

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Applicants' Response to Examining Authority's Written Questions (ExQ1)



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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 Examining Authority's Written Questions (ExQ1)

1.1 Introduction

- 1.1.1.1 Morgan Offshore Wind Limited ('Morgan OWL') and Morecambe Offshore Windfarm Limited ('Morecambe OWL'), (together, 'the Applicants') have taken the opportunity to review each of the Examining Authority's Written Questions (ExQ1).
- 1.1.1.2 Details of the Applicants' response to each of the Examining Authority's Written Questions (ExQ1) are set out in the subsequent sections of this document and its annexes.
- 1.1.1.3 Three annexes were produced to support the Applicants' response, as follows:
- Annex 3.1 to the Applicants Response to ExA Questions: Q1.1.1 – River Ribble Crossing (S_D3_3.1)
 - Annex 3.2 to Applicants response to ExQ1 Q1.2.3 (b): Whitley Parish Council v North Yorkshire County Council (S_D3_3.1)
 - Annex 3.3: Applicants' response to ExQ1 6.1.1: Phase 1 Habitat Survey Coverage (S_D3_3.1)

2 Response to Examining Authority's written questions and requests for information (EXQ1)

2.1 General and cross-topic questions

Table 2.1: General and cross-topic questions

Reference	Question To	ExQ1	Applicants' response
1.1 Scope of the development and general matters			
Q1.1.1	The applicants	<p>River Ribble crossing</p> <p>The written representation from South Ribble Borough Council [REP1-097] raises concerns at the lack of plans to clearly show how works to cross the River Ribble will be conducted.</p> <p>For each of the two potential trenchless installation techniques (micro-tunnelling and direct pipe) described in the Project Description [REP2-008] provide indicative drawings showing (a) the layout of relevant construction works (including compounds) and (b) a full cross-section showing the full extent of the proposed works taking</p>	The Applicants provided indicative drawings for each of the two potential trenchless installation techniques in Annex 3.1 to Applicants response to ExQ1: Q1.1.1 – River Ribble Crossing (S_D3_3.1).

Reference	Question To	ExQ1	Applicants' response
		account of existing topography and landform.	
Q1.1.2	The applicants and South Ribble Borough Council	<p>Cable corridor</p> <p>The Examining Authority (ExA) notes that the construction of the two separate 400kV grid connection corridors [AS-017] leading towards Penwortham substation would involve construction across, in places, steeply sloping land.</p> <p>Are any specific construction work methods necessary in these locations to deal with the gradients and are any particular mitigation and management measures proposed, including in respect of existing trees, hedges and general landscape maintenance?</p>	<p>The Applicants acknowledge that sections of the two separate 400kV grid connection corridors approaching Penwortham Substation, particularly along the north-westerly approach near Howick Cross Lane and the National Grid Electricity Transmission's (NGET) Penwortham main access road, will involve construction across undulating and in some locations, steeply sloping terrain.</p> <p>As set out within Schedule 1, Part 1 of the draft Development Consent Order (REP2-004), the Applicants have retained flexibility to use either open-cut trenching or trenchless installation techniques for the cables within these locations. This flexibility allows the Applicants to select the most appropriate construction methodology based on pre-construction surveys and detailed assessments of ground conditions which will include local gradients.</p> <p>In areas of particularly steep gradients or sensitive environmental receptors, such as existing trees, hedgerows and other landscape features, trenchless techniques will be used. This will enable the Applicants to install cables beneath existing landscape features and roadways without surface disturbance. Trenchless techniques are particularly appropriate in areas of steep land as it reduces the risk of erosion and ground slippage. Specific features within the cable route where the Applicants have committed to trenchless installation methods are detailed within the Onshore Crossing Schedule (REP1-016 & REP1-018), although trenchless techniques are not limited exclusively to these identified locations. The final selection of construction techniques will be confirmed during detailed design phase, informed by site specific surveys and environmental assessments.</p>
Q1.1.3	The applicants	<p>Construction durations</p> <p>The applicants noted at issue specific hearing 1 [REP1-035] that there would not be construction works across all areas of the order limits for the</p>	<p>While the maximum assessed construction periods for Morgan OWL and Morecambe OWL are 36 months and 30 months respectively for the onshore export cables, 400kV grid connection cables and onshore substations, this does not equate to continuous construction activity across the entire Order Limits for the full duration of this period for either project.</p> <p>Construction of the onshore export cable corridor/400kV grid connection cable corridor will occur across multiple locations simultaneously, in accordance with the staging plan approved by the relevant planning authority under Requirement 3 of Schedules 2A and 2B of the draft DCO [REP 2-004]. Activities will be staggered across the Order Limits based on construction complexity and environmental</p>

Reference	Question To	ExQ1	Applicants' response																				
		<p>entirety of each projects' respective periods.</p> <p>In order that a greater understanding can be gained of the duration of construction impacts on receptors (including communities, residents, farms and businesses) at different points along the cable corridor, provide indicative details of the expected construction durations of the proposed works across different sections of the proposed development.</p>	<p>constraints. For example, in some locations cable ducting may be installed in open cut sections and left buried for a period, while trenchless crossings and joint bays are installed at other locations before cables can be pulled though and jointed.</p> <p>In the worst case scenario where there is a maximum four year gap between the two projects, this would not result in ten years of continuous works at any one location. Instead, most locations will experience isolated construction periods, each lasting weeks or months, not years. In any event, the maximum assessed construction periods of 30 months and 36 months for each project respectively, which are noted above, would not in any circumstance result in a total of 10 years of continuous works.</p> <p>For clarity, the Applicants have provided two indicative construction duration examples below, a typical open-cut installation through agricultural land, and a trenchless crossing scenario. Both examples assume that only one Applicant is working at the specific location. The open-cut example assumes installing cable circuits over a distance of 1 kilometre (1,000 metres) through agricultural land, while the trenchless method assumes access is in place and horizontal directional drilling is used.</p> <p>Example A – Indicative timings for Open Cut installation through agricultural land i.e. Work No. 17A/17B, 25A/25B (APP-014 and APP-015)</p> <table> <tr> <th>Activity</th><th>Morgan Duration (4 circuits)</th><th>Morecambe Duration (2 circuits)</th><th>Notes</th></tr> <tr> <td>Site preparation and mobilisation</td><td>5 days</td><td>5 days</td><td>Site clearance, top soil strip, temporary fencing and haul road implementation</td></tr> <tr> <td>Construction Activities</td><td>120 days</td><td>60 days</td><td>Trench excavation and duct laying, back fill activities, assuming 2 joint bays per circuit required, and cable pull-in</td></tr> <tr> <td>Testing, commissioning and Reinstatement</td><td>28 days</td><td>14 days</td><td>Test and commissioning of cables, demobilisation of plant and reinstatement of land</td></tr> <tr> <td>Total</td><td>145 days</td><td>75 days</td><td></td></tr> </table>	Activity	Morgan Duration (4 circuits)	Morecambe Duration (2 circuits)	Notes	Site preparation and mobilisation	5 days	5 days	Site clearance, top soil strip, temporary fencing and haul road implementation	Construction Activities	120 days	60 days	Trench excavation and duct laying, back fill activities, assuming 2 joint bays per circuit required, and cable pull-in	Testing, commissioning and Reinstatement	28 days	14 days	Test and commissioning of cables, demobilisation of plant and reinstatement of land	Total	145 days	75 days	
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Reference	Question To	ExQ1	Applicants' response																				
			<p>Example B – Indicative timings for Trenchless Crossings at a road or Railway i.e. (Moss Side Network rail and Saltcotes Rd (REP1-016))</p> <table border="1"> <thead> <tr> <th>Activity</th><th>Morgan Durations (4 circuits)</th><th>Morecambe Duration (2 circuits)</th><th>Notes</th></tr> </thead> <tbody> <tr> <td>Site mobilisation & compound setup</td><td>10 days</td><td>10 days</td><td>Temporary road, fencing and plant mobilisation to support trenchless drill activities</td></tr> <tr> <td>Entry/exit pit construction</td><td>30 days</td><td>20 days</td><td>Entry/exit pit construction, drill setup and pilot bore, reaming and duct installation and cable pull-in</td></tr> <tr> <td>Testing, commissioning and Reinstatement</td><td>20 days</td><td>10 days</td><td>Back fill entry/exit pits, demobilisation of plant and reinstatement of land</td></tr> <tr> <td>Total</td><td>60 days</td><td>40 days</td><td></td></tr> </tbody> </table> <p>The Applicants note that haul roads within the cable corridor may remain in place after the completion of construction activities at a specific location. This is to facilitate the movement of plant, materials and personnel between active work fronts along the onshore cable corridor, removing traffic and reliance on the public road network. As a result, reinstatement of land at some locations may not occur until the haul road is no longer required which may be once cable testing and commissioning is complete.</p> <p>The Applicants note that the Outline Code of Construction Practice (APP-193), Soil Management Plan (APP-200) and the Public Rights of Way Management Plan (AS-048) set out further measures to manage local disruption, including notification procedures, access provisions and reinstatement protocols which will ensure that landowners and members of the public are fully aware of the timing and extent of works.</p>	Activity	Morgan Durations (4 circuits)	Morecambe Duration (2 circuits)	Notes	Site mobilisation & compound setup	10 days	10 days	Temporary road, fencing and plant mobilisation to support trenchless drill activities	Entry/exit pit construction	30 days	20 days	Entry/exit pit construction, drill setup and pilot bore, reaming and duct installation and cable pull-in	Testing, commissioning and Reinstatement	20 days	10 days	Back fill entry/exit pits, demobilisation of plant and reinstatement of land	Total	60 days	40 days	
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Total	60 days	40 days																					
Q1.1.4	The applicants	Construction programme	a) The Applicants' assessment of a four year construction gap is derived from this being the maximum gap possible between the projects within the 7 year period for commencement of works, if Project A																				

Reference	Question To	ExQ1	Applicants' response
		<p>Appendix B of the applicants D1 submission [REP1-037] shows an indicative construction programme for a sequential construction scenario including a four year gap. Concerns have been raised in representations from interested parties about the length of the potential gap between the construction of both projects, the uncertainty that would result from this and the potential overall length of the construction period.</p> <p>a) Taking account of the likely timetable scenarios as currently known for the potential consenting and implementation of the generating assets for both projects (Morgan and Morecambe), provide further justification and demonstration of the need for a maximum four year gap for the</p>	<p>were to complete construction and Project B then commenced construction shortly before the end of the 7 year DCO period. More information on the factors influencing this are included in response to b and c below. This seven year DCO period has been granted on previous multi-project DCOs such as Dogger Bank Teesside A&B, Hornsea Three, Hornsea Four and most recently Sheringham and Dudgeon as explained in the Explanatory Memorandum [REP 2-006].</p> <p>b) and c) If the SoS considered that the well-precedented seven year commencement period sought by the Applicants is not justified, the SoS could reduce this to five years. However, this would conflict with the periods sought for the Morgan Generation and Morecambe Generation Development Consent Orders and in the context of other multi-project DCOs, such a decision would be unprecedented. It would also put the delivery of both projects at risk.</p> <p>This level of flexibility, including the four year construction gap, is required due to external dependencies and inherent uncertainties associated with the projects including supply chain, project financing and the Contracts for Difference (CfD) process.</p> <p>The CfD is a government-run process that operates via competitive Allocation Rounds, which are typically held annually, but these are subject to change in timing and structure. Each round is highly competitive, with limited capacity awarded to a set financial cap. It can therefore not be guaranteed that both projects will be awarded CfDs in the same allocation round, or even in consecutive rounds. Allowing seven years for the implementation of the Transmission Assets and the corresponding maximum four-year gap in the DCO drafting allows each project the necessary opportunity to participate in multiple CfD allocation rounds, in the event that they are unsuccessful in previous attempt(s).</p> <p>Limiting this period would increase the risk that one or both projects are unable to reach a viable route to market within the permitted timeframe, thereby threatening the deliverability of the projects and significant new clean energy capacity in accordance with the NPs and the Government's Clean Energy Strategy.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>sequential scenario.</p> <p>b) What would the implications be for both projects should this gap be reduced?</p> <p>c) Should the Secretary of State (SoS) consider that the overall construction period as proposed is not justified, explain whether it would be possible for the SoS to reduce this period with alternative DCO drafting?</p>	
Q1.1.5	The applicants (a, b and c), Local authorities (b and c)	<p>Construction working hours</p> <p>Proposed construction hours are set out in Requirement 14 of Schedule 2A and 2B of the dDCO [REP2 004].</p> <p>a) Requirement 14(2) for both projects provides for circumstances</p>	<p>Construction working hours</p> <p>Proposed construction hours are set out in Requirement 14 of Schedule 2A and 2B of the dDCO [REP2-004].</p> <p>a)</p> <p>The Applicants consider it is a standard approach to allow for works such as those identified in the requirement drafting to be able to be carried out outside core working hours given their time critical nature and/or the potential need for those activities to be completed in a continuous period. This is due to the nature of the activity which cannot be interrupted (e.g. concrete pouring or trenchless drill), the type of machinery used and ground conditions.</p> <p>The Applicants highlight that requirement 14(2)(a) which uses the phrase 'where continuous periods of construction are required' also sets out a list of the types of activities this relates to including concrete pouring and finishing, electrical circuit pulling and jointing and testing, trenchless installation works and</p>

Reference	Question To	ExQ1	Applicants' response
		<p>where works may take place outside the core working hours specified in 14(1). These include a range of works (a) to (g) including generalised elements such as “where continuous periods of construction are required” and “any other time-critical element”. Whilst noting that provision in 14(3) for such works to be subject to 48 hours’ advance notice to the relevant planning authority, can the applicants provide a more detailed justification for the flexibility sought for the certain works identified in (a) to (g)?</p> <p>b) Noting that core working hours from 7:00am until</p>	<p>dewatering pumps. This aligns with the explanation of the Transmission Asset’s approach to working hours at section 1.6.2 of the outline Code of Construction Practice (APP-193) (which also provides examples of time critical elements of work which require extended working hours).</p> <p>This approach, and the list of identified works, has been accepted and agreed in numerous offshore wind development consent orders including:</p> <ul style="list-style-type: none"> • Requirement 14 of the Mona Offshore Wind Farm Order 2025 • Requirement 17 of the Triton Knoll Electrical System Order 2016 • Requirements 23 and 24 of the East Anglia 1 North and East Anglia Two Offshore Wind Farm Orders 2022 • Requirement 20 of the Awel y Mor Offshore Wind Farm Order 2023 • Requirement 20 of the Sheringham and Dudgeon Extension Offshore Wind Farm Order 2024 <p>b)</p> <p>The Applicants confirm that construction noise impacts levels have been defined in accordance with the noise exposure hierarchy within Table 8.2 of ES Volume 3 Chapter 8: Noise and Vibration (APP-117). Although these do not define ‘unreasonable noise’, levels above the Significant Observed Adverse Effect Level are considered disruptive and should be avoided.</p> <p>Construction noise will be controlled during the construction phase to levels below the Significant Observed Adverse Effect Level (SOAEL). Further details of the SOAELs which will be applied during construction are set out in the Applicants’ response to Q14.1.11.</p> <p>These SOEALs and the means of controlling noise from all construction works to below these levels will be set out in Construction Noise and Vibration Management Plan(s). This will be developed from the 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 authority in consultation with the relevant statutory stakeholders, as appropriate.</p> <p>Through the application of standard mitigation measures secured through the Noise and Vibration Management Plan, construction noise levels will be below the SOAEL noise levels, thereby avoiding disruption at residential receptors and other noise sensitive receptors. As a consequence, the Applicant does not consider a reduction in core working hours is necessary to control construction noise levels.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>7:00pm (Monday to Saturday) are proposed, with an hour before/ after for set-up and close down works, are there any particular locations where the proposed hours including mobilisation activities might be more likely to lead to issues of unreasonable noise and disturbance for local residents and/or other receptors? If so, what reduced working hours would be reasonable in such locations?</p> <p>c) The recent 'Request for Information' letter from the Secretary of State for Energy Security and Net Zero regarding the Mona Offshore</p>	<p>c)</p> <p>The Applicants are aware that the Mona decision by SoS on 4 July 2025 does not allow Saturday afternoon working; however, the Applicants' position remains that these working hours are appropriate for the Transmission Assets and explanations have been provided as to why the hours of 7.00am to 7.00pm are required on a Saturday in response to issue specific hearing action point 30 within the Applicants' response to Hearing Action Points due at Deadline 1 (REP1-037).</p>

Reference	Question To	ExQ1	Applicants' response
		<p>Wind project (EN010137) requested that the applicant provide, without prejudice, updated documents to refer to more restrictive working hours of 7:00am to 1:00pm on Saturdays. Please comment on this request in relation to the proposed development, including whether the construction working hours should be similarly amended.</p>	
Q1.1.6	National Grid Electricity Transmission plc (NGET)	<p>Penwortham substation</p> <p>Paragraph 3.7 of the written representation from NGET [REP1-089] sets out upgrade works that are proposed to be implemented at the existing Penwortham substation including the 'Eastern Extension', 'Upgraded Infrastructure' and Network Rail connection works.</p>	The Applicants note Q1.1.6 is directed towards NGET and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		<p>a) Can NGET provide further details, including any publicly available information, of the form and extent of works that are proposed at Penworham substation comprising the 'Eastern Extension', Upgraded infrastructure' and the 'Penwortham Project'?</p> <p>b) Can NGET provide details of the current timescales for the implementation of these works and any consents or approvals that would be required?</p> <p>c) From the information that is currently known, what implications might these works have for the proposed development,</p>	

Reference	Question To	ExQ1	Applicants' response
		<p>including the layout of the proposed development including, but not limited to, construction compounds (Plot 18-054), highway, access and visibility works (Works Nos. 34 and 19A) and the timing of delivery of the proposed development?</p> <p>d) Is NGET satisfied that protective provisions (as appropriately drafted) are capable of resolving its concerns regarding the proposed development at Penwortham substation.</p> <p>e) Could NGET also provide details of the new bay that would need to be constructed on the western side of the existing substation to accommodate</p>	

Reference	Question To	ExQ1	Applicants' response
		the Morecambe connection (paragraph 3.2 of REP1-089).	
Q1.1.7	The applicants	<p>Shared infrastructure</p> <p>The applicants have provide further explanation of the differences to other proposed developments where two projects have come forward either within the same DCO or separate DCO's [8.4 of REP1-039], drawing attention, in particular, to the fact that the Morgan and Morecambe projects may be awarded a Contract for Difference (CfD) in different allocation rounds and the constraints that would arise from this.</p> <p>The applicants' explanation regarding commercial separation is noted, as are the specific details of this application including the land and works plans. However, in the event that both projects were to be awarded a CfD in the same allocation round, why</p>	<p>As detailed in the Applicants' response to Issue Specific Hearing 1 Action 28 (REP1-039), flexibility is required to allow each of the projects to construct independently of each other; however, as also highlighted in section 7.2.3.4 (REP1-039) opportunities may emerge for further coordination depending on each project achieving Financial Investment Decision (FiD) and following detailed design. Due to the adjacent alignment and proximity of the Transmission Assets infrastructure, the Applicants will continue to engage with each other in delivering each of the projects.</p> <p>To progress to construction, each project will have their own specific financial and business obligations to meet which will likely include securing a CfD and then meeting any subsequent CfD milestones, as well as internal milestones to reach FiD or Financial Close if utilising bank finance. This will include executing all construction contracts. Until there is certainty for each project that the necessary financial milestones have been met there is limited ability to plan for significant construction alignment. Another key consideration is the regulatory framework for offshore transmission infrastructure, as this requires that each project's transmission assets are independently developed and then divested to an OFTO, which can make joint ownership or anticipatory installation of shared infrastructure highly complex under current regulations.</p> <p>However, should the construction programmes overlap for the projects, opportunities will likely emerge for further coordination during construction. This coordination will be informed by detailed design and detailed construction programmes and will be facilitated between the Applicants and the LPA post-consent when preparing detailed plans and discharging the DCO requirements. The Applicants have updated the draft DCO (C1/F05) at Deadline 3 to reflect their commitment to ongoing collaboration post consent. A new requirement 25 has been added to Schedules 2A and 2B of the draft DCO (C1/F05). Requirement 25 in Schedule 2A provides that Morgan OWL must share with Morecambe OWL the plans, schemes, details or documents it is required to submit for approval under the requirements so that Morecambe can provide comments. Morgan OWL must also either provide any comments received from Morecambe or confirm that no comments were received when submitting those plans, schemes, details or documents to the relevant planning authority or highway authority for approval. Requirement 25 in Schedule 2B places the same obligation on Morecambe OWL with regards to sharing its plans, schemes, details or documents for comment by Morgan and then providing those comments to the relevant planning authority or highway authority. This obligation includes sharing</p>

Reference	Question To	ExQ1	Applicants' response
		would there not be an opportunity to make arrangements for shared infrastructure (such as shared haul roads and potential for one project to install ducts for another projects), bearing in mind that there is already collaboration occurring between the two applicants that would need to continue through to implementation.	<p>details of the stages of construction of each project with the other undertaker before Requirement 3 can be discharged. An equivalent collaboration condition has also been added to each deemed marine licence in Schedules 14 to 17 of the draft DCO (C1/F05).</p> <p>Where possible, the Applicants will look to minimise disruption to landowners and the public where there is overlapping construction. The Applicants expect that this could include limiting the duration of gaps between construction at locations along the respective cable corridors which could result in opportunities to share access, subject to commercial / land right agreements, permission of the LPA, and engagement with landowners (see Applicants' response to Q16.1.5)</p> <p>However, at this point in the consenting process prior to consent being granted, construction contracts being let, detailed design and financial close, the Applicants are unable commit to further collaboration than already identified during construction.</p>
Q1.1.8	The applicants	<p>Construction coordination</p> <p>The ExA notes the further information provided by the applicants at deadline 1 [REP1-039] in relation to (sections 7.2.2 and 7.2.3). Building on the information already provided and given that the proposed development encompasses two projects and different construction scenarios, describe and explain what measures of strategic collaboration and co-ordination between the two undertakers would be</p>	<p>a) The Applicants have adopted the Project Design Envelope (PDE) approach, also known as the Rochdale Envelope approach, as further explained in Section 3.4 of the Project Description (REP2-008). This approach complies with the guidance within PINS Advice Note Nine: Rochdale Envelope. This approach provides maximum (and minimum where relevant) design parameters which the final project must adhere to as detailed in the tables and text within REP2-008. This is secured for the Project A (Morgan) offshore works and intertidal and onshore works in Requirements 2 and 5 of Schedule 2A and DML Condition 10 of Schedule 14 of the draft DCO (REP2-004) and for Project B (Morecambe) offshore works and onshore works in Requirements 2 and 5 of Schedule 2B and Condition 10 of Schedule 14 of the draft DCO (REP2-004). In addition, the Applicants have provided Outline Design Principles (APP-209) and an Outline Landscape Management Plan (AS-050) to guide and align the detailed design of the substations. The design principles considers the roof line, cladding and colours of the substations with the landscape management plans providing planting / screening to soften their appearance and integrate the substations into the landscape when viewed from the surrounding area. Additionally, all post-consent mitigation will be based on a single suite of outline plans, which were submitted as part of the application. This will ensure consistency in the approach and implementation of mitigation from both projects (see response to b and c below). This approach to detailed design for both projects ensures consistency in respect of mitigation measures, delivery principles and overall construction controls.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>required to ensure the consistent and effective implementation of the projects, including proposed mitigation and management measures. This should include consideration of:</p> <ul style="list-style-type: none"> a) The approach towards the detailed design of both projects (including cable corridor, the substations, landscaping and mitigation). b) The content and implementation of relevant detailed management plans. c) The approach to the discharge of requirements (Schedules 2A and 2B) and Marine Licence conditions. d) The approach to compulsory acquisition and temporary possession across the two projects. 	<p>b) and c) Strategic collaboration is embedded in the approach that the Applicants have taken to the DCO application and the production of a single set of outline plans that will ensure alignment and consistency in the detailed design and discharge of requirements / conditions as highlighted in the response to Q1.1.8a above. Further, as set out in Q1.1.7 above, the Applicants have updated the draft DCO (C1/F05) at deadline 3 to reflect their commitment to ongoing collaboration post consent by including a collaboration requirement as a new requirement 25 in Schedules 2A and 2B of the draft DCO (C1/F05), as well as including a collaboration condition in each deemed marine licence in Schedules 14 to 17 of the draft DCO (C1/F05). As a result, whether the Applicants develop (and therefore discharge requirements and ML conditions) concurrently or sequentially there is a fundamental alignment in terms of the approach to mitigation and its delivery. If the projects are developed concurrently, the MMO and LPA will have both sets of documentation to review and align, and if sequentially the details of the first project will be the basis for the details discharged for the second and in both cases, the details to be discharged will have been shared by the undertakers with each other for comment prior to submitting them for discharge in accordance with the collaboration requirement and DML conditions. As detailed in the Applicants' response to Q1.1.9, this would necessitate engagement with each other, stakeholders and the LPA/MMO following detailed design to ensure any overlap or alignment is secured and appropriately managed.</p> <p>d) The Applicants' approach to compulsory acquisition substantially mirrors that of the tripartite voluntary agreements in that each project will exercise its own construction notice within the voluntary option agreement, (if one has been secured) or each would serve its own temporary possession notice to commence construction. The Construction Notice or Temporary Possession Notice are only able to be exercised over the plots marked A for Morgan, or B for Morecambe. Once works are completed for each project, the permanent rights are then secured through the General Vesting Declaration (GVD) process using as built drawings to ensure the minimum rights and accurate locations of the assets are confirmed and registered on the appropriate land titles. The full details of the powers sought by the Applicants are set out in Part 5 of the draft DCO (REP2-004) and in Schedules 7A and 8A for Morgan and Schedules 7B and 8B for Morecambe.</p> <p>The Applicants acknowledge that there are a number of plots within the overlap areas (i.e. areas labelled as both A and B works on the works plans – onshore and intertidal (AS-016 and AS-017)) where both Morgan OWL and Morecambe OWL have the benefit of compulsory acquisition powers and/or temporary possession powers. The Applicants highlight that the draft DCO (REP2-004) includes bespoke drafting at paragraphs (9) and (10) of Article 24 (private rights) which prevents one project from extinguishing or suspending any interests vested in the other project in the event compulsory acquisition or temporary possession powers are exercised by either Morgan OWL or Morecambe OWL. This therefore requires both projects continued cooperation and collaboration with each other in the exercise of either voluntary rights or CA powers over the Order Land.</p>

Reference	Question To	ExQ1	Applicants' response								
		e) Any other dDCO matters.	<p>Additional text has been added to paragraph 1.6.6.24 of the Explanatory Memorandum (C3/F05) to clarify this.</p> <p>e) The draft DCO (REP2-004) ensures that each project can deliver its infrastructure independently of the other as each project has its own separate (but identical) schedules detailing requirements, deemed marine licences, compulsory acquisition, etc. (as detailed in the table below) which allows the Local Planning Authority and MMO to discharge conditions and have oversight of the implementation of each project should the construction programmes overlap as detailed in the response to Q1.1.8 c above. Additionally, whilst each project will have its own set of requirements and conditions to discharge as per its schedules, the drafting / wording of each project's schedules is the same and the projects' are required to collaborate with each other pursuant to requirement 25 of Schedules 2A and 2B of the draft DCO and DML condition 20 in Schedules 14 to 17 of the draft DCO (C1/F05) which further ensures alignment in the implementation of each of the projects. This all means that the LPAs and MMO are provided with a clear and consistent framework for discharge of conditions and requirements, regardless of whether the projects proceed concurrently or sequentially.</p> <table><tr><th colspan="2">Draft DCO (REP2-004)</th></tr><tr><th>Project A (Morgan)</th><th>Project B (Morecambe)</th></tr><tr><td>Schedule 1 Authorised Project; Part 1 Authorised Development:<ul style="list-style-type: none">Project A offshore works (page 39)Project A intertidal works (page 40-44)Project A onshore works (page 44-49)</td><td>Schedule 1 Authorised Project; Part 1 Authorised Development:<ul style="list-style-type: none">Project B offshore works (page 49)Project B intertidal works (page 50-51)Project B onshore works (page 52-58)</td></tr><tr><td>Schedule 2A – Requirements – Project A (Morgan)</td><td>Schedule 2B – Requirements – Project B (Morecambe)</td></tr></table>	Draft DCO (REP2-004)		Project A (Morgan)	Project B (Morecambe)	Schedule 1 Authorised Project; Part 1 Authorised Development: <ul style="list-style-type: none">Project A offshore works (page 39)Project A intertidal works (page 40-44)Project A onshore works (page 44-49)	Schedule 1 Authorised Project; Part 1 Authorised Development: <ul style="list-style-type: none">Project B offshore works (page 49)Project B intertidal works (page 50-51)Project B onshore works (page 52-58)	Schedule 2A – Requirements – Project A (Morgan)	Schedule 2B – Requirements – Project B (Morecambe)
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Schedule 2A – Requirements – Project A (Morgan)	Schedule 2B – Requirements – Project B (Morecambe)										

Reference	Question To	ExQ1	Applicants' response	
			<p>Schedule 3A – Streets subject to street works – Project A (Morgan)</p> <p>Schedule 4A – Streets to be temporarily closed or restricted – Project A (Morgan)</p> <p>Schedule 5A – Public rights of way to be temporarily closed or restricted – Project A (Morgan)</p> <p>Schedule 6A – Access to works – Project A (Morgan)</p> <p>Schedule 7A – Land of which only temporary possession may be taken – Project A (Morgan)</p> <p>Schedule 8A – Land in which only new rights etc. may be required – Project A (Morgan)</p> <p>Schedule 11A – Removal of hedgerows – Project A (Morgan)</p> <p>Schedule 14 – Marine Licence 1: Morgan Offshore Wind Project Transmission Assets</p> <p>Schedule 16 – Marine Licence 3: Morgan Offshore Wind Project Transmission Assets – River Ribble</p>	<p>Schedule 3B – Streets subject to street works – Project A (Morecambe)</p> <p>Schedule 4B – Streets to be temporarily closed or restricted – Project A (Morecambe)</p> <p>Schedule 5B – Public rights of way to be temporarily closed or restricted – Project A (Morecambe)</p> <p>Schedule 6B – Access to works – Project A (Morecambe)</p> <p>Schedule 7B – Land of which only temporary possession may be taken – Project A (Morecambe)</p> <p>Schedule 8B – Land in which only new rights etc. may be required – Project A (Morecambe)</p> <p>Schedule 11B – Removal of hedgerows – Project A (Morecambe)</p> <p>Schedule 15 – Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets</p> <p>Schedule 17 – Marine Licence 4: Morecambe Offshore Windfarm Transmission Assets – River Ribble</p>
Q1.1.9	The applicants	Construction coordination a) What examples of good practice have been learnt from the implementation	a) As highlighted in section 8 of REP1-039, the Applicants are two wholly independent Joint Ventures (JVs) and commercial competitors working together to deliver the recommendation of the HND for their connection to the National Grid at Penwortham and aligned NPS policy on collaboration. Other examples of coordinated projects were essentially a single JV or consortium established at the outset to deliver more than one project (for example Dogger Bank	

Reference	Question To	ExQ1	Applicants' response
		<p>of other similar projects involving shared cable routes and substation locations? Are there any mistakes in the strategic planning, coordination and implementation of other projects that can be learnt from?</p> <p>b) Have/can matters of collaboration and coordination in the implementation of the two projects been discussed with the relevant local authorities?</p>	<p>Teesside or the Sheringham Shoal and Dudgeon Extension Projects). For these other projects, there has been some commonality of ownership between the undertakers promoting each project at some point which likely allowed for sharing of commercially sensitive information, procurement and contract coordination, and implementation which is not feasible for the Applicants at this stage of the process (see Applicants response to Q1.1.7 above). The Applicants are commercial competitors unlike previous coordinated projects and to draw parallels in implementation for previous projects that shared a common point of company control (and decision-making) would not be appropriate.</p> <p>b) Requirement 3 of Schedule 2A (Project A Morgan) and Schedule 2B (Project B Morecambe) of the draft DCO (REP2-004) requires each project to provide to the Local Planning Authority (LPA) details of the stages associated with the construction of the onshore and intertidal works for each project. Each project would need to discharge its requirements following detailed design in line with its schedules as detailed in the Applicants' response to Q1.1.8 above. In preparing the information required to discharge the requirements, the Applicants must engage with each other in accordance with the collaboration requirement (Requirement 25 of the draft DCO (C1/F05)). The Applicants note that Requirement 25 applies to the discharge of Requirement 3 (as well as the other requirements requiring submission of detailed plans and schemes) and requires each project to share with the other the details of its stages of construction prior to submitting those details to the relevant local planning authority. The Applicants will also consult with the relevant LPA and stakeholders (as set out in the various outline plans) at that time to discuss emerging opportunities for collaboration and/or coordination during implementation as detailed in the Applicants' response to Q1.1.7.</p>
Q1.1.10	The applicants	<p>Anticipatory investment</p> <p>Paragraph 3.3.1.11 of the Project Description [APP-208] notes ongoing work led by Ofgem to support the potential need for anticipatory investment mechanisms for coordinated transmission systems. But as the regime remains unclear, the</p>	<p>Ofgem has been progressing several workstreams with respect to mitigating the risks of anticipatory investment for future projects. The risks and therefore barriers are multi-faceted, with different workstreams taking place to target some of the regulatory uncertainties of two projects coordinating. The initial decision on "Anticipatory Investment and Implementation of Policy Changes" was dated 18 October 2022. Following this, Ofgem issued a Decision on the Early-Stage Assessment for Anticipatory Investment on 12 December 2023. This sets out a mechanism through which greater certainty on cost assessment could be obtained through an application for Early-Stage Investment for Ofgem to determine whether AI spent on coordinated infrastructure will be recoverable through the final transfer value at the time of asset transfer to an OFTO.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>applicants state that they cannot accept the commercial risk of assuming concurrent construction.</p> <p>Could the applicants provide any update on the progress being made with the anticipatory investment mechanisms. When is it expected that sufficient progress will be made with it to enable applicants (in general) to commit to concurrent construction or further construction collaboration (such as collaboration in designing ducting, substations etc) for similar projects to the proposed development?</p>	<p>On 1 April 2025 amendments to the Connection and Use of System Code through Section 14.15.156 of the CUSC took effect following an earlier decision by Ofgem to approve CUSC Modification Proposal CMP411. This has been aimed at tackling one of the barriers to AI relating to how ongoing transmission network use of system charges incurred by the first developer should be adjusted to take into account the costs associated with AI where one generator connects ahead of another which uses the AI. These provisions are now live</p> <p>It has also been recognised that changes to the current User Commitment provisions in CUSC Section 15 (relating to the liabilities of, and securities required from, generators pursuant to the connection agreements entered into between each generator and NESO) are required to introduce the AI principles for offshore generators connecting at different times to non-radial offshore transmission networks (noting that the Transmission Assets are for radial connections). Understanding how this process will operate, and the liabilities required to be secured by developers in the event of non-delivery of their project, is a crucial part of the development risk profile needing to be considered by developers prior to investment. This issue is the subject of the separate CUSC Modification Proposal 402 (CMP402) which is still being considered by the relevant CUSC Working Group. The Applicants understand that a Final Modification Report may be issued to Ofgem over the coming months for determination, with implementation thereafter, although the timescales for this are not clear.</p> <p>These developments may resolve some (but not all) of the regulatory uncertainties relating to concurrent construction insofar as cost assessment, User Commitment and TNUoS charges are concerned.</p> <p>However, the other significant risks and challenges for developers remain, including the practical, commercial and legal challenges of two (or more) generators committing to a process at an early stage when there are multiple potential variables regarding the progression of such projects. By way of example, at this point neither project has secured a Contract for Difference (CfD), the main route to market for any large offshore wind project in GB. Without this, it would be highly unlikely that the project would proceed to construction and the timing associated with the CfD will dictate construction programmes, financial close timetables, and potential variances in project design during the process. Without further certainty on the timeline for the projects, which is fundamentally linked to revenue and offtake certainty, it would be exceptionally difficult to achieve contractual alignment between different developers, including their various shareholders, with regard to the concurrent delivery of assets in a manner which preserves the fundability of each asset and appropriately mitigates deliverability risks. The Applicants' have emphasised that there could be opportunities for further co-ordination if the project timelines align, however the issue is that this cannot be known at this time and so cannot be definitively committed to. See further response to ISH Action 28 (REP1-039) and the Applicants' responses to ExA1Q 1.1.7 – 1.1.9.</p>

Reference	Question To	ExQ1	Applicants' response
Q1.1.11	The applicants	Works plans The proposed works plans (Sheet 13 of AS-014 and Sheet 11 of AS-016) include two construction compounds to the south of Hillock Lane that are both labelled as Work Nos.18A (Morgan Construction Compounds). Should one or other of these instead be labelled Work No.18B (Morecambe Construction Compound)?	The Applicants confirm that this is an error and that the Applicants have submitted updated works plans (B7/F03 and B8/03).
Q1.1.12	Any local authority, Natural England and the Environment Agency	Outline Code of Construction Practice The applicants Outline Code of Construction Practice (oCoCP) [APP-193] presents the framework and outline of measures to manage the environmental impacts during the construction phase of the proposed development. The detailed oCoCP will be supported via a series of management plans (listed in Table 1.1. of the oCoCP), outline versions of which have also been provided with the	The Applicants note Q1.1.12 is directed towards any local authority, Natural England and the Environment Agency and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		<p>application. It is therefore an important document for the construction process.</p> <p>Please confirm whether you are satisfied that the oCoCP is sufficiently robust, precise and enforceable to provide effective management and mitigation of potential environmental impacts during the construction phases.</p>	
Q1.1.13	The applicants, local authorities, statutory consultees and relevant statutory undertakers where a SoCG has been previously requested in the ExA's Rule 6 letter.	<p>Statements of Common Ground (SoCG)</p> <p>Deadline 3 (7 July 2025) includes the submission of updated SoCG, including summaries of the principal areas of disagreement and statement of commonality.</p> <p>Relevant parties where a SoCG has been requested should fully engage with the SoCG process. The ExA requests fully considered SoCGs including summaries of the principal areas of disagreement.</p>	<p>With regards to statutory undertakers, the Applicants have prepared a separate document, the SU Negotiations Progress Tracker (S_D3_10). This aims to provide a more focused update from the Applicants and statutory undertakers as to progress of protective provisions and any separate commercial agreements where necessary. Please note the Applicants have aimed to provide joint statements agreed with statutory undertakers where possible, however, where this has not been possible, the Applicants have put forward their understanding of the current position.</p> <p>This tracker aims to provide more detail as to the outstanding drafting points between the parties, however, due to the limited nature of these, the Applicants have taken the approach of providing these in a single tracker, as opposed to preparations of statements of common ground.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>For statutory undertakers, where there is documented evidence that matters, including protective provisions, are agreed and no other matters of disagreement remain, then a statement from parties to this effect would suffice. In the absence of such a statement, where protective provisions are being negotiated and even if agreement is expected to be reached, then a brief and focused SoCG or position paper should be progressed, focusing on the matters where differences remain between the respective parties, rather than an unnecessarily long SoCG. It is not sufficient for these to be just recorded in the applicants' Land Rights Tracker as this is not a document that is necessarily agreed with the relevant statutory undertaker.</p>	
1.2 Site selection and alternatives			

Reference	Question To	ExQ1	Applicants' response
Q1.2.1	NGET	<p>Stanah/ Hillhouse suggested alternative</p> <p>Several interested parties including Lancashire Association of Local Councils Fylde Area Committee Energy Working Group (EWG) [REP1-083] and Newton with Clifton and Freckleton Parish Councils (NCFPC) [REP1-183] have suggested an alternative onshore connection for the Morecambe and Morgan projects using the established Stanah substation (to be extended) and Hillhouse Technology Enterprise Zone and the upgrade of the existing 400kV twin circuit overhead line connecting Stanah with Penwortham, which it is suggested, would offer cost savings and reduced disruption.</p> <p>a) NGET comments are sought for this suggested alternative, including its potential feasibility for connecting the Morecambe and</p>	<p>The Applicants have provided a detailed response to the suggested hypothetical "Northern Route" in their response to Hearing Action Points: ISH1 6, 8, 9, 19, 26 & 28 - Rev F01 (REP1-039) and Annex 3.1 to Applicants' Response to WRs from Statutory Consultees: Lancashire Association of Local Councils Fylde Area Committee Energy Working Group (REP2-032).</p> <p>In relation to costs and the hypothetical "Northern Route" via Stanah and Hillhouse, raised in REP2-059 and REP2-064 the Applicants' refer to their response to REP2-064 – Newton with Clifton and Freckleton Parish Councils, submitted at Deadline 3.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>Morgan projects, including utilising the existing Stanah substation (as extended) and the use (with potential upgrade) of the existing 400kV twin circuit overhead line between Stannah and Penwortham.</p> <p>b) What other options were considered in deciding upon the onshore grid connection for the Morecambe and Morgan projects and why were these not taken forward?</p>	
Q1.2.2	The applicants and NGET	<p>Stanah/ Hillhouse suggested alternative</p> <p>The applicants and NGET are requested to comment on the additional submissions by EWG [REP2-059] and NCFPC [REP2-064] regarding the suggested alternative onshore connection,</p>	Please see 1.2.1 above.

