</p>	If and when further information becomes available during examination, NE will update accordingly.

			<p>closely with Natural England and JNCC. And it has been agreed that the scope of the strategic compensation should include all Offshore Wind Farm (OWF) projects including associated interconnectors/bootstraps in English waters within the pipeline contributing to the Government 2030 target, where benthic compensation is deemed necessary. Due to multiple projects, designated sites and interest features, it will not be limited to provision of Annex I sandbank compensation.</p> <p>This measure is therefore also the recommended compensation measure for the M&M Transmission for both subtidal sand and subtidal mud interest features.</p>	
J2	1.2 Technical feasibility		<p>It is Natural England's view that with the Secretary of States support for the compensation measure, it is now technically feasible. The evidence included within the Applicant's documentation and within the Dogger Bank Strategic Compensation Plan supports the SNCBs position that there are areas of seabed not currently protected which if protected and appropriately managed could provide similar ecological function to those interest features which are likely to be subject to lasting loss/change.</p>	No further comment
J3	1.3 Agreed level of impact		<p>Whilst we welcome the significant reduction in impact parameters, we continue to advise that we do not agree with the approach taken to determine the total WCS for lasting habitat loss. The approach taken assumes that cable protection requirements could occur wholly within either the subtidal sand or subtidal mud feature. For us to agree the impact, the habitat loss for each feature should be calculated then summed to provide the total area of habitat loss.</p>	Please see comments on scale and extent below that require further consideration.
J4	1.4 Scale/extent of measure		<p>The WCS of lasting habitat loss/change to each of the designated interest features, namely subtidal mud and subtidal sand features from the placement of cable protection within Fylde MCZ is not agreed. We continue to advise that a realistic WCS for habitat loss of each feature is provided, rather than assuming that cable protection could occur wholly within either subtidal sand or subtidal mud.</p> <p>In addition, due to potential uncertainties with the delivery mechanisms and timeframes for successful delivery of the measure, further</p>	Natural England advises that the points raised in Table 6 below are addressed. And all named plans should be updated accordingly.

			discussions are required in relation to individual project contributions and compensatory ratios which may be required.	
J5	1.5 Timing: Deliverable before impact		Please see above points, where Natural England recognises that there are likely to be time lags between impact occurring and compensation achieving the desired outcomes. In this scenario, Natural England would wish to see the project contribution to the measure to be such that it ensures an overall environmental net positive outcome for the impacted feature over the lifetime of the project.	If and when further information becomes available during examination NE will update accordingly. However, any assurances in the security of this measure should be sought directly from DEFRA.
J6	1.6 Location of measure		This is still under consideration by DEFRA, NE and JNCC and as yet nothing has been agreed and/or secured. There is likely to be consultation on potential locations during the examination.	If and when further information becomes available during examination NE will update accordingly.
J7	1.7 Long term implementation		This is still under consideration by DEFRA, NE and JNCC and as yet nothing has been agreed and/or secured.	If and when further information becomes available during examination NE will update accordingly.
J8	1.8 Success criteria/Ability to prove additionality		This is still under consideration by DEFRA, NE and JNCC and as yet nothing has been agreed and/or secured.	If and when further information becomes available during examination NE will update accordingly.
J9	1.9 Suitable as sole measure for target species		It is the SNCB's view that this measure has the greatest likelihood from an ecological perspective of maintaining the coherence of the National Site Network and we believe that sufficient capacity can be built into the design of the measure to compensate for the impacts of this project as a sole measure.	Natural England advises that the points raised in Appendix C of our RR/WR [RR-1601] and Table 6 of this Appendix are addressed so that the realistic WCS can be

				included within the compensation measure.
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Table 2 Summary position of compensation measure: Biogenic Reef - Native Oyster

Compensation measure: Biogenic Reef - Native Oyster			
NE Ref.	Aspect	RAG	NE Recommendation
J10	2.1 Theoretical merit to deliver compensation		<p>Natural England refers the ExA to the published 'Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan' (April 2024).</p> <p>It was considered by the Round 4 Plan Level Benthic Compensation Steering Group including SNCBs, DEFRA and DESNZ, that Reef creation/enhancement is not considered to provide comparable ecological function and is therefore not an appropriate measure for sandbank compensation.</p> <p>We therefore consider the same to be true for subtidal sand and subtidal mud systems within Fylde MCZ and provide no further comment on this as a potential measure.</p>