Reference	Question To	ExQ1	Applicants' response
		including the comparative assessment of costs.	
Q1.2.3	The applicants (a, b and c), Fylde Borough Council (b), Lancashire County Council (b).	<p>Green Belt</p> <p>In their response to hearing action point 7 [REP1-037] the applicants confirm that the Black Red Amber Green (BRAG) appraisal for the onshore cable corridor did not include Green Belt as an assessment criterion but that it was considered within the BRAG assessment of onshore substation search zones and onshore substation options.</p> <p>As previously noted, the identification of onshore substation search areas (Stage 2c) in section 4.5.4 of Selection and Refinement of Onshore Infrastructure [AS-028] makes no reference to the Green Belt and it is not included in the constraints shown on Figure 4.2. There is no evidence of the Green Belt being considered at this stage, noting that</p>	<p>a) The Applicants consider that Green Belt has been given appropriate weight and due consideration in the site selection and refinement process. Once the Point of Interconnection (POI) had been established in Stage 1, Stage 2(c) sought to identify onshore substation search areas. The Stage 2c process is detailed in section 4.9 of AS-026 and Section 4.5.3 of AS-028. The area of search for the substations for Stage 2c was initially identified by drawing a 5km buffer around the POI at Penwortham. This radius was established based on previous project experience, as well as technical and commercial feasibility (see paragraph 4.9.1.1 of AS-026 and paragraph 4.5.3.2 of AS-028 for further details).</p> <p>Mapping of environmental constraints inside this buffer then identified areas that met the design parameters. The extent of unconstrained land was limited and as a result, the initial area of search was expanded to 8 km and technical and financial feasibility reviewed. In accordance with NGET's Horlock Rules, environmental designations and built up commercial and residential areas were then excluded from the search area which was progressed to Stage 3c. The environmental constraints included in Stage 2c included mostly statutory ecologically designated sites and other designations in which installation of the substations would result in unacceptable/ unmitigable impacts on the environment or loss of irreplaceable habitats (e.g. Ancient Woodland). It also took into consideration existing utilities infrastructure (such as overhead lines and high-pressure gas mains) which are protected by statutory undertakers and would have introduced significant complexity to the project (in relation to easements etc).</p> <p>While the Applicants recognise the importance of land covered by Green Belt policy, it does not represent an absolute constraint in terms of a policy consideration. Following a meeting held with Lancashire County Council to progress the SoCG, and a request from Fylde Borough Council for additional assessment on the potential impacts to the Green Belt (REP2-057, 2.15), a Green Belt Technical Note (S_D3_12) has been submitted at Deadline 3. This Technical Note includes an in-depth examination of how Green Belt was factored into the site selection process. The additional onshore constraints map clearly illustrates the reasons why the Applicants considered there to be no reasonable alternative sites outside the Green Belt which could have accommodated the substations without resulting in significant environmental impacts.</p> <p>b) The extent to which, in justifying siting development within the Green Belt, it needs to be shown that sites outside of the Green Belt have been reasonably avoided is a matter of planning judgement to be determined on the facts and circumstances of a particular case. There is no specific requirement in</p>

Reference	Question To	ExQ1	Applicants' response
		<p>Table 4.7 [AS-028] which includes the Green Belt relates only to Stage 3c (refinement of onshore substation search areas for PEIR).</p> <p>a) Clarify to what extent has the consideration of the Green Belt been underplayed in the substation site selection process, given that it does not appear to have been considered at Stage 2c which defined the search area the subject of further consideration at Stage 3c?</p> <p>b) Taking account of any relevant policy and case law, to what extent does it need to be demonstrated that site locations outside of the Green Belt have been reasonably avoided?</p>	<p>case law or policy relating to the Green Belt for an applicant to demonstrate that locations outside of the Green Belt have been reasonably avoided.</p> <p>As confirmed by the Court of Appeal in <i>Whitley Parish Council v North Yorkshire County Council, EP UK Investments Limited</i>, [2023] EWCA Civ 92, the existence of very special circumstances for development in the Green Belt does not depend on an applicant demonstrating the absence of suitable alternatives outside of the Green Belt. The extent of consideration that needs to be given this is therefore a matter of planning judgement taking into account the facts, need and particular policy support for the development in question.</p> <p>There is no specific policy requirement in the NPPF paragraphs relating to the Green Belt or those of EN-1, EN-3 or EN-5 requiring applicants to demonstrate that there are no suitable alternative sites outside the Green Belt. As confirmed in <i>Whitley</i>, suitable alternatives can exist at the same time as very special circumstances to permit development in the Green Belt. <i>Whitley</i> was concerned with general development in the Green Belt and not something which Parliament has identified as Critical National Priority infrastructure. Paragraphs 3.8.14 – 3.8.16 of National Policy Statement EN-3 state (emphasis added):</p> <p><i>3.8.14 Where there are residual non-HRA impacts, of any sort other than those that present an unacceptable risk to, or unacceptable interference with, human health, national defence or navigation, these are unlikely, in all but the most exceptional cases, to outweigh the urgent need for this type of infrastructure and are therefore unlikely to result in an application being refused.</i></p> <p><i>3.8.15 As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any test requiring a clear outweighing of harm, exceptionality, or very special circumstances within EN-1, this NPS or any other planning policy.</i></p> <p><i>3.8.16 This means that the Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</i></p> <ul style="list-style-type: none"> • <i>where development within a Green Belt requires very special circumstances...</i> <p>Taken together, <i>Whitley</i> and the NPS policy endorse the Applicants' approach to the consideration of Green Belt in its site selection process (as summarised in Green Belt Technical Note (S_D3_12), and compliance with the test of very special circumstances.</p> <p><u>Case Law:</u></p> <p>In <i>Whitley Parish Council v North Yorkshire County Council, EP UK Investments Limited</i>, [2023] EWCA Civ 92, the Court of Appeal considered a case involving the extraction of pulverised fuel ash (PFA) from a former PFA disposal site within the Green Belt and touched on the issue of alternatives. Sir Keith</p>

Reference	Question To	ExQ1	Applicants' response
		c) In considering the final location of the two proposed substations, what consideration was given to the potential effects on the purposes of the Green Belt of two, not just one, substations?	<p>Lindblom (Senior President of Tribunals), with whom the other Justices unanimously agreed, explained that:</p> <p><i>".... Government policy for development in the Green Belt did not state that "very special circumstances" to justify planning permission being granted for such proposals as this, as "inappropriate development" in the Green Belt, would only exist in the absence of a suitable alternative site that was not in the Green Belt." (Para 56)</i></p> <p>The Court of Appeal also noted with approval the judgement of Justice Lane, in the High Court, in particular at paragraph 131 (our underline):</p> <p><i>"Given that, as I have found, the OR [Officer Report] was entitled to conclude that, in the circumstances, no weight fell to be attached to the BPEO element of Policy 7/3, Ground 4 largely falls away. Insofar as Ground 4 can be said to involve a criticism of the fact that the OR did not consider alternatives, the defendant and the IP rightly point out that alternative proposals only fall to be considered in "exceptional circumstances": R (Mount Cook Land Ltd) v Westminster CC [2003] EWCA Civ 1346 . Given the nature of the development in the present case, it was plainly rational for the OR not to have regard to any particular alternative. This is especially the case, since no such alternative was raised by the claimant, with the exception of suggesting that alternatives might be explored to transporting the PFA from the site by road. This suggestion was, however, analysed in detail at 7.41 and 7.42 of the OR."</i></p> <p>In relation to the comment on the nature of the development, the Officer Report's stressed the policy support for the extraction of pulverised fuel ash as a secondary aggregate. The Applicants would draw a parallel with the National Policy supported afforded to Critical National Priority Infrastructure such as the Transmission Assets as placing a similar limiting factor on the need to demonstrate sites outside the Green Belt have been reasonably avoided beyond that already set out in the Application.</p> <p>As the Examining Authority's question is directed to the extent of showing alternatives outside of the Green Belt have been reasonably avoided, and not the merits of alternative proposals outside of the Green Belt, the Applicants have not repeated or advanced on the position set out in Section 2 of REP1-039 or the documents to which it refers. However, the Applicants highlight the following authorities that are also relevant here:</p> <p><i>In Mount Cook Land Ltd v Westminster City Council [2003] EWCA Civ 1346 the Court of Appeal held that only in exceptional circumstances would it be relevant to consider alternative proposals which were not the subject of a planning application, and even then the alternative would have to be likely or a real possibility in the foreseeable future. The materiality and weight of such an application was a matter for planning judgment, and it was open to the court to hold that it would have been irrational to have regard to such proposals, or give it sufficient weight so as to defeat the application.</i></p>

Reference	Question To	ExQ1	Applicants' response
			<p><i>In Derbyshire Dales DC v Secretary of State for Communities and Local Government [2010] 1 P. & C.R. 19 Lord Justice Carnwath found that a planning inspector had not erred in law by deciding that he did not need to consider alternative sites for a wind turbine development. <u>The matter was one of statutory construction and there was nothing in the relevant legislation or policies that expressly or impliedly required him to consider alternative sites.</u></i></p> <p><u>Policy:</u></p> <p>Policies relating to the Green Belt in the NPS and NPPF require special regard to be paid to its protection (the very special circumstances, or VSC test), but they do not require applicants to show that a Green Belt site is the only one that can be developed (i.e. that there are no suitable alternatives, which is consistent with <i>Whitley</i>). Whether the Green Belt VSC test is met remains a matter of planning judgement, within the bounds of reasonableness, on the facts and circumstances of a particular development.</p> <p>National Policy is contained in the National Planning Policy Framework. The NPPF is silent on considering sites outside the Green Belt in the relevant paragraphs on proposals affecting the Green Belt (Paragraphs 152 to Green Belt paragraphs 160). These policies do not establish a requirement that Applicants demonstrate that site locations outside of the Green Belt have been reasonably avoided nor do they indicate the level of detail required to demonstrate that sites outside of the Green Belt have been reasonable avoided.</p> <p>Strategic Objective 2h of the Fylde Local Plan to 2032 incorporating partial review) is to maintain, improve and enhance the environment by Protecting existing areas of Green Belt and proposed Areas of Separation. Strategic Policy GD2 (Green Belt) states that: <i>"The Green Belt within Fylde is shown on the Policies Map. Within that area national policy for development in the Green Belt will be applied"</i>.</p> <p>c) To maintain electrical independence, the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm each require their own separate substations (paragraph 3.15.7.2 of REP2-008). Their requirements cannot be met by a single substation. As a result, there was no exploration of avoiding, reducing or mitigating effects through the delivery of a single substation – it was not a viable alternative. Further detail on the need to maintain electrical separation (and therefore why a single onshore substation is not appropriate) is detailed in the Applicants' response to Hearing Action Points (REP1-037) ISH1_25. Further information on the approach to co-location of the onshore substations and why no suitable site was available outside Green Belt land is detailed in REP1-037 ISH1_10 and ISH1_12. As discussed in part a), the Applicants have prepared a Green Belt Technical Note (S_D3_12) which assesses in detail the impacts of the two substations on the purposes of the Green</p>

Reference	Question To	ExQ1	Applicants' response
			Belt; and have provided a detailed response on the benefits and disbenefits of having two separate substations in the Green Belt in response to ExAQs Q13.1.10.
Q1.2.4	The applicants	Holistic Network Design (HND) To what extent is the objective of the HND to deliver offshore wind generation in a co-ordinated way to avoid, minimise and mitigate local community and environmental impacts hindered by the constraints the applicants have described arising from commercial separation and the CfD process [REP1-039]?	<p>In Section 8 of REP1-039 the Applicants set out the need for project separation, in summary the Applicants stated that the delivery of offshore windfarms at this scale involves the alignment of a large number of elements, as well as land and consents. This includes supply chain, grid connection, financing, and CfD. Many of these will impose their own timing requirements, for example a CfD will contain strict milestone requirements. It is therefore simply not possible or practical under the UK's delivery model for offshore wind for one project to be ready to construct and then be held indefinitely for another project which is not under the same commercial control.</p> <p>In the development of HND, NESO and NGET worked with developers and were fully aware of the regulatory and commercial environment into which HND was being introduced. The objectives of HND were set to be delivered by private companies acting in the existing framework of the UK's energy market. The "constraints" have not hindered the Applicants in meeting the objectives of HND. Quite the opposite, the Applicants are delivering the recommended outcome of the HND for their projects, within the current commercial framework, through proposed development that achieves:</p> <ul style="list-style-type: none"> • shared landfall to reduce the physical impacts of two separate landfalls on coastal communities; • co-located substations which reduce physical and environmental impacts on communities; • shared cable route with centreline approach that provides clarity and certainty to landowners on the extent of the rights needed for each project; • coordinated applications, mitigation proposals and outline management plans and cumulative assessment; and • flexibility to construct both projects at the same time, which is unlikely to have been possible with two competing projects that had not coordinated through HND.
1.3 The Environmental Statement			
Q1.3.1	The applicants (a) and local authorities (b)	New/recently consented developments The applicants' response [REP2-031] to paragraphs 4.6.1 to 4.6.4 of Preston City Council's written representation [REP1 095]	<p>a) The Applicants note the comment that the construction of the Land off Riversway residential development has commenced (planning reference:06/2022/1177, ID reference number 1 in Volume 1, Annex 5.5: Cumulative screening matrix and location plan (REP1-020)).</p> <p>In terms of the cumulative impacts, the exact dates for start of construction of other projects are generally unknown, therefore a conservative, worst case, assumption has been made that all projects would have a temporal overlap for construction and that a project could be operational at the same time as the construction of the Transmission Assets (refer to REP1-020).</p>

Reference	Question To	ExQ1	Applicants' response
		<p>appears to take account of the consented developments at Pheonix Park and Land off Riversway in terms of overall cumulative effects but it is not clear that these consented developments have been assessed in terms of the specific effects of the proposed development upon their users and occupiers.</p> <p>a) Noting that the Land off Riversway residential development has commenced, can the applicants provide details of their assessment of the impacts of the proposed development upon these receptors, on the basis that they could be in use/occupied prior to the commencement of either Project A or Project B?</p> <p>b) Are there any other recent developments,</p>	<p>RR-1775.11 of Annex 3.2.22 to Response to RR - Preston City Council (PDA-029) provides a summary of the cumulative assessments of both Phoenix Park and Land off Riversway. This identified that there would be no significant adverse cumulative effects with respect to the assessments set out in Volume 3, Chapter 1: Geology, hydrogeology and ground conditions (APP-068), Volume 3, Chapter 2: Hydrology and flood risk (APP-070), Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075), Volume 3, Chapter 4: Onshore and intertidal ornithology (APP-90), Volume 3, Chapter 6: Land use and recreation (APP-104), Volume 3, Chapter 8: Noise and vibration (APP-117), and Volume 3, Chapter 9: Air quality (APP-121).</p> <p>The Applicants acknowledge, as stated in their response to RR-1775.11, that the Riversway development was unintentionally omitted from the CEA presented in Section 10.14 Cumulative effects assessment of Volume 3, Chapter 10: Landscape and Visual Resources (APP-123). This has been added to the Errata document (S_D1_14) and the cumulative assessment is reiterated below:</p> <ul style="list-style-type: none"> • Occupiers of residential properties within the Riversway development would be situated approximately 500 m from the 400 kV grid connection cable corridor. The Phoenix Park development (assessed in APP-123) lies within the vicinity of the Riversway site and therefore has the potential to give rise to cumulative visual effects. • The total construction phase of the 400 kV grid connection cable corridor is anticipated to be prolonged and discordant within the rural/urban fringe context of the surrounding landscape, although it is likely that construction activities would be undertaken in short-term stages rather than continuously for 66 months. • Construction activities associated with the Transmission Assets, as well as those associated with the Phoenix Park development, are likely to be visible together in southward views from the Riversway site. • The cumulative visual effect is assessed as being of localised spatial extent; long-term duration; intermittent in nature; and reversible. The magnitude of impact on residents of the Riversway development is judged to be medium, reflecting the temporary nature of the change to existing views and degree to which construction activities would be visible. Given the high sensitivity of residential receptors - due to their high vulnerability, recoverability and value - the cumulative visual effect is assessed as being of moderate significance both during the day and night. This level of effect is not considered significant in EIA terms (refer to section 10.11.4 of APP-123). • During the operational and maintenance phase, the onshore grid connection cable will be buried underground and will not give rise to any cumulative visual effects.

Reference	Question To	ExQ1	Applicants' response
		where updates are required to assess the impacts of the proposed development upon their current/future occupiers?	<p>The Applicants will continue to monitor the status of Land off Riversway as part of the ongoing cumulative update process throughout Examination.</p> <p>b) The Applicants provided an updated cumulative assessment of all new projects not previously considered in the cumulative effects assessment at application, within S_D2_10 Review of Cumulative Effects Assessment and In-Combination Assessment at Deadline 2 (REP2-043). As above, the Applicants will continue to monitor information on new projects and will report on any changes during the Examination.</p>
Q1.3.2	FBC	<p>Environmental Impact Assessment (EIA) Regulations</p> <p>At D2 [REP2-057] FBC maintains its position that the Environmental Statement does not meet the requirements of what it states to be "Regulation 18(4)(b) of the EIA Regulations".</p> <p>Noting the existence of the separate Infrastructure Planning (EIA) Regulations 2017 that are relevant to Nationally Significant Infrastructure Projects, could FBC refer to any relevant policy, case law, guidance or published advice that supports its position?</p>	The Applicants note Q1.3.2 is directed towards FBC and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
1.4 Cumulative effects			
Q1.4.1	Orsted East Irish Sea Transmission Limited (OEIST)	<p>Orsted East Irish Sea Transmission project</p> <p>The ExA notes OEIST's comments [REP1-225] that it is highly probable that the grid connection date for the Mooir Vannin proposals will be brought forward and therefore it is possible the construction of the respective developments will overlap.</p> <ul style="list-style-type: none"> a) Can OEIST provide an up-to-date indicative timetable for both the Mooir Vannin generation assets and the transmission proposals, including likely application submission dates, subsequent potential reserved matter submissions (if consented) and potential construction commencement dates? b) When is it expected that 	<p>The Applicants are actively engaging with OEIST. The Applicants consider that due to the current status of the Transmission Assets and OEIST in the development and consenting process, it is for OEIST to take account of Transmission Assets with their cumulative effects assessment (CEA). At present, it is not feasible for the Applicants to take account of OEIST due to the limited information on the project that is currently publicly available. If additional information regarding the Orsted East Irish Sea Transmission Project becomes publicly available with a reasonable amount of time remaining in the Examination process for its consideration, the Applicants will review the information provided and determine whether an update to the CEA is required before the Examination closes.</p>

Reference	Question To	ExQ1	Applicants' response
		further details will be publicly available?	
Q1.4.2	Applicants and OEIST	<p>Orsted East Irish Sea Transmission project</p> <p>From the information currently available, there appears to be potential for the locations of the OEIST proposals and the proposed development to be located near to each other and to be constructed either at similar times or relatively shortly after one another.</p> <p>a) Notwithstanding the limited public information currently available for the OEIST proposals, what effects could this potentially have in terms of the cumulative impacts of the</p>	<p>a) At present, the OEIST application is much further behind in the DCO process than Transmission Assets and therefore there is insufficient information in the public domain for the Applicants to undertake a cumulative effects assessment with OEIST. It would not be appropriate for the Applicants to speculate upon potential cumulative effects without the sufficient information to inform their topic specific assessments. If additional information regarding the Orsted East Irish Sea Transmission Project becomes publicly available with a reasonable amount of time remaining in the Examination process for its consideration, the Applicants will review the information provided and determine whether an update to the CEA is required before the Examination closes. Notwithstanding this, the Applicants are of the opinion that it is for OEIST to take account of Transmission Assets within their cumulative effects assessment as the Transmission Assets should be considered as a 'tier 1' project '<i>submitted applications under the Planning Act or other regimes but not yet determined</i>' (Planning Inspectorate, 2024¹). This is a standard approach.</p>

¹ Planning Inspectorate (2024) Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment, Published September 2024. Available at: [Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment - GOV.UK](#)

Reference	Question To	ExQ1	Applicants' response
		<p>developments, including upon landowners/ occupiers, the environment, transport and local communities?</p> <p>b) Whilst acknowledging that the details of the OEIST proposals are currently very limited, what measures are both parties taking to ensure that each development (if consented) would be able to be brought forward without unreasonable impediment for each and to ensure that any necessary management, co-ordination and mitigation measures would be in place to protect the environment and local interests?</p>	

2.2 The draft Development Consent Order (dDCO)

Table 2.2: The draft Development Consent Order (dDCO)

Reference	Question To	ExQ1	Applicants' response
<p>The Examining Authority's (ExA) initial questions on the dDCO are set out below.</p> <p>Further questions and consideration of relevant outstanding matters will be examined at a subsequent issue specific hearing (ISH) to be held in week commencing 28 July 2025. The ExA is aware that discussions are taking place outside of the examination with relevant interested parties on the content and drafting of the dDCO.</p> <p>These discussions are encouraged, and parties are asked to provide details of outstanding unresolved matters (in Statements of Common Ground where previously requested) at deadline 3 to assist with the ExA's consideration of which development consent order matters require examination at an ISH.</p>			
2.1 Articles			
Q2.1.1	The applicants	<p>Part 1, Article 2 (Interpretation)</p> <p>General question: Article 2 includes various definitions which seek to give effect to the approach of there being two projects (A and B) with two separate undertakers within a single development consent order (DCO). Therefore, the Examining Authority (ExA) notes that care needs to be taken when drafting the DCO to refer back to the definitions to ensure the articles make sense, apply in the way they are intended to, and are enforceable.</p> <p>For example, Project A and Project B works are defined separately. However, the definition of offshore works and onshore works encompass both the Project A and Project B works, as does the definition of authorised project and authorised development. Consequently, if powers are granted for the authorised project or</p>	<p>In developing the draft DCO (REP2-004), the Applicants have considered the drafting approaches taken in previous DCOs that consent more than one project and which use 'A' and 'B' works in their drafting, as set out in the Explanatory Memorandum (REP2-006). The Applicants have followed in particular the approach to drafting taken in the recent Sheringham Shoal and Dudgeon Extensions DCO. Overall, the Applicants consider their drafting approach to be proportionate in terms of striking a balance between (i) providing clarity in terms of the separation between Project A and Project B and (ii) unnecessarily long and/or overly complex drafting. In line with the approach taken on other joint DCOs, the Applicants do not consider it necessary for all the DCO articles, requirements and schedules to be split out and duplicated for each undertaker. In many cases, the drafting intent is achieved through the use of 'undertaker'. The definition of which makes clear that when it is used it must be interpreted as meaning Morgan OWL for the purposes of constructing, maintaining and operating Project A, and Morecambe OWL for the purposes of constructing, maintaining and operating Project B.</p> <p>However, as requested, the Applicants have undertaken a review of the definitions and how they have been applied throughout the draft DCO and have made the following amendments to provide additional clarity and/or consistency with regards to the Project A and Project B approach:</p> <ul style="list-style-type: none"> Offshore works – this definition has been removed. It was only used in Article 37 (abatement of works) and the heading to Requirement 2 in Schedule 2A and

Reference	Question To	ExQ1	Applicants' response
		<p>authorised development, this refers to all works for both projects.</p> <p>Furthermore, the definition of order land refers to all land shown on the land plan onshore and in the book of reference and the definition of order limits means the limits on the work plans within which the authorised project must be carried out. Both of these definitions encompass both projects.</p> <p>Could the applicants comment please on the above and make any necessary drafting changes?</p>	<p>2B. Therefore, consequential updates have been made to Article 37 and the heading to Requirement 2 in Schedule 2A and 2B to use the 'Project A offshore works' and 'Project B offshore works' definitions instead of 'offshore works'.</p> <ul style="list-style-type: none"> Onshore works – this definition has been removed. It was only used in the definition of construction compound and Requirement 15 (fencing and other means of enclosure). Therefore, consequential updates have been made to the definition of 'construction compound' and Requirement 15 in Schedule 2A and 2B to use the 'Project A onshore works' and 'Project B onshore works' definitions instead of 'onshore works'. Intertidal works – this definition has been removed. It was only used in the definition of 'construction compound'. Therefore, consequential updates have been made to the definition of 'construction compound' to use the 'Project A onshore works' and 'Project B onshore works' definitions instead of 'onshore works'. Authorised project and authorised development – the Applicants have retained these definitions. However, the Applicants have made some clarificatory amendments within the definition of authorised development and to the structure of Schedule 1 to provide additional clarity to the separation between Project A and Project B when these terms are used. Otherwise, the Applicants have retained the standard and well precedented wording used for these definitions in DCOs. The Applicants also note that these definitions are also used throughout the protective provisions, in accordance with the drafting preferences of most statutory undertakers. With the minor amendments now made, the Applicants consider as a matter of interpretation it is clear how those terms apply when they are read in context, including taking into account when they are used in combination with the definition of undertaker. <p>The Applicants have however undertaken a general review of how these definitions are used in the Articles and Requirements, and for further clarity and consistency, amendments have been made to:</p> <ul style="list-style-type: none"> Article 5 (Power to maintain the authorised project) – to provide additional clarity, amendments have been made to confirm that Morgan has the power to maintain in respect of Project A and Morecambe in respect of Project B;

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> - Article 9 (Street works) – ‘authorised project’ replaced in 9(1) by ‘Project A’ and in 9(2) by ‘Project; B’ - Article 12 (Temporary closure of public rights of way) - ‘authorised project’ replaced in 12(1) by ‘Project A’ and in 12(2) by ‘Project; B’ - Article 14 (Access to works) - ‘authorised project’ replaced in 14(1) by ‘Project A’ and in 14(2) by ‘Project; B’ - Article 17 (Authority to survey and investigate land) – to provide additional clarity to landowners, amendments have been made to use Project A and Project B terminology; - Article 22 (Compulsory acquisition of rights) – amended to expressly refer to Morgan and Morecambe separately, rather than using “the undertaker”, to provide greater clarity over which party is exercising powers in respect of Project A and Project B; - Article 30 (Temporary use of land for maintaining the authorised project) – updated to use Project A and Project B terminology to provide clarity to landowners; - Requirement 3, Schedule 2A – changed heading from ‘stages of authorised project’ to ‘stages of Project A’. - Requirement 3, Schedule 2B - changed heading from ‘stages of authorised project’ to ‘stages of Project B’. - Requirement 10, Schedule 2A (Highway accesses) - ‘authorised project’ replaced in 10(1) by ‘Project A’. - Requirement 10, Schedule 2B (Highway accesses) - ‘authorised project’ replaced in 10(1) by ‘Project B’. - Requirement 24, Schedule 2A (Amendments to approved details) - ‘authorised project’ replaced by ‘Project A’. - Requirement 24, Schedule 2B (Amendments to approved details) - ‘authorised project’ replaced by ‘Project B’. - Schedule 8A – ‘authorised project’ replaced by ‘Project A’ throughout; and - Schedule 8B – ‘authorised project’ replaced by ‘Project B’ throughout. <p>As part of this draft DCO review, the Applicants note that Project A and Project B clarificatory amendments have also been made to:</p> <ul style="list-style-type: none"> • Article 3 (Development consent etc. granted by the Order); • Article 6 (Benefit of the Order) - in response to Q2.1.7; and • Article 13 (Temporary restriction of use of streets).

Reference	Question To	ExQ1	Applicants' response
Q2.1.2	The applicants	<p>“bank holiday” - The interpretation of “bank holiday” referring to section 1 of the Banking and Financial Dealings Act 1971 would exclude several established public holidays including Christmas Day, New Year’s Day, Good Friday and the early May ‘bank holiday’.</p> <p>Could the applicants explain why the restrictions relating to bank holidays (including requirement 14 (construction hours) of Schedules 2A and 2B) and the interpretation of “business day” should not include these additional public holidays? Alternatively, could the dDCO be amended to include appropriate restrictions for public holidays?</p>	<p>The Applicants have updated the definition of “bank holiday” in the draft DCO (C1/F05) to read as follows:</p> <p>“bank holiday” means Christmas Day, Good Friday, New Year’s Day, the first Monday in May and any other bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971;</p>
Q2.1.3	Marine Management Organisation (MMO)	<p>“commence” - The definition of “commence” has been amended by the applicants [REP2 005] with explanation provided in the Explanatory Memorandum [REP2-007].</p> <p>Can the MMO confirm whether it is content with the revised wording. If not, provide reasoning for this and any alternative drafting as appropriate.</p>	<p>The Applicants note Q2.1.3 is directed towards MMO and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
Q2.1.4	The applicants	<p>“maintain” - The definition of “maintain” has been amended to now include the caveat “to the extent assessed in the environmental statement”.</p> <ul style="list-style-type: none"> a) Explain why this amendment has been made, replacing the previous wording “do not give rise to any materially new or materially different environmental effects to those assessed in the environmental statement”. b) For each of the types of works used in the definition, explain and signpost where they have been assessed in the environmental statement. c) Explain why the interpretation refers to “keep” or should it read ‘upkeep’ as used in other recently made orders? d) Explain why the term “re-cover” is necessary and reasonable as part of the definition? 	<p>a) The Applicants made this change in response to Natural England’s request in their Relevant Representation (RR-1601.A.3), as set out in the Applicants’ response (PDA-015).</p> <p>b) The reasonably foreseeable planned and unplanned operation and maintenance (O&M) activities are described in the Project Description (PD) chapter (REP2-008) (in particular see section 3.19). These activities align with the definition of “maintain” in the draft DCO and deemed marine licences (DMLs) (REP2-004), which include activities to inspect, upkeep, repair, adjust, alter, remove, reconstruct and replace any part of the Transmission Assets. The O&M activities described in the PD chapter inform the topic assessments set out in each ES chapter and have been used to identify relevant mitigations where appropriate.</p> <p>The O&M activities described include routine inspections, cable surveys, potential repair or replacement of cables and ongoing maintenance of associated infrastructure such as substations, operational access routes, landscape planting and drainage systems.</p> <p>The Applicants confirm that these O&M activities (set out in further detail below) have been assessed within the ES, based on the parameters set out in the PD chapter (REP2-008), to the extent that they were not scoped out of the assessment by the Scoping Opinion. No further breakdown of ES chapters is considered necessary, as the assessment reflects the design envelope and O&M scenarios described in the PD chapter (REP2-008).</p> <p><u>Offshore O&M</u></p> <p>Paragraph 3.19.1 and Table 3.36 of the Project Description Chapter (REP2-008) confirm that annual inspections of offshore export cables and the beach area will be undertaken. Seabed surveys are also anticipated to be carried out annually for the first 5 years and approximately every 4 years thereafter, up to a total of 26 seabed surveys over the lifetime of the Transmission Assets (Table 3.36 of the PD chapter (REP2-008)). These routine inspections and surveys are required to identify the need for any cable repairs, remedial burial and protection. Carrying out those types of activities fall under the terms ‘inspect, upkeep, repair, adjust and alter’ within the</p>

Reference	Question To	ExQ1	Applicants' response
			<p>definition of maintain. The routine inspections and surveys will also identify the need for any cable replacements.</p> <p>Table 3.36 of the PD Chapter (REP2-008) sets out that cable repair may be required where faults or exposure are identified through routine inspections and monitoring, and cable remedial burial and protection may be required where cables become exposed. These activities are included within the maximum design envelope and assessed within each topic chapter and fall within the scope of “maintain” as they involve inspecting, upkeeping, repairing, adjusting, altering and where necessary, removing, reconstructing or replacing parts of the Transmission Assets.</p> <p><u>Onshore O&M</u></p> <p>Section 3.19.2 of the PD Chapter (REP2-008) sets out that routine inspection of onshore cables is expected to be undertaken annually via inspection covers installed at the surface of the link boxes. Onshore export cables will also be monitored remotely to determine if any corrective activities are required. Corrective activities include the potential to repair, adjust, alter or if necessary remove, reconstruct or replace parts of a cable in the event of cable failure or fault. As confirmed in paragraph 3.19.5 of the PD Chapter (REP2-008), access to joint bays is only expected to be required in the event of a cable failure or fault requiring replacement or repair.</p> <p>The onshore substations, whilst unmanned, will be continuously monitored remotely. Operation and maintenance staff are also expected to visit the onshore substations approximately every 6 months to undertake preventative and corrective works, which will include non-intrusive inspection of equipment and remedying of any potential defects notified during inspections (see also paragraph 8.11.9.27 of ES Volume 3, Chapter 8: Noise and vibration (F3/8)). Paragraphs 3.15.7.38 and 3.15.7.39 of the PD chapter (REP2-008) sets out that maintenance measures will also include the management of drainage at the onshore substations and operational access roads, and the reinstatement and ongoing maintenance of existing land drainage. Sections 3.15.6 and 3.18.4 of the PD chapter (REP2-008) also set out that maintenance (including clearance of vegetation and other obstacles) of the operational accesses for both the cable route and biodiversity benefit and environmental mitigation areas will be carried out to enable routine inspection, maintenance and management activities to take place. As set out in paragraph 3.15.7.23 of the PD chapter (REP2-008), maintenance activities also include ongoing management of landscape planting. All</p>

Reference	Question To	ExQ1	Applicants' response
			<p>these types of activities are included within the maximum design envelope and assessed within each topic chapter where relevant and fall under the meaning of 'inspect, upkeep, repair, adjust and alter' and 'remove, reconstruct and replace any part' of the Transmission Assets used in the definition of 'maintain' in the draft DCO (C1/F05).</p> <p>c) The Applicants have amended the definition of 'maintenance' to refer in the draft DCO (C1/F05) to 'upkeep' rather than 'keep'.</p> <p>d) The Applicants have removed the term 're-cover' from the definition of 'maintenance' in the updated draft DCO (C1/F05).</p>
Q2.1.5	The applicants	<p>"onshore site preparation works" - The list of works included in this definition is wide ranging with the intention being of allowing for such works to take place with appropriate controls in place without necessitating prior discharge of all requirements.</p> <p>a) Can the applicants provide justification for the extent of the works included in the definition, signposting how appropriate controls would be in place through the DCO? This should include, in particular, preparation works comprising 'early planting of landscape works', 'removal of hedgerows and trees' and 'substation preparatory ground works'.</p> <p>b) For the avoidance of doubt, confirm which Schedule 2A and 2B requirements must be discharged before the development commences</p>	<p>a) Onshore site preparation works is a critical stage of all construction projects. The Applicants confirm that the purpose of the definition of "onshore site preparation works" is to allow limited works to be carried out in a controlled and transparent way prior to formal "commencement" of the authorised development.</p> <p>The Applicants note that the onshore site preparation works for the Transmission Assets project are listed within the defined term 'onshore site preparation works' in Article 2 (Interpretation) of the draft DCO (C1/F05). The list of works included in the definition are necessarily wide ranging to accommodate the potential activities required to prepare the work areas for construction. The Applicants consider that the list of onshore site preparation works in the DCO is typical for the majority of construction projects. The Outline Code of Construction Practice (APP-193) and the series of outline management plans submitted in the DCO application set out measures that mitigate the impacts from the onshore site preparation works. The mitigation measures are in line with best construction practice and guidance and have been identified through the EIA process. The outline management plans will be agreed through the DCO Examination process. The Applicants consider that the measures within outline management plans provide appropriate controls for the environmental impacts associated with the onshore site preparation works.</p> <p>With regards to the inclusion of 'substation preparatory ground works', the Applicants do not consider this is necessary to be included in the definition and</p>

Reference	Question To	ExQ1	Applicants' response
		including the onshore site preparation works; i.e. where onshore site preparation works must be approved as well.	<p>have removed it from the definition of 'onshore site preparation works' in the draft DCO (C1/F05).</p> <p>For clarity and ease of reference, the definition of onshore site preparation works now reads:</p> <p><i>"onshore site preparation works" means operations consisting of site clearance, demolition, early planting of landscaping works, archaeological investigations, environmental surveys, environmental mitigation works, biodiversity benefit works, removal of hedgerows and trees, surveys and investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, the diversion and laying of utilities and services, site security works, the erection of any temporary means of enclosure, the erection of temporary hard standing, the erection of welfare facilities and compounds for welfare facilities, creation of site accesses and the temporary display of site notices or advertisement.</i></p> <p>b)</p> <p>Requirement 3 (Stages of Project A/Project B) must be discharged by each project prior to commencement of development of each project.</p> <p>Requirement 4 (Substation works), Requirement 6 (Provision of landscaping), Requirement 8 (Code of Construction Practice), Requirement 9 (Traffic and Transport), Requirement 10 (Highway accesses), Requirement 11 (Onshore archaeology), Requirement 12 (Ecological management plan), Requirement 13 (European protected species onshore), Requirement 15 (Fencing and other means of enclosure) and Requirement 19 (Employment and skills plan) must be discharged by each project prior to commencing either a stage of construction (identified under Requirement 3) or the works numbers specified in the relevant Requirement.</p> <p>The Applicants have prepared the below table which sets out how onshore site preparation works are controlled as these can be undertaken before the detailed plans are produced and the requirements are discharged. As explained in paragraph 1.6.2.4 of the Explanatory Memorandum (REP2-006), the relevant requirements set out in the table below include wording requiring all onshore site preparation works to be carried out in accordance with the outline plans. This gives LPAs the ability to monitor and enforce against any breach of the requirement if this does not happen. The Applicants</p>

Reference	Question To	ExQ1	Applicants' response																		
			<div>consider this is an accepted approach and follows the approach taken in the Awel y Mor DCO and Sheringham Shoal and Dudgeon Extension Projects DCO.</div> <table><tr><th>Requirement (Schedules 2A and 2B)</th><th>Associated plan and reference</th><th>Onshore site preparation works that must be carried out in accordance with the relevant outline plan</th></tr><tr><td>7(2)</td><td>Outline Landscape Management Plan (J2)</td><td>Those activities listed in section 1.1.5.5 of the outline plan</td></tr><tr><td>8</td><td>Outline Code of Construction Practice (J1)</td><td>Those activities listed in section 1.2.1.5 of the outline plan</td></tr><tr><td>9</td><td>Outline Construction Traffic Management Plan (J5)</td><td>Those activities listed in section 1.1.5.9 of the outline plan</td></tr><tr><td>10</td><td>Outline Highway Access Management Plan (J8)</td><td>Those activities listed in section 1.1.5.5 of the outline plan</td></tr><tr><td>11</td><td>Outline onshore and intertidal written scheme of investigation (J9)</td><td>Those activities listed in section 1.2.1.5 of the outline plan</td></tr></table>	Requirement (Schedules 2A and 2B)	Associated plan and reference	Onshore site preparation works that must be carried out in accordance with the relevant outline plan	7(2)	Outline Landscape Management Plan (J2)	Those activities listed in section 1.1.5.5 of the outline plan	8	Outline Code of Construction Practice (J1)	Those activities listed in section 1.2.1.5 of the outline plan	9	Outline Construction Traffic Management Plan (J5)	Those activities listed in section 1.1.5.9 of the outline plan	10	Outline Highway Access Management Plan (J8)	Those activities listed in section 1.1.5.5 of the outline plan	11	Outline onshore and intertidal written scheme of investigation (J9)	Those activities listed in section 1.2.1.5 of the outline plan
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Reference	Question To	ExQ1	Applicants' response			
				12	Outline ecological management plan (J6)	Those activities listed in section 1.2.1.6 of the outline plan
			<p>For clarity and ease of reference, the activities referenced in column 3 of the above table are as follows:</p> <ol style="list-style-type: none"> 1. site clearance; 2. demolition; 3. early planting of landscaping works 4. archaeological investigations; 5. environmental surveys; 6. environmental mitigation; 7. biodiversity benefit works; 8. removal of hedgerows and trees; 9. surveys and investigations for the purpose of assessing ground conditions; 10. remedial work in respect of any contamination or other adverse ground conditions; 11. diversion and laying of utilities and services; 12. site security works; 13. the erection of any temporary means of enclosure; 14. the erection of temporary hard standing; 15. the erection of welfare facilities and compounds for welfare facilities; 16. creation of site accesses; and 17. temporary display of site notices or advertisements. <p>The Applicants note that not all of the outline plans referenced in the table above have been updated at deadline 3. The relevant sections will be updated at an appropriate future deadline to reflect the fact that onshore site preparation works no longer includes onshore substation preparatory ground works.</p>			
Q2.1.6	The applicants (a-d) Fylde Borough	Article 2 (Development consent etc. granted by the Order) a) This article would grant development consent for both projects, subject to development consent being granted for the associated generation assets.	a) The Applicants consider the drafting in Article 3 to be robust and enforceable for its intended purpose, which is to ensure: Morgan OWL and Morecambe OWL are only granted consent for their respective projects and that these projects cannot be constructed so as to create an isolated asset i.e. for the transmission assets element of each project to proceed, it must have a corresponding consent to enable construction of its generation assets.			

Reference	Question To	ExQ1	Applicants' response
	<p>Council (FBC) (a)</p> <p>South Ribble Borough Council (SRBC) (a),</p> <p>Preston City Council (PCC) (a),</p> <p>Lancashire County Council (LCC) (a).</p>	<p>Notwithstanding that paragraphs (2) and (3) may be removed as appropriate if the generation assets are granted prior to the making of the Order, is the current drafting of these paragraphs suitably robust and enforceable for its intended purpose?</p> <p>b) What would the implications be for this article if the decisions on either the Morgan or Morecambe generation assets were subject to legal challenge?</p> <p>c) The applicants are asked to explain in further detail what happens to each relevant article, if consent is refused for one of the generation assets but granted for the other, to ensure that this DCO would only grant powers to give effect to the one project.</p> <p>d) Further to (c) if one of the generation asset projects not be granted, or not implemented, what would the implications of this be for the works and land plans? Would amended plans need to be submitted to reflect the reduced order limits and order land?</p>	<p>In any case, it would be inconceivable from a commercial perspective for either project to proceed with construction of the transmission assets element of a project without having the ability to construct the generation assets on the basis that the purpose of the transmission assets is to supply electricity to the grid.</p> <p>The Applicants have drafted Article 3 of the draft DCO (REP2-004) to reflect this through the two limbs of article 3(1) and the use of definitions for Project A and Project B and the conditionality included at Articles 3(2) and 3(3).</p> <p>b) In the event of a successful legal challenge, say for example, against the Morgan Generation Assets, the development consent for the Morgan Generation Assets would be quashed and the conditionality at article 3(2) would come into effect, with the result that the development consent granted for Project A under this Order would in effect fall away until consent was successfully redetermined or a new consent granted for the generation assets element of Morgan i.e. Morgan OWL would not be able to implement. The same would apply for Project B (the Morecambe OWL element of the Transmission Assets) under article 3(3) in the event of any successful legal challenge against the Morecambe Generation Assets.</p> <p>As noted above at (a), from a commercial perspective, neither Morgan OWL nor Morecambe OWL would in any event be able to proceed to construct the Transmission Assets without the ability to construct their respective Generation Assets.</p> <p>The Applicants are aware that the current timelines for determination of the Morgan Generation Assets and Morecambe Generation Assets are 29 August 2025 and 23 October 2025 respectively. Therefore, it is anticipated that the judicial review period of 3 months will have expired by the time that the Secretary of State is due to determine the Transmission Assets.</p> <p>c) The applicants are asked to explain in further detail what happens to each relevant article, if consent is refused for one of the generation assets but granted for the other, to ensure that this DCO would only grant powers to give effect to the one project. The Applicants can confirm that in the event one of the Generation Assets is not granted consent, further to the points made at (a) above, that project will not have received consent and they will not be able to rely on any of the articles or schedules to the DCO unless or until consent for the generation element of the offshore wind farm is</p>

Reference	Question To	ExQ1	Applicants' response
			<p>obtained. That is the effect of the drafting at 3(2) and 3(3). The Applicants have, however, also made further drafting updates to make this separation clearer.</p> <p>d) No, the Applicants do not consider that any amendments would be necessary. The draft DCO (REP2-004) and associated works and land plans have been structured to ensure that the powers conferred are clearly project specific and the works and land required for each project are identified separately.</p> <p>The works plans identify the works for Project A and Project B separately. The key to the works plans links directly to the Work Nos listed in Schedule 1 to the draft DCO (REP2-004), and makes clear that works numbers ending in "A" relate to Project A (Morgan), and those ending in "B" relate to Project B (Morecambe).</p> <p>The draft DCO has been structured accordingly, with Morgan OWL authorised to exercise powers only in respect of Project A and Morecambe OWL only in respect of Project B. The works and land plans (APP-151, REP1-004) clearly distinguish between the two projects, including mostly split corridors to reflect the respective widths required for each cable route.</p> <p>Schedules 7A and 8A identify the plots subject to temporary possession and rights to be acquired for Project A (Morgan), while Schedules 7B and 8B do so for Project B (Morecambe). The land plans similarly distinguish between the projects, by identifying the relevant plot for each project, with reference to the relevant Schedules. Where corridors are not split (i.e. the overlap areas), these are still subject to the land plots and Schedules to the draft DCO (REP2-004).</p> <p>Further, the land take and use by the project that proceeds would still be limited by the parameters in the draft DCO (REP2-004), which, for example, set the maximum number of cables each project can lay. This inevitably limits the width of permanent land take/ temporary use.</p> <p>The overarching principle remains that Morgan OWL and Morecambe OWL may only acquire land or exercise temporary possession of land where it is required for their respective projects. This is reflected in the wording of the compulsory acquisition and temporary possession articles in Part 5 of the draft DCO (REP2-004), and ensures that no amendments to the plans are required even if only one project proceeds.</p>

Reference	Question To	ExQ1	Applicants' response
Q2.1.7	The applicants	<p>Article 6 (Benefit of the Order)</p> <p>a) There is a difference in approach between articles with some conferring powers to 'the undertaker' and some conferring power separately to 'Morgan' or 'Morecambe'. Article 6 ensures that the provisions of the DCO effectively apply to the transferee by subparagraph (7) which says that references to the undertaker in the DCO are to be read as references to transferee or lessee. However, there is no provision by which references specially to Morgan/ Morecambe are to be read as being to the transferee/ lessee. This could lead to difficulties if the benefit of provisions granted specifically to Morgan /Morecambe are transferred (such as in articles 9, 12, 14, 20, 22, 24, 29, 33 and 37). Therefore, could the applicants explain how these articles would effectively function if the benefit of them were transferred in accordance with article 6.</p> <p>b) In relation to article 6 (2), whilst it is arguable that 'Morgan' or 'Morecambe' as the 'undertaker' could only transfer the benefit of the provisions to the extent of Project A or Project B as applicable, as it is this</p>	<p>a) The Applicants acknowledge the Examining Authority's observation that certain Articles of the draft DCO (such as Articles 9, 12, 14, 20, 22, 24, 29, 33 and 37) confer powers directly on "Morgan" or "Morecambe" rather than the "undertaker". In response and for additional clarity, the Applicants have amended Article 6(9) of the draft DCO (C1/F05) (previously Article 6(7)) at Deadline 3 to make clear that references to "Morgan" or "Morecambe" are to be read as including any transferee or lessee under that article:</p> <p style="padding-left: 40px;">'references in this Order to the undertaker, Morgan or Morecambe will include the transferee or lessee as appropriate'.</p> <p>This ensures that where a benefit is transferred or granted under Article 6, any reference in the draft DCO (C1/F05) to undertaker, Morgan or Morecambe are to be read as being the transferee or lessee where relevant.</p> <p>In addition, Articles 6(2) to 6(5) of the draft DCO (C1/F05) have been revised to expressly limit the scope of transfer to the relevant project, such that Morgan may only transfer the benefit of the Order in relation to Project A, and Morecambe in relation to Project B. The Applicants consider that these amendments make clear that any powers or duties conferred on Morgan or Morecambe may be exercised by their respective transferee or lessee, following a transfer under Article 6 of the draft DCO (C1/F05).</p> <p>In practice, any further clarifications necessary at the time of transfer would be addressed in the DCO transfer deed or supporting documentation submitted under Article 6(12).</p> <p>b) While the original drafting of Article 6 followed a format consistent with the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024, the Applicants consider that their updates to Article 6 of the draft DCO (C1/F05) remove any uncertainty and ensures that there is clarity about the operation of Article 6 in the context of each Project A and Project B.</p> <p>c) The Applicants have updated the draft DCO (C1/F05) at Deadline 3 to reflect this suggested amendment. This amendment has been made to the new Article 6(9) (previously Article 6(7)) of the draft DCO (C1/F05). The Applicants recognise this reflects a similar approach adopted in the recent Rampion 2 Offshore Wind Farm Order 2024.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>they have been granted consent for, to remove any uncertainty about this the ExA suggests that specific wording is included to give effect to this, for example to explicitly say that the undertaker of Project A or Project B can only transfer the benefit of the order in relation to Project A or Project B works respectively.</p> <p>c) In relation to article 6 (7) should wording be added to say “except in paragraph (5) of this article” as paragraph (5) refers to the transferred benefit not being enforceable against the undertaker and restrictions being applied as if they were exercised by the undertaker? If ‘undertaker’ were read as being the transferee in this context it would not appear to make sense.</p>	
Q2.1.8	The applicants	<p>Article 7 (Application and modification of legislative provisions)</p> <p>a) Article 7(a), (c) and (d) are prescribed consents that can only be included if consent is given by the relevant body. Provide an update on the progress being made with the relevant bodies towards the gaining of such consents. Are there any significant known impediments towards gaining such consents?</p>	<p>a) The Applicants are negotiating PPs with both the Environment Agency (EA) and Lead Local Flood Authority (LLFA) in order to secure their consent to these disapplications (being consent from the EA for Articles 7(1)(a) and 7(1)(c) and from the LLFA for Articles 7(1)(b) and 7(1)(d)). These negotiations are well progressed and are expected to be agreed during Examination. The Applicants therefore do not consider there to be any impediment to obtaining those consents. The Applicants have previously updated on the progress of these in the Land Rights Tracker (REP1-065) and have provided updated statements at Deadline 3 in the SU Negotiations Progress Tracker (S_D3_10).</p> <p>b) The Applicants have updated paragraph 1.6.3.19 of the Explanatory Memorandum (C3/F05) to recognise that the consent of the Environment Agency is required for the</p>

Reference	Question To	ExQ1	Applicants' response
		<p>b) Where not already provided within paragraphs 1.6.3.17 to 1.6.3.21 of the Explanatory Memorandum, provide details for each disapplication and modification of the effect of the disapplication/ modification and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of the disapplication/ modification.</p>	<p>disapplications included in article 7(1)(a) and 7(1)(c) and the consent of the Lead Local Flood Authority is required for the disapplications at 7(1)(b) and 7(1)(d) and that protective provisions are therefore included in Schedule 10 of the draft DCO (C1/F05) for the benefit of both the EA and LLFA.</p>
Q2.1.9	The applicants	<p>Article 10 (Power to alter layout etc. of streets)</p> <p>This is a wide power that would authorise (subject to the provisions of 10 (1) and (2)) alteration etc. of any street and is not limited to those within the order limits.</p> <p>a) Provide further explanation and justification for why this article is necessary in the circumstances of the proposed development? Why is it not limited to identified streets and/ or streets within the order limits?</p> <p>b) What assessment has been carried out of any such works outside of the order limits and how would the control mechanisms through relevant DCO requirements apply to such works.</p>	<p>a) The Applicants maintain that Article 10 is necessary and proportionate, and reflects the approach taken in a number of recently consented offshore wind DCOs including The Rampion 2 Offshore Wind Farm Order 2025, The Hornsea Four Offshore Wind Farm Order 2023 and The Hornsea Three Offshore Wind Farm Order 2020.</p> <p>The Applicants consider that inclusion of this Article aligns with the principle of wrapping up other consents into the DCO to ensure timely and efficient delivery of the projects. The Article enables Morgan and Morecambe to carry out improvements to streets, e.g. localised widening of roads and junctions, installation of passing places, strengthening/repair of highway assets for the purpose of constructing their respective projects. It is a general power which is not limited to specified streets as it is a complementary power, designed to sit alongside the other Part 3 powers relating to streets. It is also not limited to streets within the Order limits recognising that adjustments may need to be made to streets both inside and outside the Order limits in accordance with the final detailed construction traffic management plan (CTMP).</p> <p>The inclusion of a general power is reasonable and proportionate as its exercise remains subject to the explicit consent of the street authority under Article 10(3) and any street used must be restored to the reasonable satisfaction of the street authority under Article 10(2). This ensures that street and highway authorities retain effective control over any works affecting their network.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>b) The use of Article 10 outside the Order limits is closely tied to the detailed Construction Traffic Management Plan (CTMP), which must be approved under Requirement 9 of Schedules 2A and 2B of the draft DCO (REP2-004). The CTMP will identify any required street alterations and set out mitigation measures to manage impacts on users of the local highway and road network. The Applicants would further clarify that types of works outlined in the Applicants response to part a) align with the types of routine maintenance and minor highway improvements undertaken by highway authorities throughout the UK and Lancashire utilising their permitted development rights.</p> <p>As noted, at (a) any works would be subject to consent under Article 10(3) and the CTMP approval process. The controls in Article 10, combined with those secured through Requirement 9 of Schedules 2A and 2B of the draft DCO (REP2-004), provide a robust mechanism to manage and mitigate any effects of temporary street alterations.</p>
Q2.1.10	The applicants	<p>Article 12 (Temporary closure of public rights of way)</p> <p>The wording of similar articles in recent made DCOs (including Rampion 2 and Hornsea Four) includes provision for diversions and substitute rights of way within the drafting of the relevant article.</p> <p>Explain why such provision for diversions and/ or substitute rights of way is not included within the article in this case.</p>	<p>The Applicants consider that Article 12 already includes standard wording that allows for diversions of public rights of way, consistent with the approach taken in other recently made DCOs such as The Rampion 2 Offshore Wind Farm Order 2024 and The Hornsea Four Offshore Wind Farm Order 2023.</p> <p>Specifically, Articles 12(1) and 12(2) allow Morgan and Morecambe respectively to “temporarily close, alter or divert” each of the public rights of way specified in Schedule 5A and 5B (public rights of way to be temporarily closed) of the draft DCO (REP2-004). This drafting mirrors the relevant provisions in Rampion 2 and Hornsea Four in enabling temporary diversions where needed.</p> <p>The Applicants note that in contrast to Rampion 2 where Article 12 includes provision for temporary substitute public rights of way, no such substitute routes are required for Project A to Project B. Consequently, no such works are provided for in Schedules 5A and 5B of the draft DCO (REP2-004) and it is not necessary for Article to be amended to reflect the additional drafting used in Rampion 2.</p>

Reference	Question To	ExQ1	Applicants' response
Q2.1.11	The applicants	<p>Article 13 (Temporary restriction of use of streets)</p> <p>Notwithstanding other precedents, provide justification as to why this power is appropriate and proportionate having regard to the impacts on pedestrians and others of authorising temporary working sites in these streets.</p> <p>Article 13(1) says that the undertaker “during and for the purposes of carrying out the authorised project, may temporarily close, alter, manage or divert any street”. Explain what is meant by “during and for the purposes of carrying out the authorised project”. Can this be made clearer?</p>	<p>a) The Applicants consider that Article 13 is both appropriate and proportionate, having had regard to the impacts on pedestrians and others of authorising temporary working sites in these streets. The Applicants have explained the need for and purpose of Article 13 at paragraph 1.6.4.11 of the Explanatory Memorandum (REP2-006). Article 13 will be necessary to temporarily restrict the use of streets during construction to enable the installation of cables and associated street works, as well as to facilitate the creation or improvement of accesses. As noted in the Explanatory Memorandum (REP2-006), where safe to do so, the intention is that closures for access junction works will be partial and not involve closure of the full width of the carriageway.</p> <p>This power must be read alongside the outline construction traffic management plan (oCTMP) (REP2-016) which confirms that, all public highway crossings along the cable route will be undertaken using trenchless techniques and road closures will not be required, with the exception of Leach Lane. At Leach Lane, a full road closure will not be required; instead traffic will be managed using single lane closure, with signal controlled shuttle working to minimise disruption to road users.</p> <p>The power is also required to facilitate works involved in the creation or improvement of temporary accesses along the cable route and should therefore be read alongside the outline highway access management plan (oHAMP) (AS-052) which sets out the proposed designs for those accesses.</p> <p>As explained in paragraph 1.6.4.12 of the Explanatory Memorandum (REP2-006), the authorisation at Article 13(2) to use a street as a temporary working site would likely only be relied where works directly affect the carriageway and it is necessary to locate the working site next to those works affecting the carriageway. For example, prior to the establishment of formal compounds within the Order limits, temporary welfare facilities and temporary laydown may need to be provided in the highway to support the creation of accesses or to undertake road improvements. Where a street is not referred to in Schedules 4A or 4B to the draft DCO (REP2-004), Morgan and Morecambe would require the consent of the street authority before using it as a working site under Article 13(6)(b).</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicants would also highlight that Article 13(3) places an obligation on both Morgan OWL and Morecambe OWL to maintain reasonable pedestrian access to premises abutting any affected street, substantially limiting any potential impacts on pedestrians. The Applicants note that additional controls are secured through Requirement 9 (which requires approval of the detailed CTMP by the highway authority) and Requirement 10 (which requires approval of the detailed HAMP(s) by the highway authority) of Schedules 2A and 2B of the draft DCO (REP2-004). These controls ensure that the powers in Article 13 are exercised in a reasonable and proportionate manner and in a way that will also minimise impacts on pedestrians and others.</p> <p>b) With regards to the drafting of Article 13(1) of the draft DCO (REP2-004), the phrase “during and for the purposes of carrying out the authorised project” is considered to be clear and is standard, well-precedented wording used in numerous made DCOs, including most recently Article 11 (Temporary closure of streets) of The Rampion 2 Offshore Wind Farm Order 2025.</p> <p>This means that Morgan, when carrying out its works to construct Project A (including onshore site preparation works), and Morecambe, when carrying out its works to construct Project B (including onshore site preparation works), can rely on the powers contained in Article 13 to temporarily restrict the use of streets. It limits the power to circumstances where it is both time-limited (i.e. during construction) and directly linked to the authorised project. The Applicants consider the current drafting to be clear and does not require amendment.</p>
Q2.1.12	The applicants	<p>Article 21 (Time limit for exercise of authority to acquire land compulsorily)</p> <p>Article 21(3) says that if proceedings are begun to challenge the validity of this Order before the end of the period referred to in sub-paragraph (1) the period must be extended by one year. Is this necessary, as articles 25 and 27 apply, with modifications,</p>	<p>The Applicants had originally included the text at Article 21(3) to provide further clarity and to align with similar drafting required in Requirement 1. However, the Applicants agree with the ExA's analysis and confirm that they will remove Article 21(3) from the draft DCO at Deadline 3 (C1/F05) on the basis it is not necessary.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>other compulsory purchase related legislation, namely s5B Compulsory Purchase (Vesting Declarations) Act 1981 and s4A Compulsory Purchase Act 1965 respectively. The effect of those modifications is to extend the 7-year period by an additional period if a legal challenge is made by judicial review under s118 Planning Act 2008, but with that extension being for a maximum of 1 year.</p> <p>On this basis, should 21(3) be removed? If not, explain, in consideration of articles 25(6) and 27(2), why this extra provision is necessary and how it is intended to interact with the relevant provisions of the legislation as amended by those articles.</p>	
Q2.1.13	The applicants	<p>Article 22 (Compulsory acquisition of rights (CA))</p> <p>This article includes a wide power for the undertaker to create undefined rights and restrictions over all of the order land. It then limits compulsory acquisition powers over the land in Schedule 8A/8B to the new rights described in those schedules.</p> <p>In article 20 the power to CA the order land is specifically granted to Morgan for Project A works and Morecambe for Project B works but in article 22(1) the power to compulsorily acquire rights over the order land (which</p>	<p>a) The Applicants confirm that they adopted the same approach across articles 20 and 22 in the draft DCO (REP2-004). Under article 22(1), the undertaker (which means Morgan for the purposes of Project A and Morecambe for the purposes of Project B) can only acquire rights over the Order land for the purposes for which that land may be acquired under article 20. Article 20 clearly sets out that Morgan OWL can only exercise its powers to acquire land for Project A and Morecambe OWL for Project B and therefore the same restrictions apply to exercise of powers under article 22(1). To provide further clarity, the Applicants have, however, updated the draft DCO (C1/F05) to make clear that article 22(1) applies separately to the land acquired or used by Project A and Project B.</p> <p>b) Please refer to the Applicants' response to Q2.1.13(a).</p> <p>c) The land that may be subject to the compulsory acquisition of freehold under article 22(1) may only be acquired for the purposes set out under article 20(1) for Morgan</p>

Reference	Question To	ExQ1	Applicants' response
		<p>includes both projects) is granted to the undertaker.</p> <ul style="list-style-type: none"> a) Can the applicants explain why they have adopted a different approach for the general power to compulsory acquisition rights? b) Explain how the general power to compulsorily acquire rights is effectively limited to ensure Morgan/Morecombe can only create new rights in the land which is for Project A/ Project B respectively. c) Given the general powers contained in article 22(1), in order that the Secretary of State can be satisfied that this is proportionate, provide further detailed justification for this general approach across the Order land, including justification which is specific to the areas of land over which the power is being sought (rather than generic reasons) and a clear indication of the sorts of restrictions which would be imposed. Where possible the power should extend only to the particular type of restriction required. 	<p>OWL and 20(2) for Morecambe OWL. The Applicants would highlight that the land plots for temporary possession and/or compulsory acquisition of rights (along with a description of the rights themselves) are set out in Schedules 7A and 7B, and 8A and 8B respectively. Column 2 in each of these schedules contains specific purposes for which those plots may be acquired (either temporarily or for acquisition of rights only).</p>
Q2.1.14	The applicants	<p>Article 24 (Private rights)</p> <ul style="list-style-type: none"> a) Further to paragraph 23.4 of Advice Note Fifteen: drafting Development Consent Orders, are there any instances where article 24 should be subject to a power under a separate 	<ul style="list-style-type: none"> a) The Applicants note that the protective provisions in Part 8 of Schedule 10 (Protective Provisions for Network Rail) exclude the exercise of this power without Network Rail's agreement in relation to their land interests. The Applicants do not consider there are any other private rights within the Order Limits that should be subject to specific exclusion from this Article. As set out in Article 24 of the draft DCO (REP2-004), the suspension or extinguishment of private rights is restricted

Reference	Question To	ExQ1	Applicants' response
		<p>article which would allow the applicants to exclude a particular private right from the blanket extinguishment power?</p> <p>b) As set out in Advice Note Fifteen, should there be a procedure set out in the relevant Article such as the giving of notice or reaching agreement with the person who benefits from the right? This would ensure that only those rights which it is essential to extinguish are dealt with in this way.</p>	<p>to those where their continuance would be inconsistent with the exercise of the powers under Articles 20, 22, 29 and 30. The Applicants note that there will be ongoing engagement with landowners through the Agricultural Liaison Officer (ALO) who will discuss the works required on the landowner's land and the practicalities involved. This is secured through Requirement 8 of Schedules 2A and 2B of the draft DCO (REP2-004) which provides for submission and approval of detailed codes of construction practice in accordance with the outline code of construction practice (APP-193) (oCoCP). The oCoCP (APP-193) sets out the ALO's scope of work. In practical terms, this means that the Applicants will endeavour to minimise interference with the landowner's use of land where practicable to do so. For example, where there are crossings of private means of access (PMA), these will be maintained and managed, where possible. To maintain access at crossing points where open cut cable installation methods are used, installation of cables is often carried out using a half and half technique meaning that only half of the access route is excavated at any one time (thereby allowing access to be maintained, e.g. via temporary traffic signals). Crossing plates are typically used to allow crossing of the trenches should they be required. Please also see response to Q16.1.8.</p> <p>The Applicants also highlight that they have undertaken due diligence to identify all those who have rights, however there may be circumstances where detail is not documented or has not been forthcoming and therefore the powers set out in Article 24 are also necessary to be able to deal with the risk of any potential impediment to the projects from unknown private rights. It is standard practice to include these powers within a DCO where compulsory acquisition and temporary possession powers are sought.</p> <p>b) The Applicants confirm that they have complied with the guidance in Advice Note Fifteen. Article 24(11) draft DCO (REP2-004) provides for the disapplication of articles 24(1) to 24(6) where the undertaker serves a notice specifying that any or all of those provisions do not apply or where there has been an agreement between the relevant undertaker and the person in or to whom the right or restriction is vested or belongs.</p> <p>Further, Article 24(12) confirms that agreements made under Article 24(11)(b) apply to whoever derives title from that land, whether that title was derived before or after the making of the agreement.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicants further note various safeguards within the drafting. For example, private rights would only cease to apply or be suspended where their continued operation would be inconsistent with the exercise of either the compulsory acquisition powers in Articles 20 or 22 or the temporary possession powers in article 29 and 30. The Applicants will seek to limit interference so far as is reasonably practicable in the event those powers are exercised as the primary aim is to reach voluntary agreements with landowners. In most cases, interference would also be temporary only along the majority of the cable route where, in the absence of voluntary agreement, temporary possession powers will be relied on to construct and install the cables with permanent rights only being acquired where the cables are located and land having been restored at the surface. The Applicants maintain that once the cables have been installed, the permanent rights to be acquired along majority of the cable route are unlikely to be inconsistent with the existing rights in the majority of cases.</p> <p>Article 24(7) confirms any person who suffers loss by the extinguishment or suspension of any private right or restriction under article 24 is entitled to compensation. A further drafting safeguard is under article 24(8) which excludes the rights of statutory undertakers from article 24.</p> <p>As a whole, the Applicants believe this drafting is proportionate and reasonable and is in line with recent precedents as set out in paragraph 1.6.6.25 of the Explanatory Memorandum (REP2-006).</p>
Q2.1.15	The applicants	<p>Articles 29 and 30 (Temporary use etc.)</p> <p>These articles both contain general powers to allow temporary possession of any land within the Order limits.</p> <p>a) With particular regard to potential impacts on farming operations, explain in further detail why these wider powers are necessary and appropriate and explain what steps have been taken to alert all</p>	<p>a) The Applicants explained their strategy on the use of temporary possession powers in the Statement of Reasons (REP1-012) and Explanatory Memorandum (REP2-006), and further in the compulsory acquisition hearings (see paragraph 2 of The Applicants' Hearing Summary of the Compulsory Acquisition Hearing 1 (REP1-036)).</p> <p>This power provides the Applicants with the option to use a less intrusive power over parts of land which would otherwise need to be subject to the exercise of compulsory acquisition of land or compulsory acquisition of permanent rights and restrictions in the event that voluntary agreement(s) could not be reached.</p> <p>Specifically, this power is necessary to facilitate Morgan OWL and Morecambe OWL's strategy to construct under temporary possession powers to install the cables within the cable corridor and then only use compulsory acquisition powers for the rights and</p>

Reference	Question To	ExQ1	Applicants' response
		<p>landowners within the Order limits to this possibility.</p> <p>b) It appears from the drafting in article 29(1)(a)(i) and 29(2)(a)(i) that the applicants do not intend the compulsory purchase powers authorised under article 20 and 22 to apply to the land in schedules 7A and 7B. To achieve this it would be clearer, and in line with other DCO precedent, to remove the drafting relating to this from article 29(1)(a)(i) and 29(2)(a)(i) and includes a separate paragraph in article 29 which says: "The undertaker may not compulsorily acquire under this Order the land referred to in paragraph 1(a)(i) and paragraph 2(a)(i)". This drafting would also ensure that any transferee could not exercise CA powers in the land which is intended to be only for TP.</p> <p>c) As referred to in previous questions, consideration should be given to how Article 29 would function if the benefit of it were transferred to ensure that the new undertaker is bound by the limitations which are imposed on Morgan and Morecambe specifically as opposed to the undertaker.</p>	<p>restrictions required for the permanent cable easement, which will be over a narrower swathe of the corridor once the precise location of the cable is known.. This ensures only the land that is necessary for the operation and maintenance of the permanent infrastructure is ultimately subject to compulsory acquisition of land or permanent rights. This 'two-stage' approach of constructing under temporary possession, and drawing down compulsory acquisition powers once the precise location of the infrastructure within the Order Limits is known, ultimately reduces the total area of land over which compulsory acquisition of land or permanent rights is required.</p> <p>The Applicants confirm that the drafting in both articles 29 and 30 of the draft DCO (REP2-004) is standard and well precedented across other DCOs which include compulsory acquisition and temporary possession powers. The drafting allows the most appropriate power to be used over any given plot of land, to ensure continuing compliance with the obligation that compulsory acquisition powers are only exercised to acquire what is necessary and proportionate in order to deliver the Transmission Assets. Without these powers, where voluntary agreement cannot be reached, the undertakers would have to exercise permanent compulsory acquisition across much wider areas including potentially the whole working width of each corridor in order to construct, operate and maintain the Transmission Assets.</p> <p>The Applicants have been engaging with landowners and their agents to agree voluntary agreements for the land rights sought. It has been explained that each projects' working area is consistent with the Order limits and that the final easement width required will be confirmed following installation of the onshore export cables, which will align with those permanent easement widths as set out in the Project Description Chapter (REP2-008). The Applicants have set out in the various landowner one to one meetings and Land Agent Group forum that once detailed design is completed, the final land take will be confirmed and the mitigation measures can be set out and agreed on a holding by holding basis in accordance with the ALO as secured through the Outline Code of Construction Practice (APP-193).</p> <p>b) The Applicants confirm that they have added new paragraphs (11) and (12) to include the requested wording for each undertaker to provide further clarity to the drafting in Article 29 of the draft DCO (C1/F05).</p>

Reference	Question To	ExQ1	Applicants' response
		<p>d) Given the parliamentary approval to the temporary possession regime under the Neighbourhood Planning Act 2017 ('NPA 2017'), which were subject to consultation and debate before being enacted, should any provisions relating to notices/ counter notices which do not reflect the NPA 2017 proposed regime (not yet in force) be modified to more closely reflect the incoming statutory regime where possible (including (i) notice periods, (ii) the period for which temporary possession is required and (iii) the ability to serve a counter-notice objecting to the proposed temporary possession so that the landowner would be the option to choose temporary possession or permanent acquisition where relevant.</p>	<p>c) The Applicants do not believe any further changes are necessary, as article 6 has also been updated to provide further clarity in response to Q2.1.7 above.</p> <p>The Applicants note that amendments have been made to Article 30 as set out in response to Q2.1.1 above.</p> <p>d) The temporary possession powers in DCOs have been operating since the enactment of the Planning Act 2008 and are tried and tested, unlike the NPA 2017 provisions, which have still not been brought into force. Moreover, there are no confirmed timescales for if or when this will happen. The Applicants would highlight that this article is based on recent precedents, as set out in the Explanatory Memorandum (REP2-006), which include improvements to the drafting based on experience of how the article operates in practice.</p> <p>For example, the notice period has generally been extended from 14 days to 28 days on most recent DCOs, noting that this is a minimum notice period. This is considered to provide the appropriate balance between landowners receiving sufficient notice and the need to deliver critical national priority infrastructure in a timely manner. The reality is that there will normally, in effect, be greater than 28 days warning as there will be ongoing landowner engagement post consent and throughout construction.</p> <p>Providing for counter notices is not considered reasonable or appropriate for these powers. These powers are within the draft DCO to enable construction to be carried out in a timely manner and to ensure the undertakers do not acquire more land or rights over land than is necessary to deliver the Transmission Assets. Given the purpose of these powers is to minimise disruption to landowners so far as possible, it is not considered appropriate to provide powers to in effect prevent that or require an undertaker to acquire more land than is necessary to deliver a project.</p>
Q2.1.16	The applicants	Article 35 (Felling or lopping of trees and removal of hedgerows)	<p>a) The Applicants have removed reference to 'near to any part of the authorised project' from Article 35(1) so that the power now clearly applies only to trees that are within, overhanging or encroaching upon land within the Order limits. As explained in</p>

Reference	Question To	ExQ1	Applicants' response
		<p>a) Provide justification for why this article includes the power to carry out works to trees (as listed) 'near to any part of the authorised project....'. What is meant by 'near to any part of the authorised project' and how might this be implemented and enforced in practice when it relates to trees or shrubs on land outside of the Order limits?</p> <p>b) Explain how the provisions of the dDCO and relevant outline management plans, manage and where necessary require consent for the removal of trees?</p> <p>c) Explain why it is necessary for this article to contain a general power for the removal of hedgerows in addition to those specified in Schedules 11A and 11B. Why can all hedgerows that may need to be removed not be identified at this stage?</p> <p>d) Given the general power for the removal of hedgerows, should drafting be included to ensure that the removal of hedgerows not identified in Schedules 11A and 11B are subject to the consent of the relevant local authority?</p>	<p>paragraph 1.6.7.3 of the Explanatory Memorandum (REP2-006), this power is required to provide sufficient flexibility to manage vegetation that may interfere with construction, maintenance and operation. It is possible, for example, for a tree to be outside the Order limits, but have overhanging branches or roots extending into the Order limits. This drafting ensures the projects can address such scenarios sufficiently.</p> <p>In parallel, the Applicants have also made minor amendments to Article 36 of the draft DCO (C1/F05) to reflect this scenario.</p> <p>Implementation of all works under Articles 35 and 36 of the draft DCO (C1/F05) would be subject to approval and implementation of the detailed landscape management plan(s) under Requirements 6 and 7 of Schedules 2A and 2B and the detailed ecological management plan(s) which under Requirement 12 of Schedules 2A and 2B of the draft DCO (C1/F05).</p> <p>b) In line with the ethos that a DCO acts as a "one stop shop" for consents where possible, the drafting of Article 35 provides the necessary authorisation to fell, lop or cut back vegetation within the Order limits. However, the actual implementation is governed by detailed plans which must be approved in accordance with Requirements 6, 7 and 12 of Schedules 2A and 2B of the draft DCO (REP2-004).</p> <p>The detailed Landscape Management Plan(s) and Ecological Management Plan(s) will provide further details around tree and hedgerow removal following detailed design (which must be approved by the relevant planning authority and implemented by the undertakers as approved). Paragraph 1.3.2.4 of the outline landscape management plan (AS-050) confirms that the objectives of landscape proposals are to retain and reinstate where practicable and identifies cases where this may not be feasible. The detailed plans prepared pursuant to the above Requirements must be approved by the relevant planning authority and implemented by the undertakers in accordance with those approvals.</p> <p>c) Whilst Schedules 11A and 11B the draft DCO (REP2-004) identify known hedgerows requiring removal and every effort has been made to map all hedgerows prior to</p>

Reference	Question To	ExQ1	Applicants' response
			<p>submission of the application, it is not always possible to identify all hedgerows along a linear route at application stage. This may be due to lack of access to certain land parcels or the presence of hedgerows which are not clearly visible, have been newly planted, or were not identified through initial hedgerow surveys.</p> <p>Accordingly, Article 35(4) includes a general power to remove any hedgerow within the Order limits to provide flexibility during detailed design, including the need to remove any hedgerow within the Order Limits that were not identified in preliminary surveys.</p> <p>As explained in (a) and (b) above, the removal of any such hedgerows will still be subject to the discharge of Requirements 6, 7 and 12 of Schedules 2A and 2B of the draft DCO (REP2-004) and must comply with the approved the detailed Landscape Management Plan(s).</p> <p>d) The Applicants consider that no additional drafting is necessary, as this control is already secured through the draft DCO (REP2-004). Specifically, Requirements 6 and 7 of Schedules 2A and 2B of the draft DCO (REP2-004) require the submission and approval of a detailed landscaping scheme by the relevant planning authority, which must be in accordance with the outline landscape management plan.</p> <p>In addition, Requirement 12 of Schedules 2A and 2B of the draft DCO (REP2-004) requires the preparation and approval of detailed Ecological Management Plan(s) for each stage of the onshore works, again subject to the approval of the relevant planning authority (following consultation with relevant statutory bodies).</p> <p>These existing provisions ensure that any removal of hedgerows (whether identified at application stage or not) is already subject to oversight and consent from the relevant planning authority. No further amendment to Article 35 is therefore considered necessary.</p>
Q2.1.17	The applicants,	Article 36 (Trees subject to tree preservation orders (TPO))	<p>The Applicants consider that Article 36 remains necessary. While the arboricultural assessment submitted at application stage confirmed that no TPO trees were identified as being affected at that time (APP-128), it is possible that tree protection orders</p>

Reference	Question To	ExQ1	Applicants' response
	FBC, SRBC, PCC, LCC	<p>Paragraph 1.10.1.2 of the Tree survey and arboricultural impact assessment – Part 1 of 2 [APP-128] says that at the time of submission, there is currently no impact on TPO trees.</p> <p>Bearing in mind paragraph 22.3 of Advice Note Fifteen: drafting Development Consent Orders, does this remain to be the position? If there are not TPO trees likely to be affected, is this article necessary and, if it is, should there be provision for consent to be required prior to any works to, currently unknown, trees subject to a TPO?</p>	<p>(TPOs) may be applied to trees within, overhanging or encroaching upon the Order limits in the time between the initial survey and construction. This article should remain to ensure there are no unnecessary delays to the construction programme should a TPO tree be identified for removal post consent during detailed design.</p> <p>A separate consent mechanism within Article 36 is not considered necessary. As noted at Q2.1.16 above, the purpose of such articles is to reduce the need to obtain additional consents and enable the DCO regime to act as a “one stop shop” where appropriate.</p> <p>Furthermore, control mechanisms are secured through the outline ecological management plan (including at section 1.5) (REP2-018).</p>
Q2.1.18	The applicants	<p>Article 45 (Requirements, appeals, etc)</p> <p>This article refers to Schedule 12 (Approval of matters specified in requirements), including details of the procedure by which appeals can be made. It also includes the application of s.78(1) of the Town and Country Planning Act 1990 where Schedule 12 does not apply.</p> <p>Explain why this is necessary given that all applications for consent, agreement or approval would be covered by Schedule 12 (within which paragraph 7 specifically relates to appeals from decision/ failure to determine).</p>	<p>Although Schedule 12 includes an appeals procedure at paragraph 7, as set out in paragraph 2 of Schedule 12, this only applies to applications made to the relevant discharging authority for consents, agreements or approvals under the Requirements, or in relation to the exercise of a relevant planning authorities powers under sections 60 and 61 of the Control of Pollutions Act 1974.</p> <p>Articles 45(2) and 45(3) are therefore necessary to provide an appeal mechanism for any other consents, agreements or approvals under the DCO (REP2-004) that fall outwith the scope of Schedule 12, for example, where approval is required from the Secretary of State under other Articles of the draft DCO (REP2-004). This ensures that all determinations under the draft DCO (REP2-004) are subject to an appropriate and enforceable appeal mechanism.</p>
2.2 Schedule 1 – Authorised development			

Reference	Question To	ExQ1	Applicants' response
Q2.2.1	The applicants	<p>Further associated development</p> <p>The list of 'further associated development' for Project A and Project B onshore works includes (n) 'such other works as may be necessary or expedient for the purposes of it in connection with the relevant part of the authorised project'. These unidentified works would be subject to the caveat 'which fall within the scope of the work assessed by the environmental statement'.</p> <p>a) What type of works might this typically relate to and why can such works not be anticipated and more clearly identified, particularly as they are required to be 'within the scope of the work assessed by the environmental statement'?</p> <p>b) How will the relevant local authority be aware of the possibility of any works falling within (n) and how will a judgement be made as to whether they would be 'within the scope of the work assessed by the environmental statement'?</p>	<p>a) The Applicants confirm they have updated the draft DCO (C1/F05) at Deadline 3 to remove this wording, as on reflection, it is not necessary and the Applicants recognise this is not aligned to other recent offshore wind DCOs.</p> <p>b) Please see the response at (a) above.</p>
2.3 Schedule 2A and 2B – Requirements			
Q2.3.1	The applicants	<p>General</p> <p>Some requirements (e.g. 4,19 and 20) include the phrase "must be substantially in accordance with...".</p>	<p>The Applicants have amended the Requirements in Schedules 2A and 2B of the draft DCO (C1/F05) to remove reference to 'substantially'. The Explanatory Memorandum (C3/F05) has also been updated to reflect this.</p>

Reference	Question To	ExQ1	Applicants' response
		How does the use of "substantially in accordance with" provide the necessary precision and certainty, especially as it is used in relation to outline principles and management plans? The ExA suggests this phrase is amended to 'must be in accordance with'. If not, robust justification would need to be provided.	
Q2.3.2	The applicants	<p>Requirement 1 (Time limits)</p> <p>Requirement 1(2) seeks to extend the period for commencement by a year if a challenge is made to the DCO (if granted).</p> <ul style="list-style-type: none"> a) Given the lengthy seven-year implementation period, is there in reality any significant risk of the DCO lapsing if challenge proceedings are drawn out? b) In any case, could this be more effectively achieved by amending and applying the provisions in the Town and Country Planning Act 1990 to include a modification to s.91(3A) and (3B) in the dDCO rather than including this in the requirement? 	<p>a) The Applicants consider this extended timeframe is reasonable and necessary. While the DCO already includes a seven year implementation period (justified at paragraphs 1.6.6.10, 1.7.2.5 and 1.7.2.6 of the Explanatory Memorandum (REP2-006)), it remains possible that any legal challenge could cause delays that would extend beyond the 1 year extension. This is particularly relevant for this DCO, which will authorise two projects and the risks of delay may be greater. The extension provides legal certainty that the projects are not inadvertently prejudiced by factors beyond the Applicants' control. It is reasonable therefore for the additional 1 year extension for judicial review challenges to apply in the way it has been drafted.</p> <p>b) The Applicants acknowledge that an alternative approach could be to modify section 91(3A) and (3B) of the Town and Country Planning Act 1990 in the DCO. However, in this case, it is considered clearer and more transparent to deal with the matter directly in the Requirement itself. This drafting ensures that all parties (including funders, stakeholders and landowners) have a clear and accessible understanding of the time limits that apply.</p>
Q2.3.3	FBC, SRBC, PCC, LCC, Blackpool Borough Council, Natural England,	Remaining issues relating to the requirements will be considered at a subsequent issue specific hearing on the dDCO and further written questions if required. In order to provide for the efficient use of hearing time, the local authorities and any other relevant party are requested to	The Applicants note Q2.1.3 is directed towards LPA and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
	Historic England, Environment Agency and any interested party	<p>consider the drafting of the draft requirements in Schedule 2 (A and B) and provide details of any disagreed matters, along with alternative drafting where applicable and any suggested additional requirements.</p> <p>Where applicable this may be done within the Statement of Common Ground between the applicants and the relevant interested party.</p>	
2.4 Schedule 12 – Approval of matters specified in requirements			
Q2.4.1	FBC, SRBC, PCC and any relevant statutory organisation	This Schedule sets out a procedure for the approval of reserved matters under the requirements and any related appeals. Set out any relevant comments on the content of Schedule 12. For any elements that are not agreed, provide suggested alternative drafting and the justification for it.	The Applicants note Q2.4.1 is directed towards LPA and statutory organisations and shall not be responding.
Q2.4.2	The applicants	Paragraph 6 of this Schedule sets out the arrangements for fees to be paid to the relevant planning authority for agreement or approval in respect of a requirement. For clarity, set out the fee(s) (as would be currently payable) for submissions pursuant to the requirements. Justify why such fees would be appropriate for the types of submissions expected to be required.	<p>The fees (as currently payable) are those specified by the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (2012 Fees Regulations). The types of approvals required by the requirements are akin to those required under planning conditions on a planning permission granted pursuant to the Town and Country Planning Act 1990. Regulation 16 of the 2012 Fees Regulations. The fee is currently set at £298 for each request.</p> <p>This fee is considered appropriate given the nature and scope of the submissions required under the Requirements, which are broadly comparable in complexity and level of scrutiny to condition discharge submissions under the TCPA regime.</p>

Reference	Question To	ExQ1	Applicants' response
Q2.4.3	The applicants	<p>Section 7 of Schedule 12 sets out the procedure for appeals to the Secretary of State.</p> <p>a) Provide justification for the period of ten working days for each of the submission of written representations by the relevant discharging authority and any consultee (paragraph 2(d)) and for submission of counter submissions from day of receipt of written representations (paragraph 2(e)).</p> <p>b) Provide justification for the provision that the appointed person must make their decision and notify the appeal parties within a maximum period of thirty working days of the deadline from the receipt of counter-submissions (paragraph 2(f)).</p>	<p>a) Further to a review of recently made offshore wind DCOs, the Applicants confirm that the draft DCO (C1/F05) will be updated to provide 15 business days for each of the submission of written representations under paragraph 7(2)(d) and 7(2)(e). This aligns with the timescales in the making and notification of an appeal decision in line with the timescales in the Sheringham and Dudgeon Extensions DCO (SEP DEP DCO).</p> <p>b) The Applicants provided for a maximum of thirty business days from receipt of counter-submissions for the SEP DEP DCO. The Applicants consider that, given the standard statutory period for determining a planning application is 8 weeks, 6 weeks to determine appeals relating to condition discharge is on balance reasonable. This position also aligns to the Mona Offshore Wind Farm draft DCO, which is currently in the determination stage.</p> <p>The Applicants have noted a discrepancy between the use of working days and business days and will be updating the draft DCO (C1/F05) to refer to the defined term 'business days'.</p>
2.5 Schedules 14, 15, 16 and 17 – Marine Licences			
Q2.5.1	The applicants, Marine Management Organisation (MMO) and Natural England (NE)	<p>The ExA acknowledges the submissions from the MMO, NE and other parties on the dDCO Marine Licences and the latest representations and responses made at D2.</p> <p>Noting that engagement on these matters is continuing between the parties, the ExA requests that the parties provide updates on their respective positions on the draft Marine Licences at D3, focusing on the remaining of areas of disagreement. The ExA will</p>	<p>The Applicants believe that they have made positive progress with the MMO and NE with regard to the deemed marine licences at Schedules 14 to 17 of the draft DCO (REP2-004).</p> <p>In light of Natural England's Written Representation (REP2-062 and REP2-063) at Deadline 2, the Applicants consider that the matters below are to still be agreed with Natural England. The Applicants intend to meet with Natural England on 22 July 2025, with a view to discussing these points further and providing a further update at Deadline 4.</p> <ul style="list-style-type: none"> - Having removed high order unexploded ordnance clearance from the DCO (REP2-004) at Deadline 1, Natural England have stated their preference that

Reference	Question To	ExQ1	Applicants' response
		subsequently consider which matters require examination during an issue specific hearing on the draft development consent order in week commencing 28 July 2025.	<p>low order unexploded ordnance clearance is also removed from the DCO. The Applicants have already limited to a maximum number of low order unexploded ordnance clearances for each of Morgan and Morecambe. The Applicants note that the made Order for the Mona Offshore Wind Project retains the 'low order unexploded ordnance clearance' condition (Condition 21(1) in Schedule 14 of the made Order). The Applicants consider it is unlikely that full agreement will be reached on this matter.</p> <ul style="list-style-type: none"> - Natural England maintain that a BNG requirement should be added to Schedules 2A and 2B of the draft DCO (REP2-004). The Applicants' position is that it is not appropriate to include a BNG requirement in the draft DCO on the basis that the biodiversity benefit areas have been put forward on a voluntary basis and the Applicants are committed to delivering those measures where they are able to acquire the land and rights to do so. - The Applicants and Natural England disagree on cable protection deployment. The Applicants consider there are sufficient controls for cable protection within the existing parameters of the draft DCO (see Requirement 2 of Schedules 2A and 2B and Condition 10 of the DMLs at Schedules 14 and 15 of the draft DCO) (REP2-004) and through the Cable Specification and Installation Plan which must be approved pursuant to condition 18(1)(e) of the deemed marine licences in Schedules 14 and 15 of the draft DCO (REP2-004). The Applicants consider it is unlikely that full agreement will be reached on this matter. - The Applicants and Natural England disagree on the need for further ecological monitoring requirements. The Applicants consider it is unlikely that full agreement will be reached on this matter. - The Applicants and Natural England disagree on the need for adaptive management provisions. The Applicants consider it is unlikely that full agreement will be reached on this matter. <p>For the Applicants' detailed position on these points, please refer to the responses detailed at REP2-034 and S_D3_2.3.</p> <p>In light of the MMO's Written Representation (REP2-061) at Deadline 2, the Applicants consider that the matters below are to still be agreed with the MMO:</p>

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> - The MMO maintains its position concerning Article 6 (transfer of the benefit). However, no new points were raised at Deadline 2. The Applicants consider it is unlikely that full agreement will be reached on this matter. - The MMO maintains its position on determination dates for 4 months under condition 19 of Schedules 14 and 15 of the draft DCO and Condition 17 of Schedules 16 and 17 of the draft DCO (REP2-004). The Applicants and the MMO will be meeting on 21 July 2025 to allow for an updated position on this to be presented at Deadline 4. - The Applicants and the MMO disagree on the inclusion of the Force Majeure condition. The Applicants consider it is unlikely that full agreement will be reached on this matter. <p>For the Applicants' detailed position on these points, please refer to the responses detailed at REP2-033 and S_D3_2.2.</p> <p>The Applicants note that the MMO stated in their Deadline 2 submissions (REP2-061) that they are continuing to review the DCO documentation and await further comments, which the Applicants understand are being provided at Deadline 3.</p>
2.6 In-principle Measures of Equivalent Environmental Benefit (MEEB) plan			
Q2.6.1	The applicants	<p>The applicants have provided, on a precautionary basis, a without prejudice, in principle MEEB plan [REP1 059] within its Stage 2 Marine Conservation Zone (MCZ) Assessment [REP1-059].</p> <p>Please set out, on a without prejudice basis, how the relevant measures (strategic compensation measures or project-led compensation options, would be secured through the dDCO.</p>	<p>The Applicants have submitted a without prejudice benthic compensation DCO schedule (S_D3_9) at Deadline 3 which could be included in the DCO should it be concluded that benthic compensation was required. The drafting would secure the relevant measures set out in the Stage 2 MCZ Assessment (REP1-059).</p> <p>Strategic compensation measures are provided for through requiring the relevant undertaker to make a payment to the Marine Recovery Fund.</p> <p>Project-specific measures, if necessary, would be further developed post consent and set out within a benthic implementation and monitoring plan (BIMP) that would be submitted to the Secretary of State for approval. The provisions set out that a Benthic Compensation Steering Group (BCSG) would be set up and consulted on the BIMP prior to its submission. The undertaker would be required to report to the BCSG on</p>

Reference	Question To	ExQ1	Applicants' response
			the implementation of the measures and consult them on any adaptive management measures and/or amendments to the BIMP.

2.3 Air Quality

Table 2.3: Air Quality

Reference	Question To	ExQ1	Applicants' response
Q3.1.1	The applicants (a) and Fylde Borough Council (FBC), South Ribble Borough Council (SRBC), Preston City Council (PCC), Lancashire County Council (LCC), Blackpool Borough Council (BBC) (b)	<p>Commitments</p> <p>Project Commitment (CoT) 33 [REP2-011] states "An Outline Dust Management Plan (DMP) has been prepared as part of the Outline CoCP and submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. The measures in the detailed DMP(s) will accord with guidance set out by the Institute of Air Quality guidance Management (IAQM, 2024) where appropriate and practicable, and will include measures for monitoring and reporting dust levels, and dust suppression and mitigation measures during construction and operation."</p> <p>a) Define the process of identification of what is considered "where appropriate and practicable".</p> <p>b) Do you consider this approach to be adequate?</p>	<p>a) The mitigation measures outlined within section 1.4 of the Outline Dust Management Plan (APP-195) are based on those within section 8.2 of the IAQM Guidance (IAQM, 2024). This guidance recognises that '<i>each site and its location will be different and professional judgement is required</i>' with regard to developing mitigation measures. CoT33 echoes the wording within the IAQM Guidance which uses terms such as '<i>where reasonably practicable</i>', '<i>where appropriate</i>', '<i>as far as possible</i>'. This will allow a flexible approach to develop the mitigation measures in the detailed Dust Management Plan(s) further to final refinement of design.</p> <p>The detailed Dust Management Plan(s) will need to be agreed with the relevant planning authority and will include details of specific and appropriate reactive control measures to be implemented in response to complaints, either made directly to the appointed contractor or by way of the Environmental Protection Departments of the relevant local authorities.</p> <p>For example, section 1.4.10 of APP-195 states that the Applicants would '<i>Implement a wheel washing system at the onshore substations (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable)</i>'. The location of any rumble grids can only be determined immediately prior to construction of the onshore substations.</p> <p>b) The Applicants note Q3.1.1 b) is directed towards Fylde Borough Council (FBC), South Ribble Borough Council (SRBC), Preston City Council (PCC), Lancashire County Council (LCC), Blackpool Borough Council (BBC) and therefore shall not be responding.</p>
Q3.1.2	The Applicants	Commitments	There is no specific process to identify what is considered "if and where relevant and practicable". It will be decided, on a case-by-case basis, whether

Reference	Question To	ExQ1	Applicants' response
		<p>CoT36 [REP2-011] states "Onshore Decommissioning Plan(s) will be developed prior to decommissioning. The Onshore Decommissioning Plan(s) will include provisions for the removal of all onshore above ground infrastructure and the decommissioning of below ground infrastructure (if and where relevant and practicable), and details relevant to flood risk, pollution prevention and avoidance of ground disturbance. "</p> <p>Define the process of identification of what is considered "if and where relevant and practicable"?</p>	<p>in some instances it may be preferable for onshore infrastructure be left in situ to minimise environmental impacts associated with their removal.</p> <p>For instance, to minimise the environmental disturbance during decommissioning, the onshore cables may be recovered and removed by pulling the cables through the ducts (e.g., for recycling). Otherwise, they will be left in place in the ground with the cable ends cut, sealed and securely buried as a precautionary measure.</p> <p>Additionally, joint bays and link boxes will be removed only if it is feasible with minimal environmental disturbance or if their removal is required to return the land to its current agricultural use.</p> <p>The Onshore Decommissioning Plan(s) will be in line with the latest relevant available guidance and are secured by Requirement 22 of Schedules 2A and 2B of the draft DCO (REP2-004).</p>
Q3.1.3	The applicants, FBC, SRBC, PCC, LCC and BBC	<p>Air quality assessment baseline</p> <p>Air quality assessment baseline in the Environmental Statement (ES) Air quality (9.6.1.6) [APP-121] states that "Concentrations measured during 2020 and 2021 may have been affected by the COVID-19 lockdowns and are not therefore necessarily representative of current concentrations as outlined in the IAQM Position Statement on 'Use of 2020 and 2021 Monitoring Datasets' (IAQM, 2021). Nevertheless, measured concentrations have been considered to ensure the assessment is conservative."</p> <p>Is this information representative of the current air quality baseline, given it was predominantly gathered during the COVID19 pandemic when air quality data could have been disproportionately affected?</p>	<p>The assessment relies on data collected from relevant local monitoring stations for a five-year period between 2019 and 2023. Data from 2023 was the most up to date information at the time of submission of the application. Therefore, the measured concentrations include three years of data outside of the COVID-19 lock-down period.</p> <p>To ensure the assessment uses a conservative yet representative baseline of current air quality, the background concentrations of NO₂, PM₁₀, and PM_{2.5} were derived from the highest measured annual concentration at the nearest representative monitoring station (for the five year period of data collection). This is set out within paragraphs 9.6.1.10 to 9.6.1.12 of Volume 3, Chapter 9: Air quality (APP-121).</p>

Reference	Question To	ExQ1	Applicants' response
Q3.1.4	The applicants (a-b) and FBC, SRBC, LCC and BBC (c)	<p>Meteorological data used for dispersion modelling</p> <p>Air quality assessment baseline in the ES Air quality chapter [APP-121] Table 9.29 states that “Uncertainties arise from any differences between the conditions at the met station and the development site, and between the historical met years and the future years. These have been minimised by using meteorological data collated at a representative measuring site. The model has been run for a full year of meteorological conditions. This means that the conditions in 8,760 hours have been considered in the assessment.”</p> <ul style="list-style-type: none"> a) Explain why one year of meteorological data is considered sufficient? b) How have seasonal and annual variations in weather patterns been considered? c) Are the local authorities satisfied with the approach in relation to meteorological data used in the dispersion modelling? 	<p>a) Using one year of meteorological data (obtained from a representative meteorological recording station situated within the assessment study area, i.e. Blackpool) is considered sufficient because it aligns with standard industry practice for dispersion modelling, for road traffic emissions, where the source is at ground level (i.e., exhaust emissions) and the modelled receptor locations are typically roadside within relative close proximity to modelled source (this contrasts to scenarios where multiple years of meteorological conditions are modelled, which typically comprise stack emissions at several metres above ground level and concentrations at receptors at increasing distance from the source where meteorological conditions likely have a greater influence in potential air quality impacts). The air quality assessment has used the industry recognised ADMS-Roads model to predict air quality impacts from changes in traffic, as set out in paragraphs 9.10.3.10 and 9.10.3.11 of Volume 3, Chapter 9: Air quality (APP-121).</p> <p>b) Seasonal variations in weather patterns have been accounted for by using a full year of meteorological data, which captures all four seasons. This approach, consistent with current industry practice (Local Air Quality Management Technical Guidance (LAQM.TG), Defra, 2022), ensures that the model incorporates meteorological variations throughout the year, within the modelled annual concentration values.</p>
Q3.1.5	The applicants	<p>National Policy Statement (NPS)</p> <p>Where ES chapter Air quality [APP-121] presents the ‘worst case scenario’ in terms of emissions, is this the same as ‘predicted absolute emissions’ required by National Policy Statement (NPS) EN-1 paragraph 5.2.9? If not, explain the difference and where in the ES the predicted absolute emissions are provided?</p>	<p>Within Volume 3, Chapter 9: Air quality (APP-121), numerical data is derived using standard modelling practices, where air quality traffic modelling outputs provide absolute numerical values for emissions. This approach ensures emission impact data is based on quantifiable model outputs rather than qualitative assumptions. The ES also presents absolute numerical concentration data, which includes conservative assumptions in terms of baseline conditions (see Q3.1.3). On this basis, Volume 3, Chapter 9: Air Quality (APP-121) provides both a ‘worst case scenario’ in terms of absolute numerical concentration estimates and predicted absolute numerical emissions</p>

Reference	Question To	ExQ1	Applicants' response
			from the modelling exercise and, therefore, aligns with the requirements of National Policy Statement (NPS) EN-1 paragraph 5.2.9.
Q3.1.6	The applicants	NPS NPS EN-1 paragraph 5.2.9 states that the ES should describe any potential eutrophication impacts. Explain if there would be any eutrophication impacts as a result of the Proposed Development? How has it been assessed?	The assessment within Volume 3, Chapter 9: Air quality (APP-121) has modelled nitrogen deposition from nitrogen-containing pollutants (e.g. nitrogen dioxide and ammonia) contained within the exhaust emissions from road traffic associated with the proposed development. The predicted deposition of nutrient nitrogen at ecological sites is provided in Volume 3, Annex 9.1: Air quality impacts on ecologically designated sites (APP-122), with an assessment of effect provided in Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075). The assessment confirmed that there would be no significant effects on these receptors.
Q3.1.7	The applicants (a-b) and FBC, SRBC, PCC, LCC and BBC (b)	Air quality effects during construction NPS EN-1 paragraph 5.7.9 states that construction should be undertaken in a way that reduces emissions, such as the use of low emission mobile plant during construction as appropriate, and that consideration should be given to making this mandatory in DCO requirements. a) Explain how are you going to comply with this policy? Has consideration been given to a commitment to the use of low emission vehicles or plant? b) Should this be a mandatory requirement, and if not, why not?	a) As committed to within CoT35, the Outline CoCP (APP-193) includes measures to maintain and address air quality emissions during construction, as secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP2-004). Paragraph 1.7.3.9 of APP-193 sets out that good practice air quality management measures will accord with the IAQM Guidance (IAQM, 2024). The IAQM guidance states ' <i>Exhaust emission from road vehicles and non-road mobile machinery (NRMM) are controlled through European Directives</i> ' and ' <i>Experience of assessing the exhaust emissions from on-site plant (NRMM) and site traffic suggests that they are unlikely to make a significant impact on local air quality, and in the vast majority of cases they will not need to be quantitatively assessed.</i> ' Defra's LAQM.TG (2022) states the following in relation to NRMM: ' <i>The following provides <u>example</u> measures of how NRMM emissions from construction sites may be minimised:</i> <ul style="list-style-type: none"> • <i>Ensure all equipment complies with the appropriate NRMM standards;</i> • <i>Where feasible, ensure further abatement plant is installed on NRMM equipment, e.g. Diesel Particulate Filters (DPFs);</i> • <i>Ensure all vehicles switch off engines when stationary – no idling vehicles;</i>

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> • <i>Avoid the use of diesel- or petrol-powered generators and use mains electricity or battery powered equipment where possible; and</i> • <i>Impose and signpost a maximum-speed-limit of 15mph on surfaced and 10mph on unsurfaced haul roads and work areas (if long haul routes are required, these speeds may be increased with suitable additional control measures provided, subject to the approval of the nominated undertaker and with the agreement of the local authority, where appropriate).'</i> <p>As noted at the response to Q3.1.1, these measures will be adopted where appropriate and practicable during the construction and decommissioning phases.</p> <p>In addition, a Greenhouse Gas Reduction Strategy was submitted with the application which outlines options to reduce construction-related emissions (APP-210).</p> <p>b) It is the Applicants view that a commitment to low emission vehicles or plant should not be mandatory as the detailed measures would be contractor specific. Defra's LAQM.TG (2022) provides example measures which would be developed further, where appropriate and practicable, within the detailed CoCP(s) as secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP2-004).</p>