Table 3 Summary position of compensation measure: Bivalve Seeding inside MCZ

Compensation measure: Bivalve Seeding inside MCZ			
NE Ref.	Aspect	RAG	NE Recommendation
J11	3.1 Theoretical merit to deliver compensation		<p>Whilst Natural England recognises some bivalves will form part of the infaunal benthic communities of the MCZ it remains unclear what additionally this measure would provide, and we would therefore question this as being compensation for lasting habitat loss/change to subtidal sand and subtidal mud.</p> <p>In addition, the seeding of bivalves is associated with biogenic reef communities on mixed sediment and not subtidal sand and subtidal mud. Therefore, as above with Oyster Reef creation, Natural England refers the ExA to the published 'Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan' (April 2024).</p> <p>It was considered by the Round 4 Plan Level Benthic Compensation Steering Group including SNCBs, DEFRA and DESNZ, that Reef creation/enhancement is not considered to provide comparable ecological function to Annex I sandbank and is therefore not an appropriate measure for sandbank compensation.</p> <p>We therefore consider the same to be true for subtidal sand and subtidal mud systems within Fylde MCZ and provide no further comment on this as a potential measure.</p>

Table 4 Summary position of compensation measure: Bivalve Seeding outside of designated sites

Compensation measure: Bivalve Seeding outside of designated sites				
NE Ref.	Aspect	RAG	NE Comment	Recommendation
J12	4.1 and 4.2 Theoretical merit to deliver compensation and technically feasibility		<p>Given the legislative changes that would be required, Natural England does not consider this option is viable within the Project's timeframe. If the Applicant wishes to pursue this there will need to be agreement from The Crown Estate for a seabed lease and management measures put into place. Note that this type of measure was not taken forward in the Round 4 Plan Level Compensation Plan as not supported by TCE and regulators.</p> <p>In addition, it currently remains unclear how this measure will ensure the coherence of the National Site Network.</p>	<p>This is outside of NE's remit; therefore, we advise the Applicant will need to liaise with TCE, DEFRA, MMO (and EIFCA depending on location). However, we do not believe there is merit in this measure from an ecological perspective</p>
J13	4.3 Agreed level of impact		<p>Whilst we welcome the significant reduction in impact parameters, we continue to advise that we do not agree with the approach taken to determine the total WCS for lasting habitat loss. The approach taken assumes that cable protection requirements could occur wholly within either the subtidal sand or subtidal mud feature. For us to agree the impact, the habitat loss for each feature should be calculated then summed to provide the total area of habitat loss.</p>	
J14	4.4 Scale/extent of measure		<p>The scale/extent of the measure has not been presented in detail and/or agreed with Natural England, JNCC or DEFRA.</p>	
J15	4.5 Timing: Deliverable before impact		<p>We do not believe that this measure will be available in the project timeframes.</p>	
J16	4.6 Location of measure		<p>The location of the measure has not been presented in detail and/or agreed with TCE, Natural England, JNCC or DEFRA.</p>	
J17	4.7 Long term implementation		<p>There is a requirement for changes in legislation for the delivery of this measure and therefore until that is secured,</p>	

			further long-term implementation remains unknown.	
J18	4.8 Success criteria/Ability to prove additionality		As per the above comment in relation to long-term implementation.	
J19	4.9 Suitable as sole measure for target species		We do not believe that is currently suitable as a sole or part measure currently.	