2.4 Aviation and radar

Table 2.4: Aviation and radar

Reference	Question To	ExQ1	Applicants' response
Q4.1.1	The Applicants and BCC	<p>Blackpool Airport</p> <p>BBC state at paragraph 2.5 of their post hearing submissions [REP1-071] that, during discussions, the phrase used by the applicants that they would “ensure as far as possible the safe and efficient operation of the airport” is insufficient reassurance and requests that it is changed to read “no partial or full closure or adverse effect on the airport operations and reputation”.</p> <p>Please comment on this request?</p>	<p>The Applicants note BBC's comment. The Applicants are in advanced discussions with Blackpool Airport (as Operator whose responsibility is the safe and efficient operation of the Airport) and BBCC in relation to a co-operation agreement that will manage the Applicant's' works in this area in accordance with the terms of that agreement. The Applicants and BA have agreed a joint statement with regards to the progress on the cooperation agreement. The joint statement is contained in the Applicants' Deadline 3 Cover Letter (S_D3_1).</p>
Q4.1.2	Applicants	<p>Blackpool Airport</p> <p>BBC emphasise [REP1-069] that it is critical that there are no operational or commercial impacts on the airport during construction and operation. They therefore require a commitment that all cable installation is undertaken by trenchless drilling. What is the applicants' response to this? Additionally, can the applicants provide detailed information concerning the proposed cable installation within Blackpool airport and how these would safeguard airport operations?</p>	<p>The Applicants note that REP1-069 makes no reference to operational or commercial impacts on the airport or request for a commitment in relation to trenchless techniques. The Applicants assume that the reference should relate to paragraph 5 of REP1-070.</p> <p>The Applicants stated in response within REP1-070 070.3 within the Applicants' Response to Written Representations from Statutory Consultees and other Organisations (REP2-031) that the Applicants and Blackpool Airport have been in detailed discussions and negotiations regarding the works on Blackpool Airport's operational land for many months. The Applicants have been working with Blackpool Airport to ensure that the operator of the airport (i.e. Blackpool Airport Operations Limited) is satisfied with the commitments the Transmission Assets are making to ensure the continued safe, efficient and uninterrupted operation of the Airport. It is the Applicants' view that it is within the remit of Blackpool Airport Operations Limited, rather than Blackpool Borough Council, to determine whether risks to operational (and by extension, commercial) impacts are addressed by the commitments underpinning the cooperation agreement and ultimately the signing of the cooperation agreement would confirm that Blackpool Airport Operations Limited are satisfied.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicants will continue to work with Blackpool Airport, as part of the cooperation agreement, to ensure that BA's obligations under the Air Navigation Order (ANO, 2016) and its requirements to the CAA, under its Aerodrome Licence (regulatory compliance), are safeguarded (for continued aerodrome safe operations); primarily achieved through adherence to the CAP791 requirements. There is therefore no requirement to make a specific commitment that all cable installation is undertaken by trenchless drilling.</p>
Q4.1.3	Applicants	<p>Warton Aerodrome</p> <p>It is stated in response to action point 40 [REP1-037] that "BAE Systems confirmed during the Issue Specific Hearing (ISH) 1 Agenda item 6(c) that safeguarding assessments are to be undertaken by BAE Systems on behalf of Warton Aerodrome." That is not quite the recollection of the Examining Authority (ExA) as whilst assessments might normally be undertaken by BAE, the specific bird strike risk arising from the proposed creation of the biodiversity areas would be a direct consequence of the proposed development and responsibility for such an assessment would normally fall with the applicant. Whilst it is said that the issue was not raised by BAE until January 2025, this appears to have still allow sufficient time for an assessment. It is not clear why the applicants have rejected this request. In these circumstances, how would the applicants suggest that the ExA address this outstanding issue in its recommendation to the Secretary of State?</p> <p>Further, in paragraph 2.4 of their deadline 2 (D2) submission [REP2-052], BAE Systems say that it "received a request from the applicant (s) one day before deadline 2 (D2) for information to inform the baseline scenario... to Wildlife Hazard Management Plan. The amount of information</p>	<p>The Applicants note this response and are committed to working with BAE Systems ensure that Warton's obligations under the Air Navigation Order (ANO, 2016) and its requirements to the Civil Aviation Authority (CAA) under its Aerodrome Civil Licence (regulatory compliance), are safeguarded (for continued aerodrome safe operations). It is understood that the Applicants have the potential to create a temporary change in the environment during the construction of the Transmission Assets. The Applicants will proactively assist in the provision of information / data where required by BAE Systems.</p> <p>Whilst there could be a change in bird strike risk arising from the proposed creation of the mitigation and biodiversity areas as a direct consequence of the proposed development, the Applicants understood that they cannot undertake a specific bird strike risk assessment that would satisfy the requirements of BAE Systems. This is primarily because the risk assessment is outwith the Applicants' control. Information on bird strike risk assessment is included within the CAA Civil Aviation Publication (CAP)772 (Wildlife hazard management at aerodromes and UKAirports Combined Aerodrome Safeguarding Team (CAST) Advice Note 3 (Wildlife Hazards Around Aerodromes). From CAP772 "The aerodrome operator should develop and maintain a systematic method of obtaining information regarding hazardous wildlife species and their habitats to manage them effectively. This should include:</p> <ul style="list-style-type: none"> Assessing the hazards in the context of aircraft operations; Analysis of strike records to identify how many of each species have been struck over specific periods of time; Identification of species more likely to cause damage to aircraft, such as flocking birds and larger, heavier species, such as waterfowl;

Reference	Question To	ExQ1	Applicants' response
		requested is significant and BAE Systems needs to consider whether there are any commercial sensitivities that may preclude the sharing of some information." Please clarify and update in the light of these circumstances, how is it also suggested that the ExA addresses this outstanding issue in its recommendation to the Secretary of State?	<ul style="list-style-type: none"> Development of a risk assessment methodology to inform the control programme in accordance with policies set out in the management plan." <p>CAA guidance is clear that the aerodrome is the risk holder, not the Applicants. This assessment of the current position / baseline should already be available at BAE Systems Warton Aerodrome. This information has been requested by the Applicants including the Aerodrome's Wildlife Hazard Management Plan, but has not yet been received from BAE Systems,. Blackpool Airport has already provided this information to the Applicants in relation to its own operations at Blackpool Airport.</p> <p>The Applicants' Strategy for Wildlife Hazard Management Plan (REP2-047) sets out their approach for providing information to demonstrate potential aviation impacts, including bird strike risk during the Transmission Assets construction phase, and to manage potential bird strike changes through the operational phase of the Transmission Assets. The Applicants understand their responsibility to demonstrate that associated bird numbers, species and locations can be monitored and managed, and movement can be mitigated where adverse occurrences, against the current aerodrome Bird Strike Risk Assessment, might affect the aerodrome and will continue to engage with BAE in this regard.</p> <p>REP2-047 also committed the Applicants to updating the outline Ecological Management Plan. Additional information as been provided in the updated oEMP submitted at Deadline 2 (REP2-018), accompanied by the Baseline Bird Technical Report (S_D3_5) to understand the potential ecological and ornithological changes that could potentially increase the risk of bird strike. This information has informed the draft outline Wildlife Hazard Management Plan submitted at Deadline 3 (S_D3_8).</p> <p>The Applicants note that Blackpool Airport have initially agreed to this approach and are proactively working with the Applicants in production of the draft outline Wildlife Hazard Management Plan (S_D3_8) submitted at Deadline 3.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicants have prepared a technical note (S_D3_5) that sets out ecological and ornithological baseline data with regards to bird numbers and patterns of use. The technical note focuses on those bird species that are considered to present the greatest risk of bird strike. These species are set out in the Strategy for Wildlife Hazard Management Plan (REP2-047) and are consistent with the groupings used by Blackpool Airport. The Applicants await feedback on the bird groupings from BAE Systems. Therefore, any additional mitigation measures required as a consequence of the Transmission Assets would become part of, integrated into, the existing aerodrome plans following the identification of any potential additional bird strike risk above the level already identified in areas by BAE Systems Warton. The proposed approach would ensure both airports' operations were aligned with CAP 772 and ensure bird strike risk at the aerodromes does not increase due to the Transmission Assets during the construction phase and that is appropriately managed so that it does not increase through the operational phase.</p>
Q4.1.4	Applicants	<p>Warton Aerodrome In paragraph 2.5 of their D2 submission [REP2-052], BAE are critical of the Statement of Common Ground (SoCG) supplied saying that the "SoCG covered numerous topics that were not of relevance to BAE Systems' concerns or the discussions taking place between the applicants and BAE Systems.</p> <p>The ExA requests that this SoCG is significantly progressed by Deadline 3 and submitted to the examination.</p>	<p>The Applicants note the comment and welcome BAE Systems' agreement to engage on the SoCG., noting that the initial draft SoCG was submitted to BAE Systems to facilitate discussion on the inclusion (and removal) of topics. The Applicants confirm that they have updated the SoCG in line with discussions with BAE Systems and that the parties are working to progress the SoCG. The Applicants provided an updated SoCG to BAE Systems on Wednesday 25th June and held a SoCG meeting with BAE Systems on Wednesday 2nd July. An updated SoCG to reflect these discussions will be submitted immediately after Deadline 3 (before the next set of Issue Specific Hearings) at the ExA's discretion.</p>
Q4.1.5	BAE Systems	<p>Warton Aerodrome In addition to the comments at ISH1, BAE have lodged further comments [REP1-112] and again at D2 [REP2-052] emphasising the need and scope for a bird strike assessment at this stage. There is a particular concern over the creation of the biodiversity area at Lea Marsh Fields and BAE do not believe that mitigation strategies are</p>	<p>The Applicants refer the ExA and BAE Systems to the response to Q4.1.3 for the Applicants' position regarding the responsibility and need for a bird strike risk assessment.</p> <p>The Applicants note that the MOD Defence Infrastructure Organisation (DIO) representation (REP2-052) stated that after reviewing the plans and</p>

Reference	Question To	ExQ1	Applicants' response
		<p>appropriate until there is a better understanding of the possible bird strike risk. In view of the latest response from the applicants [REP1-037], is BAE any closer to undertaking an assessment?</p> <p>Will this be required by the Civil Aviation Authority? What is the latest position concerning discussion over other aviation safeguarding assessments?</p>	<p>documentation provided in the application that the MOD has no technical safeguarding objections (OLS or CNS) to the application development.</p> <p>The Applicants are committed to providing the appropriate information to ensure the Transmission Assets do not affect the safe operation and development of BAE Systems Warton Aerodrome in relation to OLS or CNS.</p> <p>The Applicants will continue to proactively assist in the provision of information for the aerodrome's own assessment and consider that this can be resolved alongside the Examination.</p>
Q4.1.6	Applicants	<p>Warton Aerodrome</p> <p>The concerns relating to bird strike have been echoed in the submission [REP1-075] from the Defence Infrastructure Organisation which represents the Ministry of Defence (MoD). Currently the MoD are objecting to the application due to the risk of bird strike arising from the creation of the new water areas. Their representation on the second page sets out additional information which may address their concerns.</p> <p>The applicants previously resisted further detail when this was raised at ISH1 but will they now reconsider this position?</p>	<p>The new pond creation areas at Moss Side and the Morgan Onshore Substation are intended as mitigation for the loss of existing ponds; therefore, there will be no net gain in standing water, but rather a redistribution within the 13 km safeguarding radius of the Warton Aerodrome. Additionally, these ponds aim to mitigate impacts on aquatic invertebrates and will be designed and managed to discourage the colonisation by flocking waterbirds, which would introduce elevated nutrient levels, potentially degrading the habitat quality for aquatic invertebrates. To prevent this, measures will be implemented to make the ponds as unattractive as possible to flocking waterbirds. These measures include:</p> <ol style="list-style-type: none"> 1. Dense planting (with no berry or fruit bearing species) around the pond margins to discourage geese and other bird species 2. The absence of islands <p>Specific details on mitigation and these commitments is set out within the Outline Wildlife Hazard Management Plan (S_D3_8) which forms an appendix to the Outline Ecological Management Plan, submitted at Deadline 3 (J6/F03).</p> <p>Notwithstanding, the Applicants are committed to providing any additional information required to ensure the Transmission Assets do not affect the safe operation and development of BAE Systems Warton Aerodrome, including request from DIO.</p>

Reference	Question To	ExQ1	Applicants' response
Q4.1.7	Applicants and BAE Systems	<p>Warton Aerodrome</p> <p>Reference was made at ISH1 to the outstanding representations from BAE to both the Morgan and Morecambe offshore wind farm Development Consent Order (DCO) applications. Agreement as to the primary surveillance radar system was still outstanding and it seems [REP1-037] that this “remains an ongoing point of discussion for both generation assets.” The relevance to this DCO application is whether there is a positive working relationship between the parties or whether there is ongoing disagreement. Please advise?</p>	<p>Morecambe Offshore Windfarm Limited (Morecambe) proactively engaged with BAE Systems from pre-application and throughout the examination of the Morecambe Offshore Windfarm Generation Assets application to resolve safeguarding and operational effects with best intentions and efforts.</p> <p>Morecambe considers the working relationship between parties is very positive. Since the close of examination, the Applicant has continued to engage with BAE Systems via email; the Applicant has requested a meeting with BAE Systems in respect of Warton Aerodrome. The Applicant is hopeful BAE Systems will respond in due course, and discussion on outstanding matters can continue.</p> <p>Similarly, the Applicant for Morgan Offshore Windfarm Generation Assets has proactively engaged with BAE Systems from pre-application and throughout the examination to resolve safeguarding and operational effects with best intentions and efforts and considers that, importantly, there is a professional working relationship between the parties.</p> <p>Whilst the drafting of the DCO requirements for primary surveillance radar (PSR) is still not agreed, it should be noted that the matter of the PSR at Warton was raised at a late stage by the Defence Infrastructure Organisation, post application submission for both generation assets projects, which has reduced the amount of time the generation assets Applicants and BAE Systems have had to engage on solutions. Additionally, BAE Systems are seeking to secure a level of detail in the requirement drafting not included in similar DCO requirements for PSR in previously, which has generated more points of discussion and differences of opinion.. The generation assets Applicants completely understand that BAE Systems are seeking to protect their interests, and vice versa. The generation assets Applicants are sure that BAE Systems would agree that all parties are ultimately seeking mutually acceptable drafting for the requirements and are committed to achieving this where possible.</p>

Reference	Question To	ExQ1	Applicants' response
Q4.1.8	Morgan Offshore Wind Limited	<p>Warton Aerodrome</p> <p>Following from the above, BAE Systems have submitted a representation at D2 [REP2-053] in response to action point 41 [REP1-111] saying "However, the latest submissions of the applicant for the Mona Project are a significant backward step..., with the applicant looking to revisit a number of detailed drafting points which BAE Systems had thought were settled (owing to their inclusion in the latest draft DCOs for the Morgan and Morecambe Projects). Accordingly, an agreement in respect of the PSR (sic: "Primary Surveillance Radar") requirement wording continues to feel some way off." They continue by saying "This is a disappointing turn of events which has taken our client somewhat by surprise, it being raised very late in the day without any prior discussion between the Applicant and BAE Systems and given that the Morgan and Mona Project Teams are one in (and?) the same."</p> <p>This appears to undermine the relationship between this applicant and BAE Systems, and it is important that this position is resolved quickly so that the ExA can have some confidence that negotiations concerning this project are progressed positively. What assurances can be given that a similar situation will not arise with this application?</p>	<p>As stated in response to Q4.1.7, the requirement drafting that BAE Systems are seeking to agree for the primary surveillance radar at Warton Aerodrome is more detailed than similar requirements used previously in DCOs, which has generated more points of discussion and differences of opinion. However, neither the Applicants of the Morgan and Morecambe Transmission Assets or the Applicant of the Mona Offshore Wind Project interpret the BAE Systems submission as suggesting an undermining of the relationship between the parties. The Applicants of both applications completely understand that BAE Systems are just seeking to protect their interests, and vice versa, and are sure that BAE Systems would agree that all parties are ultimately seeking mutually acceptable drafting for the requirements and are committed to achieving this where possible..</p> <p>In terms of the Morecambe and Morgan Transmission Assets, the Applicants have been in regular engagement with BAE Systems both in terms of the matters raised by BAE and also presenting a proposed plan to resolve these matters. The SoCG will be submitted immediately after Deadline 3 (before the next set of Issue Specific Hearings) at the ExA's discretion, which lists out the number of meetings held including those on 12th May, 19th May and 2nd July.</p> <p>In addition, whilst there is some commercial overlap between the Mona Offshore Wind Project and the Morgan Offshore Wind project, they are two separate applicants and project teams. The Transmission Assets do not deal with primary surveillance radar as this is in relation to offshore matters. Notwithstanding, the Applicants are committed to providing any additional information to ensure the Transmission Assets do not affect the safe operation and development of BAE Systems Warton Aerodrome in relation to OLS or CNS. The Applicants will proactively assist in the provision of information for the aerodrome's own assessment and consider that this can be resolved alongside the Examination.</p>
Q4.1.9	Applicants	<p>Warton Aerodrome</p>	<p>Morecambe Offshore Windfarm Ltd provided a proposed radar mitigation solution to the MoD/ Defence Infrastructure Organisation (DIO) and BAE</p>

Reference	Question To	ExQ1	Applicants' response
		BAE systems in the final paragraph of their D2 submission [REP2-053] remind all parties that the MoD are still objecting to all three DCO applications where the examinations have now concluded (being the Mona, Morgan and Morecambe DCOs). If the Secretary of State issues his decisions on these applications during the period of this examination, then the position with these objections may become clearer but if not, the issue of aviation will be a very difficult area for the ExA to report on the cumulative effects on the Warton Aerodrome. Any clarity the applicants can bring to this would be helpful.	<p>Systems in respect of Warton Aerodrome. The DIO / MoD have reviewed and assessed the proposed mitigation which they have deemed to be technically viable; however, the DIO/ MoD's objection for the Morecambe Offshore Windfarm Generation Assets DCO application remains in place until BAE System has concluded their operational assessment against the proposed mitigation.</p> <p>It is Morecambe Offshore Windfarm Ltds understanding that the DIO/ MoD will then take the necessary steps to remove its objection once BAE Systems confirm the acceptability of the proposed mitigation. Morecambe Offshore Windfarm Ltd has requested an update from the DIO/MoD and BAE Systems regarding the ongoing operational assessment. No response has been received on this matter but is hopeful an update will be provided in due course.</p> <p>Morgan Offshore Wind Limited also provided DIO and BAE Systems with a proposed radar mitigation solution that matches the solution proposed by Morecambe Offshore Windfarm Ltd as the radar mitigation solution would apply to Morecambe Generation Assets, Morgan Generation Assets and Mona Offshore Wind Project. The Morgan Offshore Wind Limited latest position follows the update provided for Morecambe Offshore Windfarm Ltd above.</p> <p>The Applicants note that the MOD DIO) representation (REP2-052) stated that after reviewing the plans and documentation provided in the application that the MOD has no technical safeguarding objections (OLS or CNS) to the application development and as set out in response to Q4.1.8 above that the issues of concern for BAE in relation to the Morgan and Morecambe Generation applications are different to those raised in respect of the Transmission Assets.</p> <p>Both Morgan and Morecambe Generation are fully expecting there to be clarity before the close of the Transmission Assets examination through the Secretary of State's decisions on those applications.</p>
Q4.1.10	Applicants and Spirit Energy	Spirit Energy Spirit Energy reiterated their concern [PDA-045] that any restriction on their ability to access its leased facilities and the wider airport will impact	The Applicants would emphasise that Spirit Energy are a customer of Blackpool Airport, and on that basis the responsibility for ensuring their access is

Reference	Question To	ExQ1	Applicants' response
		on their safe and economic use of the airport. What progress has been made with these discussions?	<p>maintained and utilise the airport in line with the terms of any lease lies with Blackpool Airport.</p> <p>The Applicants are continuing to engage with Blackpool Airport in order to ensure their operations are not materially impacted by the Transmission Assets.</p>
Q4.1.11	Applicants	<p>Spirit Energy</p> <p>A SoCG was submitted to the Morecambe DCO [REP6-029] but this was not signed on behalf of Spirit Energy. Please explain what happened with this and why an unsigned SoCG was submitted to the examination? Please confirm that there will be no repetition with any SoCG documents in this examination?</p>	<p>A final signed copy of the Statement of Common Ground (SoCG) between Morecambe Offshore Windfarm Limited and Spirit Energy Production UK Limited (Spirit Energy) for the Morecambe Offshore Windfarm: Generation Assets DCO was submitted at the close of examination on 23 April 2025. The signed SoCG can be found on the Planning Inspectorate's website for the Morecambe Offshore Windfarm: Generation Assets (EN010121-001317-9.16 Statement of Common Ground with Spirit Energy Ltd Rev_03.pdf).</p>

2.5 Compulsory acquisition, temporary possession and other land or rights considerations

Table 2.5: Compulsory acquisition, temporary possession and other land and rights considerations

Reference	Question To	ExQ1	Applicants' response
Q5.1.1	Applicants and Blackpool Borough Council (BBC)	<p>Starr Gate accessway</p> <p>It is noted that there have been further meetings between BBC and the applicants. The Council has questioned [REP1-069] whether the proposed works in the area of the Starr Gate accessway meet the statutory tests for compulsory acquisition as set out in the Planning Act 2008 (PA2008). Is this still the Council's position? Please can the applicants provide an assessment as to how the tests have either been met or not met in this specific area?</p>	<p>The proposed works in the area of the Starr Gate accessway, being Works No 19A19B, are construction access works for Morgan and Morecambe.</p> <p>The rights being sought at Starr Gate accessway (Plot Nos 02-009 to 02-0012 as shown on the Land Plan – Onshore (REP1-004)) are temporary possession only during construction. The Applicants require the ability to use the existing Starr Gate accessway as low-tide vessels may need to be launched during construction activities, and additionally for any emergency access to the beach. Access would be taken from the existing boat ramp, and as is set out within the Outline Construction Traffic Management Plan (REP2-016), no HGVs would be permitted to take access via Starr Gate. The access would not at any point be closed.</p> <p>The Applicants consider that the statutory tests for compulsory acquisition, as set out in Section 122 of the Planning Act 2008, are met in relation Starr Gate accessway. Although this area of land is not subject to compulsory acquisition of permanent rights, these tests do not strictly apply however the Applicants have sought to ensure compliance with these requirements.</p> <p>In relation to Section 122(2), the Applicants confirm that the land is required in order to facilitate the development to which the development consent relates as set out above. Section 122(3) requires that there must be a compelling case in the public interest for the acquisition of the land. The Applicants refer to the Statement of Reasons (REP1-012) and the Planning Statement (REP1-032), which set out why there is a compelling case in the public interest to deliver the Transmission Assets, which are identified in National Policy Statement EN-1 as 'critical national priority' infrastructure.</p> <p>Overall, the public benefits of allowing Starr Gate to be used temporarily during construction clearly outweigh the impacts on existing users of sharing that access, and a compelling case in the public interest is considered to exist.</p>

Reference	Question To	ExQ1	Applicants' response
			On the basis that this access is required in order to facilitate the delivery of the Transmission Assets, for which there is a clear compelling case in the public interest, the Applicants maintain that the relevant statutory tests have been met.
Q5.1.2	Applicants and BBC	Blackpool Airport Where the proposed cable route crosses Blackpool Airport, the land is subject to rights in favour of the Secretary of State for Defence by virtue of the provisions contained in a conveyance dated 2 April 1962. What do these rights relate to and has the Secretary of State been consulted?	<p>Following a further review of the conveyance dated 2 April 1962, the Applicants confirm that rights of entry to repair and maintain conducting media were granted to the Minister of Aviation and their successors. The Secretary of State for Defence was incorrectly identified as the successor; the correct successor is the Secretary of State for Transport. The Applicants confirm that the Secretary of State for Defence will be removed from plots 02-024, 02-026, 02-029, 02-030, 03-003, 03-004, 03-005, 03-006, 03-007, 03-008, 03-009, 03-012, and 04-024, all of which are associated with the aforementioned conveyance. The Secretary of State for Transport will be added to these plots, and these updates will be reflected in the next version of the Book of Reference.</p> <p>A meeting took place with the Secretary of State for Transport on 23rd June 2025 where the S135 consent required was discussed. The Applicants are in ongoing dialogue and expect negotiations on the S135 consent to progress over the coming weeks.</p>
Q5.1.3	The applicants	Blackpool Airport In paragraph 8.2.6 of its local impact report (LIR) [REP1-068], BBC as the owner of Blackpool Airport, indicates that interruption to runway 28 is not acceptable to them. How do the applicants propose to deal with this fundamental issue?	The Applicants are in active discussions with the operator of Blackpool Airport on this issue and are confident that any concerns of the Airport operator can be resolved through the cooperation agreement which the Applicants and the Airport are negotiating.
Q5.1.4	The applicants	Community benefits The issue of community benefits was raised at an earlier hearing and it is noted that the Statement of Reasons has been updated	The Applicants have previously outlined the potential benefits which could be realised through the Transmission Assets (please see Statement of Reasons (REP1-012) and the Planning Statement (REP1-032)), and are continuing to engage with the relevant local authorities in this regard. The Applicants would

Reference	Question To	ExQ1	Applicants' response
		<p>[REP1-012] to include some references to the local area though some of these are still aspirational and therefore the ultimate delivery questionable. BBC in its LIR [REP1-068] provide some examples of possible benefits and the applicants are asked to consider these so that, where relevant, they can be taken into account when balancing the public benefits against the private loss.</p>	<p>also note their commitment to act in line with the latest UK Government Guidance which was issued by the Department for Energy Security and Net Zero (DESNZ): "Community funds for transmission infrastructure" (please refer to paragraph 1.5.1.4 of the Statement of Reasons (REP1-012). The local communities will be entitled to funds pursuant to this guidance, which they will be free to utilise at their discretion. In relation to financial payments made pursuant to this guidance, the Applicants fully support and endorse the DESNZ position within the aforementioned guidance that these financial contributions:</p> <p><i>"will not be a consideration in the planning process or in the decision to approve or reject a proposed project" and that they "are not a means of mitigating environmental or social impacts of infrastructure projects, which the project developer should address through the planning process".</i></p> <p>In relation to the Community Benefits listed by BBC at Paragraph 14.3.5 of their Local Impact Report (REP1-068) the Applicants have responded to each in the Applicants' Response to Blackpool Borough Council Local Impact Report (REP2-040). In relation to the specific point on how any responses to Blackpool Borough Council's requests for compensation or payments may be taken into account, the Applicants would highlight:</p> <ol style="list-style-type: none"> 1. "Skills and Employment Plan" – the Applicants are already fully committed to providing an Employment and Skills Plan as secured by Requirement 19 of Schedules 2A and 2B of the draft DCO (C1/F05) and have submitted a draft Outline Employment and Skills Plan (APP-239) as part of their Application. The Applicants note that Requirement 19 has been updated in Schedules 2A and 2B of the draft DCO (C1/F05) and requires Morgan OWL and Morecambe OWL, prior to

Reference	Question To	ExQ1	Applicants' response
			<p>commencing their onshore works, to consult with the relevant authorities, which includes Blackpool Borough Council, before submitting the employment and skills plan for approval by Lancashire County Council;</p> <p>2. <i>"financial contribution towards the Turning Tides' initiative"</i>, the Turning Tides initiative relates to improving the quality of bathing waters, the Applicants hope to be a part of this local community and support initiatives such as this. However, any support (or lack of), should not be a material consideration taken into account when weighting the benefits of the Application against any private loss.</p> <p>3. <i>"A local benefit fund to mitigate loss of access to vulnerable persons facilities which will occur within the sand dunes and open space areas and may occur due to the loss of access to St Annes beach"</i> – the Applicants do not believe there will be any loss of access to vulnerable persons facilities or loss of access to St Annes Beach and will discuss these concerns with Blackpool Borough Council.</p> <p>4. <i>"Temporary closure of access to the Squires Gate Lane / Clifton Road North roundabout would compromise access to private homes and potentially businesses, which would be particularly harmful during the summer and festival periods. Therefore, compensation is sought for those affected"</i> – the Applicants' commitment to the use of trenchless techniques would ensure that there are no restrictions on traffic flows on Clifton Drive and/or Queensway. There is therefore no basis for compensation and in any event, such matters should not be taken into account in any weighting of public benefits against private loss.</p> <p>5. <i>"Opportunities for the provision of lower cost power to the area, to compensate for general disruption, should be explored. This may comprise robust community reparations through an appropriate scheme or a financial contribution to a community fund. BBC seek a favourable power purchase agreement which would support the Silicon Sands developments centred on the Airport Enterprise Zone"</i></p>

Reference	Question To	ExQ1	Applicants' response
			<p><i>but extending along the entirety of the Fylde coast, that will provide employment diversification” – whilst the Applicants fully support in principle the strengthening of the local economy, any arrangements entered into relating to the supply of and preferential pricing for power (or not entering into such arrangements) would not be a material consideration which the Examining Authority could take into account.</i></p> <p>Given none of the requests at points 2 to 5 relate directly to the potential impacts of the Transmission Assets and/or are needed to mitigate its effects, the Applicants consider that in line with established legal principles their provision, or lack of provision, are not material to the ExA's recommendation or SoS's decision. Any weight given or reliance on such matters within the planning balance would be unlawful.</p>
Q5.1.5	The applicants	Land Rights Tracker The Land Rights Tracker which has been submitted at deadline 1 [REP1-065] confirms that negotiations with all affected persons still have some way to go with no concluded agreements as yet. The agents for various farm businesses reported this position at compulsory acquisition hearing 1 (CAH1). The position in relation to the landowners where permanent acquisition is sought are particularly significant and therefore please highlight these within the tracker.	Where the Project is seeking freehold acquisition, the interest rows have been highlighted in pale blue within the Land Rights Tracker (S_D1_15/F02)
Q5.1.6	The applicants	Corporate structure of the applicants Further details have been provided about the corporate structure of the applicants at the response to action point CAH1.8 [REP1-037] and also the proposed purchaser of the Morecambe	(a) The Applicants confirm that there are no changes to the corporate structure of the Applicants at this stage and therefore no changes are needed to either the Statement of Reasons or the Funding Statement.

Reference	Question To	ExQ1	Applicants' response
		<p>Offshore Wind Farm company. However, it is clear from the response that further changes are still taking place.</p> <p>(a) Please confirm the present position and update the Statement of Reasons and Funding Statement to reflect all changes?</p> <p>(a) It is stated in response to the action point CAH1.9 [REP1-037] that there has been compliance with paragraph 17 of the CA Guidance concerning funding. However, with the structural changes in both applicants' companies there remains uncertainty who will be taking this project forward and such overall irresolution is not normally encountered in other Development Consent Order (DCO) applications. The Examining Authority (ExA) is expecting the corporate structures of both applicants to be clarified over the remaining months of the examination and seeks regular updates to be provided on progress?</p>	<p>(b) The Applicants reiterate that as and when any changes to the corporate structure of either of the Applicants occurs, that updates to the Funding Statement (APP-008) and the Statement of Reasons (REP1-012) will be provided. The Applicants will ensure that the ExA are informed of any updates, in order to ensure that there is clarity over the corporate structure of the Applicants throughout the process.</p> <p>As was emphasised in the Applicants response to hearing action point CAH1.9 (REP1-037) there is no anticipated funding shortfall for the Transmission Assets and no contributions or underwriting are anticipated from other bodies. The current proposed parent company changes are to well-established entities with sound financial standing.</p> <p>The Applicants would also highlight that the draft DCO (REP2-004) secures through Article 33 that prior to the exercise of compulsory acquisition or temporary possession powers provided in the DCO that the Applicants must satisfy the SoS that separately they have sufficient funds available to meet any compensation liabilities from the exercise of those powers.</p>
Q5.1.7	The applicants	<p>CI V Copenhagen</p> <p>The position relating to CI V Copenhagen's financial standing remains somewhat uncertain. Has their financial information been provided to date to any regulatory authorities and, if so, with what response? This may present an issue in connection with the grant of the lease from the Crown Estate and therefore please provide an update specifically in relation to the position of CI V Copenhagen?</p>	<p>Copenhagen Infrastructure Partners (CIP), who are the fund manager to CI V, is the world's leading fund manager dedicated to renewable energy. Globally, CIP has a combined renewable energy portfolio of 16GW in operation or under construction, with another 160GW currently in development. Within the UK, CIP has a 25GW pipeline of renewable energy developments which it will facilitate. CIP currently has over €30 billion worth of development which it currently manages worldwide and is seeking to grow its cumulative funds to over £100 billion by 2030.</p> <p>As detailed in the Applicants' response to CAH1.11 (REP1-037), the Crown Estate is working closely with CI V on the final arrangements to ensure it is satisfied with CI V's capability to take over the obligations of the agreement for</p>

Reference	Question To	ExQ1	Applicants' response
			lease. CI V is confident it will reach a position whereby it can assume all funding obligations to the Crown Estate under the wind farm agreement for lease. At such time as any update to the Funding Statement is appropriate, the Applicants will share the necessary financial information.
Q5.1.8	The applicants	<p>Blight</p> <p>The applicants' submissions on planning blight have led to some uncertainty. There are several limbs to this:</p> <p>a) Blight was raised at CAH1 and it was asserted on behalf of the applicants that this only applied to residential properties and not to businesses. That has now been corrected and a fuller explanation as to blight provided in response to action point 12 raised at CAH1 [EV5-006]. However, the detail provided still seems to require clarification. At section CAH1_12 [REP1-037], it is stated that "for a blight notice to be accepted and compensation to be payable, it must be supported by evidence that the claimant has made reasonable endeavours to sell the land." The applicants are referred to section 8 of the Land Compensation Manual section 15 and also section 150 of the Town and Country Planning Act 1990. From this, it seems that land authorised to be acquired under a DCO is excluded from the requirement to make "reasonable endeavours to sell" as</p>	<p>Response to (a):</p> <p>The Applicants confirm that Section 150(1)(b) of the Town and Country Planning Act 1990 excludes land authorised to be acquired under a DCO, or included within a DCO application, from the requirement to show "reasonable endeavours" have been made to sell. However, there remains the requirement to show that a substantially lower price can only be achieved for that land in consequence of its inclusion in the DCO or DCO application, per Section 150(1)(c) which in effect requires evidence that the land has been marketing for sale.</p> <p>Response to b):</p> <p>The Applicants' position is that they are not aware that any land for which compulsory acquisition is sought would comprise a qualifying interest for the purposes of a blight claim. Not, as the question states that "<i>none of the land for which compulsory acquisition is sought would comprise a qualifying interest for the purposes of a blight claim.</i>"</p> <p>There is no rateable value threshold for agricultural units and business rates are not charged on agricultural land and buildings.</p> <p>Response to c):</p>

Reference	Question To	ExQ1	Applicants' response
		<p>detailed in paragraph 4.2 of the Land Compensation Manual.</p> <p>b) Please explain why none of the land “for which compulsory acquisition is sought would comprise a qualifying interest for the purposes of a blight claim.” As contained in the reply to CAH1.12, [REP1-037]. There is reference to the rateable value of £36,000 but this relates to the owner occupier category. Do the applicants believe this limit also relates to the separate category of an agricultural unit?</p> <p>c) Under s.158 Town and Country Planning Act 1990 a blight claim can be brought even if only a section of the farm is sought in circumstances where what remains of the farm is not capable of being farmed as a separate agricultural unit.</p> <p>d) Please reconsider the position as set out in this action point response and provide a separate note with a further assessment and, if appropriate, corrections? This note should include the timescale allowed for bringing a blight claim as it does seem unlikely that any landowner would currently be marketing their property before any DCO is granted by the Secretary of State.</p>	<p>In relation to Section 158 of the TCPA 1990, the Applicants do not expect any such claims to be made based on their discussions with farmers and landowners to date. The nature of the cable works is such that construction activities will be limited to several months per project (as explained in the Applicants' response to Q1.1.3) and agricultural activities can resume post-construction. For these and the substation works the Applicants are committed to ensuring businesses can continue as a result of the proposed works and are in ongoing discussions with the owners of substation sites and the related landscaping and environmental mitigation works areas areas.</p> <p>Response to d):</p> <p>As noted above, no such claims are expected although the Applicants accept that in theory, given that “reasonable endeavours” are not required there is sufficient time between Deadline 3 and the Secretary of State decision on the DCO for parties to try and sell their properties. However, given the ongoing discussions with landowners and those with a relevant interest in the land, and nature of the works proposed, the Applicants consider this is extremely unlikely.</p> <p>The statutory blight regime under sections 149 to 171 of the TCPA 1990 allows “qualifying landowners” to serve a blight notice requiring the acquiring authority to purchase their interest in the land to effectively bring forward the acquisition of the interest to a time that suits the claimant. This is sometimes described as a form of compulsory purchase in reverse, because it is the landowner who initiates the procedure leading to the acquisition of their interest.</p> <p>A blight notice can be submitted at any time, but the landowner must hold a “qualifying interest” as defined in sections 149(2) and 168 of the TCPA 1990, demonstrate reasonable efforts to sell the land, and be unable to sell it or only able to do so at a significantly reduced price. According to section 150 of the TCPA 1990, a blight notice may be served by a qualifying person for land that falls within a category listed in Schedule 13 to the TCPA 1990, including land</p>

Reference	Question To	ExQ1	Applicants' response
			<p>subject to a DCO application containing compulsory acquisition powers (paragraph 24(c) of Schedule 13).</p> <p>There is no fixed statutory deadline for serving a blight notice, but it must be served while the land remains “blighted land” as defined in Schedule 13, and the claimant meets the conditions of sections 149(2) and 150(1) of the TCPA 1990. In practice, a landowner can only serve a valid blight notice once they meet the relevant qualifying interest criteria, have made reasonable efforts to sell, and are unable to do so except at a substantially lower price. The Applicants acknowledge that it is unlikely a landowner would have marketed their land before any decision is made on the DCO application, but this is consistent with the legislation, which allows for a blight notice to be served at any time while the statutory tests are met to bring forward the acquisition of the land or rights in land.</p> <p>It is also important to emphasise that the existence of a theoretical right to serve a blight notice does not in itself give rise to any certainty that compensation will become payable. If a notice is served, the Applicants would have two months to object by serving a counter-notice. If a claimant wishes to challenge such an objection, they must refer the matter to the Lands Chamber of the Upper Tribunal within a further two months. Even then, the Tribunal will only uphold a blight notice if all statutory conditions are satisfied (including demonstrating a qualifying interest, compliance with any marketing requirements, and that the land is genuinely “blighted” under Schedule 13 of the TCPA 1990).</p> <p>The Applicants therefore submit that their approach to blight in the Funding Statement and application materials is appropriate given the absence of any indication to date of qualifying blight claims being considered or prepared.</p> <p>The Applicants have not produced a separate blight note as they consider the position with regards to the likelihood of a claim being made and potential timings for blight claims is clearly set out in this response.</p>

Reference	Question To	ExQ1	Applicants' response
Q5.1.9	The applicants	<p>Blight</p> <p>The issues concerning blight creates uncertainty as to whether the application is in accordance with the funding requirements of paragraph 18 of the 'Planning Act 2008 Guidance relating to procedures for the compulsory acquisition of land' (the CA Guidance'). The original Funding Statements [APP-008] made an allowance of £100,000 for each of the two applicants which was subject to a limited increase over time. Quite a number of businesses have indicated that they may need to close if the proposed development receives consent and is implemented. The majority of these businesses are farm related. If one of the farm businesses brings a blight claim and this is accepted, then the compensation may be significantly greater than the projected £100,000.</p> <p>Can the applicants reconsider whether or not these figures are realistic bearing in mind the businesses indicating they may need to consider closure if the proposed development proceeds?</p>	<p>The Applicants have accounted for business loss within the Business Loss Claims section of the Property Cost Estimates (Morgan APP-009, Morecambe APP-010) as a result of the works. The Business Loss Claims amount included has been assessed on those losses which can be demonstrated that they are a natural and reasonable consequence of the Project, with the claimant evidencing they have used reasonable endeavours to mitigate their proven losses.</p> <p><u>Blight claims</u></p> <p>The Applicants note that paragraph 18 of the "Guidance related to procedures for the compulsory acquisition of land" (the CA Guidance) provides that the "Applicants should be able to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from a blight notice have been taken account of". As explained in paragraph 1.12.1.2 of the Statement of Reasons (REP1-012), the Applicants are satisfied, having taken professional advice, that sufficient funding is available to meet all compulsory acquisition liabilities, including any arising from blight.</p> <p>The Funding Statement (APP-008), supported by Property Cost Estimates for each of the Morgan and Morecambe Transmission Assets (APP-009 and APP-010) demonstrates that potential blight liabilities have been factored into the estimated compensation budget. The figures allocated for blight reflect the specific and limited scope of statutory blight under the TCPA 1990, and that the Applicants consider blight claims to be unlikely.</p> <p>As set out in the Applicants' response to Q5.1.8 above, statutory blight is a narrow and conditional compensation mechanism that requires a qualifying interest, the land to fall within a defined class of "blighted land" (paragraph 24(c) of Schedule 13 of the TCPA 1990), and at this stage, evidence that the claimant has been unable , except at a substantially reduced price. No landowner has indicated an intention to submit a blight claim, nor has any</p>

Reference	Question To	ExQ1	Applicants' response
			<p>party raised specific concerns that the Application has impaired their ability to sell land or property. In addition, the Applicants consider that the existence of compulsory acquisition powers within a DCO does not automatically trigger blight, but instead creates the possibility for eligible landowners to seek early acquisition, subject to strict legal criteria. The Applicants may contest a notice, and there is no obligation to accept a blight claim unless the statutory tests are met.</p> <p>Nonetheless, the Applicants have each allocated a £134,089 allowance for blight claims (inclusive of a 10% contingency and interest), set out in the Property Cost Estimates (APP-009 and APP-010). These sit alongside substantially larger sums allocated to other heads of compensation, including business loss claims, compulsory acquisition of land and rights, and injurious affection and severance, totalling £19,967,103 (APP-009) for Morgan and £15,562,417 for Morecambe (APP-010). The Examining Authority is therefore asked to note that potential statutory blight has been appropriately considered and accounted for within the wider compensation provisions and should not be viewed in isolation or overstated in terms of risk or cost exposure.</p>
Q5.1.10	The applicants	Blight Linked to the above is the responsibility to meet any compensation for planning blight. The two applicant companies are both subsidiaries with what are likely to be very limited assets (although accounts have not been provided to the examination). The company which has agreed to purchase the shares in Morecambe Offshore Wind Farm is another newly formed company. It is not clear how an affected person bringing a blight claim can be confident that the applicants' company has sufficient assets to meet the amount of compensation. This is contrary to paragraph 18 of the CA Guidance. It also conflicts with the statement at paragraph 1.11.1.12 of the original Statement of Reasons	<p><u>Structure of the Applicants</u></p> <p>As is standard for infrastructure projects of this nature, the Applicant companies are special purpose vehicles (SPVs) which are backed by parent companies with significant assets as well as the ability to raise funds, if necessary, through debt financing as explained in Section 1.5 of the Funding Statement (APP-008). The Applicants response to ExQ5.1.9 confirms how the Applicants companies have made provision for blight liabilities within their Property Cost Estimates (APP-009 and APP-010). On this basis, the Applicants consider that they have complied with paragraph 18 of the CA guidance as the information provided by the Applicants in their Funding Statement (APP-008) and Property Costs Estimates (APP-009 and APP-010) demonstrates that <i>'the resource implications of a possible acquisition resulting from a blight notice have been taken account of'</i> through those documents.</p>

Reference	Question To	ExQ1	Applicants' response
		(SoR) [APP-013] as the lack of funds held by the applicants means there is little compensation available in the event a business has to close because of the proposed development. How do the applicants propose to meet this concern?	As set out in the Applicants' response to ExQ 5.1.7 above, the Applicants acknowledge that Morecambe Offshore Windfarm Limited is an SPV and that its parent company is in the process of being acquired by Copenhagen Infrastructure Partners' fifth flagship fund (CI V), a fund which has raised approximately €32 billion from over 180 institutional investors worldwide and has a proven track record in funding and delivering large-scale energy infrastructure. Once the transaction is complete, Morecambe will benefit from the financial backing and guarantees of CI V.
Q5.1.11	The applicants	Construction period In their deadline 1 submission [PDA-007] replying to the relevant representations submitted prior to the start of the examination, the applicants refer on multiple occasions to the complexities and difficulties arising from the contracts for difference (CfD) application process. The ExA understands these, but the natural consequence is that there is considerable uncertainty for landowners along the proposed pipeline route as to the length of time their land will be affected. Can the applicants devise a mechanism on which landowners can rely which ensures a reduction in these lengthy periods?	<p>Volume 1, Chapter 3: Project Description of the Environmental Statement (REP2-008) sets out the respective construction periods of 36 months for Project A, and 30 months for Project B. For the avoidance of doubt, this does not mean that all areas of the Order Limits will be impacted by works consistently throughout this period – the majority of the land impacted by the cable installation works will be impacted for a much shorter period of time. By way of example, Table 3.11 in the aforementioned Project Description chapter denotes the construction durations and specific points of the landfall area.</p> <p>The Applicants would also note that, as for any large-scale infrastructure project, the exact amount of time which each area of land might be impacted by the works would not be known at this stage of the consenting process. However, in order to provide further clarity and reassurance on this, the Applicants have provided indicative construction durations for trenched cable works and trenchless crossings (see response to ExA1.1.3).</p> <p>The Applicants have also committed to the following that will ensure landowners are informed and kept up to date on the construction programme and timings and the durations of any impact on their land:</p> <ul style="list-style-type: none"> - The draft DCO requires the Applicants to provide details of the stages of the Project A and Project B onshore and intertidal works prior to such works

Reference	Question To	ExQ1	Applicants' response
			<p>commencing (see requirement 3 of Schedules 2A and 2B of the dDCO (REP 2-004). As a result, these details will be publicly available through the discharge process and will therefore provide landowners with greater clarity around when their land will be accessed for the relevant stage of the works;</p> <p>-The Applicants have updated the draft DCO at Deadline 3 to include a collaboration requirement (Requirement 25 of Schedules 2A and 2B of the draft DCO (C1/F05)) which requires Morgan OWL and Morecambe OWL to provide details to each other of the stages of construction of their onshore and intertidal works prior to submitting those details for discharge by the relevant planning authorities. This provides reassurance that the Applicants will continue to collaborate with each other with regards to their construction programmes and timings of works. This will facilitate the Applicants in seeking opportunities to minimise impacts to landowners where possible, through their ongoing coordination;</p> <p>- The Applicants have committed as part of the Outline Code of Construction Practice (CoCP) (APP-193) to appoint an Agricultural Liaison Officer (ALO) who will be responsible for arranging meetings with landowners, occupiers and/or agents where necessary post-consent, which will include discussion around timing of construction activities in order to minimise disruption to existing farming regimes.</p> <p>- The Applicants have also committed as part of the CoCP to appoint a Community Liaison Officer (CLO), who will be responsible for implementing the Communications Plan (APP-194). The Outline Communications Plan provides that the CLO will be responsible for liaising with residents and local businesses, notifying parties in advance of works commencing where appropriate, and provide regular updates on construction activities (among other things).</p> <p>Given the complexity involved in progressing the Transmission Assets, it would be inappropriate at this stage of project development to devise any mechanism which might restrict the proposed construction periods. The Applicants are committed to ongoing dialogue with affected landowners (as shown by the secured DCO requirements and CoCP requirements above) to</p>

Reference	Question To	ExQ1	Applicants' response
			help manage the impacts of the construction phase of the Transmission Assets.
Q5.1.12	The applicants	Farming A number of farming businesses have emphasised the major impact on their business and an example is Geoffrey Fenton [RR-1566 and REP1-142]. This affected person states that the cable route crosses most of his fields diagonally. The fields are to feed his herd of dairy cows. The applicants' D2 response does not appear to add anything further and the farmer is still facing disruption for up to 10 years to which needs to be added a period for soil reinstatement. The current position is that this will be considered in the future by the Agriculture Liaison Officer. Can the applicants' comment on the potential difficulties for such a business as operated by Mr Fenton to continue to operate in the face of such lengthy disruption?	<p>The Applicants are in ongoing engagement with all landowners within the Order Limits and where requests have been made by landowners, the Applicants have provided information regarding the proposed development.</p> <p>As is the normal process with linear infrastructure, following detailed design the appointed contractors will, working with the appointed Agricultural Liaison Officer (ALO), meet with the affected parties and discuss the works, including discussions around the positioning of the fences for the cable installation working widths as set out in the Outline Construction Fencing Plan (APP-203). The ALO will work with the affected parties including Mr Fenton as set out in the Outline Code of Construction Practice (APP-193) to minimise and mitigate the impacts of the construction works where possible and look to install suitable accommodation works to further mitigate the impacts where land is inaccessible. Such accommodation works for a dairy enterprise could include but are not limited to; relocation of or installation of new water troughs, appropriate fencing to allow secure grazing, appropriate crossing points of the working width to allow for regular livestock movements across the working width to facilitate grazing of all available land. It is acknowledged that some land will be taken out of production for the duration of the construction works in any specific area, and it is common practice in linear infrastructure projects that the affected parties will secure replacement fodder for livestock, often from 'out of area' national merchants. The costs of this replacement fodder would form part of any compensation claim which affected parties would be entitled to raise, and could be included in a request for advance compensation so as to ensure the affected party is not financially burdened at the time of purchase.</p> <p>The Applicants understand that disturbance to the dairy holdings will impact daily movement of cows and following the feedback received from Mr Fenton at statutory consultation, the Applicants amended the alignment of the onshore cable corridor in an effort to reduce the impact on Mr Fentons holding and moving the route alignment further away from the farm buildings</p>

Reference	Question To	ExQ1	Applicants' response
			<p>and new slurry lagoon. This is set out within the Statement of Reasons (REP1-012). The Applicants, where possible across the Order Limits, have tried to mitigate and minimise the impacts to landowners and this will be continued once the detailed design work commences.</p> <p>The Applicants refer to their answer provided to Question 1.1.3 regarding the timing of the works. No works will be continuous on any one holding for a period of 10 years and instead would be for a specific period of time within each of the Applicants' overall programme. The Applicants would also emphasise that even across the broader Order Limits, construction would not be continuous for a period of 10 years, on the basis that this scenario envisages a four year gap between the projects.</p> <p>The Applicants remain committed to working with affected parties now and going forward to understand the impacts on the business and work towards general mitigation plans that could be refined once detailed design is progressed, following the determination of the DCO.</p>
Q5.1.13	The applicants	Farming <p>Another example is the Mason family. The applicants have responded to the written representation of Anne Mason at D2 [REP1-109.1 and 2]. The intention is that part of the landholding of this family will be acquired for the Morecambe substation. The applicants refer to the explanation previously given that they are unable to commit to a concurrent construction. However, there is little acknowledgement as to the impact on the family business or the offer of attempts to mitigate this. In this case, there may be significant private loss to the family with very little direct benefit for the Fylde area. Could the applicants explain how this satisfies the test in section 122 PA2008 and explained further in the</p>	<p>The Applicants understand Mrs Mason trading as GR & B Mason & Son occupies the land owned by the executors of the estate of the late John Mason, plots 11,124A, 11-125a12-019A, 12,020A, 12-026A, 12-027A (REP1-004) which are required for the Morgan Onshore Substation and mitigation area. The aforementioned plots are only required for Morgan Offshore Wind Limited and no rights are sought over these plots for Morecambe Offshore Windfarm Limited. However, the land owned and occupied by GR & B Mason & Son off Hillock Lane, is required by both Morgan and Morecambe for the installation of the onshore cable corridor.</p> <p>The Applicants remain committed to working with the Masons regarding the impact on the holding and identifying ways to mitigate the impact on the land and farming business. As part of the intrusive site investigation works the Applicants worked with the Mason family to mitigate crop losses where possible by timing these works to be undertaken after the crops of silage was taken. This is one example of a way the Applicants worked with affected</p>

Reference	Question To	ExQ1	Applicants' response
		CA Guidance that there is a compelling case in the public interest for compulsory acquisition?	<p>parties to mitigate losses to farming businesses along with those listed in the response to Q5.1.12.</p> <p>The Applicants have set out within the Statement of Reasons (REP1-012) the justification for land rights sought and compulsory acquisition powers, but emphasises that reliance on compulsory acquisition powers is intended to be a last resort where voluntary agreements cannot be reached, and the Applicants are committed to and working to secure land rights through voluntary negotiations with the affected parties where possible.</p> <p>The Applicants refer to the Statement of Reasons (REP1-012) and the Planning Statement (REP1-032), which set out that the Applicant has satisfied the requirements pursuant to section 122 of the Planning Act 2008, and demonstrate why there is a compelling case in the public interest to deliver the Transmission Assets, which are identified in National Policy Statement EN-1 as 'critical national priority' infrastructure.</p>
Q5.1.14	The applicants	<p>Farming</p> <p>At CAH1, [EV5-002 at 53 minutes 30 seconds] the applicants submitted that discussions with the Hornbies Foundation Charity were "well advanced and we anticipate agreement in the coming weeks." This was countered by SHP Valuers on behalf of the Charity, and they were critical over the lack of engagement over the substation locations and emphasised that the Charity was not supportive of the project. The same valuers act for the tenant farmers and have reinforced their concerns within their earlier submission [REP1-125] and several further submissions at D2. The applicants now say in their response to action point CAH1.5 [REP1-037] that they are continuing to engage with the</p>	<p>The Applicants acknowledge the comments made by Mr Pickervance during the CAH1 and have since provided a log of the communication and engagement made with the Hornbies Foundation Charity in relation to the siting of the substation CAH1_5 (REP1-037).</p> <p>The latest Heads of Term for the freehold acquisition were issued on 25th June 2025, and it is understood that Mr Pickervance, who is acting on behalf the Hornbies Foundation, was due to meet with his clients on 2nd July 2025. A further meeting has been proposed between the Applicants and Mr Pickervance on 9th July 2025 to further discuss the heads of terms and the comments from Mr Pickervance's clients.</p> <p>The tenant of the land, Mr John Fare, is represented by Andrew Coney.</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</p>

Reference	Question To	ExQ1	Applicants' response
		<p>Hornbies Foundation and also with the tenant farmers and “identifying ways to further mitigate the impacts.”</p> <p>The applicants' D2 response at section REP1-119.3 [REP2-030] merely refers back to the reply previously provided [REP1-061 at PDA-044.3] but this earlier response only sets out the works intended and the appointment of the Agricultural Liaison Officer and the provision of the Outline Soil Management Plan [APP-200]. There is no reference to the impact on the farm business. What progress is being made with these discussions, noting that this landholding appears to be one of the most significantly affected by the proposed development?</p>	<p>permanent major adverse significant effect on agricultural land quality, and a long term 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. The discussions regarding mitigation measures with Mr and Mrs Fare are ongoing and include options such as adaptations to the existing farming system or potential changes in farming enterprise i to ensure farming can continue on the holding, which the Applicants maintain will be possible.</p>
Q5.1.15	The applicants	<p>Farming</p> <p>The agent for the tenant farmers mentioned in the preceding question submitted an earlier submission [PDA-044] which included two plans showing the extent of their farm. In total, they farm 212.33 acres of which 180.38 is leased from the Hornbies Foundation Charity and the remaining 31.95 acres owned freehold. The first plan submitted shows the land interests in the context of the local order limits but also indicates the land where the applicants are seeking permanent acquisition or permanent rights. The applicants at section 2.8 of its reply to PDA-044 [PD1-061] refer to its earlier response in section 6.11 of the Land Use and Recreation chapter [APP-104] and the conclusion that during construction the effect is moderate adverse. It further refers to paragraph 6.11.3.22 where the</p>	<p>The Applicants are engaged with all affected parties and their appointed agents in negotiations for head of terms. Within these heads of terms are compensation provision clauses designed to address the potential financial impacts on affected parties. With regards to land taken permanently for the substations, the Applicants acknowledge that removal of land from a holding can have a larger impact on the operation of a business and as such the financial considerations offered in these heads of terms look to address those matters.. In addition as set out in 5.1.14 above, the Applicants are in discussions with the Fares regarding mitigation options and through discussions at the detailed design stage of the project, specific mitigation measures can be identified, such as the realignment of tracks to ensure continued access, should this be the agreed approach between Mr Fare and the Applicants.</p> <p>The Applicants endeavour to mitigate impacts on holdings where possible and will continue to engage and discuss these matters which are specific to each</p>

Reference	Question To	ExQ1	Applicants' response
		<p>conclusion is reached that “it is assessed that the construction of the Transmission Assets would not compromise the continued operation of these two farm enterprises”. Is this still the conclusion of the applicants after studying the plans provided by the agents, P Wilson & Company? The farmers themselves said in their relevant representations [RR-0375; RR-0582;] and in their recent submissions at D2 that a significant proportion of the farm is affected and added to the loss of uninterrupted access to the fields that they would no longer be able to continue in business.</p> <p>Do the applicants accept that these landowners will be suffering a significant private loss?</p>	<p>holding across the order limits, including Mr and Mrs Fare, in order that farming businesses can continue to operate.</p>
Q5.1.16	The applicants	<p>Farming - Construction period</p> <p>A number of the written representations refer to the possible time lag between the two projects which could in a worst case scenario after a 4 year time lapse between the two projects amount to almost 10 years as the applicants have acknowledged [reply to ISH1.24 in REP1-037]. The applicants reply at REP1-081.7 at D2 [REP2-030] appears to provide little reassurance as it is likely to take some time for the land to be ready to be reused for its original purpose.</p> <p>The applicants are asked whether such a lengthy time lag projected for this project is proportionate in the context of the compulsory acquisition (CA) powers sought and whether the disruption to farms over a lengthy period meets the test in section 123 PA2008 that the public benefits outweigh the private loss?</p>	<p>The Applicants refer to the response submitted to WQ 1.1.3, where more detail is provided about the potential construction durations at different sections of the proposed works.</p> <p>The Applicants are intending to construct the Transmission Assets under temporary possession powers, and would emphasise that use of temporary possession powers is not categorised as compulsory acquisition on the basis that no permanent land, or rights in land, are acquired. The compulsory acquisition tests therefore do not strictly apply to the use of temporary possession powers during the construction phase. Once construction is complete the land used to install the cable corridor will be reinstated and returned to its former use. i.e agriculture and the easement to hold the cables below the surface will have little if any effect on the farming operations.</p> <p>In any event, the Applicants consider that although satisfying the relevant compulsory acquisition tests is not required in relation to use of these temporary possession powers, that the tests are satisfied.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>For clarity, where land, or rights in land, are to be compulsorily acquired post-construction for the operation and maintenance of the Transmission Assets, the compulsory acquisition tests would then apply and the Applicants refer to the Statement of Reasons (REP1-012) which sets out detail supporting the view that all statutory tests related to compulsory acquisition have been met.</p> <p>The Transmission Assets, along with the respective Generation Assets, are 'critical national priority' infrastructure and the Applicants maintain that on this basis there is a clear compelling case in the public interest pursuant to Section 122(3) of the Planning Act 2008. The Applicants assume there was a typographical error in the Written Question and that the Examining Authority was intending to refer to Section 122(3) rather than Section 123, based on the reference to 'public benefits'.</p>
Q5.1.17	The applicants	<p>Fylde Borough Council</p> <p>Fylde Borough Council (FBC) owns several parcels of land on the proposed route including the Blackpool Road Recreation Ground. FBC spoke at CAH1 about the lack of detail or justification for the flexibility being requested. This is repeated in their representation [REP1-081] and again in their D2 submission [REP2--057] including that their concerns have not been relieved by the heads of terms provided. How can the applicants address the uncertainty highlighted by FBC which is restricting their ability to plan for a variety of projects?</p> <p>The applicants' response at section REP1-076.8 at D2 [REP2-031] refers back to the application documents rather than providing any substantive response to the further query from FBC. Please provide a more detailed response to this query? Furthermore, the ExA notes in the</p>	<p>The Applicants most recently met with Fylde Borough Council (FBC) on 4th June 2025. During this meeting, the scope of the rights being sought was discussed in detail, including how these are represented within the voluntary Heads of Terms agreement. Additional information was provided regarding the proposed works at each location to support FBC's future project planning and asset management.</p> <p>The Applicants consider the meeting to have been a constructive step forward in the ongoing negotiations and engagement, a further meeting is arranged with FBC on the 11th July 2025 to continue discussions, the heads of terms negotiations are ongoing and the Applicants are hopeful that discussions are progressing and a voluntary agreement could be in place by the close of examination. The Applicants have a further meeting arranged with FBC on 11th July 2025 to discuss further the rights sought.</p>

Reference	Question To	ExQ1	Applicants' response
		applicants' response to [REP1-081] that updated heads of terms were issued towards the end of May and a further meeting with the Council took place on 4 June 2025. Please provide an update of the current position?	
Q5.1.18	The applicants and the Crown Estate (CE)	Crown Estate In response to action point 11 from CAH1, it is stated that "the Crown Estate is working closely with CI V on the final arrangements to ensure it is satisfied with CI V's capability to take over the obligations of the agreement for lease. CI V is confident it will reach a position whereby it can assume all funding obligations to the Crown Estate under the wind farm agreement for lease." What is the timescale for this and, in particular, is it likely to be during the examination? Please confirm the progress that is being made between CI V and the CE on this matter and the timetable for resolution?	<p>The Applicants confirm that negotiations with the Crown Estate remain ongoing, and that CI V are working closely with the Crown Estate on the final agreements to ensure the Crown Estate are satisfied of CI V's capability to take over the obligations of the agreement for lease.</p> <p>The Applicants, and CI V, are confident that a position will be reached whereby it can assume all funding obligations to the Crown Estate under the wind farm agreement for lease. It is anticipated that a further update will be available at the next deadline.</p>
Q5.1.19	The applicants	Crown Estate The Consents and Licences document has now been updated [REP1-030] with reference to the two offshore wind farms and also the marine licence for the unexploded ordnance. However, there is no reference to the lease required from the CE nor the necessary section 135 PA2008 consent both of which would seem to fall squarely within the explanation provided at paragraph 1.1.1.6. Why is there no reference to these requirements which are for the applicants to resolve with the CE? Please provide an update in connection with the issue of a section 135 consent and whether this is expected before the end of the examination?	<p>The Consents and Licences Required under other Legislation document (REP1-031) is intended to capture consents, licences and permits under other legislation that are required to construct and operate the Transmission Assets.</p> <p>The lease required from the Crown Estate does not fall within the remit of this criteria, pursuant to paragraph 1.1.1.10 of this document.</p> <p>The Applicants have provided an updated version of the Consents and Licences Required under other Legislation document (J27/F02) at Deadline 3 which provides reference to the consent required pursuant to Section 135 of the Planning Act 2008. Discussions with the Crown Estate are progressing and</p>

Reference	Question To	ExQ1	Applicants' response
			the Applicants expect that this will be secured before the end of the examination.
Q5.1.20	The applicants	Section 135 consent Section 135 consent will also be required from various other Government departments as acknowledged at paragraph 1.10.1.26 of the SoR [REP1-012]. Amongst the most affected would appear to be: <ul style="list-style-type: none"> a) the Secretary of State for Defence in respect of their interest in a substantial piece of land at Blackpool airport; b) plot 10-010A in the Book of Reference which relates to a Deed of Grant dated 7 February 1951; c) plots 12-019A and 12-027A which refer to easements granted in a deed dated 28 January 1951; d) land to the east of Lodge Lane at plots 15-028A and 15-030B where rights for an easement were granted to the Secretary of State for Defence by a deed dated 9 October 1942 e) separately for the same plots as above a deed dated 18 February 1963 granted rights to the UK Atomic Energy Authority; f) the Secretary of State for Environment Food and Rural Affairs was granted rights by a deed dated 16 April 1973 over amongst smaller pieces of land the larger 	The Applicants have written to all affected parties and are in ongoing dialogue regarding the required s.135 consents required from each department listed. It is envisaged that such consents will be secured during examination as discussions are progressing in respect of all rights and interactions. The Applicants are having meetings with the Crown Bodies identified in order to progress the required consents.

Reference	Question To	ExQ1	Applicants' response
		<p>plots 16-094B and 16-093A which is adjacent to land held by the CE at the River Ribble.</p> <p>Please advise what is happening in relation to these interests and whether section 135 consents are likely to be provided during the course of the examination?</p>	
Q5.1.21	The applicants and Network Rail Infrastructure Limited (NR)	<p>Network Rail</p> <p>In their representation [REP1-094], NR say that “negotiations are at a very early stage” and are at this stage objecting to the compulsory acquisition rights sought by the applicants. NR set out at paragraph 4 a number of requirements before it can withdraw its objection. Please provide an update on these discussions and how matters of disagreement are expected to be resolved? The latest reply at section REP1-094.4 from the applicants [REP2-031] is less than specific. Are these requirements likely to be met during the examination?</p>	<p>The Applicants received Network Rail’s protective provisions from Eversheds Sutherland on 2 June 2025 and separately received Network Rail’s Framework Agreement on 18 June 2025 and 26 June 2025 (for Morgan and Morecambe respectively). It is important that negotiation of Network Rail’s protective provisions and the framework agreement run in tandem as the terms of one can affect the position taken on the other. Now that the Applicants have received both Network Rail’s preferred protective provisions and a draft Framework Agreement, the Applicants are working hard to progress their review of these and to reach an agreed position with Network Rail as swiftly as possible.</p> <p>The Applicants can confirm from an initial view, that they do not believe there are many points of disagreement. However, the Applicants are not in a position to provide specifics at this stage given the recent receipt of the Framework Agreement. The Applicants are familiar with the requirements of Network Rail and do not consider there to be any significant impediment to reaching agreement with Network Rail during Examination. The Applicants do not consider a statement of common ground is necessary and indeed would unnecessarily detract the parties’ focus away from the commercial negotiations. The Applicants expect to be in a position to provide a more detailed update at Deadline 4.</p>
Q5.1.22	The applicants and National Grid Electricity	<p>Morecambe connection to Penwortham substation</p> <p>The position concerning the exact route of the proposed connection for the Morecambe project</p>	<p>a)</p> <p>As explained in the Applicants’ response to Hearing Action Points: ISH1_6, 7, 19, 26 & 28 (REP1-039), the location of the point of interconnection is not</p>

Reference	Question To	ExQ1	Applicants' response
	Transmission plc (NGET)	<p>is not currently clear to NGET [paragraph 3.14 of REP1-089] and clarity is sought for this? NGET indicate at paragraph 3.2 that the Morgan connection is to be to the east of the substation and the Morecambe connection to the western side.</p> <ul style="list-style-type: none"> a) Explain why separate connections are required and, if appropriate, update the draft DCO to reflect this? b) Please also provide the summary of the connection agreements as requested at ISH1? 	<p>within the Applicant's control and the Applicants are given the connection location by the National Energy Systems Operator (NESO). Thereafter the detailed point of interconnection at each NGET substation is subject to the detailed design of NGET's system, often dictated by available bays. As noted in the Applicants' response to Hearing Action Points: ISH1_6, 7, 19, 26 & 28 (REP1-039), it is NGET who are responsible for the design and build of the connection bays within the Penwortham substation. The Applicants highlighted at Issue Specific Hearing 1 (see paragraph 125 of REP1-034) that the cable corridor (Work No. 37AB) widens as it approaches the western side of Penwortham. The reason for this is to provide flexibility to connect into the project's allocated bays, which are currently unknown, and to take account of a high pressure gas pipeline on the western side of the gas corridor (which can be seen on the Onshore Crossing Schedule Part 2 of 2 (APP-027) with references MGMC_GCC_UT_1805 and MGMC_GCC_TCC_UT_1926). Therefore, the connection route to the western side of Penwortham shown on the Works Plans (AS-016-AS-019) has been designed to accommodate this and the precise routing into Penwortham on the western side will be finalised as part of detailed design and in coordination with NGET.</p> <p>The Applicants emphasised at issue specific hearing 1 (see paragraph 125 of REP1-034) that they did not deem it appropriate to update the Works Plans (AS-016-AS-019) or draft DCO (REP2-004) to reflect one project entering at the east and the other the west. This is because there remains a possibility that NGET could amend its current position. Nonetheless, the DCO has been drafted carefully, to ensure it is not possible for both projects to enter Penwortham via the same route, i.e. in any event, one project will connect from the east and one from the west. This is reflected in the Works Plans (AS-016-AS-019) and the draft DCO (REP2-004), noting that Work Nos 32A, 32B, 37A and 37B mirror each other, so far as is possible. Requirement 5(6) of Schedules 2A and 2B of the draft DCO (REP2-004) contains controls that neither Work No. 32AB nor 37AB may commence until Morgan or Morecambe (as applicable) have notified the relevant planning authority of the route to be taken by each undertaker. There are further restrictions at Requirement 5(10) and 5(11) which restricts the maximum number of cable circuits to two along</p>

Reference	Question To	ExQ1	Applicants' response
			<p>each route (i.e. a maximum of two cables can be laid in Work No. 32AB and a maximum of two in Work No. 37AB) which prevents both projects using the same route into Penwortham.</p> <p>b) The Applicants provided a response to the Examining Authority's request in the Applicants' response to Hearing Action Points: ISH1_6, 7, 19, 26 & 28 (REP1-039), noting that this summary is publicly available (see section 6 of REP1-039). The Applicants will provide appropriately redacted copies of these agreements to the examination at Deadline 4, to aid transparency and support the ExA in their decision making</p>
Q5.1.23	Morgan Offshore Wind Limited	Morgan connection to Penwortham substation <p>The submission from NGET [REP1-089] states at paragraph 5.1 that the negotiations with Morgan Offshore Wind Limited (MOWL) are "significantly more advanced" although a meeting did take place on 19 May 2025 and "negotiations are now progressing." This late engagement of a pivotal part of the project suggests that MOWL do not yet have a clear idea of how they intend to use the land which is necessary according to paragraph 9 of the CA Guidance. Can MOWL respond to this?</p>	<p>Morgan OWL is clear how it intends to use the land to connect the Morgan offshore wind farm to the National Grid. Morgan OWL would like to clarify that Morgan OWL and NGET have been engaging regularly both prior to and since submission of the Application. Morgan OWL and NGET have discussed in detail the potential interactions between NGET's eastern extension works and the works necessary to connect the Morgan project to the National Grid with a view to agreeing how to manage those interactions through a commercial agreement. The Applicants and NGET are now actively negotiating that commercial agreement to ensure that both sets of works can co-exist and proceed in a timely and cooperative manner. The Applicants have included an agreed statement with NGET in the SU Negotiations Progress Tracker (S_D3-10) to reflect the latest position between the parties.</p>
Q5.1.24	NGET	Penwortham substation <p>As the applicants say in section REP1-089.3 of their D2 response [REP2-031], "Given the significant works identified for the Penwortham substation it is notable that NGET are not</p>	<p>The Applicants note Q5.1.24 is directed towards NGET and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
		definitive on this. As NGET's own plans at Penwortham are not currently in the public domain and may be subject to change..." This results in the applicants retaining the flexibility to connect to either side of the substation. Please can NGET provide some clarity so that the applicants can be more certain with their own requirements and the cable route as it connects to the NGET substation?	
Q5.1.25	NGET	National Grid National Grid makes reference to the Horlock rules at section 4.3 of the Environmental Statement Annex 4.3: Selection and Refinement of the Onshore Infrastructure [APP-033]. The suggestion has been made that these rules have not been followed [REP1-125 and REP1-153]. a) NGET are requested to respond to this b) Please also confirm whether the linked planning application for Penwortham substation is still scheduled to be lodged in the final quarter of 2025?	The Applicants note Q5.1.25 is directed towards NGET and shall not be responding.
Q5.1.26	The applicants	Section 132 The application of section 132 of the PA2008 to the project was raised at CAH1. There will be temporary disruption during construction, but permanent rights are sought for the cable route and for future cable repairs. This suggests that the test in section 132 that "the order land when burdened with the order right, will be no less advantageous than it was before" will not be met. Please comment?	It is proposed that the cable construction works will be carried out under temporary possession powers, so section 132 would not be engaged at that stage on the basis that use of temporary possession powers is not the same as acquiring a new right in the land. The Applicants acknowledge that permanent rights for the operation and maintenance phase are sought as part of the Development Consent Order, however the Applicants maintain that these will not result in the land being less advantageous to the public than it was before, and that the test at Section 132(3) of the Planning Act 2008 is met.

Reference	Question To	ExQ1	Applicants' response
			<p>The open space plots which are subject to one of the various categories of permanent rights are as follows:</p> <ul style="list-style-type: none"> • Rights Package 1: Cable Rights and Restrictive Covenants – 01-002; 01-003; 02-013; 02-014; 04-013; 04-014; 04-016; and 04-023 • Rights Package 7: Environmental Mitigation Works Area Rights – 19-001 and 19-002 • Rights Package 10: Cable Rights at St Annes Beach – 01-004; 01-004i; 01-005; 01-006; 01-007; 01-010; and 02-015 • Rights Package 11: Cable Rights at St Anne's Old Links Golf Course and Blackpool Road Recreation Ground – 04-015 <p>Any cable installation or repair works during the construction, operation and maintenance phases on plots listed within Rights Package 10 and Rights Package 11 above are restricted to works only "<i>in or under</i>" the ground. This means that any installation <i>or repair</i> works must be undertaken by trenchless techniques.</p> <p>Any cable installation or repair works within Rights Package 1 include the ability for open-cut trenching, in order to facilitate the drill pits either side of sections which will be restricted to trenchless installation. However, as with the construction works, any repair works required during the operation and maintenance phase would be infrequent, temporary and short-term.</p> <p>Finally, in relation to the environmental mitigation works permitted pursuant to Rights Package 7, although these are permanent rights, during the operation and maintenance phase these will only need to be exercised when any repair works at the landfall area in particular need to be undertaken and so again the use of these will be infrequent, temporary and short-term.</p> <p>There are no proposed works, or rights packages, in respect of any open space land which would result in the use of the land being continuously restricted in any way. Any works within the open space land, either during the construction or operation and maintenance phases, will be temporary and short-term. The Applicants would also emphasise that if temporary interference of the use of any open space land were to occur, access to the remainder of the open space at each different location would remain available</p>

Reference	Question To	ExQ1	Applicants' response
			<p>to the public. Any interference would therefore not only be temporary in nature, but would be restricted to only a discrete part of the open space area in any event.</p> <p>The Applicants would refer the Examining Authority to the Hornsea Project Three Offshore Wind Farm DCO (Hornsea 3). The Hornsea 3 DCO involved the potential for open-cut cable trenching through open-space land, proposed temporary beach closures during construction, and temporary closures of a well-used heritage trail. The permanent operation and maintenance requirements in relation to the cabling at landfall for Hornsea 3 are similar in nature to the operation and maintenance requirements of the Transmission Assets.</p> <p>The Examining Authority's Recommendation Report to the Secretary of State for Hornsea 3 noted the following: <i>"we have considered the effects on public open space and find that the land in question would be no less advantageous than it was before"</i>. The Secretary of State agreed, finding for example: <i>"As indicated earlier, the Secretary of State is content that beach closures would be temporary and relatively short term with footpath diversions in place for users of the Norfolk Coast Path and a requirement contained in the ExA's recommended Order makes provision for approval of Public Right of Way Management Plans."</i></p> <p>In addition to this, the Eastern Green Link 2 Compulsory Purchase Order was confirmed where permanent cable rights, of the same nature to those proposed for the Transmission Assets for the operation and maintenance phase, were to be acquired over areas of public open space. In this project, a certificate was issued by the Secretary of State pursuant to Paragraph 6(1)(a) of Schedule 3 to the Acquisition of Land Act 1981 confirming that the land would <i>"be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before"</i> when burdened with the rights.</p> <p>These examples demonstrate that the approach of the Secretary of State, which the Applicants agree with, is to consider the implications for open space holistically. Following this approach, the Applicants consider that in relation to</p>

Reference	Question To	ExQ1	Applicants' response
			<p>future cable repairs it is relevant that, like Hornsea 3, these would be temporary and short term, and also more generally that there is anticipated to be a limited prospect of actually requiring to access the buried cables for repairs. In terms of the permanent rights, keeping cables in situ post-construction would have no impact because the cables will be underground and will not impact the continued use of the open space.</p> <p>Therefore, Applicants maintain that any potential interference with the use of the public open space would be temporary, short-term, and would not in any event impact the entirety of the relevant open space area. On this basis, and in line with the precedent outlined above, the Applicants are confident that the open space land will be no less advantageous as a result of the permanent rights proposed to be acquired.</p>
Q5.1.27	Rensola Hercules Energy 2 Limited (Renesola)	Rensola Hercules Energy 2 Limited Following from the representation submitted [REP1-192], this interest is now mentioned in the updated Book of Reference [REP1-014] although it is noted that the applicants state that Rensola did not have an interest in land until September 2024. When is the application for planning permission likely to be submitted to FBC? Do Rensola have any further comment in response to the applicants' reply to their representation which is at section REP1-192.4 [REP2-030].	The Applicants note Q5.1.27 is directed towards Renesola Hercules Energy 2 Limited and shall not be responding.
Q5.1.28	South Ribble Borough Council	South Ribble Borough Council In paragraph 19 of their representation [REP1-097] South Ribble Borough Council query that one parcel of Crown Land has already been developed and will therefore not be available for the intended use by the applicants as a route for construction access. The applicants have	The Applicants note Q5.1.28 is directed towards South Ribble Borough Council and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		addressed this in their response [REP2-031]. Please clarify whether this response resolves the position?	
Q5.1.29	The applicants and the Canal & River Trust	The Canal & River Trust The Canal & River Trust hold a leasehold interest from the freeholder, Tallentine Limited. They have reported [REP1-074] that they did not attend CAH1 as they had been assured that negotiations would be commenced. The applicants confirm [REP2-031] that heads of terms were issued on 21 May 2025. Please update on what progress has now been made?	The Applicants issued Heads of Terms on the 21 st May 2025, negotiations are progressing with the Canal & River Trust with the latest meeting held on the 24 th June 2024. Updates on the progress of the negotiations will be provided in the Land Rights Tracker (S_D1_15_MMTA_Land Rights Tracker_F02) going forward and the Applicants are hopeful that a voluntary agreement will be reached by the close of examination.
Q5.1.30	The applicants	Public Sector Equality Duty A Public Sector Equality Duty Statement has now been submitted [REP1-058]. The issue of equalities was not addressed in the original SoR [APP-013] and is still not mentioned in the updated SoR [REP1-012]. The ExA would usually expect to see reference made in the same section as, or alongside, Human Rights considerations which is 1.11. Please provide an update to the SoR to reflect this.	<p>The Applicants would emphasise the key point set out in its Public Sector Equality Duty Statement (REP1-058), which is that this is a duty for which public authorities must have due regard in the exercise of their functions. The Applicants are not a public authority, but are of course willing to support the Planning Inspectorate and Secretary of State in compliance with their duty. The Secretary of State, as a public authority, must have regard to this duty in determining the Application and Planning Inspectorate in administering it.</p> <p>Further, the purpose of the Statement of Reasons is to explicitly set out the Applicants' position in relation to the compulsory acquisition of land and rights in land. The Public Sector Equality Duty is not something which is directly relevant to this document.</p> <p>The Applicants refer the Examining Authority to the Statement of Reasons for the recently granted DCO projects and standalone CPO projects, and would emphasise that none of these projects referenced the Public Sector Equality Duty within their Statement of Reasons:</p> <ol style="list-style-type: none"> 1. The Norfolk Vanguard Offshore Wind Farm Order 2022 2. The Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024 3. The Hornsea Four Offshore Wind Farm Order 2023

Reference	Question To	ExQ1	Applicants' response
			<p>4. The National Grid Electricity Transmission plc (Scotland to England Green Link 1) Compulsory Purchase Order 2023</p> <p>5. The National Grid Electricity Transmission plc (Scotland to England Green Link 2) Compulsory Purchase Order 2023</p> <p>The Applicants therefore maintain that they are aligned with previous project approaches and that this is an appropriate position to take.</p>
Q5.1.31	The applicants	<p>Public Sector Equality Duty</p> <p>The Public Sector Equality Duty Statement provided at deadline 1 [REP1-058] states at paragraph 1.3.1.2 that “no aspect of the Morgan and Morecambe Offshore Wind Farms: Transmission Assets (the project) would affect the protected characteristics of anyone in the community”. However, the proposed cable route passes either side of the Century Healthcare care home and adjacent to two riding centres which provide services for the disabled. The applicants are asked to consider the following as part of the equalities assessment:</p> <p>a) The Midgeland Riding School which caters for riding for the disabled raise concerns over the impact on their business [REP1-174] and in paragraph 10 refer to the need for an alternative area for grazing their horses. Has this been considered?</p> <p>b) With regard to the care home, the reply to action point ISH1.12 [REP1-037] states that it is no longer proposed that heavy goods vehicles will use the Starr Gate access. Will this have the result of</p>	<p>The Applicants maintain their position, in relation to what was set out within the Public Sector Equality Duty Statement (REP1-058). The Applicants acknowledge that the proposed cable route includes the scope for works on either side of the Century Healthcare care home and adjacent to two riding centres which provide services for the disabled.</p> <p>The Applicants would refer the Examining Authority to its response at Written Question 5.1.30 above.</p> <p>Notwithstanding this, the Applicants maintain that both the Century Healthcare care home and the two riding centres have been considered as part of the Environmental Statement, and that no significant impacts are anticipated in relation to either of these. The Applicants have addressed each specific point below.</p> <p>a. The Applicants have considered this and would emphasise that they will continue to engage with landowners and occupiers to discuss the impacts on horses to ensure mitigation measures can be put in place where practicable. The Applicants responded to concerns raised by Midgeland Riding School and Livery in Table 2.16 of the Applicants' Response to Written Representations from Statutory Consultees and other Organisations (REP2-031). This includes an update that the Applicants are engaging with the Riding School to identify potential mitigation measures to reduce the impact on the holding. A further meeting took place with the land agent acting on behalf of Midgeland Riding School on the 10th June where the heads of term for the voluntary negotiations and discussions around the disturbance to the</p>

Reference	Question To	ExQ1	Applicants' response
		<p>any increased usage to the compound close to the care home?</p> <p>c) Any effects from construction on the occupiers of the care home, including from lighting and noise, bearing in mind the proposed hours of construction working in the vicinity (and mobilisation/de-mobilisation) and the proximity to the adjacent beach cable works, construction access, construction compound and the A584.</p> <p>d) Noting that no representation has been submitted by the owners of the care home, have discussions taken place with them regarding the implications and potential impacts of the construction works upon the occupiers and use of the care home?</p>	<p>holding took place. The Applicants are not able to provide any additional land; however any additional fodder that needs to be brought in would be covered in the assessment of Compensation. Equally if the land interest is able to identify and secure any suitable land which may be available to rent, this would also be a matter to be covered under the Compensation Code.</p> <p>b. Starr Gate access was never intended to be used for Heavy Goods Vehicles (HGVs) – this was simply included as part of the assessment on a 'worst-case' basis. There will not be increased usage of the compound close to the care home from what was assessed within the Environmental Statement.</p> <p>c. The Applicants confirm that these elements were considered as part of the Environmental Statement, in particular as part of the following:</p> <ul style="list-style-type: none"> • Volume 3, Chapter 8: Noise and vibration (APP-117) • Volume 1, Annex 5.1: Human health (APP-035) • Volume 3, Chapter 9: Air quality (APP-121) <p>Further discussion on these points is already provided in the Public Sector Equality Duty Statement provided at deadline 1 (REP1-058).</p> <p>d. The Applicants have tried to engaged with the Care Home to discuss access where required to the land and to discuss the extent of the works in the vicinity of the care home. The Applicants will continue with attempts to engage with the Care Home. In the event that there is a loss or disruption experienced by the care home as a direct result of the project which can be demonstrated, the projects will be responsible for settling compensation in accordance with section 10 of the Compulsory Purchase Act 1965 and Part 1 of the Land Compensation Act 1973.</p>

2.6 Ecology, biodiversity and nature conservation (onshore)

Table 2.6: Ecology, biodiversity and nature conservation (onshore)

Reference	Question To	ExQ1	Applicants' response
6.1 Ecology and nature conservation			
Q6.1.1	Natural England (NE)	Survey effort and mitigation Comment on whether remaining concerns exist regarding: <ul style="list-style-type: none"> a) the quality of terrestrial ecological surveys in general undertaken by the applicants for the whole of the landward part of the proposed development? b) the conclusions the applicants have come to for the terrestrial ecological assessments for the whole of the landward part of the proposed development. c) the extent to which the appropriate guidelines and methodologies have been followed by the applicants when undertaking relevant terrestrial surveys for the whole of the landward part of the proposed development. d) the quality and likely effectiveness of the mitigation the applicants are proposing for potential impacts on terrestrial ecology for the whole of the landward part of the proposed development. 	The Applicants note that this question is to Natural England but highlight the following in respect of c). c) The Applicants would like to reaffirm that the assessments have been undertaken in accordance with the onshore ecology survey methodologies proposed at the first onshore ecology and onshore and intertidal ornithology Expert Working Group (EWG) held in March 2023. Updated methodologies were submitted in the Preliminary Environmental Information Report (PEIR) and any subsequent amendments were discussed at EWG 5 in May 2024. Natural England provided feedback on the survey methodologies at EWG 5, and following the meeting, the Applicants updated the survey methodologies to align with their feedback. Methodologies are all in accordance with relevant standards (refer to Volume 3, Annex 3.4: Onshore ecology and nature conservation survey methodologies (APP-076)).
Q6.1.2	NE (a), The applicants (b-c)	Ribble and Alt Estuary Special Protection Area (SPA) and Ramsar site Fairhaven Saltmarsh is identified in the Outline Ecological Management Plan [REP2-019] as a permanent mitigation area. NE stated that the proposed roosting refuge would constitute compensatory measures under the Habitats	b) The Applicants' Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (AA) (APP-017) concludes that there will be no Adverse Effect on Integrity (AEoI) for the Ribble and Alt Estuary Special Protection Area (SPA) and Ramsar site. Therefore, the Applicants assert that compensation under the Habitats Regulations is not required.

Reference	Question To	ExQ1	Applicants' response
		<p>Regulations, not mitigation as stated by the applicants [RR-1601] ref.H5. Accordingly, a far more detailed submission regarding the installation and management of the compensatory measures is needed, and a compensation schedule in the draft development consent order (DCO) added.</p> <ul style="list-style-type: none"> a) Explain why Fairhaven Saltmarsh could constitute compensatory measures under the Habitats Regulations? b) Explain why you consider Fairhaven Saltmarsh as a mitigation area and not a compensatory measure? c) Provide an update on negotiations regarding this issue. 	<p>In line with the precautionary nature of the assessment, the Applicants have implemented several commitments and restrictions, alongside the proposed measures at the Fairhaven Saltmarsh, as mitigation measures to reduce or eliminate potential adverse effects on the SPA. This approach mirrors the mitigation strategy for pink-footed geese at Lytham Moss, detailed in the Outline Ecological Management Plan (REP2-018), which similarly aims to mitigate potential impacts on the energy balance within the SPA's functionally linked land by providing supplementary feeding in the wider area.</p> <p>The Applicants emphasise that Natural England does not classify the pink-footed geese supplementary feeding at Lytham Moss as compensation; rather, it is considered mitigation. This classification is consistent with the current draft Development Consent Order (DCO) and other comparable DCO projects, such as the Hornsea 3 and Outer Dowsing offshore wind farms, where supplementary feeding of pink-footed geese was regarded as mitigation to reduce effects on SPA functionally linked land.</p> <p>Furthermore, the Applicants note that compensation is typically reserved for permanent impacts, whereas the impacts on the intertidal zone at the landfall are expected to last only approximately 48 weeks during construction, with occasional cable repair and reburial activities during the transmission assets' operation and maintenance phase. These impacts are therefore temporary and reversible.</p> <p>Unless the relevant SNCB disagrees with the conclusions of Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (AA) (APP-017) or there remains uncertainty, there is no need to provide a shadow derogation case. The Applicants are confident that there will be no adverse effect on the integrity of the protected sites and species and therefore have not submitted a shadow derogation case.</p> <p>The mitigation proposed is clearly defined, enforceable through the development consent order, and demonstrably effective in reducing impacts.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>Accordingly, the Applicants maintain that these measures constitute mitigation, not compensation.</p> <p>c) There is no specific update regarding the negotiations on whether Fairhaven Saltmarsh should be classified as a mitigation area or as compensatory measures under the Habitats Regulations for the Ribble and Alt Estuary SPA. However, at Deadline 2, the Applicants submitted a technical note (REP2-045) assessing the adequacy of Fairhaven Saltmarsh as mitigation in terms of bird energetics. The Applicants are seeking a meeting prior to Deadline 4 with Natural England to discuss this further.</p>
Q6.1.3	NE	Ribble and Alt Estuary SPA and Ramsar site After commitment (CoT)129 [REP2-011] has been updated to strengthen the working restrictions within the intertidal area to a full restriction between Nov – Mar, can you confirm whether you agree with the applicants' conclusions of no adverse effects on integrity and whether an in-principle derogations case for the Ribble and Alt Estuaries SPA/Ramsar site is no longer required.	The Applicants note Q6.1.3 is directed towards NE and shall not be responding.
Q6.1.4	NE	Technical notes At deadline 2 the applicants have submitted "Technical note on the energetics of the birds at landfall and the adequacy of the Fairhaven Saltmarsh" [REP2-045] and "Technical note on Newton Marsh SSSI and River Ribble Crossing" [REP2-044]. Can you confirm if the information in those notes resolves outstanding relevant issues in the Risk and Issues Log [REP2-063].	The Applicants note Q6.1.4 is directed towards NE and shall not be responding.
Q6.1.5	NE, Lancashire County Council (LCC), Fylde	Protected species - sand dunes habitat surveys In chapter 3 of the Environmental Statement: Onshore ecology and nature conservation [APP-075], it is stated that further surveys are not considered necessary for the transmission assets	The Applicants note Q6.1.5 is directed towards NE, LCC, FBC and any other IP and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
	Borough Council (FBC) and any other IP	<p>due to existing survey information available being sufficient to assess the potential impacts to the species.</p> <p>Why is existing available survey information (Fylde Sand Dune Project Steering Group) not considered enough to establish a baseline?</p>	
Q6.1.6	The applicants (a-c), NE, LCC, FBC, Environment Agency (EA) and any other interested party (d)	<p>Sand dunes (Lytham St. Anne's SSSI, Local Nature Reserve, Biological Heritage Site, Geological Heritage Site)</p> <p>"The applicants reiterate that there would be no direct impacts to the sand dune habitats or sand lizard population at Lytham St Anne's SSSI, LNR, BHS and GHS as a result of the construction of the project, because the dunes will be crossed using trenchless technology. The entry and exit pits associated with the trenchless crossing will be of a sufficient distance away from Lytham St Anne's SSSI to ensure there are no direct impacts. The depth of the trenchless crossing of the dunes will be confirmed at the detailed design stage following ground investigation works, but it should be noted that this is a standard construction approach that is adopted to avoid impacts on sensitive habitat features. The applicants note that several stakeholders have raised concerns about potential indirect effects to the dune habitats as a result of the trenchless crossing, and therefore are preparing further information to be submitted at D3" [REP2-036 reference REP1-210 210.11]. CoT102 [REP2-011] makes references to "unforeseen circumstances" ("Where closures are required for longer periods due to unforeseen circumstances encountered during construction").</p> <p>a) Could those "unforeseen circumstances" cause direct impacts to the sand dune</p>	<p>a) The unforeseen circumstances referred to within CoT102 only relate to "where sections of PRow's are required to be closed during the construction of the onshore export cable corridor and 400 kV grid connection cable corridor". There are no PRow closures associated with the trenchless crossing below the sand dunes. Furthermore, there would be no temporary or permanent restrictions on public access to the Lytham St Annes dunes during the construction and operational phases of the project; the only temporary access restrictions would be on small areas of beach where the exit pits of the trenchless installation of the offshore export cables will be constructed. These temporary working areas would be fenced for safety and security reasons but would not restrict access onto or along the beach, or between the beach and the dunes. Please see response to HAP ISH1_13,14 for clarification on the extent of the beach that would be affected temporarily during construction of the project. Therefore, unforeseen circumstances in relation to PRow closures would not result in any direct impacts to the dune habitats or sand lizard population as a result of installation of the offshore export cables.</p> <p>b) The Applicants note that it is inherently difficult to provide a full list of "unforeseen circumstances" in relation to PRow closures, as by definition, these are unpredictable occurrences. The consequences of unforeseen circumstances would result in longer working durations. Examples of potential unforeseen circumstances that could result in extended construction durations include mechanical breakdown of equipment, severe weather or unforeseen ground conditions. The Applicants again clarify as in 6.1.6(a), these unforeseen circumstances will not result in direct impact to sand dune habitats or sand lizard populations.</p> <p>c) The beach and sand dunes are public open space, not a Public Right of Way, and there would be no closures that would prevent access along the</p>

Reference	Question To	ExQ1	Applicants' response
		<p>habitats or sand lizard population as a result of installation of the offshore export cables?</p> <p>b) Explain and provide a full list of potential consequences that could be connected to the unforeseen circumstances.</p> <p>c) As the possibility of "unforeseen circumstances" that could lead to prolonged closures of sections of public rights of way is acknowledged in the commitments register, why has an outline contingency plan (with an assessment of worst case scenario) not been submitted?</p> <p>d) Explain if you agree with the applicants' conclusions regarding no direct impacts to the sand dune habitats or sand lizard population as a result of the installation of the offshore export cables.</p>	<p>beach, or between the beach and the dunes. This is set out within the Outline Open Space Management Plan, which forms part of the Outline Public Rights of Way (PRoW) Management Plan (AS-048). The vast majority of the beach, and all of the dunes, would remain accessible to the public during the construction phases and access along the beach will not at any time be prevented. The area of public access to the beach is illustrated on Figure 3: Indicative Working Areas for Trenchless Installation Works within Annex 5.3 to the Applicants response to Hearing Action Points: ISH1 13, 14, 16, 17 (REP1-040).</p> <p>An outline contingency plan has not been submitted as the types of unforeseen circumstances described in 6.1.6(b), such as equipment breakdown or adverse weather, are already accounted for through adherence to the overarching management principles set out within section 1.5 of the Outline Public Rights of Way (PRoW) Management Plan (AS-048), as secured by Requirement 8 of Parts 2A & 2B of the draft DCO (REP2-004).</p>
Q6.1.7	NE (a-c), The applicants (b-c)	<p>European protected species (EPS) onshore</p> <p>The applicants state [PDA-022 1601.G.51-56] that additional surveys will be undertaken closer to the time of construction to ascertain if licences are required. They state that this is secured by Requirement 13 within Schedules 2A & 2B of the dDCO. Any EPS licenses will be agreed with NE as the relevant Statutory Nature Conservation Body.</p> <p>a) Are you satisfied with this approach?</p> <p>b) What would happen if any of the required EPS licences are not secured.</p>	<p>b) The baseline surveys carried out and associated assessments (Volume 3, Annexes 3.1 to 3.15) have given the Applicants and NE a good understanding of the likely EPS to be encountered and the future risk of additional EPS. It is not proposed to obtain any EPS licences at this stage, as it is not considered that any will be required, with the exception of Great Crested Newts (GCN). The Applicants are engaging with Natural England in regards to the District Level Licensing (DLL) Scheme and are confident that the Impact Assessment and Conservation Payment Certificate (IACPC) will be submitted into examination by Deadline 6 at the latest; a 'traditional' EPS mitigation licence for GCN is therefore not being sought by the Applicants. The Applicants' adoption of the GCN DLL route for licensing was communicated to stakeholders in September 2023 and Natural England raised no objections; the scope of surveys for GCN was therefore limited to eDNA surveys (water sampling). Population size class assessments for GCN were therefore not undertaken because they are not necessary to</p>

Reference	Question To	ExQ1	Applicants' response
		<p>c) Is likely that a Letter of No Impediment will be issued before the close of this Examination?</p> <p>The Examining Authority (ExA) requests that the applicants provide an update on this issue at each deadline.</p>	<p>inform an application to Natural England for a GCN DLL, and this approach was agreed with Natural England.</p> <p>The GCN DLL operates in the same way as an EPS mitigation licence to permit an otherwise unlawful activity (e.g. damage/ destruction to GCN habitat); the key difference being that the mitigation and compensation is not project-specific for a DLL. Instead, the Applicants will make a conservation payment to Natural England (of an amount calculated by Natural England in the IACPC and based on the magnitude of impact to GCN), and this will be used by Natural England to fund the creation and management of GCN ponds at key strategic locations to ensure the favourable conservation status of the species is maintained at a district level. The DLL route was chosen on the basis that it is available in the county in which the project would be constructed, and therefore The Applicants have committed to undertaking further pre-construction protected species surveys, and these may identify requirements for EPS licences prior to the commencement of construction (refer to Table 1.2 of the Outline Ecological Management Plan (REP2-018)). At that point, it would be necessary to secure any necessary EPS licences prior to the commencement of construction. Given that the EPS licence procedure administered by Natural England is well established, and the current understanding of a lack of potential impacts to EPS from the Transmission Assets, it is reasonable to conclude that that the Applicants would be able to develop an appropriate mitigation/ compensation plan to meet any licensing requirements. The EMP would also be updated to reflect any necessary EPS licence requirements.</p> <p>Measures to protect the noctule tree roost at Penwortham substation have been identified, and the priority would be to avoid any disturbance that would meet the licensing threshold. However, in the event that this could not be reasonably achieved, further bat surveys would be undertaken as part of the pre-construction survey programme to inform an EPS licence application to Natural England to permit temporary disturbance to the noctule roost, which would need to be in place prior to the commencement of works.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The badger outlier sett identified within the Order Limits displayed no evidence of current or recent occupation by badger; this sett would therefore not require closure under licence from Natural England as it is inactive. However, it is acknowledged that the status of badger setts can change over relatively short periods of time, and therefore any change to the status of the sett (i.e. if it becomes occupied, or new setts are excavated by badgers) would be captured in the pre-construction surveys, and a Natural England licence would be applied for if necessary, prior to the commencement of construction.</p> <p>No impacts to sand lizards are predicted, either directly through habitat damage/ destruction or indirectly through disturbance; construction activities are therefore not considered to require an EPS licence for sand lizard. The use of trenchless techniques install the offshore export cables beneath Lytham St Annes dunes and the implementation of 100m buffer from the SSSI boundary to development would mitigate any potential impacts to sand lizards. If EPS licensing were to be required, this could require the installation of exclusion fencing, and the trapping and translocation of animals, which could be potentially far more disturbing to the sand lizard population (as well as constraining access to the dunes for sand lizards and the general public), and would therefore not be in the conservation interests of the species.</p> <p>c) As stated above, the Applicants are not anticipating any requirement for EPS licensing at this stage (other than for GCN, for which an IACPC will be obtained from Natural England) and therefore would not be seeking to obtain any Letters of No Impediment from Natural England.</p>
Q6.1.8	The applicants, LCC	District licence scheme (great crested newts) The applicants state it will apply to join the district level licence scheme in Lancashire for strategic compensation for great crested newts. Explain what this application depends on and anticipated timings.	The Applicants can confirm that they are engaging with Natural in regards to the District Level Licensing Scheme and are confident that the IACPC will be submitted into examination by Deadline 6 at the latest (refer to the Applicants response to Q6.1.7).