Table 5 Summary position of compensation measure: Seagrass habitat creation/restoration

Compensation measure: Seagrass habitat creation/restoration				
NE Ref.	Aspect	RAG	NE Comment	Recommendation
J20	5.1 Theoretical merit to deliver compensation		<p>Natural England refers the ExA to the published 'Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan' (April 2024).</p> <p>In section 3.4.2 it is stated that <i>'Although lower on the compensation hierarchy than the other measures, seagrass meadows do occur on some sandbanks within coastal subtidal and intertidal zones and seagrass is a sub-feature of other designated Annex I sandbanks, such as those within Fal and Helford SAC and Plymouth Sound and Estuaries SAC (Natural England, 2023a; Natural England, 2023b). Suitability as compensation for sandbank is supported by the listing of seagrass as a flora associated with sandbank in Natura 2000 (now National Sites Network) guidance habitat guidance (European Commission, 2013). Nonetheless, seagrass restoration is a lower preference measure compared to those supporting the same ecological function of the habitat being compensated for.</i></p> <p>We advise the same is true for compensation for impacts to subtidal sand of Fylde MCZ where subtidal seagrass has not been found within the site.</p> <p>Natural England also highlights that seagrass is not a feature of subtidal mud and further advice on this measure should be read in this light.</p>	Natural England has no further recommendation currently.
J21	5.2 Technical feasibility		<p>Natural England refers the ExA to the published 'Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan' (April 2024).</p> <p>In section 3.4.3 it is stated that <i>'The Steering Group had significant concerns about the deliverability of seagrass restoration, even on a small scale as there have been no long-term successes with seagrass restoration in the UK. Seagrass restoration is included as a potential measure only where it would be a minor part of a wider package in</i></p>	Natural England has no further recommendation currently.

			<p><i>terms of the required compensation. Given the intention to compensate for Annex I sandbank habitat, which is, by definition, a subtidal habitat, seagrass restoration for the purpose of compensation for DBSW and DBSE projects shall be limited to subtidal seagrass. The measure is retained in the DBSCP as an additional option which could potentially be employed if the Steering Group considered that it was necessary to supplement other measures, or potentially as an adaptive management response.'</i></p> <p>This is also applicable to M&M MEEB.</p>	
J22	5.3 Agreed level of impact		<p>Whilst we welcome the significant reduction in impact parameters, we continue to advise that we do not agree with the approach taken to determine the total WCS for lasting habitat loss. The approach taken assumes that cable protection requirements could occur wholly within either the subtidal sand or subtidal mud feature. For us to agree the impact, the habitat loss for each feature should be calculated then summed to provide the total area of habitat loss.</p>	Please see comments on scale and extent in Tables 1 and 6.
J23	5.4 Scale/extent of measure		The scale/extent of the measure has not been presented in detail and/or agreed with the SNCBs.	Natural England has no further recommendation currently.
J24	5.5 Timing: Deliverable before impact		It is unclear if this measure can be delivered prior to the impacts occurring.	Natural England advises that the Applicant would need to provide more detail to address our concerns.
J25	5.6 Location of measure		The location of the measure has not been presented in detail and/or agreed with the SNCBs.	Natural England advises that the Applicant would need to provide more detail to address our concerns.
J26	5.7 Long term implementation		This is yet to be considered in detail and agreed with the SNCBs.	Natural England advises that the Applicant would need to provide more detail to address our concerns.

J27	5.8 Success criteria/Ability to prove additionality		As per long term implementation for this measure, this is yet to be considered in detail and agreed with the SNCBs.	Natural England advises that the Applicant would need to provide more detail to address our concerns.
J28	5.9 Suitable as sole measure for target species		Natural England advises that this measure could only be considered as part of a package providing <10% of the required compensation and/or potential adaptive management for part delivered compensation. There would also be a requirement for the provision of subtidal seagrass, not intertidal. Therefore, we advise that other measures are progressed first. If other projects are being progressed, then there is an expectation that this compensation will not be taken forward.	