Reference	Question To	ExQ1	Applicants' response
Q6.1.9	The applicants	Surveys If a significant period elapses between the surveys undertaken for protected species and the start of construction, explain whether it is the intention to re-survey features prior to construction and would the findings be included in the updated stage specific Ecological Management Plans for approval under Requirement 12 of Schedules 2A and 2B of the dDCO.	The Applicants can confirm that they have committed to undertaking a programme of pre-construction surveys as set out in Table 1.2 in the Outline Ecology Management Plan (REP2-018) which would be updated to reflect any changes that need to be factored into the management of risk to protected species during construction e.g., EPS licensing. Pre-construction surveys would be undertaken in the appropriate survey season for each species prior to the commencement of construction. A detailed timetable for the pre-construction surveys would be included within a revised version of the Ecology Management Plan once the construction programme is known. This would be planned to allow sufficient time for the preparation and application of EPS licence applications in advance of construction works commencing. The pre-commencement surveys are secured through Requirement 13 of the draft DCO (REP2-004).
Q6.1.10	The applicants (a), NE, EA, NE, FBC, SRBC, Preston City Council (PCC), LCC, Blackpool Borough Council (BBC) (b)	Commitments CoT16 [REP2-010] states "All vegetation requiring removal will be undertaken outside of the bird breeding season. If this is not reasonably practicable, the vegetation requiring removal will be subject to a nesting bird check by a suitably qualified ecological clerk of works. If nesting birds are present, the vegetation will not be removed until the young have fledged or the nest failed." a) Define under what circumstances it wouldn't be "reasonably practicable"? (b) Do you consider the proposed wording to be adequate?	Additional circumstances where it may not be "reasonably practicable" to remove vegetation outside the bird breeding season include in particular some circumstances which may be out of the Applicants control, for example: <ul style="list-style-type: none"> • Ground conditions: adverse or unsafe ground conditions (e.g., waterlogged, frozen, or unstable terrain) that prevent safe or effective vegetation removal during the non-breeding season. • Impacts on non-breeding birds: situations where vegetation removal outside the breeding season could negatively affect non-breeding birds or other wildlife, such as disturbing important feeding or roosting habitats. The Applicant considers the proposed wording adequate to allow the flexibility required, whilst ensuring protection of both nesting birds and consequential disturbance to other non-breeding birds.
Q6.1.11	The applicants (a), NE, EA, FBC,	Commitments CoT31 [REP2-010] states "Ponds identified during the route planning and site selection process have	a) The Applicants define "reasonably practicable" as taking all feasible measures to avoid newly identified ponds through micro-sitting, which can only occur within the order limits defined with the draft Development Consent Order

Reference	Question To	ExQ1	Applicants' response
	SRBC, PCC, LCC, BBC (b)	<p>been avoided where possible. During construction any newly identified ponds will be avoided through micro-siting of the onshore export cable corridor and 400 kV grid connection cable corridor where reasonably practicable."</p> <p>a) Define "reasonably practicable". How is the decision made and on what basis. What if it's not deemed "reasonably practicable".</p> <p>b) Do you consider the proposed wording to be adequate?</p>	<p>(REP2-004) and set out on the Works Plans (AS-016 and AS-017) with consideration of site specific constraints identified during detailed design. The decision making process will involve engineering considerations such as cable separation requirements, cable routing limitation due to topography or geology, and environmental constraints (e.g. sensitive habitats). Where it is not reasonable practicable or possible to micro-site around a newly identified pond within the Order Limits, the ECoW will determine the nature conservation value of the pond to agree on an appropriate course of action. For example, if it is newly dug pond with limited aquatic and marginal vegetation, a commitment to post-construction re-instatement may be sufficient to mitigate any harm. Where higher ecological value ponds are identified (in the professional judgement of the ECoW) that cannot be avoided, further compensatory pond(s) may be incorporated within the existing mitigation land within the Order Limits. Further pre-construction surveys of the pond(s) may be undertaken as necessary to inform the evaluation of nature conservation value.</p> <p>b) Question is not directed at The Applicants</p>
Q6.1.12	The applicants	<p>Commitments</p> <p>In relation to CoT76 "Habitat restoration" explain how compensation for loss and degradation of habitat will be monitored.</p>	<p>As per the response to Q6.1.2, the Applicants assert that compensation under the Habitats Regulations is not required. The Applicants have prepared an Outline Code of Construction Practice (CoCP) (APP-193) and an Outline Soil Management Plan (SMP) (APP-200) that together set out the approach to soil management during construction, and land restoration post-construction. As stated in CoT76, detailed Ecological Management Plan(s) (EMPs) will be prepared to include details of any long-term mitigation and management measures relevant to onshore ecology and nature conservation and in relation to onshore and intertidal ornithology. This will include the management of ecological mitigation areas and will set out any post-construction monitoring that is required. This is secured through Requirement 12 of the draft DCO Schedules 2A & 2B (REP2-004).</p>

Reference	Question To	ExQ1	Applicants' response
Q6.1.13	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (c)	Commitments CoT101 [REP2-010] states "Where high concentrations of peat are identified these, will be avoided where practicably possible for the placement of the plant and infrastructure to avoid the possibility of ground gas build up. Where this is not possible, further investigation and appropriate monitoring will be identified undertaken, if necessary". a) Explain how you will determine if it's "practicably possible" to avoid high concentrations of peat that are identified. b) Explain the decision-making process in relation to determining if further investigation and appropriate monitoring is necessary. c) Do you consider the proposed wording to be adequate?	a) The Applicants have followed a site selection process to avoid environmental constraints (including areas of peat). Where areas of peat cannot be avoided, the Applicants will seek to identify opportunities to microsite the location of plant and infrastructure during detailed design. b) The Applicants note that the pollutant-pathway-receptor linkage concept informs the decision-making process for determining if further investigation is required. The approach is explained in Volume 3, Annex 1.1: Phase 1 Geo-environmental preliminary risk assessment (APP-069), which states that further assessment is required for areas where Moderate or High Qualitative Risk Rating are identified.
Q6.1.14	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (c)	Commitments CoT126 [REP2-010] "To mitigate for potential temporary habitat loss associated with Mill Brook Valley Biological Heritage Site, temporary construction compounds will be micro-sited to avoid the site wherever reasonably practicable." a) Define "wherever reasonably practicable". b) Explain how you will mitigate for potential temporary habitat loss if it's not deemed "reasonably practicable". c) Do you consider the proposed wording to be adequate?	a) The Applicants' objective is to avoid impacting Mill Brook Valley Biological Site (BHS). However, the possible National Grid extension works could result in the siting of the Transmissions Assets construction compounds impeding on Mill Brook Valley BHS. The siting of construction compounds is subject to the final confirmed connection points into the National Grid substation and needs to provide flexibility to accommodate National Grid's extension works – hence the use of the term 'wherever reasonably practicable' b) As stated in the response to Q6.1.12, the Applicants have prepared an Outline Code of Construction Practice (CoCP) (APP-193) and Outline Soil Management Plan (SMP) (APP-200) that together set out the approach to soil management during construction, and land restoration post-construction, and this would be applicable to the management of soils associated with Mill Brook Valley BHS to ensure retention of the sensitive grassland seedbank if this cannot be avoided. Details on the mitigation strategy for Mill Brook Valley BHS would be included within detailed EMP(s) for that stage of the construction of the project, once the temporary

Reference	Question To	ExQ1	Applicants' response
			compound location/ design is confirmed, noting that it may still be possible to avoid impacts to the BHS altogether through micro-siting. c) Question is not directed to the Applicants.
Q6.1.15	NE, EA and any other interested party	<p>Mitigation</p> <p>Paragraph 1.2.1.8 of 'Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas' [REP2-046] states "In accordance, with CAP 772 guidance (Civil Aviation Authority (CAA), 2017) the wildlife hazard management zones around Blackpool Airport and BAE Warton Aerodrome extend to 13 km" and paragraph 1.2.1.9 states "Given the extent of the wildlife hazard management zones in relation to the Transmission Order Limits, the applicants could not locate environmental mitigation and benefit areas outside of the wildlife hazard zones whilst also meeting their site selection guiding principles (as set out in paragraphs 1.2.1.2 and 1.2.1.3) and ultimately delivering effective mitigation."</p> <p>Paragraph 1.5.1.3 states "The search area also considered areas in proximity to designated habitats or priority habitats, with the objective of improving habitats that are functionally linked to designated sites and improving connectivity between habitats."</p> <p>a) Do you agree that effective mitigation could not be achieved outside wildlife hazard management zones in relation to the Transmission Order Limits?</p> <p>b) Do you agree that biodiversity benefit area objectives would not be met if it was located outside of the wildlife hazard zones?</p>	<p>The Applicants note that this question is to Natural England, EA and other interested parties but highlights the following.</p> <p>To reiterate paragraphs 1.2.1.2 and 1.2.1.3 of the Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas (REP2-046), the mitigation areas were proposed as close as possible to where a significant effect is predicted and in proximity to areas where the target species have been recorded, in order to ensure maximum effectiveness of the relevant mitigation or biodiversity area. This was discussed with the EWG in July 2023 and June 2024 (Table 1.1 of REP2-046).</p>

Reference	Question To	ExQ1	Applicants' response
6.2 Biodiversity Net Gain			
Q6.2.1	The applicants (a-c), NE, FBC, SRBC, PCC, LCC, BBC and any other interested party (d)	<p>Biodiversity calculations:</p> <ul style="list-style-type: none"> a) Provide reasoning for the proposed percentage (%) in the biodiversity benefit strategy - 59.62% increase for the habitat, 20% for watercourse, 41.37% for hedgerow. b) Explain in detail the methodology used and why the scheme won't fully comply with future biodiversity net gain requirements i.e why the whole length of the corridor has not been assessed? c) The ExA requests the BNG metric spreadsheet used for the calculations is submitted into the examination. d) Confirm whether clarity exists on how the calculations have been done and is there agreement on the methodology and the spatial areas for which the calculations have been presented? 	<p>a and b) The Applicants' position is that currently there can be no certainty as to whether the adopted methodology may or may not comply with the future policy of BNG for NSIPs. It should also be remembered that the Applicants are not subject to a statutory regime. Whilst a draft statutory regime is currently under consultation by Defra, there can be no certainty as to what the final form of that regime will be. Therefore, the Applicants are not capable of explaining how the scheme will or will not <i>fully comply</i> with a <i>future, unknown regime</i>.</p> <p>The reason why the Applicants consider the nature of the future regime to be so undeterminable at this current stage is due to the level of concern that has been raised in response to the Defra consultation.</p> <p>There are two principal areas of the regime where the final parameters set by Defra will have fundamental consequences to the approach of BNG for NSIPs. These are:</p> <ul style="list-style-type: none"> i. Whether pre-development biodiversity value needs to be calculated over the entire Order Limits, or over a lesser area of impact ii. Whether temporary impacts caused by the development need to be included in the BNG calculation or whether temporary impacts can be excluded altogether from the pre-development biodiversity value. <p>In relation to (i) above, currently the Defra consultation guidance proposes that pre-development biodiversity value will include all the Order Limits. This means that the pre-development biodiversity value will be calculated over land regardless of whether there are any surface works to that land, regardless of the temporary nature of the works, regardless even of whether there are works in that location in the first place. This approach adopts the regime as set out in the Town and Country Planning Act 1990. The difference between NSIPs and schemes consented by the TCPA 1990 is that NSIP Order Limits are not used in the same way as a conventional planning red line boundary, in that they</p>

Reference	Question To	ExQ1	Applicants' response
			<p>are drawn wider than just over the area of development and instead expand over areas whereby rights are required for the construction, operation and protection of the development. Therefore, particularly in cases of linear schemes installing cable works where at the applicaiton stage it is not known exactly where the cable will be laid within the cable corridors, the Order Limits will be drawn wider than the area of actual impact.</p> <p>The question of whether or not the NSIP regime adopts the approach taken in the TCPA regime is raised in the Defra consultation at Question 6. It is the Applicants' understanding that across all industries there is widespread disagreement the TCPA method should be used. Currently, as there is no statutory regime applicants are of course able to design an appropriate methodology themselves. However, an approach which has emerged from a number of linear schemes is that rather than assess pre-development biodiversity value on the basis of the Order Limits, a "BNG boundary" or "zone of reasonable impact" is created. This essentially is a boundary around actual above-ground infrastructure works, which will have a real impact on BNG.</p> <p>In relation to (ii) above, the Defra consultation notes issues with inclusion of temporary use of land within the BNG regime for NSIPs. At Question 10, they are currently asking input regarding the need for a bespoke policy on delivering BNG where land is temporarily used for construction. The Applicants understand that there is a clear industry push that temporary impacts be removed from the BNG regime for NSIPs. Issues regarding temporary impact come back to the recurring theme of scale which means whilst a position in the TCPA is not ideal but workable, in the NSIP regime it becomes overly burdensome.</p> <p>The statutory metric user guide already states that a developer does not need to record a habitat as lost when there is a temporary impact, which is defined as an impact where the area can be restored to the baseline habitat type within two years of the initial impact. This means there is already a partial release for temporary impacts. What appears to be the case for NSIP regime, is that the industry is pushing for temporary</p>

Reference	Question To	ExQ1	Applicants' response
			<p>impacts to be taken out of the pre-development biodiversity value. This has clear logic as if the metric allows the developer to not record the habitat as lost then why should the developer have to provide a gain.</p> <p>The removal of temporary impacts from the BNG calculation for NSIP projects has become a standard approach of developers, given the lack of a statutory regime.</p> <p>With this context in mind, and reiterating again, that the Applicants are not subject to any statutory regime, the Applicants' methodology for BNG is the following:</p> <p>The pre-construction biodiversity baseline has been calculated within the footprint of permanent above ground infrastructure at the Morgan and Morecambe substations.</p> <p>The post-development biodiversity baseline has been calculated from the habitat retention, enhancement and creation at the Morgan and Morecambe onshore substations, supplemented with proposed habitat creation on an area of land at Lea Marsh (the 'Biodiversity Benefit area'), to ensure that the scheme can deliver a minimum 10% uplift in habitat, hedgerow and linear ditch habitat units.</p> <p>The Applicants reiterate that there remains a lack of clarity on both the timeframe for implementing mandatory BNG for NSIPs (originally this was stated to be November 2025, although has since been pushed back to at least May 2026 by the Government), and the methodology for assessing BNG for NSIPs, on the basis that the regime is still under consultation. The voluntary approach to BNG assessment was discussed with stakeholders at two specific EWG meetings on biodiversity benefits (July 2023 and June 2024). The maximum duration of the construction phase for the onshore cables (66 months) means that the habitat impacts could not be considered 'temporary' for the purposes of BNG assessment, because the methodology requires reinstatement within 2 years for habitat impacts to be considered temporary. Given the extent of the Order Limits when the initial BNG calculation was undertaken, an area of c. 100 ha would have been required to achieve 10% net gain. The difficulties in securing such a large area of</p>

Reference	Question To	ExQ1	Applicants' response
			<p>land (which would need to be taken out of agricultural use for a minimum of 30 years, and would therefore be incredibly onerous on landowners and farming businesses) were highlighted in the EWG meetings, and the consequent impacts of this on land holding viability and other socio-economic factors were discussed. Further, land temporarily affected by onshore export cable and 400kV grid connection cable corridor construction will be restored to its previous land use and returned to the landholder once the cable installation works are complete, The approach taken to assess only habitat impacts associated with permanent infrastructure for BNG was therefore considered to be the most reasonable and proportionate approach, on the basis that the majority of the impacts within the onshore cable corridor and temporary construction compounds are temporary (albeit it not within the timeframe considered to meet the threshold for temporary in BNG terms) and reversible (with land restored to its previous use post-construction).</p> <p>c) The Applicants will be submitting a revised version of the BNG metric spreadsheet into the examination at Deadline 4; this is to capture some minor amendments to the Biodiversity Benefit Statement, and to input the data into the latest version of the DEFRA metric spreadsheet (noting that version 4.1 of the metric spreadsheet, which was used to calculate the BNG for the application, has since been superseded with the adoption of the statutory metric calculator). The statutory metric spreadsheet differs slightly (due to various amendments that were adopted as the spreadsheet was refined prior to the adoption of the statutory metric); however, it is not anticipated that this would result in any material changes to the outcome of the BNG calculation i.e. the projects would still be predicted to deliver substantial net gains for habitats, hedgerows and linear watercourses.</p> <p>D) Although this section is not directed at the Applicants, the Applicants would like to reiterate that the approach to the voluntary BNG assessment was discussed with stakeholders as part of the EWG process prior to submission of the application (see response to a and b)).</p>

Reference	Question To	ExQ1	Applicants' response
Q6.2.2	NE, FBC, SRBC, PCC, LCC, BBC	Mitigation Hierarchy Confirm that the applicants have adequately followed the mitigation hierarchy in respect to no biodiversity net loss and biodiversity net gain.	The Applicants note Q6.2.2 is directed towards NE, FBC, SRBC, PCC, LCC and BBC and shall not be responding.
Q6.2.3	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (c)	Site selection Selection guiding principles are set out in paragraphs 1.2.1.2 and 1.2.1.3 of Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas [REP2-046] submitted at D2. <ul style="list-style-type: none"> a) Explain why the selection guiding principles set out do not include specific safety considerations and policy requirements including potential for increased risk to defence activities? b) Explain if any alternatives for BNG strategy have been considered, including off-site delivery. If BNG requirements and the avoidance and/or mitigation of defence aviation risks cannot be met, please explain how excluding BNG areas from the order limits might affect your comments on the application.	<ul style="list-style-type: none"> a) Environmental mitigation areas were chosen primarily due to their proximity to the area(s) of impacts, in particular on protected species such as otter, and SPA/ Ramsar birds. Provision of mitigation areas as close to the impact areas is standard practice and follows CIEEM guidance, which states that it “.....<i>should be provided as close as possible to the location where effects have occurred and benefit the same habitats and species as those affected</i>”. . Given the location of the Order Limits, any alternative mitigation areas, in close proximity, would also be within the 13 km safeguarding zone therefore this could not have been avoided. The location of the ecological constraints relevant to the specific mitigation areas for each constraint is shown on the figures in the document ‘Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas’ (REP2-046). An initial Wildlife Hazard Management Plan has been submitted at Deadline 3 which will form part of the Outline Ecological Management Plan (J6/F03). This outlines the mitigation proposed to mitigate the potential bird hazards identified in the Wildlife Hazard Risk Assessment (section 2 of J6/F03). From this the Applicants believe that the mitigation areas, with careful management will not give rise to additional safety considerations for the airports. Monitoring and any management will be undertaken to ensure this. b) The BNG strategy presented in the Biodiversity Benefit statement is indicative at this stage. The Applicants would not have any access rights over land outside the Order Limits, and any off-site areas would likely need separate land agreement(s) which cannot be guaranteed. By including environmental mitigation and BNG strategy areas within the Order Limits, the Applicants retain control over the delivery of the strategy and have maximised the ability for the Applicants to deliver these works. There were also discussions at the EWG meeting in December 2023 regarding engagement with off-site projects to deliver ecological benefits (e.g. Fylde Sand Dunes Project, Nature North – the Great North Bog, Lancashire Wildlife Peat Restoration) but it was identified that these projects

Reference	Question To	ExQ1	Applicants' response
			<p>would deliver limited input in terms of BNG habitat unit offsetting, notwithstanding their potential to deliver meaningful community and ecological conservation benefits. In addition to the measures set out in the Biodiversity Benefits statement, the Applicants have committed to other ecological enhancements as set out in Section 1.10.1 of the Outline EMP, and this will be refined as part of the revised EMP(s).</p> <p>c) Although this question is not directed to the Applicants, the Applicants would like to reiterate the importance of ensuring that they have full control over land in which BNG habitat unit delivery will be undertaken and that this can be readily achieved if the BNG land is included within the Order Limits.</p>
Q6.2.4	The applicants	<p>National Policy Statement NPS EN-1, paragraph 5.4.36 states that that, 'Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.'</p> <p>Is a Biodiversity Management Strategy part of the application? Can the applicants signpost to the relevant sections.</p>	<p>The Outline EMP (REP2-018) was developed to fulfil this requirement in terms of managing risks to sensitive ecological receptors during construction and operation of the projects. The Outline EMP includes measures such as 'toolbox talks' to raise awareness to contractors during construction (paragraph 1.4.1.2 of the OEMP), the use of Ecological Clerks of Works (ECoWs) during construction works (section 1.4.2 of the OEMP), and provision of educational signage and wardens (ECoWs) within the permanent mitigation area at Fairhaven Saltmarsh. This will provide biodiversity awareness training to employees and contractors to avoid unnecessary adverse impacts on biodiversity in line with NPS. Detailed EMPs will be submitted to satisfy DCO Requirement 12 of Schedules 2A and "B once the detailed design of the scheme has been completed, and following the results obtained from pre-construction ecology surveys. This will include details on long-term management and monitoring (which is summarised in section 1.7 of the OEMP).</p>

2.7 Environmental matters (offshore)

Table 2.7: Environmental matters (offshore)

Reference	Question To	ExQ1	Applicants' response
7.1 Benthic ecology			
Q7.1.1	The applicants	<p>Impacts on benthic ecology</p> <p>No progress appears to have been made with respect to the agreement between the applicants and Natural England (NE) on the potential impacts of the proposed development on benthic ecology. NE in its deadline 1 (D1) submissions [REP1-092 and REP1-093] maintains its position that impacts have not been adequately considered or assessed in the Environmental Statement and in particular the recovery of seabed habitats and species during the potential maximum gap of 4 years between projects. In your deadline 2 (D2) response [REP2-034] you maintain your position set out in [PDA-014] that a robust and accurate assessment of all potential impacts has been carried out.</p> <p>a) Is this your final position?</p> <p>b) Are further discussions with NE taking place on this issue?</p> <p>c) What additional assessment will you be carrying out and what additional information will you be providing?</p>	<p>a) The Applicants position regarding the potential impacts on benthic ecology set out in PDA-014 (response to 1601.41) is currently the Applicants final position. However, see responses to (c) below.</p> <p>b) The Applicants and Natural England have agreed to meet on 22 July 2025 to discuss outstanding offshore matters between the parties. The 22 July 2025 has been targeted to allow for the parties to review submissions made at Deadline 3, but with sufficient time to allow for provision of updates to the ExA at any relevant issue specific hearings in week commencing 28 July 2025 and for submissions at Deadline 4.</p> <p>c) Whilst the Applicants are confident in the robustness of their assessments, subject to proceedings at the meeting on 22 July 2025, the Applicants may agree to undertake additional assessments or provide additional information where this would assist in clarifying matters. The Applicants will provide an update at any relevant issue specific hearings in week commencing 28 July 2025, where possible, and/or at Deadline 4.</p>
Q7.1.2	The applicants	Cable protection	<p>a) The Applicants' position is as set out fully in the Applicants' response to the points raised by Natural England within RR-1601.43 of their response to</p>

Reference	Question To	ExQ1	Applicants' response
		<p>No progress appears to have been made with respect to NE's concerns on the location and design of the cables and their associated protection. NE in its D1 submission [REP1-093] maintains that insufficient details have been provided to fully understand the potential impacts of cable protection on sediment transport pathways particularly in the Fylde Marine Conservation Zone (MCZ). In your D2 response [REP2-034] you maintain your position set out in [PDA-014] that sufficient details have been provided and impacts for sediment transport pathways have been identified as being of negligible to minor significance which is not significant in Environmental Impact Assessment (EIA) terms.</p> <ul style="list-style-type: none"> a) Is this your final position? b) Are further discussions with NE taking place on this issue? c) What additional assessment will you be carrying out and what additional information will you be providing? 	<p>Natural England (PDA-014) and within RR-1601.B.16 and RR-1601.B.18 of their response to Natural England (PDA-016). The use of cable protection will be further evaluated and considered post-consent in the detailed CSIP(s), following further post-consent and pre-construction surveys, prior to construction. This will identify where cable protection is required ensuring that cable protection is only used if and where necessary, in accordance with CoT54 (REP2-010). The Applicants would also draw attention to the updated outline Cable Specification and Installation Plan submitted at Deadline 2 (REP2-022), which removed 'rock dump' from the list of cable protection types to be used within the Fylde MCZ. The CSIPs are secured by Condition 18(1)(e) within Schedules 14 & 15 of the draft Development Consent Order (REP2-004) and will be implemented by the Applicants as approved by the MMO in consultation with relevant stakeholders. Furthermore, the Applicants will seek to reduce the exclusion zone around existing cables for burial tools and trenches in consultation with the existing cable asset owners to reduce the risk of the need for additional cable protection at these locations.</p> <p>Cable protection measures will be tailored to the specific location and installed to ensure compliance with CoT45 of Environmental Statement Volume 1, Annex 5.3: Commitments Register (REP2-010) and Condition 18(1)(e) of Schedules 14 and 15 to the draft DCO (REP2-004) to limit change in water depth to 5% or less (unless otherwise approved by the MMO in consultation with the Maritime Coastguard Agency) in accordance with Marine Guidance Note 654 (MCA, 2021). The height of cable protection above the seabed will be governed by water depth (and otherwise limited to a maximum height of 2 m within the MCZ) to adhere to this commitment, ensuring that any cable protection in the nearshore is sufficiently low profile and contoured to allow sediment transport to continue. Thus, the detailed design (either by location, installation methodology or type of cable protection) will ensure there are no significant effects to the nearshore as result of any cable protection, in accordance with NPS EN-1 paragraph 5.6.17 and implemented with approval by the MMO in consultation with relevant stakeholders.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>b) The Applicants and Natural England have agreed to meet on 22 July 2025 to discuss outstanding offshore matters between the parties. The 22 July 2025 has been targeted to allow for the parties to review submissions made at Deadline 3, but with sufficient time to allow for provision of updates to the ExA at any relevant issue specific hearings in week commencing 28 July 2025 and submissions at Deadline 4.</p> <p>c) Whilst the Applicants are confident in the robustness of their position, subject to proceedings at the meeting on 22 July 2025, the Applicants may agree to undertake additional assessments or provide additional information where this would assist in clarifying matters. The Applicants will provide an update at any relevant issue specific hearings in week commencing 28 July 2025, where possible, and/or at Deadline 4.</p>
Q7.1.3	The applicants	<p>Natural Environment Research Council (NERC) priority habitats</p> <p>No progress appears to have been made with respect to NE's concerns on mitigation and NERC priority habitats. NE highlighted the fact that no mitigation has been proposed for benthic receptors or consideration been given to NERC despite section 41 of the NERC Act (2006) advising priority habitats are avoided and due consideration demonstrated [REP1-093]. In your D2 response [REP2-034] you maintain your position set out in [PDA-014] that these issues have been adequately addressed.</p> <p>a) Is this your final position?</p> <p>b) Are further discussions with NE taking place on this issue?</p> <p>c) What additional assessment will you be carrying out and what additional information will you be providing?</p>	<p>a) The Applicants position regarding NE's concerns on mitigation and NERC priority habitats as set out in PDA-014 (response to 1601.44) is currently the Applicants final position. However, see responses (c) below.</p> <p>b) The Applicants and Natural England have agreed to meet on 22 July 2025 to discuss outstanding offshore matters between the parties. The 22 July 2025 has been targeted to allow for the parties to review submissions made at Deadline 3, but with sufficient time to allow for provision of updates to the ExA at any relevant issue specific hearings in week commencing 28 July 2025 and submissions at Deadline 4.</p> <p>c) Whilst the Applicants are confident in the robustness of their position, subject to proceedings at the meeting on 22 July 2025, the Applicants may agree to undertake additional assessments or provide additional information where this would assist in clarifying matters. The Applicants will provide an update at any relevant issue specific hearings in week commencing 28 July 2025, where possible, and/or at Deadline 4.</p>

Reference	Question To	ExQ1	Applicants' response
Q7.1.4	NE	Assessments In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601], [REP1-092] and [REP1-093] a robust and accurate assessment of all potential impacts on benthic ecology has been carried out. What additional assessment/ information do you require to reach an agreement on this issue?	The Applicants note Q7.1.4 is directed towards NE and shall not be responding.
Q7.1.5	NE	Cables and scour protection Are you content that your request in [REP1-093] for a commitment, secured in the draft Development Consent Order (dDCO) to remove the cables and scour protection from the seabed during the decommissioning phase of the project has now been adequately addressed by the applicants in their response provided in [PDA-014], [REP2-022] and [REP2-034]?	The Applicants note Q7.1.5 is directed towards NE and shall not be responding.
Q7.1.6	NE	Assessments In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601] and [REP1-092] and [REP1-093] that sufficient design details have been provided on the location and design of the cables and associated protection and impacts for sediment transport pathways have been identified as being of negligible to minor significance which is not significant in EIA terms.	The Applicants note Q7.1.6 is directed towards NE and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		What additional assessment/ information do you require to reach an agreement on this issue?	
Q7.1.7	NE	NERC priority habitats In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601] and [REP1-092 and REP1-093] impacts on benthic receptors have been mitigated and NERC habitats considered. What additional assessment/ information do you require to reach an agreement on this issue?	The Applicants note Q7.1.7 is directed towards NE and shall not be responding.
Q7.1.8	NE	MCZ assessment While still maintaining that Measures of Equivalent Environmental Benefit (MEEB) are not required, the applicants have submitted a Stage 2 MCZ assessment and a “without prejudice” MEEB case for the Fylde MCZ [REP1-059]. Please provide your comments and indicate whether you are satisfied with the assessment and case.	The Applicants note Q7.1.8 is directed towards NE and shall not be responding.
Q7.1.9	Wildlife Trust for Lancashire, Manchester and North Mersey Side (WT)	MCZ assessment While still maintaining that MEEB are not required, the applicants have submitted a Stage 2 MCZ assessment and a “without prejudice” MEEB case for the Fylde MCZ [REP1-059]. Please provide your comments.	The Applicants note Q7.1.9 is directed towards the Wildlife Trust for Lancashire, Manchester and North Merseyside and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
7.2 Fish and shellfish ecology			
Q7.2.1	The applicants	Assessments NE still consider that there is potential for the predator/ prey relationship between piscivorous birds and sand-eels to be impacted due to loss of prey species [REP1-093]. However, in your D2 response [REP2-034] you maintain your position set out in [PDA-014] that this issue has been adequately addressed. <ul style="list-style-type: none"> a) Is this your final position? b) Are further discussions with NE taking place on this issue? c) What additional assessment will you be carrying out and what additional information will you be providing? 	<ul style="list-style-type: none"> a) The Applicants position regarding predator/ prey relationship between piscivorous birds and sand-eels as set out in PDA-014 (response to 1601.46) is currently the Applicants final position. However, see responses (c) below. b) The Applicants and Natural England have agreed to meet on 22 July 2025 to discuss outstanding offshore matters between the parties. The 22 July 2025 has been targeted to allow for the parties to review submissions made at Deadline 3, but with sufficient time to allow for provision of updates to the ExA at any relevant issue specific hearings in week commencing 28 July 2025 and submissions at Deadline 4. c) Whilst the Applicants are confident in the robustness of their position, subject to proceedings at the meeting on 22 July 2025, the Applicants may agree to undertake additional assessments or provide additional information where this would assist in clarifying matters. The Applicants will provide an update at any relevant issue specific hearings in week commencing 28 July 2025, where possible, and/or at Deadline 4.
Q7.2.2	NE	Assessments In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601] and [REP1-092 and REP1-093] the potential loss of prey specifies has been adequately addressed. What additional assessment/ information do you require to reach an agreement on this issue?	The Applicants note Q7.2.2 is directed towards NE and shall not be responding.
Q7.2.3	NE	Electro-magnetic fields The Examining Authority raised the issue of the potential for electro-magnetic fields to cause barrier effects that hinder smelt movements in and out of the Ribble Estuary with the applicants	The Applicants note Q7.2.3 is directed towards NE and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		<p>during issue specific hearing 1. The applicants maintained that the evidence provided to date is sufficient to screen out this concern paragraph 49 of [REP1-035]. The minimum depth of cable below the estuary would be 6 metres and electro-magnetic field effects are generally localised within 1 to 2 metres of the cable. The applicants also referenced their response to the Environment Agency's [RR-677] [PDA-010] in this regard.</p> <p>a) Based on this response are you content that this issue has now been addressed?</p> <p>b) If not what further assessment/ information do you require to reach a conclusion?</p>	
Q7.2.4	MMO	<p>Seasonal restrictions</p> <p>Please confirm that following the removal of high order Unexploded Ordnance (UXO) clearance from the deemed marine licenses submitted by the applicants at D2 [REP2-004] you are now content that no seasonal restriction on construction activities is required during the cod and herring spawning seasons.</p>	<p>Although this question is to the MMO, the Applicants note that the MMO has confirmed that seasonal restrictions during the cod and herring spawning seasons are not required under the draft DCO (REP2-004), following the removal of high order UXO clearance and discussion of spawning season dates (as per the MMO response provided in REP2-061, RR-1414-24, points 4.4.5 and 4.4.6).</p>
7.3 Marine mammals			
Q7.3.1	NE	<p>UXO clearance</p> <p>The applicants have amended the dDCO [REP2-004] to include only for the removal of low order UXO clearance in the DMLs. The removal of high order UXO would be the subject of a standalone licence. Do the amendments to the DMLs</p>	<p>The Applicants note Q7.3.1 is directed towards NE and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
		address your concerns regarding UXO clearance?	
Q7.3.2	MMO	UXO clearance The applicants have amended the dDCO [REP2-004] to include only for the removal of low order UXO clearance in the DMLs. The removal of high order UXO would be the subject of a standalone licence. Do the amendments to the DMLs address your concerns regarding UXO clearance?	The Applicants note Q7.3.2 is directed towards MMO and shall not be responding.
Q7.3.3	WT	Subsea construction noise Are you content that your concerns regarding subsea construction noise set out in [REP1-210] have been addressed by the applicants in their D2 submission [REP2-036]?	The Applicants note Q7.3.3 is directed towards the Wildlife Trust for Lancashire, Manchester and North Merseyside and shall not be responding.
7.4 Offshore ornithology			
Q7.4.1	The applicants	Long-term habitat supporting prey species In its D1 submission [REP1-093] NE still maintains that the applicants have not screened in loss of long-term habitat supporting prey species (due to scour/ cable protection) for the offshore ornithological features of the Liverpool Bay Special Protection Area (SPA) as an impact for likely significant effects. However, in your D2 response [REP2-034] you maintain your position set out in [PDA-014] that this issue has been adequately addressed.	a) The Applicants position regarding long term habitat supporting prey species as set out in PDA-014 (response to 1601.49) is currently the Applicants final position. However, see responses (c) below. b) The Applicants and Natural England have agreed to meet on 22 July 2025 to discuss outstanding offshore matters between the parties. The 22 July 2025 has been targeted to allow for the parties to review submissions made at Deadline 3, but with sufficient time to allow for provision of updates to the ExA at any relevant issue specific hearings in week commencing 28 July 2025 and submissions at Deadline 4. c) Whilst the Applicants are confident in the robustness of their assessments, subject to proceedings at the meeting on 22 July 2025, the Applicants may agree to undertake additional assessments or provide additional

Reference	Question To	ExQ1	Applicants' response
		a) Is this your final position? b) Are further discussions with NE taking place on this issue? c) What additional assessment will you be carrying out and what additional information will you be providing?	information where this would assist in clarifying matters. The Applicants will provide an update at any relevant issue specific hearings in week commencing 28 July 2025, where possible, and/or at Deadline 4.
Q7.4.2	The applicants	Long-term habitat supporting prey species Clarify whether the areas outside the SPA that are within the zone of influence of the proposed development (in terms of impacts to benthic habitats and fish populations) have a role in terms of functional linkage to the SPA as supporting habitats for the prey species of SPA features. Update the Habitats Regulations Assessment Screening Report to address the long-term loss of habitat supporting prey species pathway.	<p>In Annex 3.2.7 to Response to RR - Natural England (RR-1601) (PDA-014), the Applicants provided a response in relation to the potential effects of long-term loss of habitat supporting prey species as raised by Natural England in their Relevant Representation (RR-1601). It was concluded that long-term habitat loss would only occur across a negligible proportion of the Liverpool Bay/Bae Lerpwl SPA with this incorporating areas outside of the original Liverpool Bay SPA boundary (i.e. those areas that whilst not supporting qualifying features of the SPA may be functionally linked through supporting habitat for prey species). The MDS for long-term habitat loss for benthic habitats is described in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) and for fish and shellfish receptors in Volume 2, Chapter 3: Fish and shellfish ecology (APP-048). The MDS for benthic habitats represents 0.003% of the respective benthic study area with the MDS for fish and shellfish features representing 0.096% of the respective fish and shellfish study area. This represents a negligible proportion of the habitat available for benthic and fish and shellfish receptors.</p> <p>It is therefore considered that there is no potential for a Likely Significant Effect on any of the qualifying features of the Liverpool Bay/Bae Lerpwl SPA as a result of impacts associated with long-term habitat loss. Based on the information provided above and in Annex 3.2.7 to Response to RR - Natural England (RR-1601) (PDA-014), it is considered that an update to the HRA screening report is not required.</p>
Q7.4.3	NE	Seasonal restrictions	The Applicants note Q7.4.3 is directed towards NE and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		Are you satisfied that the applicants' D2 response [REP2-034] has adequately addressed your concerns on the potential adverse effect of the proposed development on site integrity for the red-throated diver and common scoter features of the Liverpool SPA and your request for a full restriction on construction activities from November to March [REP1-093]? If not what further assessment/ information do you require to reach a conclusion on the issue?	
7.5 General			
Q7.5.1	Attracta Uí Bhroin in a personal capacity, and on behalf of Irish environmental non-governmental organisation - An Claíomh Glas.	Transboundary Impact Assessment Are you content that the applicants have addressed the issues you raised in [OD-12] on the transboundary impact assessment in their response [REP1-062]?	The Applicants note Q7.5.1 is directed towards Ms Bhroin and shall not be responding.