Table 6 Natural England's Detailed Advice on Without Prejudice, In Principle Measures of Equivalent Environmental Benefit (MEEB) Plan

NE Ref	Section	Natural England's Comment	Recommendation	Risk
J29	1.1.2.1	It is unclear why terrestrial issues have been included in the document.	NE advises that there should be MEEB for each designated site.	
J30	1.1.3.1 1.6.5.5	Natural England doesn't agree with the Applicant in relation to small scale losses not hindering the conservation objectives of the MCZ.	We refer the ExA to Appendix C Annex A of our relevant/written representation [RR-1601]. It is unlikely that either Applicant's or Natural England position on this will change during examination.	
J31	1.1.4	Natural England agrees that the construction scenario's do not have implications for the impacts or delivery of MEEB.	No comment.	
J32	1.1.4.2	Natural England advises that lasting habitat change/loss can only be considered if removed after the 35 years or at the time of decommissioning. After that timeframe it becomes a permanent impact.	Natural England advises that commitments should be made to ensure removal at the time of decommissioning.	
J33	1.2.2.3	Conservation objectives: Natural England advises that even where the conservation objectives are set to 'maintain', lasting habitats change/loss would not maintain the extent and distribution of the features; thus, hindering them. This would lead to a restore conservation objective being set which can't be achieved whilst the cable protection is <i>in situ</i> .	Natural England advises that the conservation objectives of the site are likely to be hindered from the placement of cable protection, therefore we advise that MEEB is required.	
J34	1.2.2.10	DESNZ guidance on the MRF agrees with the Applicant that there is likely to be a time lag between impacts occurring and the delivery of the compensation. Therefore, allowances will be included in the MRF process for this.	We will provide no further comment on this during examination.	

NE Ref	Section	Natural England's Comment	Recommendation	Risk
J35	1.5.4.3	The EIA lifespan is 35 years. Therefore, Natural England doesn't consider the impacts to be temporary, given that the features extent and distribution will be hindered. Likely leading to changes in other attributes.	It is unlikely that either Applicant's or Natural England position on this will change during examination.	
J36	1.5.5.2	Natural England highlights those consents dating back to 2000 pre-date the MCZ designation and is therefore considered part of the baseline.	Natural England advises that the existing cable is not a material consideration in any decision making. Though we do recognise that it supports the Applicant reducing the WCS.	
J37	Table 1.4. and Table 1.5	Natural England welcomes the inclusion of a WCS however, as written there is no differentiation between impacts to subtidal sand or subtidal mud except at the cable crossing which is known to be subtidal mud.	We advise that unless the lasting habitat loss for the two features can be differentiated then it is likely that compensation will be required for 30,400m ² of subtidal mud, plus 26,400m ² of subtidal sand. We advise that this needs to be clearer.	
J38	Table 1.6 1.6.5.1	CoT 109: Natural England advises that it is not sufficient as mitigation. And removal of cable protection should be agreed now as part of a decommissioning plan. OPSAR is clear that there is a preference for full decommissioning, and only in exceptional and unforeseen circumstance will this position change. However, the leaving in situ of cable protection, especially in a designated site would not meet the criteria and/or is unlikely to receive the necessary permitting.	Natural England advises that this mitigation measure is considered further by the Applicant.	
J39	Table 1.6 1.6.5.1	CoT 116: Natural England advises that the mitigation measure is not sufficient in relation to sandwave levelling.	We advise that further commitments are included that the deposition of any sediment from sandwave levelling within the MCZ is placed adjacent to the levelling, in similar sediment and upstream of the sandwave to facilitate recovery.	
J40	Table 1.6 1.6.5.1	CoT 117: Natural England advises that the use of Jack Up Vessels (JUVs) should be avoided in the MCZ due to potential leg depressions. This	Natural England advises that this mitigation measure is considered further by the Applicant.	

NE Ref	Section	Natural England's Comment	Recommendation	Risk
		advice is in line with commitments made by DEP and SEP OWFs within the Cromer Shoal Chalk Beds MCZ.		
J41	1.7.3	Natural England advises that we do not believe that there are further measures within the long list of measures that could be taken forward at the project level that would provide the necessary MEEB.	No further comments on the long list will be provided during the examination unless there is a specific ExA question asking us to do so.	

References

DEFRA (2021) Best practice guidance for developing compensatory measures in relation to Marine Protected Areas. [Best practice guidance for developing compensatory measures in relation to Marine Protected Areas](#)

Department for Energy Security & Net Zero (DESNZ) (2025) [Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance](#)