2.8 Geology, hydrogeology and ground conditions

Table 2.8: Geology, hydrogeology and ground conditions

Reference	Question To	ExQ1	Applicants' response
Q8.1.1	The applicants (a-d), NE, Environment Agency (EA), Lancashire County Council (LCC), MMO (e)	<p>Commitments</p> <p>CoT119 [REP2-010] states: "Subject to landowner approval, at detailed design stage, hydrogeological risk assessment(s) will be undertaken at St Annes Old Links Golf Club (abstraction borehole ref: GWA_01), if necessary. The hydrogeological risk assessment(s) would be informed by ground investigation information, where relevant and practicable. If undertaken, the risk assessment(s) will inform a detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI and the St Annes Old Links Golf Course."</p> <p>a) Provide an update in relation to gaining landowner approval.</p> <p>b) As the condition states "if necessary" under what circumstances would the hydrogeological risk assessment not be considered necessary?</p> <p>c) In an event of not obtaining the landowners approval how will the hydrogeological risk assessment be informed?</p> <p>d) What does "where relevant and practical" mean in the context of assessing risks to Lytham St Annes Dunes SSSI?</p> <p>e) Do you have any comments if hydrological risk assessment can't be conducted at St Annes Old Links Golf Club. How could that impact production of a detailed site-</p>	<p>a) The Applicants are currently working towards achieving a voluntary agreement for the land rights required for the project. The applicant sent updated heads of terms to the land interest on the 19th May 2025. The Applicant's appointed land agent has followed up with the land interest, most recently on 24th June 2025, for an update on the HoTs and will continue to do so. The Applicant remains open to discussions and invites engagement from the land interest. The Applicants are currently working with the Golf Club's appointed agent to endeavour to agree terms.</p> <p>b) The hydrogeological risk assessment(s) in regards to St Annes Old Links Golf Club abstraction borehole would only be undertaken with the approval of the landowner. The need to undertake hydrogeological risk assessment(s) at this location will be dependant on the dewatering rates associated with the construction of the TJB which will be confirmed during detailed design.</p> <p>c) As noted at (b) above, the hydrogeological risk assessment(s) in regards to St Annes Old Links Golf Club abstraction borehole would only be undertaken with the approval of the landowner. If following detailed design and further discussion with the landowner, the landowner does not require the hydrogeological risk assessment at the abstraction borehole to be carried out, then the hydrogeological risk assessment will not be carried out.</p> <p>d) "Relevant" means where the potential risk remains likely and significant following detailed design, so as to require Hydrogeological Risk Assessment(s) to be undertaken. "Where practical" means that the acquisition of additional evidence and data to support such risk assessments is achievable. For example, the hydrogeological risk assessment(s) in regards to St Annes Old Links Golf Club abstraction borehole would only be undertaken with the approval of the landowner. The scope and methodology of the risk assessment</p>

Reference	Question To	ExQ1	Applicants' response
		specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI and the St Annes Old Links Golf Course?	<p>may also require information that is not practical, i.e., drilling a borehole on a protected site deemed too sensitive to be exposed to such impact, or on land that there are no agreed access arrangements in place.</p> <p>e) The Applicants note Q8.1.1(e) is directed towards NE, EA, LCC and MMO and shall not be responding.</p>
Q8.1.2	The applicants (a-d), NE, EA (d)	<p>Commitments</p> <p>CoT128 [REP2-010] states: "A Preliminary Hydrogeological Risk Assessment will be prepared in relation to the crossing of Lytham St Annes SSSI to mitigate potential impacts to the hydrologically dependant surface water features of the sand dune system. This will form part of the Outline Code of Construction Practice. At detailed design stage, Hydrogeological Risk Assessment will be developed in accordance with the Preliminary Hydrogeological Risk Assessment. The hydrogeological risk assessment(s) will be informed by ground investigation information, where necessary and practicable. These assessment(s) will used to inform the detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI."</p> <p>a) Explain "where necessary and practicable" in the context of ground investigation required to inform hydrological risk assessment.</p> <p>b) What if the ground investigation is not "practicable" to conduct.</p> <p>c) Under what circumstances would the ground investigation not be considered necessary and how would the</p>	<p>a) 'Where necessary' refers to the circumstances where ground investigation may not be required. Following detailed design, should the finalised proposals for cable installation depth beneath Lytham St Anne's SSSI/LNR allow rescreening of likely significant risks to conclude these would not be present, i.e., that cable ducts need to be located within the deeper glacial clays with low groundwater sensitivity below the more sensitive blown sands, then ground investigation may not be required. 'Where practicable' means that the acquisition of additional evidence and data to support such risk assessments is achievable. For example, the scope and methodology of the hydrogeological risk assessment may require information that is not practicable, i.e., drilling a borehole on a protected site deemed too sensitive to be exposed to such impact, or on land that there are no agreed access arrangements in place.</p> <p>b) There may be circumstances where ground investigations are not practicable within certain areas where access will not be granted, even taking into account Article 17 of the draft DCO as outlined in Q1.1.1c above. These areas may include the Lytham St Annes Dunes SSSI where the sensitivities present mean that ground investigations are not practicable. In these circumstances, agreement on approach would be sought with relevant stakeholders.</p> <p>c) The main scenario under which ground investigations would not be required to inform the hydrogeological risk assessment would be if the cable circuits were taken below the soil geology underneath the dune system, or other further surveys and subsequent refinement of the hydrogeological conceptual model for the dunes shows the absence of a sensitive groundwater environment below the sites, as presently assumed to be the case. In this scenario there would be no likely, predictable, direct impact</p>

Reference	Question To	ExQ1	Applicants' response
		<p>hydrogeological risk assessment be informed?</p> <p>d) Do you consider the proposed wording to be adequate?</p>	<p>from the cables (and their installation) upon the Lytham St Annes Dunes SSSI and associated groundwater system. This could potentially negate the requirement for further ground investigation.</p> <p>d) The Applicants note Q8.1.2(d) is directed towards NE and EA and shall not be responding.</p>
Q8.1.3	The applicants (a-b), NE, EA, LCC, MMO (c)	<p>Commitments</p> <p>CoT118 [REP2-010] states: "Where areas of potentially significant contamination (e.g. landfills) cannot be avoided within the Transmission Assets Order Limits, ground investigation or other appropriate measures (e.g. use Personal Protective Equipment and/or hazard signage) will be implemented to mitigate potential impacts to, or effects on sensitive receptors. Where ground investigation identifies potential risks to sensitive receptors from contamination, a remediation strategy would be prepared in consultation with the Environment Agency."</p> <p>a) Explain what process will be followed when deciding if ground investigation is required or if other appropriate measures are sufficient?</p> <p>b) What specific ground investigation measures is the applicant committing to in areas of potentially significant contamination?</p> <p>c) Is this commitment sufficient to ensure contaminated land risks are adequately managed?</p>	<p>a) As noted in the outline CoCP (APP-193), a detailed Contaminated Land and Groundwater Discovery Strategy will be prepared in accordance with the Outline Contaminated Land and Groundwater Discovery Strategy (APP-207) to set out the procedure for construction workers to follow in the event that previously unidentified contamination is encountered during the construction phase. This is secured through Requirement 8 of Schedules 2A and 2B of the draft DCO (REP2-004). The assessment and mitigation of potentially unacceptable land quality follows the UK.GOV Land Contamination and Risk Management (LCRM) guidance - Land contamination risk management (LCRM) - GOV.UK. This is a phased framework comprising Stage 1 risk assessment, Stage 2 options appraisal and Stage 3 remediation and verification. This framework underpins the production of a Remedial Strategy for the project that informs whether further information and risk assessment is needed to permit satisfactory risk reduction and any proposed mitigation measures are appropriate. This will be undertaken with stakeholder oversight, principally from the Local Planning Authority and the Environment Agency.</p> <p>b) These would be determined as instructed by the Remedial Strategy on a site-by-site basis and informed by the LCRM framework, with regulator consultation and agreement. The focus would be on minimising the time spent on site by maximising the value of each ground investigation survey.</p> <p>c) The Applicants note Q8.1.3(c) is directed towards NE, EA, LCC and MMO and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
Q8.1.4	The applicants (a), EA (b)	Commitments CoT103 [REP2-010] states: "Where suspected contamination is present and piling is proposed, where required detailed piling risk assessment(s) will be developed prior to the commencement of the relevant stage of works. Consultation with the Environment Agency will be sought." a) Define "where required". Explain under what circumstances detailed piling risk assessment would not be a requirement? b) Do you consider the proposed wording to be adequate?	a) "Where required" is superfluous language in this sentence as piling proposed in areas of suspected contamination would always warrant the undertaking of a piling risk assessment (PRA). Detailed PRA would not be required where no risk of ground likely to contain potential contaminants is present (i.e. no source of contamination present) or no sensitive groundwater body was present with a potential hydraulic connection to the pile location in question (no contaminant pathway or receptor present). b) The Applicants note Q8.1.4(b) is directed towards EA and shall not be responding.
Q8.1.5	EA	Contamination remediation and mitigation Are you content that any remediation or mitigation potentially required, but not yet identified, in relation to contamination, perched waters within made ground, or groundwater from dewatering activities could be delivered within the Order Limits?	The Applicants note Q8.1.5 is directed towards EA and shall not be responding.
Q8.1.6	The applicants	Outline contaminated land and groundwater discovery strategy Outline contaminated land and groundwater discovery strategy [APP-207, paragraph 1.5.1.4] explains if remediation is considered necessary, then, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose will be submitted to and agreed in writing with the Environment Agency and the relevant planning authority. Can you explain if excavation and removal of contaminants would be a potential remediation approach? If so, can you confirm how the impact of this activity has been assessed in the	Contamination source removal is a potential remedial option that would be considered as part Land Contamination and Risk Management (LCRM) framework. Off-site source removal disposal would only typically be considered where remediation and/or on-site material re-use would not be feasible. Where vehicle movements are required for such material removal from site, these would be considered within HGV movements as a whole within construction impact assessment and not assessed individually given the uncertainty on precise remedial requirements and whether off site material disposal was the only satisfactory measure. The Applicants would note that the HGV movements assessed within Volume 3, Chapter 7: Traffic and Transport (APP-108) include appropriate contingencies to account for miscellaneous/unplanned events (such as above). Further details of the contingency allowances applied to the HGV numbers are provided within

Reference	Question To	ExQ1	Applicants' response
		Environmental Statement (for example, additional vehicle movements to facilitate material removal, a longer construction phase)?	<p>Volume 3, Annex 7.5: Construction Trip Generation Assumptions of the ES (APP-115).</p> <p>Furthermore, the Applicants would also note that section 1.3.4 of the outline Construction Traffic Management Plan (oCTMP) (REP2-016) includes details of control measures to ensure that minor revisions can be managed, monitored and controlled such that there would not be an exceedance of the assessed maximum design scenario for vehicle movements assessed within Volume 3, Chapter 7: Traffic and Transport (APP-108). The requirement to produce detailed CTMPs is secured by Requirement 9 of Schedules 2A and 2B of the draft DCO (REP2-004).</p>

2.9 Habitat Regulations Assessment

Table 2.9: Habitats Regulations Assessment

Reference	Question To	ExQ1	Applicants' response
9.1 General			
Q9.1.1	Joint Nature Conservation Committee, Natural England (NE), Natural Resources Wales (NRW), NatureScot, Northern Ireland Environment Agency	Conclusions Do you agree with the applicants' Habitats Regulations Assessment (HRA) conclusions with respect to likely significant effects (LSE) [APP-018] and adverse effects on site integrity [APP-016 and APP-017]? Please specify the relevant sites, pathways and qualifying features in your response.	The Applicants note Q9.1.1 is directed towards Joint Nature Conservation Committee, NE, NRW, NatureScot and Northern Ireland Environment Agency and shall not be responding.
Q9.1.2	NE	Construction scenarios The applicants, in response [AS-070] to the Rule 9 letter [PD-005], and at deadline 1 [REP1-060] have provided a requested summary of the multiple construction scenarios, including the potential for a gap of up to 4 years between construction phases, resulting in a total construction phase of up to 11 years. The Examining Authority (ExA) notes a number of entries in your relevant representation [RR-1601] relating to construction scenarios. Can you confirm if you consider whether there are any implications for the conclusions of the HRA from the applicants' approach of allowing multiple construction scenarios?	<p>The Applicants note that this question is to Natural England but highlight the following.</p> <p>The Applicants response (AS-070) to the Rule 9 letter (PD-005) provides a summary of the multiple construction scenarios, including the potential for a gap of up to 4 years between construction phases, in relation to the EIA. While this summary is framed around EIA topics, it relates equally to the HRA as the process for defining the Maximum Design Scenario (MDS) for each topic is the same in the HRA as it is in the EIA.</p> <p>Therefore, in AS-070, the justification of the 4 year gap and the concurrent/sequential scenarios presented in Table 1.5 (offshore ornithology) and Table 1.13 (onshore ornithology) would be the same for the various MDS tables presented in the Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017). This applies also to Table 1.2 (Benthic Ecology), Table 1.3 (Fish and Shellfish Ecology) and Table 1.4 (Marine Mammals) of AS-070, relative to the various MDS tables presented in the Information to Support Appropriate Assessment Part Two: Special Areas of Conservation (SACs) Assessment (APP-016) in respect of these topics.</p>

Reference	Question To	ExQ1	Applicants' response
			The same logic applies also to the MCZ Assessment with the justification set out in Table 1.2 for Benthic ecology in AS-070 applying to the MDS tables in the MCZ Assessment (APP-019).
Q9.1.3	The applicants	Key summary parameters <p>The introduction to the Information to Support an Appropriate Assessment (ISAA) [APP-015] provides details of the key summary parameters for the proposed development. The table states that the maximum length of onshore export cables for the Morgan project is 16km, whereas the project description Environmental Statement chapter [REP2-008] states that this is 17km. Confirm the correct distance, and whether the conclusion of the HRA Screening [APP-018] and ISAA parts 2 and 3 [APP-016 and APP-017] remain valid given the shorter cable route indicated to be assessed in the ISAA?</p>	<p>The Applicants note the identified inconsistency, however, can confirm the maximum length of the onshore export cables for the Morgan project is 17 km. This was an error in Table 1.1 of the Introduction to Support an Appropriate Assessment (ISAA) Part 1 (APP-015), which has been added to the updated errata document provided at Deadline 3 (S_D1_14/F03). This errata does not affect the conclusions of the HRA Stage 1 Screening Report (APP-018) and ISAA Parts 2 and 3 (APP-016 and APP-017), which remain valid. The HRA Screening was undertaken based on the distances to the Offshore Order Limits, the Onshore Order Limits and relevant management units (for marine mammal receptors); as such, this parameter did not affect the decision to screen sites/features in/out or the subsequent assessment presented in the ISAA Parts 2 and 3 (APP-016 and APP-017).</p>
9.2 Screening			
Q9.2.1	The applicants and NE	Fish and Shellfish <p>Table 1.1 of the HRA Screening [APP-018] details the consultation undertaken with NE and notes that NE requested that sites with shad as an Annex II qualifying feature should be screened in for further assessment. However, the HRA screening and subsequent ISAA part 2 [APP-016] do not appear to screen this species into the assessment of Adverse Effect on Integrity.</p> <ul style="list-style-type: none"> a) (Applicants) Provide further information as to why an assessment of shad is not required in the ISAA part 2 [APP-016]. b) (NE) Provide your current position on the applicants' conclusion of no Likely Significant Effect to shad. 	<p>As noted in Paragraph 1.4.3.8 of the HRA Stage 1 Screening Report (APP-018), the nearest SAC for shad species is the Pembrokeshire Marine/Sir Benfro Forol SAC (designated for both Allis shad, <i>Alosa alosa</i> and Twaite shad, <i>Alosa fallax</i>) which is located approximately 239 km from the Offshore Order Limits. This is well beyond the ZOI used to identify SACs with Annex II diadromous fish features (100 km; see paragraph 1.4.3.6 of the HRA Stage 1 Screening Report (APP-018)) and is therefore not considered within the subsequent ISAA Part 2 (APP-016).</p> <p>Natural England were in broad agreement to the approach to assessment and baseline characterisation for fish and shellfish ecology as presented in the EWG01 and EWG02 meeting for benthic ecology, fish and shellfish ecology and marine mammals (refer to E5.1 Technical Engagement Plan Appendices Part 1 of 3 (APP-190)). Sites designated for shad species were not raised as an issue following the engagement through EWGs (APP-190), and in</p>

Reference	Question To	ExQ1	Applicants' response
			<p>RR-1601.D (Annex 3.2.11 to Response to RR – RR-1601 – Appendix D; PDA-018), Natural England agreed that relevant sites and features screened in within the HRA Screening was appropriate, as follows:</p> <p>RR-1601.D.13: Relevant sites and features have been screened in appropriately. Natural England agree with proposed potential LSE impacts of UXO and EMF on Annex II diadromous fish species being taken forward to Appropriate Assessment.</p> <p>RR-1601.D.14: Natural England agree with reasoning and welcome clear justification as to why potential impacts resulting from UXO clearance to Annex II diadromous fish species and associated Special Areas of Conservation will not result in an adverse effect on integrity.</p>
Q9.2.2	The applicants	<p>Offshore Ornithology</p> <p>Page 141 of the Screening Report [APP-018], footnote (b) explains that assessments for all impacts are only conducted where a species has a vulnerability to 'displacement associated with vessels/ helicopters' of High or Very High and/ or a Low habitat flexibility. Can you explain why these thresholds have been chosen, and justify, for example, why guillemot and puffin which both have moderate vulnerability and moderate flexibility are not considered?</p>	<p>The use of thresholds to identify species for inclusion in specific assessments, as described in footnote b of Table 1.21 and Table 1.22 in HRA Stage 1 Screening Report (APP-018), is a commonly used method applied throughout offshore wind assessments for both generation and transmission assets (for example see the assessments conducted for offshore ornithology for the Morgan Offshore Wind Project: Generation Assets, Mona Offshore Wind Project and the Morecambe Offshore Wind Farm: Generation Assets as three recent examples). These vulnerability scores are used to screen for species for inclusion in supporting analyses (e.g. collision and displacement), to identify species for inclusion in assessments that are qualitative in nature and as part of HRA screening exercises. In these examples, these thresholds are considered to represent precautionary high-level screening criteria that will not omit species for which assessments are required.</p> <p>When compared to displacement from structures, for which lower thresholds may be applied (e.g. where a species has a moderate vulnerability) for projects incorporating generation asset elements, the magnitude of impacts associated with disturbance from vessels is more localised, of shorter duration and more intermittent in nature and therefore a higher threshold (i.e. the use of high vulnerability only) is justified. Key species for assessments considering</p>

Reference	Question To	ExQ1	Applicants' response
			<p>disturbance associated with vessel movements are generally considered to be species of divers and seaducks for which previous research has shown marked responses to the presence of vessels (e.g. Kaiser <i>et al.</i>, 2002 and Ruddock and Whitfield, 2007).</p> <p>In relation to guillemot and puffin, these species both have a moderate vulnerability to disturbance associated with vessels and helicopters and have a moderate habitat flexibility (as set out in Wade <i>et al.</i>, 2016). It is considered that, in relation to Transmission Assets, the magnitude associated with vessel movements for these projects is too low to warrant the conclusion of a potential LSE.</p> <p>The approach to identifying LSE for qualifying features was presented as part of the Preliminary Environmental Information Report and through the Expert Working Group process undertaken pre-application. During this process, key consultees including Natural England and the RSPB did not raise any queries in relation to the approach applied and did not identify any additional SPAs or qualifying features for which the potential for LSE existed (APP-190).</p> <p>In summary, due to the low magnitude of disturbance anticipated from vessel movements associated with the Transmission Assets, the thresholds applied with regards to 'displacement associated with vessels/ helicopters' and 'habitat flexibility' are considered to be appropriate and justified. The list of SPAs and associated qualifying features for which LSE was identified and the approach used to identify LSE has also not been queried by key stakeholders.</p>
Q9.2.3	NE	Offshore Ornithology Do you agree with the applicant's screening conclusions pertaining to offshore ornithology, alone and in-combination (presented at section 1.5.5 of [APP-018])?	<p>The Applicants note that this question is to Natural England but highlight the following.</p> <p>Natural England gave their broad agreement to the HRA Screening process and initial results in response to EWG01 for Offshore Ornithology (see E5.1 Technical Engagement Plan Appendices Part 1 of 3 (APP-190)). Natural England then gave further clarification on what to include within the HRA screening in RR-1601 (Please see the Applicant's response to RR-1601.49 in PDA-014.).</p> <p>As noted in RR-1601.49 within PDA-014, it is highly unlikely that significant areas of cable protection will be required within the</p>

Reference	Question To	ExQ1	Applicants' response
			Liverpool Bay SPA within areas that are important for red-throated diver and common scoter. It is therefore considered that a negligible proportion (0.003% as calculated in the Applicant's response to RR-1601.49 in PDA-014) of the habitat available to the features of the Liverpool Bay SPA could be affected. As such, long-term loss of habitat supporting prey species (due to scour/cable protection) for the offshore ornithological features of Liverpool Bay SPA does not form an impact pathway for LSE and has been appropriately screened out as an impact pathway.
Q9.2.4	The applicants	Onshore and intertidal ornithology Within the HRA Screening [APP-018], Table 1.25 for the assessment of LSE for the Morecambe Bay Special Protection Area (SPA) and Ramsar site, the ExA notes that there are differing conclusions on potential LSE to Lesser Black Backed Gull between the SPA and Ramsar site designations. Can the applicants provide further information to justify the difference in conclusions for this species.	<p>The Applicants note the identified inconsistency, and confirm the lesser black-backed gull feature of both the Morecambe Bay SPA and Morecambe Bay Ramsar Site should be screened out of the assessment of impacts (temporary loss of supporting habitats and/or resource availability and disturbance and displacement from construction, decommissioning, and operation and maintenance activities) for the operation and maintenance phase. This was an error in HRA Screening (APP-018) and Table 1.3 of the ISAA Part 3 (APP-017) which has been added to the updated errata document provided at Deadline 3 (S_D1_14/F03).</p> <p>The justification for screening out the lesser black-backed gull from operation and maintenance impacts is based on two key factors: the species' large foraging range — up to 236 km (Woodward <i>et al.</i>, 2019) — and the species tolerance to human activities. Given the limited nature of operation and maintenance activities, it can be concluded that there is no risk of LSE on the lesser black-backed gull during the operation and maintenance phases at the Morecambe Ramsar site or the Morecambe Bay and Duddon Estuary SPA.</p>
Q9.2.5	The applicants	Onshore and intertidal ornithology Table 1.24 of the Screening Report [APP-018] states that permanent loss of supporting habitats is only relevant to the construction phase, but the justification for the screening decision states that it is screened in for the decommissioning phase too. Can the applicants clarify this discrepancy and explain	<p>The Applicants note the identified inconsistency, however, can confirm that there will be no additional permanent habitat loss during the decommissioning phase (as habitats will be restored during this phase), as noted in paragraph 1.6.3.1 of the ISAA Part 3 (APP-017), so this impact should be screened in for the construction phase only.</p>

Reference	Question To	ExQ1	Applicants' response
		what additional permanent loss of supporting habitat is expected to arise in the decommissioning phase.	This was an error in in the HRA Screening – Table 1.24 Relevant Project Phase column (APP-018) which has been added to the updated errata document provided at Deadline 3 (S_D1_14/F03).
Q9.2.6	The applicants	<p>Onshore and intertidal ornithology</p> <p>Paragraph 1.5.6.10 of the Screening Report [APP-018] aims to explain the screening conclusions.</p> <p>Can the applicants clarify the reason why Bewick swan and pintail are screened out for all impacts and all phases, alone and in combination?</p>	<p>Both species have been screened out due to the absence of potential likely significant effects (LSE) on these features. The Applicants conducted a thorough assessment using two years of survey data and existing desktop data sources such as the Fylde Bird Club, alongside established knowledge of habitat preferences and population trends, to support this conclusion.</p> <p>Neither species were recorded during any of the Applicants two years of survey effort (see Table 1.67 of the ISAA Part 3 (APP-017)). Furthermore, pintail typically winters on open fresh and brackish waters. These habitats are not available within the Transmission Assets Onshore and Intertidal Infrastructure Areas. Bewick's swan has shifted its wintering distribution eastward in response to climate change (Beekman <i>et al.</i>, 2019²) and no longer regularly winters in the Ribble Estuary. Bewick's swan has not been recorded by the WeBS in the Ribble and Alt Estuaries since the winter of 2019/20 when four birds were present (Calbrade <i>et al.</i>, 2025³), with the Fylde Bird Club recording four the following winter in 2020/21. However, no birds have been recorded since. Therefore, it can be safely concluded that there will be no risk of LSE on either pintail or Bewick's swan.</p>
Q9.2.7	The applicants	<p>Onshore and intertidal ornithology</p> <p>Paragraph 1.5.6.10 of the Screening Report [APP-018] aims to explain the screening conclusions.</p>	The Applicants note the identified inconsistency, however, can confirm that that the operation and maintenance impacts for the temporary loss of supporting habitats and/ or resource availability, and disturbance and displacement, are fully assessed in sections 1.6.3.177 onwards and 1.6.3.304 onwards (respectively) of the ISAA Part 3 (APP-017). Each feature was evaluated with appropriate

² <https://wildfowl.wwt.org.uk/index.php/wildfowl/article/view/2706>

³ <https://www.bto.org/our-work/science/publications/reports/waterbirds-uk/2023-24>

Reference	Question To	ExQ1	Applicants' response
		Can the applicants clarify the rationale for screening out impacts during the operational phase for both the temporary loss of supporting habitats and/ or resource availability and disturbance and displacement, for certain features of the Morecambe Bay and Duddon Estuary SPA (lesser black-backed gull, herring gull and sandwich tern), Morecambe Bay Ramsar site (herring gull and sandwich tern), and Martin Mere SPA and Ramsar site (pink-footed goose), alone and in combination?	<p>justification, leading to the conclusion of No Adverse Effect on Integrity for any terrestrial or intertidal feature across all SPAs and Ramsar sites. This conclusion is based on the very limited and localised nature of habitat loss and disturbance during the Operation and Maintenance phase.</p> <p>This was an error in the HRA Screening (APP-018) Table 1.25 which has been added to the updated errata document provided at Deadline 3 (S_D1_14/F03).</p> <p>However, despite the Errata in the HRA Screening, there remains no gap in the assessment.</p>
Q9.2.8	The applicants	<p>Onshore and intertidal ornithology</p> <p>LSE are noted for several effect pathways to Martin Mere Ramsar Site (see Table 1.25 LSE matrix and Table 1.27 Summary of LSE in the HRA Screening Report [APP-018]). However, this site is not included in Table 1.23 on relevant sites, or, more importantly, in the determination of LSE (section 1.5.6) . There is no justification provided for screening out various pathways affecting this site (in paragraph 1.5.6.10). Can the applicants address this discrepancy and provide an assessment of LSE for Martin Mere Ramsar site?</p>	<p>The Applicants note the identified inconsistency, however, can confirm that the Martin Mere Ramsar site should be included as a site in Table 1.23 and in the determination of LSE in section 1.5.6.</p> <p>This was an error in Table 1.23 of the HRA Stage 1 Screening Report (APP-018) which has been added to the updated errata document provided at Deadline 3 (S_D1_14/F03).</p> <p>However, the Applicants note that this site was screened in (please refer to Table 1.25 and Table 1.27 in the HRA Stage 1 Screening Report). This site was therefore taken forward to the ISAA Part 3 (APP-017) (refer to Table 1.2 and Table 1.3 of the ISAA Part 3), where there is an assessment against the conservation objectives of the Martin Mere Ramsar Site (see the Applicants response to Q9.5.6; in the absence of site-specific objectives for Martin Mere Ramsar site, the conservation objectives of the Martin Mere SPA have been applied). It was concluded that adverse effects on qualifying features of the Martin Mere Ramsar Site would not occur as a result of impacts arising from the Transmission Assets alone or in-combination with other plans/projects (refer to Table 1.118 of the ISAA Part 3).</p>
Q9.2.9	The applicants, NE	<p>Onshore ecology</p> <p>Environmental Statement (ES) Chapter 3: Onshore ecology and nature conservation [APP-075] states that the Sefton Coast Special Area of Conservation (SAC) is 8.63km from the order limits. However, the</p>	<p>The Zone of Influence (ZOI) for LSE on Annex I habitats onshore is defined in section 1.4.5 of the HRA Screening to be a 350 m buffer from the Onshore Order Limits. For the designated Annex II great-crested newt, the ZOI is defined in section 1.4.6 of the HRA</p>

Reference	Question To	ExQ1	Applicants' response
		site is not included in the HRA Screening Report. Given the proximity, can the applicants confirm why they have not included an assessment of LSE to Sefton Coast SAC. Can NE confirm if it considers there is the potential for LSE to this site?	<p>Screening (APP-018) to be a 2 km buffer from the Onshore Order Limits.</p> <p>The Sefton Coast SAC is designated for onshore ecology receptors (Annex I habitats and Annex II species) and is not included in the HRA Screening (APP-018), as at over 8 km away, this site is outside of the 350 m and 2 km ZOI defined for the relevant features and there is no pathway to impact and no potential for LSE.</p>
Q9.2.10	The applicants, NE	<p>Onshore ecology</p> <p>ES Chapter 3 [REP2-008] notes that Morecambe Bay SAC is within 15.48km. Can the applicants confirm whether there are any pathways of effect to Morecambe Bay SAC. Can NE confirm if it considers there is the potential for LSE to this site?</p>	<p>The Morecambe Bay SAC is designated for onshore ecology receptors (Annex I habitats and Annex II species) and offshore ecology receptors (Annex I habitats).</p> <p>The ZOI for LSE on Annex I habitats onshore is defined in section 1.4.5 of the HRA Screening (APP-018) to be a 350 m buffer from the Onshore Order Limits.</p> <p>For the designated Annex II great-crested newt, the ZOI is defined in section 1.4.6 of the HRA Screening to be a 2 km buffer from the Onshore Order Limits.</p> <p>For Annex I habitats offshore, the ZOI was defined in section 1.4.2 of the HRA Screening to be a precautionary 15 km buffer from the Offshore Order Limits.</p> <p>Therefore, this site is outside of the ZOI defined for the relevant onshore and offshore features and there is no pathway to impact and no potential for LSE.</p>
Q9.2.11	The applicants, NE	<p>Onshore ecology</p> <p>ES Chapter 3: Onshore Ecology and nature conservation [APP-075] (Table 3.7) states that the Ribble and Alt Estuary Ramsar site is designated for Criteria 2: 'this site supports up to 40% of the Great Britain population of natterjack toads <i>Bufo calamita</i>'. However, impacts to this feature have not been assessed in the HRA Screening Report. Confirm whether there is the potential for LSE? In addition,</p>	<p>The Applicants note the identified inconsistency, however, can confirm that as noted in paragraph 3.11.3.3 <i>et seq.</i> of ES Chapter 3: Onshore Ecology and Nature Conservation (APP-075), natterjack toad are not considered to be present in the Onshore Order Limits or Fylde dunes system. There are also no records of this species either from the desktop study or site-specific surveys. With specific reference to the Ribble and Alt Estuary Ramsar site, natterjack toad have only been recorded in sand dune habitats south of the Ribble</p>

Reference	Question To	ExQ1	Applicants' response
		what is the potential for LSE on the habitat features of the Ramsar site?	<p>Estuary, (JNCC, 2018⁴; NBN, 2025⁵), and as such would not be affected by the Transmission Assets project.</p> <p>As such, there is no pathway to impact and no potential I for LSE on the natterjack toad feature of the Ribble and Alt Estuary Ramsar Site.</p> <p>This error in section 1.4.6 of the HRA Screening (APP-018) and natterjacks should have been included as a designated feature of the Ribble and Alt Estuary Ramsar Site under sites designated for onshore species; this has been added to the updated errata document provided at Deadline 3 (S_D1_14/F03).</p>
9.3 ISAA			
Q9.3.1	The applicants, NE	<p>Onshore ecology</p> <p>At relevant representation [RR-1601], entry G16, NE refer to the Ribble and Alt Estuaries in its concerns relating to “the worst-case scenario i.e. cable installation failure when using the Direct Pipe Trenchless Technique whereby the Applicant needs to use an alternative technique has not been assessed” The ExA notes the applicants’ response [PDA-021] which states that “The Applicants will continue discussions with Natural England in relation to the assessment of alternative trenchless techniques”. Can the applicants confirm how the potential for alternative techniques at this location (with reference to the Ribble and Alt Estuaries SPA / Ramsar site) has been considered within the HRA ISAA [APP-017]? Can NE confirm whether there are any implications for the conclusions of the HRA screening [APP-018] or ISAA [APP-017] as a result</p>	<p>The Applicants have committed to using Direct Pipe as the trenchless technique beneath the Lytham St Annes SSSI and the St Annes Old Links Golf Course (CoT44), which has been fully assessed within the conclusions of the HRA. At the River Ribble crossings, both Direct Pipe and micro-tunnelling techniques have been fully assessed. Alternative trenchless methods, such as Horizontal Direction Drilling (HDD), would only be deployed if the technique remains within the assessed maximum design scenarios. Therefore, the conclusions set out within the HRA ISAA [APP-017] will remain valid, and no additional adverse effects will arise beyond those already assessed. The Applicants will continue engagement with Natural England in relation to the assessment of alternative trenchless techniques.</p>

⁴ <https://jncc.gov.uk/jncc-assets/Art17/S6284-EN-Habitats-Directive-Art17-2019.pdf>

⁵ https://records.nbnatlas.org/occurrences/search?q=lsid:NHMSYS0020194825&fq=occurrence_status:present&nbn_loading=true#tab_mapView

Reference	Question To	ExQ1	Applicants' response
		of the absence of assessment of alternative trenchless techniques).	
9.4 ISAA Part 2			
Q9.4.1	NE	<p>Benthic Special Areas of Conservation</p> <p>The ExA notes that NE has detailed a number of concerns over the applicants' assessment on the Fylde Marine Conservation Zone (MCZ) [RR-1601]. Noting that this site is directly adjacent to the Shell Flats and Lune Deep SAC, for the avoidance of doubt can you confirm whether you consider there are any concerns relating to this site (or any others) in relation to the conclusion of the HRA screening and ISAA as a result of your concerns over the assessment of effects on the Fylde MCZ.</p>	<p>Although this question is aimed at Natural England, the Applicants would comment that the impacts assessed for the Fylde MCZ (direct and indirect impacts due to the Offshore Elements of the Transmission Assets overlapping with the MCZ) were different to the Shell Flat and Lune Deep SAC, which assessed indirect impacts only. The Shell Flat and Lune Deep SAC is located outside of the ZOI for direct impacts including temporary habitat loss/disturbance and long-term habitat loss (for which most of the Fylde MCZ concerns raised by Natural England relate to) because there is no spatial overlap (refer to Table 1.11 of the HRA Stage 1 Screening Report (APP-018)).</p> <p>The Applicants also note that (as outlined in Table 1.11 of the HRA Stage 1 Screening Report (APP-018)) the Shell Flat and Lune Deep SAC is expected to be located outside the ZOI for indirect impacts (since the SAC is located 5.7 km to the north of the Offshore Order Limits, perpendicular to the main orientation of the sediment plume (created during export cable installation activities)). However, following concerns raised by Natural England as part of statutory consultation on the Preliminary Environmental Information Report (PEIR) (see Table 1.1 of the HRA Stage 1 Screening Report (APP-018)) regarding the volume of sandwave clearance required and the subsequent effects on the SAC, indirect impacts on this SAC were screened into the ISAA Part 2 (APP-016), on a precautionary basis.</p> <p>The ISAA Part 2 concluded that there was no risk of an adverse effect on site integrity of the Shell Flat and Lune Deep SAC from the Transmission Assets alone or in-combination with other plans/projects, as effects at this distance will be negligible (paragraph 1.6.3.19, 1.6.3.23, 1.6.4.45 and 1.6.4.72 of the ISAA Part 2 (APP-016)).</p>

Reference	Question To	ExQ1	Applicants' response
Q9.4.2	NE	Marine Mammal SACs <p>In NE's relevant representation [RR-1601] NE raises (E1 and E17) matters relating to the inclusion of Unexploded Ordnance (UXO) clearance within the Deemed Marine Licence in the draft Development Consent Order (dDCO). Whilst it is noted that the applicants have removed high order UXO clearance from the draft DMLs (dDML), can NE confirm whether there are any implications for the conclusions of the HRA assessments from UXO being included in the dDML?</p>	<p>Although this question is directed at Natural England, the Applicants would note that the HRA Stage 2 ISAA Part 2 predicted that effects of UXO clearance would not result in adverse effects on integrity of any SAC with Annex II marine mammal features, either alone or in combination with other plans and projects (see section 1.8.4 and 1.8.5 of APP-016). This assessment was based on UXO clearance for the maximum design scenario of high order UXO clearance for a 907 kg UXO. The removal of high order UXO clearance from the dDML (see REP1-008) will result in considerably reduced effects on marine mammal receptors as demonstrated by Table 4.22 and Table 4.20 of Volume 2, Chapter 4: Marine mammals (APP-050), which show modelled PTS ranges of up to 15,370 m for high order UXO clearance and reduced modelled PTS ranges associated with low order UXO clearance (i.e. up to 2,290 m for PTS for low order UXO clearance). Further, the assessment showed that even for the MDS of high order UXO clearance of 907 kg, there was no potential overlap with the nearest SAC (North Anglesey Marine/Gogledd Môn Forol SAC, located 28.5 km from the Transmission Assets Order Limits) for either predicted absolute maximum PTS ranges, or for the Effective Deterrence Range (EDR) of 26 km (as recommended in "Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs" (JNCC, Natural England, DAERA, 2020)). Furthermore, the Applicants highlight that the JNCC recommends a 5 km EDR for low order UXO clearance (JNCC, 2025), therefore the potential for overlap with the nearest SAC with this recommendation is further reduced. Given that PTS ranges have reduced significantly, the distance between the impact and the nearest SACs would also be significantly increased.</p> <p>As such, the overall conclusions of the HRA Stage 2 ISAA Part 2 (APP-016) (i.e. no adverse effects on integrity) are not affected by the removal of high order UXO clearance, other than to reduce any residual risk of adverse effects substantially.</p>
9.4.3	NE, NRW	Marine Mammal SACs	<p>Although this question is directed at Natural England, the Applicants would note that this approach to the assessment of impacts to marine mammal features was presented to the Morgan Offshore</p>

Reference	Question To	ExQ1	Applicants' response
		<p>The ExA notes that the assessment of impacts to marine mammal features has been undertaken in a 'two tier' approach (outlined in paragraphs 1.8.1.2 to 1.8.2.4 of ISAA Part 2 [APP-016]). Some sites are assessed 'in full', against the conservation objectives, and for the remaining sites an iterative approach was taken. This applied the conclusion from the site closest to the Offshore Order Limits to assess the remaining sites located at a greater distance from the Offshore Order Limits. Whilst conclusions are provided for these sites, the relevant conservation objectives are not provided or assessed against. Can you confirm if you have any concerns with the applicants' methodology for the HRA assessment of marine mammals?</p>	<p>Wind Project: Generation Assets marine mammal Expert Working Group (EWG03, 17 November 2022). This approach was carried through to the HRA Stage 2 ISAA for the Morgan and Morecambe Offshore Wind Farms: Transmission Assets to maintain a consistent approach across the projects.</p> <p>This iterative approach was originally recommended by Natural Resources Wales (NRW) for the Mona Offshore Wind Project, who confirmed agreement with the approach. Natural England however did not agree to this iterative approach for the Morgan Offshore Wind Project: Generation Assets. As such, for sites located partly or exclusively in English or Northern Ireland waters a full assessment against the conservation objectives was undertaken. The iterative approach was therefore only followed for those SACs exclusively located in Welsh or Irish waters. Those sites which were assessed in full are set out in table 1.81 of Volume 2, Chapter 4: Marine mammals (APP-050).</p>
9.5 ISAA Part 3			
Q9.5.1	NE	<p>Offshore Ornithology</p> <p>The applicants state in [PDA-020] (response to NE Issue F1 [RR-1601]) that you have agreed to the approach to the cumulative assessment through the Evidence Plan process and maintains that the assessment is robust. If your view has changed since the Evidence Plan, explain why this is the case and provide reasons why a quantified cumulative assessment of displacement and disturbance impacts is required. Which receptors are you primarily concerned about?</p>	<p>The Applicants note Q9.5.1 is directed towards NE and shall not be responding.</p>
Q9.5.2	NE	<p>Offshore Ornithology</p> <p>In response to NE Issue F9 [RR-1601], the applicants provide justification for including the</p>	<p>The Applicants note Q9.5.2 is directed towards NE and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
		populations from Irish SPAs in a bespoke regional population [PDA-020]. Considering the applicants' response, why does NE consider Furness is more appropriate?	
Q9.5.3	NE	Offshore Ornithology Are you satisfied with the applicants' response regarding the exclusion of West of Duddon Sands Offshore Windfarm from the in-combination assessment for either common scoter or red-throated diver (see response to F17 in [PDA-020])?	The Applicants note Q9.5.3 is directed towards NE and shall not be responding.
Q9.5.4	The applicants	Offshore Ornithology You state in [PDA-020] (response to F21) that the Hynet CCS project was identified as a Tier 2 project as it is currently in the pre-application stage. Hynet Carbon Dioxide Pipeline was granted development consent on 20 March 2024. Hynet Northwest Hydrogen Pipeline is currently in pre-application. Confirm that the cumulative and in-combination assessments have considered the effects of these two separate projects appropriately.	<p>The Hynet CCS project was identified as a Tier 2 project within the Application and categorised as a project with Low data confidence in relation to offshore ornithological receptors due to an absence of information pertaining to potential impacts from this project.</p> <p>An update to the Cumulative Screening matrix and location plan submitted at Deadline 1 (REP1-020) reclassified the Hynet CCS project as a Tier 1 project, and it was considered as such for Offshore Ornithology receptors within the Review of the Cumulative Effects Assessment and In-Combination Assessment submitted at Deadline 2 (REP2-043).</p> <p>The offshore ornithological species progressed to the cumulative assessment in Volume 2, Chapter 5: Offshore Ornithology (APP-053) were cormorant, common scoter, eider, red-breasted merganser, red-throated diver and scaup. The qualifying features progressed to the in-combination assessment in Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017) were qualifying features of the Liverpool Bay/Bae Lerpwl SPA namely red-throated diver, cormorant, common scoter and red-breasted merganser. These species are present within the relevant ornithological study areas in the non-breeding season only. Therefore following the</p>

Reference	Question To	ExQ1	Applicants' response
			<p>project's commitment to a seasonal restriction during the non-breeding season on export cable installation activities between November and March (inclusive) within the Liverpool Bay SPA/Bae Lerpwl SPA (as designated in 2010), including a 2 km buffer (CoT111 of F1.5.3 Environmental Statement Volume 1, Annex 5.3: Commitments Register (REP2-011)), the Transmission Assets no longer contribute to a cumulative or in-combination impact on the qualifying features of the Liverpool Bay SPA and therefore cumulative and in-combination assessments for these receptors/features is no longer required.</p> <p>The Hynet Carbon Dioxide Pipeline was included in the update to the Cumulative Screening matrix and location plan submitted at Deadline 1 (REP1-020) as a Tier 1 project, and screened out of the assessment for Offshore Ornithology on the basis of no conceptual or physical effect-receptor pathway.</p> <p>Therefore, although the Hynet Carbon Dioxide Pipeline was not included in the Cumulative screening exercise undertaken for the project, this does not affect the assessment as cumulative and in-combination assessments for qualifying features of the Liverpool Bay SPA / Bae Lerpwl SPA are no longer required.</p> <p>The Hynet Northwest Hydrogen Pipeline is an entirely onshore project, and there is no conceptual or physical effect-receptor pathway for offshore receptors. Therefore, this project is not included within the cumulative effects assessment for offshore topics.</p> <p>The Applicants confirm that the cumulative and in-combination assessments have considered the effects of the Hynet CCS project, Hynet Carbon Dioxide Pipeline and Hynet Northwest Hydrogen Pipeline appropriately, where relevant to offshore ornithology receptors.</p>
Q9.5.5	Orsted Interested Parties (IPs)	Offshore Ornithology The ExA notes that the Orsted interested parties (IPs) have raised general concerns over the applicants' assessment of effects and the absence of a compensation and derogations case for the	The Applicants note Q9.5.5 is directed towards Orsted IPs and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		Liverpool Bay SPA, however no specific concerns have been raised. Can the Orsted IPs detail any specific concerns over the HRA screening and ISAA conclusions?	
Q9.5.6	The applicants	Onshore and intertidal ornithology For the assessment of onshore and intertidal ornithology [APP-017] , in the absence of site-specific objectives for the Ribble and Alt Estuary Ramsar site, Morecambe Bay Ramsar site and Martin Mere Ramsar site, is the applicant applying the conservation objectives of the overlapping SPAs?	The Ribble and Alt Estuary Ramsar site, Morecambe Bay Ramsar site and Martin Mere Ramsar site have the same designated features as the overlapping SPAs. Therefore, the Applicants can confirm that the same conservation objectives have been applied to these Ramsar sites.
Q9.5.7	NE	Onshore and intertidal ornithology In light of the applicants' clarification regarding impacts to common tern from the Preston Dock colony (see [PDA-023]), does this resolve NE's concerns in H43 of [RR-1601]? If not, why not?	The Applicants note Q9.5.7 is directed towards NE and shall not be responding.
Q9.5.8	The applicants	Onshore and intertidal ornithology Submit a revised version of Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017) to address the discrepancy in paragraph 1.6.3.182 raised by NE in H58 of its RR [RR-1601] (RI_H50 of [REP1-093]).	The Applicants note the discrepancy in referring to the Liverpool Bay SPA in paragraph 1.6.3.182 of the ISAA Part 3 (APP-017) when it should have stated Ribble and Alt Estuaries SPA and acknowledges that this is a small error which does not alter the conclusions of the assessment. This has been included in the Errata document submitted at Deadline 3 (S_D1_14/F03).
Q9.5.9	NE	Onshore and intertidal ornithology The applicant states that herring gull, Arctic tern and great black-backed gull are not listed as assemblage	The Applicants note Q9.5.9 is directed towards NE and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		features of the Ribble and Alt Estuaries SPA (see applicant's response to NE's relevant representation [PDA-023]). Can you confirm? Does this alter NE's concerns expressed in H54 and H55 of [RR-1601]?	
Q9.5.10	NE	<p>Onshore and intertidal ornithology</p> <p>In H53 [RR-1601] you disagree with the applicants' assessment at paragraph 1.6.3.136 of the ISAA Part 3, which states that as all features of the non-breeding waterbird assemblage have been assessed independently there is not predicted to be any additional impact upon the assemblage. Explain why NE disagrees with the applicant and what additional information is required.</p>	The Applicants note Q9.5.10 is directed towards NE and shall not be responding.

2.10 Hydrology and flood risk

Table 2.10: Hydrology and flood risk

Reference	Question To	ExQ1	Applicants' response
Q10.1.1	The applicants (a-c), Environment Agency (EA), Lancashire County Council (LCC) (d)	<p>Sand dunes</p> <p>The applicants' assessment of the potential for increased flood risk arising from damage to the existing flood defences, including the sand dunes at Lytham St Annes is presented within section 2.11.4 of Hydrology and flood risk chapter of the Environmental Statement (ES) [APP-070]. This concludes that as a result of the embedded mitigation measures set out there will be no increase in flood risk as a result of the installation of the offshore export cables.</p> <p>Project Commitment 102 [REP2-011] makes references to "unforeseen circumstances" ("Where closures are required for longer periods due to unforeseen circumstances encountered during construction").</p> <ul style="list-style-type: none"> a) Could those "unforeseen circumstances" increase the flood risk as a result of the installation of the offshore export cables? b) Explain and provide a full list of potential foreseeable consequences that could be connected to the unforeseen circumstances. c) As the possibility of "unforeseen circumstances" that could lead to prolonged closures of sections of public rights of way is acknowledged in the 	<p>a) The Applicants highlight that Project Commitment 102 relates to identified Public Rights of Way, not the sand dunes which are public open space. The full text of CoT 102 is set out below:</p> <p><i>Where sections of PRoWs are required to be closed during the construction of the onshore export cable corridor and 400 kV grid connection cable corridor, they will not be closed for any longer than three months at any one time, or for six months in total over the whole construction period. Where closures are required for longer periods due to unforeseen circumstances encountered during construction, Lancashire County Council will be informed in writing. This will be in accordance with the Outline PRoW Plan that has been prepared, as part of the Outline CoCP and submitted as part of the application for development consent.</i></p> <p>The Applicants have previously confirmed [Paragraph 3.1.1.6, REP1-040] that there will be no closure of the beach or the sand dunes during construction of the Transmission Assets project. The Applicants therefore assume that the reference to CoT 102 is in relation to c) and d) not a) and b) and have responded on that basis.</p> <p>As noted below in the response to b) the unforeseen circumstances all relate to extended construction durations in any given area, not the installation technique. Therefore, the Applicants maintain the position that any unforeseen circumstances associated with the installation of the offshore export cables would not directly impact the sand dunes at Lytham St Annes SSSI and thus there would be no increase to flood risk.</p> <p>b) The Applicants note that it is inherently difficult to provide a full list of "unforeseen circumstances", as by definition, these are unpredictable occurrences which may often be out with the Applicants' control. However, examples of potential unforeseen circumstances that could result in extended construction durations include mechanical breakdown of equipment, severe weather or ground conditions in a pocketed area not representative of obtained site investigation data. These would either mean that activities had to</p>

Reference	Question To	ExQ1	Applicants' response
		<p>commitments register why has an outline contingency plan (with an assessment of worst case scenario) not been submitted?</p> <p>d) Confirm that you agree with conclusions regarding no increase in flood risk as a result of the installation of the offshore export cables.</p>	<p>cease for a period of time or that anticipated construction durations are extended.</p> <p>c) As the Applicants have highlighted above, the beach and sand dunes are public open space, not a Public Right of Way, and there would be no closures that would restrict access, other than to small sections (working areas) of the beach. The vast majority of the beach, and all of the dunes, would remain accessible to the public during the construction phases and access along the beach would not at any point be prevented. This is set out within the Outline Open Space Management Plan, which forms part of the Outline Public Rights of Way (PRoW) Management Plan (AS-048). An outline contingency plan has not been submitted as the types of unforeseen circumstances described in 6.1.6(b), such as equipment breakdown or adverse weather, are already accounted for through adherence to the overarching management principles set out within section 1.5 of the Outline Public Rights of Way (PRoW) Management Plan (AS-048), as secured by Requirement 8 of Parts 2A & 2B of the draft DCO (REP2-004).</p>
Q10.1.2	EA	<p>Sequential and exception tests</p> <p>a) Can you confirm whether the applicants have adequately followed the sequential and exception tests related to Morgan onshore substation area and Morecamber onshore substation area.</p> <p>b) Can you confirm whether the applicants have adequately followed the sequential and exception tests related to landfall, onshore cable corridor and 400 kV export cable corridor.</p>	<p>The Applicants note Q10.1.2 is directed towards EA and shall not be responding.</p>
Q10.1.3	LCC	<p>Local flood risk drainage strategy</p>	<p>The Applicants note that this question is to LCC but highlight the following.</p> <p>An Outline Operational Drainage Management Plan (APP-215) has been submitted with the application which accords with National and Local Policy,</p>

Reference	Question To	ExQ1	Applicants' response
		Confirm, with reasoning, whether you consider the proposed development is in accordance with the local flood risk management strategy.	and the detailed Operational Drainage Management Plan (s) to be prepared at detailed design stage will be in accordance with the new National Standards for SuDS (19 June 2025). Furthermore, flood protection and flood control measures which will be implemented during construction are included within the outline CoCP (APP-193) for the construction phase activities.
Q10.1.4	LCC	Negotiations and protective provisions Can you confirm if you agree with the applicants' statement at D1 "Negotiations are ongoing and further to a recent call, the applicants have issued an updated draft of the protective provisions on 15 May. The applicants are confident that these can be agreed before the close of Examination." [REP1-065]	The Applicants note Q10.1.4 is directed towards LCC and shall not be responding.
Q10.1.5	The applicants	Post-construction discharge volume Can you confirm with explanation whether the post-construction surface water discharge volume would be no greater than the pre-existing volume for the proposed substations and access road development areas, and signpost where this is secured?	The Outline Operational Drainage Plan (APP-215) assumes that all surface water runoff will be attenuated in a pond located adjacent to each of the substation platforms and discharged to the Dow Brook at the QBAR rate (1 in 2-year return period). As the proposed discharge rate is based on QBAR, the post-construction surface water discharge volume would be no greater than the pre-existing volume (and provides a betterment compared to existing) for all events except the 1 in 1 year return period. This event can be discharged via a control on the outfall to restrict the 1 in 1 year to a lower flow rate during detailed design, as required. The calculations have been based on the substation platform areas with an impermeable area of 5.58 ha for the Morgan substation and 2.3 ha for the Morecambe substation, which has been assessed as part of the maximum design scenario, as details of the access roads are not yet fixed. However, the approach to calculating surface water runoff from the access roads will be the same as that adopted for the substation platform areas, i.e. discharging at

Reference	Question To	ExQ1	Applicants' response
			<p>QBAR rate to the Dow Brook. However, the attenuation volume may be an independent system depending on the location and layout of the access roads.</p> <p>Detailed Operational Drainage Management Plan(s) will be developed in accordance with the Outline Operational Drainage Management Plan (APP-215). The detailed Operational Drainage Management Plan(s) are to be approved by Lancashire County Council in their role as the Lead Local Flood Authority (LLFA) in consultation with the Environment Agency, as secured under Schedules 2A & 2B, Requirement 20 of the draft Development Consent Order.</p>
Q10.1.6	The applicants, EA, LCC	<p>Outline Operational Drainage Management Plan</p> <p>The Outline Operational Drainage Plan [APP-215] only deals with the onshore substation areas.</p> <p>Is there a need for such a plan for the whole cable corridor and/or landfall? If not, explain why.</p>	<p>An operational drainage plan is not required for the landfall, onshore export cable corridor and 400 kV grid connection cable as there will be no permanent above ground structures other than joint bay and link box covers at ground level and the existing land cover will be reinstated at surface level, in line with best practice, during the construction phase. Thus there will be negligible increases in impermeable area and resulting surface water runoff associated with these aspects of the Transmission Assets and flood risk will not increase during the operational and maintenance phase and no drainage to mitigate surface water runoff will be required.</p>
Q10.1.7	The applicants	<p>Outline Operational Drainage Management Plan</p> <p>Paragraph 1.4.2.10 of this plan states that runoff from the onshore substation sites will be directed to include water attenuation(s) which may take the form of including ponds. The ponds would store and help to filter the runoff before it is discharged. Due to safety concerns raised in relation to increased risk of bird strike have any alternatives been considered?</p>	<p>The attenuation ponds are designed to meet runoff requirements while discouraging flocking birds from gathering. Measures to achieve this include planting non-berry-bearing trees and shrubs to reduce the bird line of sight, thereby increasing their risk of predation and decreasing the suitability of the habitats for birds (see Appendix E to the OEMP, Outline Wildlife Hazard Management Plan (document reference S_D3_8). Additionally, no islands suitable for roosting will be featured into the pond design. Although the ponds and surrounding areas may occasionally be used by non-flocking species, they will be specifically designed so as to not attract flocks of birds. Therefore, the Applicants don't consider there is an increased risk of bird strike.</p>

Reference	Question To	ExQ1	Applicants' response
Q10.1.8	The applicants (a), EA, LCC (b)	<p>Commitments</p> <p>CoT39 [REP2-010] states "Fences, walls, ditches and drainage outfalls will be retained at the landfall and along the onshore export cable corridor and 400 kV grid connection cable corridor, where possible. Where it is not reasonably practicable to retain them, any damage will be repaired and reinstated as soon as reasonably practical. The Environment Agency must be notified if damage occurs to any Environment Agency main river or related flood infrastructure."</p> <p>a) Define "reasonably practicable" and "reasonably practical" in the context of retaining ditches and drainage outfalls.</p> <p>b) Do you consider the proposed wording to be adequate?</p>	<p>(a) The Applicants confirm that "reasonably practical", in the context of ditches and drainage outfalls, means that such features will always be retained during construction, unless doing so would be unsafe or unfeasible. For example, it is not reasonably practicable to retain ditches or drainage outfalls if they are damaged or structurally compromised beyond safe/economic repair, as it would be more beneficial to replace these features. Temporary drainage measures would be installed during construction to maintain effective drainage, and permanent reinstatement would be undertaken as soon as practical following completions of works in the affected area and as per Schedules 2A & 2B, Requirement 8 (Code of Construction Practice) of the draft Development Consent Order. The Applicants also note that CoT39 has been amended in the Commitments Register (F1.5.3/F04) to include the requirement for the applicant to notify the Lead Local Flood Authority of any damage to an ordinary watercourse or related flood infrastructure.</p> <p>(b) The Applicants note Q10.1.8(b) is directed towards EA and LCC and shall not be responding.</p>
Q10.1.9	The applicants (a), LCC (b)	<p>Commitments</p> <p>CoT82 [REP2-010] states "Where trenchless techniques are proposed for crossing ordinary watercourses, the entry and exit pits will be set back a minimum of 8 m from the bank of the watercourse. These crossings are detailed in the Onshore Crossing Schedule. Where required, geomorphological surveys will be undertaken on ordinary watercourses that may be crossed by trenched techniques. These will be used to inform detailed designs prior to construction."</p> <p>a) Explain the decision-making process in relation to statement "where required" in</p>	<p>a) The Applicants confirm that geomorphological surveys will be undertaken on ordinary watercourses that are to be crossed by trenched techniques and will be part of the details submitted to the Lead Local Flood Authority as part of the application for approval of plans for the specified work in line with the requirement of the Lead Local Flood Authority protective provisions. CoT82 has been amended in the Commitments Register (F1.5.3/F04) to remove the phrase 'where required').</p> <p>b) The Applicants note Q10.1.9(b) is directed towards LCC and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
		<p>relation to surveys to be undertaken on ordinary watercourses.</p> <p>b) Do you consider this an adequate mitigation measure that satisfactorily address concerns raised in [REP1-085] - response provided in [REP2-039, reference REP1-085 11.9]?</p>	
Q10.1.10	The applicants (a), EA, LCC (b)	<p>Commitments</p> <p>CoT84 [REP2-010] states “An Outline Code of Construction Practice (oCoCP) has been prepared a submitted with the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. In order to manage impacts to field drainage, the Outline CoCP stipulates field drainage plans will be developed 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”.</p> <p>a) Explain the decision-making process in relation to statement “if required, additional field drainage will be installed”.</p> <p>b) Do you consider the proposed wording to be adequate?</p>	<p>(a) The decision making process for determining whether additional field drainage is required will be information by a combination of engineering and land management considerations. During detailed design stage, the existing field drainage systems will be assessed in consultation with the landowners to understand local drainage conditions.</p> <p>To ensure the existing drainage of the land is maintained during and after construction, additional field drainage will be installed where identified in field drainage plans which will be developed in consultation with the relevant landowners. The Applicants have amended CoT84 to remove the phrase 'if required' and for clarity have included 'where identified in the field drainage plans' (F1.5.3/F04).</p> <p>(b) The Applicants note Q10.1.8(b) is directed towards EA and LCC and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
Q10.1.11	The applicants (a), EA, LCC (b)	<p>Commitments</p> <p>CoT96 [REP2-010] states “The Outline Code of Construction Practice (oCoCP) has been submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. 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, where this may be possible.”</p> <p>a) Explain the decision-making process in relation to phrased “where reasonably practicable” and “where this may be possible”.</p> <p>b) Do you consider the proposed wording to be adequate?</p>	<p>a. The phrases “where reasonably practicable” and “where this may be possible” are commonly used in planning and construction documents to allow for flexibility while maintaining a commitment. “Where reasonably practicable” implies a balancing test between the benefit of maintaining access and the cost, time, or technical feasibility of doing so. The Agricultural Liaison Officer (ALO) in consultation with the landowner will take into consideration safety, technical feasibility and delivery. The use of this wording is to provide the necessary flexibility, that while the intention is to maintain or provide alternative access, it is not guaranteed. This phrase allows for site specific constraints or unforeseen circumstances to be considered, such as landowner preferences, area of severed land to be accessed, timing of works and engineering limitations. The Applicants will engage and communicate with the landowner regarding movements along tracks during construction to minimise disruption. Where access cannot be maintained or the area of land to be accessed is small and therefore unviable, compensation will be paid under the Compensation Code.</p> <p>b. The Applicants note Q10.1.11(b) is directed towards EA and LCC but wish to highlight that the Applicants consider the proposed wording is adequate as it acknowledges the importance of maintaining farm access, which is crucial for agricultural continuity, it builds in flexibility, which is necessary for the detailed design of the project which will be completed post consent and it requires engagement with landowners and occupiers. The provisions for the ALO are secured through the Outline Code of Construction Practice (APP-193), Requirement 2A & 2B of the Draft Development Consent Order (REP2-004).</p>
Q10.1.12	The applicants	<p>Groundwater risk at transition joint bays (TJB)</p> <p>ES Chapter 3 [AS-025, table 3-14] identifies the maximum area of proposed TJBs as 1100m² for Morgan and 500m² for Morgan with a maximum depth of 4m. Can you signpost to where the volume of subterranean impact of these TJBs to groundwater has been assessed?</p>	<p>The impact of the construction works at the TJBs to groundwater is assessed in Sections 1.11.4 , 1.1.11.6 and 1.11.9 of Volume 3, Chapter 1: Geology, hydrogeology and ground conditions (APP-068). This assesses the potential impact of groundwater dewatering associated with the construction of the TJB, on groundwater levels and existing groundwater abstractions. The groundwater levels within the vicinity would be locally reduced near the TJB, however this impact is considered to be short term and localised in nature. With mitigation</p>

Reference	Question To	ExQ1	Applicants' response
			measures in place including the commitment (CoT119 and CoT128) to undertake a detailed hydrogeological risk assessment(s) at detailed design stage (outline HyRA has been submitted at Deadline 3, S_D3_6), the assessment concluded that the effect is not significant.

2.11 Historic Environment

Table 2.11: Historic Environment

Reference	Question To	ExQ1	Applicants' response
Q11.1.1	The applicants	<p>Designated heritage assets</p> <p>Table 1.2 of Volume 5, Annex 5.5 (Settings assessment) of the Environmental Statement (ES) [APP-102] reviews the settings of designated heritage assets that have been scoped into the applicants assessment.</p> <p>Notwithstanding the assessment already provided, in the case of the grade I listed Old Lea Hall Farmhouse (Ref. 1361663), along with the nearby grade II listed stable block (Ref. 1073511) and barn (Ref. 1317477), can the applicants provide further explanation of how, in each case, their setting, including any land within the Order limits, makes a contribution to its heritage significance?</p>	<p>Table 1.2 in ES Volume 5, Annex 5.5: Settings assessment (APP-102) provides an initial appraisal of the settings of designated heritage assets that were scoped into the detailed assessment.</p> <p>The Grade I listed building known now as Old Lea Hall Farmhouse was initially constructed in the late 17th or early 18th century as a domestic range of a late medieval manor house of the de Hoghton family. It is the only surviving element of the manor house; all other parts have subsequently been demolished. The heritage significance of this building derives mostly from its historical and evidential values. The historical values relate to information which can be obtained from examination of archive material (documents, maps, images etc) which show how the building has been used and how this has changed over time. The evidential values are those associated with the fabric of the building and how this could be examined to provide information regarding the date of construction and subsequent amendments and additions. The listing description provides a summary of these evidential values in the form of a description of the architecture, including the materials used for each of the visible elements. Further evidential values could arise from any opportunity to examine the layout of the former manor house through archaeological investigation. There are also aesthetic values associated with how the building is perceived and appreciated with regard to its design and visual appearance, and communal values which derive from the meanings of the buildings for the occupants and for local people.</p> <p>Approximately 50 m to the south of Old Lea Hall Farmhouse is a Grade II listed stable block. This was</p>

Reference	Question To	ExQ1	Applicants' response
			<p>constructed in the early 17th century, therefore it predates the former domestic range discussed above and was clearly associated with the late medieval manor house. Again, the heritage significance of this building derives mostly from its historical and evidential values, with some aesthetic values although these are reduced by the presence of a corrugated sheet metal roof which detracts from its visual appearance. The listing description explains that the stable block was listed for its group value with Old Lea Hall Farmhouse as it is one of the two surviving farm buildings at the former manor house site.</p> <p>The second of these two surviving farm buildings is also Grade II listed for its group value with Old Lea Hall Farmhouse (and the stable block). This is a barn located approximately 120 m south east of Old Lea Hall Farmhouse and 70 m east of the stable block. The barn was constructed in the early 17th century and thereby is contemporary with the stable block and earlier than the farmhouse. It has been altered and was partly demolished and rebuilt in the 20th century.</p> <p>Taken together these three listed buildings represent the surviving elements of a former manor house complex which was also used as the base for farming. Although early maps and documents refer to this site as Old Lea Hall and do not mention the presence of a farm, the stable block and the barn provide clear evidence that farming was undertaken from here since at least the early 17th century.</p> <p>The setting of the listed buildings includes the other farm buildings, all of which appear to be of 20th century date. These include structures that are attached to both of the Grade II listed buildings as well as free-standing structures. None of these have any architectural merit and are considered to be detracting elements within the setting, although it could be argued that they also contribute towards the heritage significance of the listed buildings as they confirm the nature of the activities undertaken here.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Grade I listed Old Lea Hall Farmhouse is slightly separated from the farm buildings and its setting is more greatly affected by the presence of the A583 road that is only around 25 m to the north. This part of the A583 is a dual carriageway and just to the east is the recently-constructed junction with the A582 Edith Rigby Way. The traffic noise and air quality issues associated with the road, in addition to its visual impact, are detracting elements within the setting of the former farmhouse.</p> <p>Land to the north of the A582 associated with Old Lea Hall has been recently sold for residential development. Land to the south of the farm, including land within the Order Limits, still retains an association with the listed buildings and makes some contribution towards their heritage significance.</p> <p>Overall the setting of the listed buildings makes a fairly small contribution to their significance. Positive elements include the farmland to the south as this is associated with the use of the buildings (former use in the case of the farmhouse), whilst negative elements include the dual carriageway just to the north.</p> <p>The 400 kV grid connection cable corridor is located approximately 65 m to the south of the Grade I listed Old Lea Hall Farmhouse and there would be clear visibility of the construction activity in views from, towards and across the listed building. However, construction noise is unlikely to be noticeable due to the proximity of the listed building to the A583 road. The construction work would not affect the historical and evidential values associated with the listed building, or the group values associated with the historic farm buildings.</p> <p>The Grade II listed stable block is located approximately 40 m to the north of the 400 kV grid connection corridor. Other intervening farm buildings prevent direct intervisibility between the stable block and the construction activities, but the association with the farmland does not</p>

Reference	Question To	ExQ1	Applicants' response
			<p>depend on visibility. A construction access route passes through the farm and directly adjacent to the southern end of the stable block.</p> <p>The Grade II listed barn is located approximately 40 m to the north of the 400 kV grid connection cable corridor. A second construction access route passes through the farm and just to the north of the barn.</p> <p>The construction work would not affect the historical and evidential values associated with the two Grade II listed buildings, or the group values associated with the other listed buildings. However, the association with the farmland to the south would be affected by the construction work as a result of construction noise from a direction where current noise sources do not exist, and also due to the land within the construction corridor being fenced off and unavailable for use.</p> <p>All of the impacts to the listed buildings at Old Lea Hall Farm would occur during construction; there would be no impacts during operation and maintenance as the land will be restored to its current use following the completion of construction. The magnitude of impact on each of the listed buildings as a result of the change within their setting during construction has been assessed as low adverse, resulting in a minor adverse effect in each case. In terms of the level of harm to the heritage significance of each building as required in the tests set out in NPS-EN1, for each of the listed buildings the harm would be less than substantial and very much towards the lower end of that scale.</p>
It Q11.1.2	The applicants	New Hall Farmhouse Preston City Council have raised concerns [REP1-095] regarding the effect of the proposed development on the setting of several listed buildings, including the barn	The Grade II listed barn approximately 75 m north of New Hall Farmhouse was constructed in around 1700, although some of the timbers clearly came from earlier buildings and were reused here. This barn seems to have been associated with the house to the south which appears on early 19th century maps as New Lea Hall. This house was

Reference	Question To	ExQ1	Applicants' response
		<p>north of New Hall Farmhouse (List Entry Ref. 1165029).</p> <p>The reasons for this listed building being scoped out of the applicants' assessment [APP-102] are noted. However, bearing in mind the duty in Regulation 3(1) of the Infrastructure Planning (Decisions) Regulations 2010 and given the proximity of this building to the proposed 400kV connection cable corridor, can the applicants provide an assessment of the effects upon the setting and significance of this listed building?</p>	<p>rebuilt in the mid-19th century and is not mentioned in the listing description for the barn. The barn was initially an isolated structure but towards the end of the 19th century it was extended and became the western range of a square courtyard arrangement of farm buildings in the 'model farm' style. Much of this arrangement is still intact, although the north east corner has been sliced off to make room for the A582 road. Farm buildings to east of the courtyard were also removed for the same purpose.</p> <p>The heritage significance of the Grade II listed barn derives mostly from its historical and evidential values. The historical values relate to information which can be obtained from examination of archive material (documents, maps, images etc) which show how the building has been used and how this has changed over time. The evidential values are those associated with the fabric of the building and how this could be examined to provide information regarding the date of construction and subsequent amendments and additions. The listing description provides a summary of these evidential values in the form of a description of the architecture, including the materials used for each of the visible elements. There are also aesthetic values associated with how the building is perceived and appreciated with regard to its design and visual appearance, and communal values which derive from the meanings of the buildings for the occupants and for local people.</p> <p>The setting of the barn includes the other farm buildings here, particularly the surviving elements of the late 19th century 'model farm' courtyard arrangement. However, this arrangement is incomplete, and appreciation of the layout is hampered by the presence of a large modern farm building immediately east of the barn (and within the courtyard). The relationship with New Lea Hall just to the south is also an</p>

Reference	Question To	ExQ1	Applicants' response
			<p>important element of the setting. The busy A582 road to the east is a detracting element in terms of traffic noise.</p> <p>There is an associative value with the farmland to the south as this is likely to have been farmed from New Lea Hall, but there is no visible connection due to the presence of other intervening buildings and mature vegetation.</p> <p>The 400 kV grid connection cable corridor is located around 250 m to the south of the barn. A construction access route passes just to the north of the barn, crossing the courtyard of the 'model farm'. No part of the construction work would be visible in views from or towards the listed building.</p> <p>The construction work would not affect the historical and evidential values associated with the Grade II listed building, or the associations with the other farm buildings and with New Lea Hall. The association with the farmland to the south would be affected by the construction work due to the land within the construction corridor being fenced off and unavailable for use. However, this is a very minor issue and would not affect the heritage significance of the listed building in any measurable way.</p>
Q11.1.3	South Ribble Borough Council (SRBC)	<p>Hesketh Farm</p> <p>Paragraph 5.15 of SRBC's local impact report (LIR) sets out concerns regarding the effects on the grade II listed Hesketh Farm near Penwortham substation. SRBC disagrees with the applicants that Hesketh Farm has limited heritage significance.</p> <p>Could SRBC set out what it considers to be the heritage significance of this listed building and explain in further detail the effect that</p>	<p>The Applicants note Q11.1.3 is directed towards SRBC and therefore shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
		might result upon its setting and significance from the proposed development?	
Q11.1.4	The applicants and Flyde Council	<p>Non-designated heritage assets</p> <p>The applicants' response to Flyde Borough Council's (FBC) concerns [11.1.8 of REP1-078] regarding the effect on non-designated heritage assets explains that the temporary changes arising from construction works would not affect the heritage significance of the locally listed buildings.</p> <p>a) Noting paragraph 5.9.33 of NPS EN-1 which says that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset, are there any instances where the proposed development would lead to any harm (not just significant harm) to the significance of any non-designated heritage asset through the proposed works within their setting. If so, provide a brief assessment of such cases.</p> <p>b) Noting paragraph 11.1.8 of FBC's LIR, can the Council provide details of each non-designated heritage asset where it considers that any harm might result to its setting and significance.</p>	<p>In their Local Impact Report [REP1-078, 11.1.8], FBC referenced three Locally Listed Buildings and asserted that these were located within the onshore export cable corridor, but that no assessment of impacts had been presented. In their response to this LIR, the Applicants explained that none of the three locally listed buildings referenced by FBC are actually located within the Order Limits for the Transmission Assets [REP2-038].</p> <p>The locations of locally listed buildings (LLB) and other non-designated heritage assets are indicated on Figures 1.7 – 1.16 in ES Volume 3, Annex 5.1: Historic environment desk-based assessment [APP-097]. The three locally listed buildings referenced by FBC comprise Leach Lodge Farmhouse (LLB9), a surviving constructed cop (LLB10) and Thursby Nursing Home (LLB5).</p> <p>Leach Lodge Farmhouse (LLB9) is located on the eastern side of Leach Lane, north of the junction with Blackpool Road North and south of the junction with Appealing Lane. This part of Leach Lane is outside the Order Limits and no construction traffic would use this part of Leach Lane as it leads only to an emergency access into the airport which is not proposed as an access route for any part of the construction. On the opposite side of Leach Lane from the LLB is a small area of woodland which is within the airport. This precludes any potential views of construction activity within the airport in views from or across the LLB. No part of this woodland would be removed during construction. There may be some construction noise but given the proximity of the LLB to the airport it is very unlikely that the construction noise would result in harm to the significance of this LLB.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The location of the surviving constructed cop (LLB10) is not entirely clear. The published listing describes it as a cop or hedge at Blackpool Road North and as a 'very rare surviving feature of the historic Heyhouses farming community'. There is nothing at the plotted location which matches this description. Although Blackpool Road North would be used by construction traffic, no vegetation would be removed to facilitate this. The heritage significance of a historic hedge would lie entirely with its physical presence – no part of its original setting remains present as this is now a residential area. The use of the road by construction traffic would not result in any harm to its heritage significance.</p> <p>Thursby Nursing Home (LLB5) is located just within the sand dunes to the west of Clifton Drive North. It was built around 1905 as a convalescent home for children and was designed by Manchester-based architect Thomas Muirhead; it is currently a care home operated by Century Healthcare. For the first two decades of its existence the convalescent home was an isolated building, although there were two other convalescent homes around 750 m to the south of here and in a similar location between Clifton Drive North and the beach. These have since been demolished with the North Beach Car Park now occupying that site. In the late 1920s or early 1930s the Blackburn & District Convalescent Home was constructed just to the south of LLB5. This was demolished in the early 20th century and was replaced by a development of luxury apartments known as Dune Point. This was built in an art deco style and its location so close to the Edwardian nursing adds nothing to the heritage significance of the locally listed building. Works required for the Transmission Assets in the vicinity of the Thursby Nursing Home include six cable routes passing underground to the north and south, works on the beach to the west (including mobilisation, cable pull, cable burial and de-mobilisation), and the use of an existing small compound within the sand dunes to the south. The installation of</p>

Reference	Question To	ExQ1	Applicants' response
			<p>cables to the north and south will be achieved using trenchless technology and no part of this work would be visible in views from the LLB. Similarly, the works on the beach would not be visible due to the height of the sand dunes west of the LLB. The duration of exit pits on the beach would be two weeks per circuit and the total active construction duration of the cable pull and cable burial (including mobilisation and de-mobilisation would be 36 weeks (6 weeks per cable). Views of vehicles travelling from Clifton Drive North to the small compound would be possible, but the compound itself is completely screened in views from the LLB by the large building known as Dune Point and the sand dunes to the south of this building. There may be some construction noise associated with the works on the beach, but this would be restricted by the sand dunes. The predicted construction noise has been modelled with the results provided in ES Annex 8.2: Construction noise and vibration (APP-119). The LLB is included as a receptor and is named there as the Century Care Home. The modelling predicts that the impact of construction noise at this location will be negligible. Overall, there would not be any harm to the heritage significance of the LLB.</p> <p>The Applicant has discussed the issue of potential harm to other non-designated heritage assets with FBC on the 26th June 2025, who kindly then provided a list of such assets for the Applicants to consider.</p> <p>The former Balham School - is located on the north side of West Moss Lane at Balham, west of the junction with Balham Road. This was built around 1881 as a school for local children and was also used as a mission church. The school closed in the 1970s but the building has been retained as a place of worship, now named the Church of St Matthew. The onshore export cable corridor is located around 300 m to the north and around 280 m to the east of the former school. A construction compound is located</p>

Reference	Question To	ExQ1	Applicants' response
			<p>around 200 m to the north east of the former school. No part of the construction activity would be visible in views from, towards or across the former school due to the presence of mature vegetation immediately to the north and east of the building, also intervening vegetation within the wider landscape. No construction traffic would be directed along West Moss Lane. Access to the construction compound at Higher Ballam is from the north east along Balham Road; this is indicated on the figure presented as Appendix A of the Outline Construction Traffic Management Plan (REP2-016). Construction noise associated with the construction compounds has been modelled, with the results presented within Appendix B of ES Annex 8.3: Construction noise and vibration [APP-119]. At White Lodge, which is much closer to the Higher Ballam compound than the former school, the impact of construction noise would be negligible. Overall, the Applicants consider that there would be no harm to the heritage significance of the former Balham School.</p> <p>Barn at Bryning Hall Farm – this is a stone and brick multi-period barn on the north side of Bryning Hall Farm, directly adjacent to, and aligned with, Bryning Hall Lane. One set of barn doors opens onto the road. The barn is of at least mid-19th century date and probably considerably older. The onshore export cable corridor is approximately 300 m south of this barn and also 340 m to the south east. No part of the construction activity would be visible in views from, towards or across the barn due to the presence of several large modern farm buildings immediately to the south, south east and east. The barn lies just outside the 300 m study area for construction noise, and Bryning Hall Lane is not identified as a route to be used by construction traffic. Overall, the Applicants consider that there would be no harm to the heritage significance of the historic barn at Bryning Hall Farm.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>New House Farmhouse, Bryning Hall Lane – this former farmhouse was probably constructed in the late 18th or early 19th century but substantially rebuilt and extended following a fire in 1874. The farm was redeveloped at this time into a courtyard arrangement. Recently the whole arrangement of buildings has been converted to residential use, with some additional buildings constructed as part of this change. The onshore export cable corridor is approximately 470 m to the south of the former farmhouse. There may be some views towards or across the former farmhouse in which construction activities are also visible in the distance. The principal facade of the former farmhouse is to the west, into the courtyard of the former farm. Overall, the Applicants consider that there would be no harm to the heritage significance of the former farmhouse or any of the associated farm buildings.</p> <p>Hallam's Cottage, Lower Road – this cottage is located at the southern end of Lower Road, close to the junction with the A584 road. The Morecambe onshore substation site is located approximately 460 m to the north. The onshore substation, and the associated construction activities, would not be visible in views from, towards or across this cottage, due to the mature vegetation and other structures at this end of Lower Lane. Lower Lane is not identified as a route for construction traffic. Operational noise for the Morecambe onshore substation has been modelled at Marsh View Farm, which is to the north of Hallam's Cottage along Lower Lane. The impact would be negligible during daytime and low at night, although these are impacts on noise receptors rather than on the significance of heritage assets. The difference is that for noise receptors it is the impact on quality of life that is assessed, whereas for heritage assets it is the ability to appreciate and understand the heritage significance of the asset. Overall, the Applicants consider that there would be no harm to the heritage significance of Hallam's Cottage.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>Former toll house, Preston New Road – this is a small residential dwelling just to the south of the A584 Preston New Road. Prior to the construction of Preston New Road in 1920, the route between Preston and Lytham was via a toll road running across the marshes to the south of the current road. The toll road was controlled by the parish of Freckleton; the toll was collected at this small toll house which is located on the northern edge of the toll road at the point where the road crossed a stream known as Middle Pool. Much of the route of the toll road remains clearly visible. The 400kV cable corridor is approximately 525 m to the north of the former toll house. The A584 Preston New Road here is a dual carriageway and is less than 40 m to the north of the former toll house. The key elements of the setting of the former toll house are the remains of the toll road and the bridge over Middle Pool, also to a lesser extent the A584 as this represents the later replacement of the toll road. Overall, the Applicants consider that there would be no harm to the significance of the former toll house.</p> <p>Quaker's Wood - the Applicants have provided further information regarding the avoidance of direct physical impacts on any putative Quaker burial grounds in the vicinity of Quaker's Wood in Annex 3.2.18 of PDA-025 and Annex 5.9 of REP1-045. However, there is still the potential for harm to the heritage significance of the burial ground at Quaker's Wood as a result of the change within its setting. When it was initially established, this burial ground was situated within open countryside well away from any settlement. This is not unusual for the Quaker faith, in which tranquillity and nature were important components.</p> <p>Lower Lane would not be used as a route for construction traffic, although there would be a temporary construction compound for the Morecambe onshore substation just to the east of Quaker's Wood. The detailed layout of the works in this area is shown on Figure 4.12 in ES Annex 4.3:</p>

Reference	Question To	ExQ1	Applicants' response
			<p>Selection and refinement of the onshore infrastructure (AS-028). Construction noise is modelled in ES Annex 8.2: Construction noise and vibration (APP-119). One of the identified noise sensitive receptors for this modelling is Quaker Wood Stables, which is immediately opposite Quaker's Wood on the other side of Lower Road. The modelling predicts a medium impact for some construction activities and a low impact for others.</p> <p>The Morecambe onshore substation would be located approximately 230 m to the south east of Quaker's Wood. An indicative landscape strategy plan for the substation site is presented as Figure 1.3 in the Outline landscape management plan (APP-208). This shows new woodland planting along the western edge of the substation site in order to screen views of the buildings and associated infrastructure. Existing field boundaries between Quaker's Wood and the substation would be reinforced with new hedgerow planting and trees, which would provide additional screening.</p> <p>The Morgan onshore substation would be located approximately 430 m to the north east of Quaker's Wood. An indicative landscape strategy plan for the substation site is presented as Figure 1.2 in the Outline landscape management plan (APP-208). This shows new hedgerow planting along the southern edge of the substation site and reinforcement of the western boundary with new hedgerow planting and trees which would provide additional screening.</p> <p>Operational noise has also been modelled for the Morecambe substation; this is set out in ES Annex 8.3: Operational noise (APP-120) and again Quaker Wood Stables has been included as a noise sensitive receptor. The modelling predicts that the mitigated operational noise impact at Quaker Wood Stables would be negligible during the day and medium at night. When taken together with the</p>

Reference	Question To	ExQ1	Applicants' response
			<p>mitigated operation noise for the Morgan onshore substation, the modelling predicts that the impacts would remain negligible during the day and medium at night.</p> <p>The combined visual changes within the setting of the Quaker's Wood burial ground and the changes to the noise environment would result in less than substantial harm to the heritage significance of this non-designated heritage asset. The Applicants consider that the harm would likely be towards the middle of the scale of less than substantial and would be greatest during construction and the first few years of operation of the onshore substations, reducing over time as new planting reaches maturity. In EIA terms the magnitude of impact would be low adverse. This is a heritage asset of low sensitivity/importance and the consequent level of effect is considered to be minor adverse, therefore not significant in EIA terms.</p>
Q11.1.5	Lancashire County Council (LCC)	<p>Lancashire County Council</p> <p>Paragraph 12.7 of Lancashire County Council's (LCC) LIR [REP1-085] states that its Historic Environment Team will in due course be providing further comments on the content and conclusions of the various reports submitted with the application.</p> <p>These comments are now requested from LCC at deadline 3 in order that there is full opportunity for any matters raised to be examined within the six-month examination timetable.</p>	The Applicants note Q11.1.5 is directed towards LCC and shall not be responding.
Q11.1.6	The applicants (a - d), Historic England	Interim trial trenching report	a) The Applicants can confirm that no additional trial trenching has been carried out since August 2024. The

Reference	Question To	ExQ1	Applicants' response
	(d), FBC (d) , LCC (d) and Preston City Council (d)	<p>Paragraph 1.1.2.1 of the Interim trial trenching report [APP-103] explains that, in total, 222 trenches have been proposed across the onshore infrastructure area and that, as of August 2024, 139 trenches have been investigated. It goes on to say that further trial trenching and geoarchaeological investigation will be undertaken post consent and prior to construction. Paragraph 1.2.2.1 states that, to date, the evaluation has comprised the excavation of 73 of the 222 trenches proposed.</p> <p>a) Please clarify the current position regarding trial trenching, including the evaluation of it. Has any further trial trenching been carried out since August 2024? If so, please provide the results and update the assessment accordingly.</p> <p>b) What criteria was used to determine the implementation of the trenching already carried out, as opposite to that left to be undertaken post consent?</p> <p>c) Explain further why the full extent of the proposed trenching has not been already carried out to inform the assessment?</p> <p>d) To what extent does the shortfall in the evaluation of trial trenching ahead of the assessment, weaken the overall findings in the ES in relation to onshore archaeology? Please explain your reasoning.</p>	<p>results of the programme of trial trenching are set out in ES Volume 3, Annex 5.6: Interim trial trenching report (APP-103). The figure of 73 trenches excavated (out of a total of 222 agreed trenches) in paragraph 1.2.2.1 of that document is an error, the correct figure is 139 trenches excavated as explained in paragraphs 1.1.2.1 and 1.2.1.1 of the report. A revised version of ES Volume 3, Annex 5.6: Interim trial trenching report is being submitted at Deadline 3 (F3.5.6/F02); this includes an annex which provides information on the artefacts recovered from the trial trenching.</p> <p>b) The selection of locations for trial trenching was based on two criteria: 1) land that had been subject to geophysical survey and therefore where trench locations could be guided by the results of that survey, and 2) land where access could be obtained through negotiated agreement with the landowner and/or tenant.</p> <p>c) The fieldwork concluded in August 2024 when it was clear that no further access was likely to be agreed ahead of the return of poorer weather in the autumn. The Applicants intend to resume the programme of trial trenching in late summer 2025 and access is currently being arranged for this work. The projected programme includes not just the completion of the previously agreed work (i.e., the residue of the 222 trenches from the previous programme) but also additional trenches in areas for which geophysical survey data are now available. It is hoped that the dry spring and summer will enable the fieldwork season to be extended into the autumn. The purpose of resumption of the programme of trial trenching is to enable the identification of the full programme of further archaeological work that will be required pre-construction (i.e. the mitigation and off-setting work) and to inform the detailed design of the proposed development. It is not required to further inform the</p>

Reference	Question To	ExQ1	Applicants' response
			<p>assessment of likely impacts and effects on the historic environment.</p> <p>d) The Applicants consider that the information presented in the ES provides an adequate understanding of the archaeological baseline for the assessment to be robust. This information includes material presented in ES Volume 3, Annex 5.1: Historic environment desk-based assessment (APP-097), ES Volume 3, Annex 5.2: Onshore archaeological geophysical desk-based assessment (APP-098 and APP-099), ES Volume 3, Annex 5.4: Geoarchaeological desk-based assessment (APP-101) and ES Volume 3, Annex 5.6: Interim trial trenching report (APP-103). The assessment of likely impacts and effects on buried archaeological remains is set out in section 5.11 of ES Volume 3, Chapter 5: Historic environment (APP-096). The assessment takes a precautionary approach in which the sensitivity of the resource is considered to be 'up to high' (paragraph 5.11.2.16). The assessment goes on to say that a programme of further archaeological work as set out in the Outline Onshore and Intertidal Written Scheme of Investigation (APP-214) will be undertaken to inform detailed design which is secured through Requirement 11 within Schedules 2A and 2B of the Draft Development Consent Order (REP2-004). A revised version of the Outline Onshore and Intertidal Written Scheme of Investigation (APP-214) is being submitted at Deadline 3 (J9/F02); this responds to comments made by Historic England in their Relevant Representation (RR-0839). Lancashire County Council, who provide advice on archaeological issues to the local authorities, have agreed in the Statement of Common Ground (REP1-048) that the programme of work set out in the Outline Onshore and Intertidal Written Scheme of Investigation is appropriate.</p>

Reference	Question To	ExQ1	Applicants' response
Q11.1.7	LCC and FBC	<p>Quakers Wood Burial Ground</p> <p>The applicants position on Quakers Wood Burial Ground is set out in Annex 3.2.18 of PDA-025 and Annex 5.9 of REP1-045.</p> <p>Are there are outstanding concerns regarding the potential effects on Quakers Wood Burial Ground in relation to its likely location, the effects of the proposed development upon it and any mitigation measures required?</p>	The Applicants note Q11.1.7 is directed towards LCC and FBC and shall not be responding.
Q11.1.8	Applicants and Historic England	<p>Marine/ offshore archaeology</p> <p>The ExA notes the applicants' response [2.6 of REP2-031] to Historic England's written representation [REP1-082] on matters relating to marine/offshore archaeology.</p> <p>Can both parties ensure that the Statement of Common Ground submitted at deadline 3 clearly includes any remaining differences between the parties and the reasons for any disagreement on outstanding matters.</p>	The Applicants and Historic England submitted an updated SoCG at Deadline 3 (S_D1_6.7/F02). The ExA will note that the parties have made significant progress in reaching agreement and all matters are now agreed with the exception of the Historic England comments on the draft DCO and the Outline Offshore Written Scheme of Investigation (WSI) and Protocol for Archaeological Discoveries (PAD), which have been updated at Deadline 3 to address Historic England comments (C1/F05 and J17/F02 respectively). The Applicants will engage with Historic England following Deadline 3 to determine whether these outstanding matters have been addressed and provide an updated SoCG at Deadline 4.

2.12 Land use and recreation

Table 2.12: Land use and recreation

Reference	Question To	ExQ1	Applicants' response
Q12.1.1	The applicants	<p>Agricultural land</p> <p>The Fylde Local Plan classifies the land in the area as 50% being Grade 2 agricultural land and 34% Grade 3a. Please explain why it has not been possible to safeguard a greater proportion of the better quality Grade 2 land noting that the same weight of harm appears to have been attributed to both agricultural grades [APP-033].</p>	<p>The figures quoted within the Fylde Local Plan are based on the distribution of the Provisional Agricultural Land Classification (ALC) mapping in the Borough as a whole and this confirms that there is a high proportion of the best and most versatile land throughout the Borough, with a high percentage of Grade 2 land.</p> <p>The agricultural land quality within the study area according to provisional ALC mapping comprises 35 % Grade 2 and 39 % Grade 3 (see Table 6.7 of Volume 3, Chapter 6: Land use and recreation (APP-104)). The agricultural land quality within the study area according to soil surveys comprises 19 % Grade 3a, 48 % Grade 3b and 11 % Grade 2 see Table 6.9 of Volume 3, Chapter 6: Land use and recreation (APP-104)). As such, the percentage of Grade 2 and 3a agricultural land within the study area is lower than the figures presented in The Fylde Local Plan.</p> <p>Notwithstanding the above, as shown by the Provisional ALC mapping (Figures 1.4 and 1.5 of Volume 3, Annex 6.1: Published Agricultural land classification and soils data (APP-105)), even if the cable route were to be moved north or south of its current alignment by up to several hundred metres, this would not make any significant difference to the areas of best and most versatile land affected. In addition, the land within the onshore cable route corridor would not be permanently affected, with land restored to its pre-existing use, in accordance with the Outline Soil Management Plan (APP-200).</p> <p>In terms of the onshore substation areas, the detailed ALC survey work undertaken in these areas has confirmed that these do not affect Grade 2 land, but instead comprise Subgrade 3a land, which forms the lowest quality of land within the best and most versatile category.</p>

Reference	Question To	ExQ1	Applicants' response
Q12.1.2	Natural England (NE)	Agricultural land NE raised concerns about the agricultural land classification [RR-1601] and the applicants have responded to this in the response to action point 45 [REP1-043]. The applicants confirm that the results of their initial surveys conclude that the potential impact of the loss of agricultural land including best and most versatile land during construction is a major adverse effect and further surveys were unlikely to alter this conclusion. However, this is justified on the basis of the temporary period of construction. In their recent deadline 2 (D2) response, NE confirm that it is reviewing the position and will provide their comments by deadline 3. The Examining Authority (ExA) looks forward to receiving these comments and would be grateful if NE could also comment on the comparisons made at paragraph 1.4 of the applicants' response [REP1-043] with other offshore wind farm Development Consent Orders?	The Applicants note Q12.1.2 is directed towards NE and shall not be responding.
Q12.1.3	The applicants	Agricultural land As the proposed development utilises a significant amount of land classified as best and most versatile agricultural land, the Secretary of State will need to be mindful of the policy requirement at paragraph 5.11.34 of EN-1. How do the applicants propose that this requirement is satisfied?	<p>Volume 1, Chapter 4: Site Selection and consideration of alternatives (AS-026) and the accompanying Volume 1, Annex 4.3: Selection and Refinement of the Onshore Infrastructure (APP-033) includes the consideration of the best and most versatile land as part of the wider assessment of all relevant environmental and planning factors.</p> <p>For the consideration of ALC, the available published provisional ALC mapping does not differentiate between Grade 3a and 3b in the definition of Grade 3. As such, with respect to the Onshore Substation Search Zones and Substation Options, a precautionary approach was adopted, whereby areas of Grade 2 and 3 agricultural land were assigned an amber rating, as the Grade 3 areas and the soil types on which they were located could contain a significant proportion of the best and most versatile Subgrade 3a land (see Tables 4.7 and 4.10 (APP-033)). However, with respect to the onshore export cable corridor</p>

Reference	Question To	ExQ1	Applicants' response
			<p>and the 400 kV grid connection cable corridor, Grade 3 agricultural land was assigned a green rating on the basis that land would be reinstated post-construction (see Tables 4.14 and 4.18 (APP-033)) (e.g. there would be no permanent loss of land here). The Applicant was mindful of the potential presence of more sensitive peaty soils in terms of requirements for restoration within areas of Grade 2 land, particularly towards the western end of the onshore cable corridor.</p> <p>The Applicants have therefore been mindful of the requirement at paragraph 5.11.34 of NPS EN-1, but the distribution of the provisional ALC mapping is shown on Figures 1.4 and 1.5 of Volume 3, Annex 6.1: Published Agricultural land classification and soils data (APP-105), shows the prevalence of high quality Grade 2 land in a broad swathe around the Transmission Assets boundary. Here, as per the response to Q12.1, even if the cable route were to be moved north or south of its current alignment by up to several hundred metres, this would not make any significant difference to the areas of best and most versatile land affected. In addition, the land within the onshore cable route corridor would not be permanently affected, as the land will be restored to its pre-existing use, in accordance with the Outline Soil Management Plan (APP-200), secured by Requirement 8 of the draft DCO Schedules 2A & 2B (REP2-004).</p> <p>The siting of the onshore substations, where virtually all of the permanent loss of agricultural land would take place, are located on Grade 3 (subgrade 3a) land.</p>
Q12.1.4	The applicants	Outline Soil Management Plan The Environment Agency at D2 [REP2-056] have expressed concern at the provisions in the Outline Soil Management Plan (oSMP). They have emphasised these at D2 and say that there is the “potential for temporary soil storage to divert or obstruct the movement of flood waters”. This concern does not appear to be addressed in	<p>The Applicants note that Paragraph 1.7.3.5 of the Outline Soil Management Plan (APP-200) stipulates that the method of soil storage mound construction will be in accordance with the DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Defra, 2009). This plan is secured via Requirement 8 of Schedules 2A & 2B of the draft DCO (REP2-004).</p> <p>Section 5.4 of this DEFRA guidance stipulates that temporary soil storage should not be located close to drains and watercourses such that they cause</p>

Reference	Question To	ExQ1	Applicants' response
		the oSMP [APP-200] and associated best practice guidance". Please respond?	<p>any increase flooding risk to the surrounding area. The Applicants consider that adherence to the DEFRA guidance will address the EA's concern</p> <p>This is reiterated in the response to REP1-076.25 in the Deadline 2 submission - Applicants' Response to Written Representations from Statutory Consultees and other Organisations (REP2-031) which sets out that temporary soil storage should not be located close to drains and watercourses such that they cause any increased flooding risk to the surrounding area.</p>
Q12.1.5	The applicants	<p>Land use and recreation</p> <p>In paragraph 5.19 of its local impact report (LIR) at D2 [REP2-066], South Ribble Borough Council (SRBC) acknowledges that the application is working on the basis of 'short term' impact as a period of months up to one year (Table 6.21 of Volume 3, Chapter 6: Land use and recreation (APP-104) with the applicants stating that no 'long term temporary impacts' are identified (Chapter 6: Land use and recreation (APP-104).</p> <p>However, SRBC consider that the magnitude of the development and long-term impacts likely associated with the proposal results in the proposal falling outside a 'short term' impact definition. The Council have requested further detail to justify the applicants' conclusion. Can this be provided? The Council also queries at paragraph 5.21 whether a "minor adverse" category is appropriate, and the applicants are asked to respond to this?</p>	<p>The Applicants note that there is no paragraph 5.19 or 5.21 in REP2-066, so it is interpreted that the ExA is referring to the Local impact report from South Ribble Borough Council [REP1-227]. With respect to paragraph 5.19 of the Local impact report from South Ribble Borough Council [REP1-227], the statement that 'no long term temporary impacts are identified' was incorrectly included in RR-2027 of Annex 3.2.19 to Response to RR - South Ribble Borough Council (RR- 2027) (PDA-026). In fact, long term temporary impacts have been identified and assessed within Volume 3, Chapter 6: Land use and recreation of the Environmental Statement (APP-104), where relevant.</p> <p>It is interpreted that the ExA is referring to paragraph 5.21 of Local impact reports from any local authorities, as submitted by South Ribble Borough Council [REP1-227]. Regarding paragraph 5.21 of South Ribble Borough Council's Local impact report [REP1-227], the Applicants refer the ExA to the response to 2027.21 in Procedural deadline A Submission - Annex 3.2.19 to Response to RR – South Ribble Borough Council (RR-2027) (PDA-026), which explains that with respect to the temporary loss of Best and Most Versatile (BMV) agricultural land during construction of the Transmission Assets, the MDS construction scenario is sequential construction (i.e. non-concurrent development) as this represents the longest duration of loss of agricultural land including BMV (see Table 1.15 of AS-070).</p> <p>The conclusion of minor adverse was made on the basis that implementation of CoT81 and CoT35 as identified in Table 6.17 of (APP-104), including measures contained within the CoCP and Soil Management Plans, would ensure that soils and the quality of the agricultural land would be restored at the end of the construction period to reduce, as far as possible, any temporary effects on BMV</p>

Reference	Question To	ExQ1	Applicants' response
			land. As such, it is considered that the conclusion of minor adverse is appropriate.
Q12.1.6	The applicants	<p>Public Rights of Way</p> <p>SRBC in its LIR [REP1-227] submission raises concerns about the impact on public rights of way (PRoW). They submit that the PRoW MCMC11A/B and 14A/B would be temporarily restricted or closed as a consequence of the proposed development. There is a lack of clarity regarding which rights of way will be open, diverted, or closed, and whether continuous alternative routes will be available. The Council also gives an example of the strategy being unclear for situations where a PRoW crosses a haul road.</p> <p>a) Please provide an explanation of what 'temporary' means as this would enable the Councils, across the proposed development, to consider and manage resident expectations and determine whether appropriate management and mitigation measures would be able to be put in place.</p> <p>b) Also provide details of the measures that would be taken where a PRoW crosses a haul road and clarification as to which PRoW would be expected to remain open, be diverted or be closed?</p>	<p>The Outline Public Rights of Way Management Plan (AS-048) includes Table 1.2 that identifies the proposed management measures to be adopted where PRoWs are located within the Transmission Assets Order Limits. This is accompanied by Figures 1.1 – 1.10 in the Outline Public Rights of Way Management Plan (AS-048) which shows the location of the PRoW and where management measures are proposed to maintain access to the wider PRoW network, including which routes will remain open and which routes will require temporary stopping up and diversion during construction. 'Temporary' means for the duration of the construction period which could be up to 66 months assuming a sequential construction scenario. No permanent closures of PRoW are required to facilitate the construction, operation and maintenance or decommissioning of the Transmission Assets. Prior to the commencement of a relevant stage of works detailed PRoW Management Plan(s) will be prepared as part of the detailed Code of Construction Practice in accordance with the principles laid out in the Outline Public Rights of Way Management Plan. The Applicants have made a commitment (CoT32 of Volume 1, Annex 5.3: Commitments Register of the ES (REP2-010)) to implement detailed PRoW management plan(s) in line with the Outline PRoW management plan (AS-048). This would include measures to minimise the disturbance to PRoWs. This is secured by Requirement 8 within Schedules 2A & 2B of the draft Development Consent Order (REP2-004). Detailed CoCP(s) will be implemented by the Applicants as approved by relevant local authorities in consultation with stakeholders, as appropriate.</p> <p>The Applicants will pro-actively engage with SRBC in regards to this matter. Management measures proposed as part of the detailed PRoW management plan(s) would be implemented prior to the commencement of construction and would last throughout the construction phase of the Transmission Assets.</p> <p>b) Where haul roads intersect PRoWs, safe access shall be maintained through the use of banksmen during localised construction activities and gates ensuring there is minimal impact to the PRoW users and thus no PRoWs will be closed. Typical measures could also include:</p>

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> ○ Provision of warning signage to raise awareness of the PRoW to potential approaching construction vehicles and informing PRoW users approaching a construction interface of the associated hazards; ○ Information for PRoW users on project details (including contact details), the nature of works at each location, construction programme, and details of the crossing procedure at entry points to the onshore project area; ○ Commitment to having a banksman in place during localised periods of construction in vicinity of the PRoW, or a locked gate (with managed access in the form of a banksmen escorting the PRoW users access the work area) to prevent unsafe access. Whilst there is a presumption in favour of not gating PRoW where they cross a working area, there may be occasions when a gate arrangement is necessary to be in place periodically for the protection of PRoW users. Such gates would be aimed to be left open to maintain access outside of working hours, where safe to do so; ○ A regular review of the PRoW condition within the extent controlled by banksman, to ensure the surface is safe for walkers and other users, whilst the PRoW remains open; and, ○ Protective measures will be implemented for tracking light vehicles across the PRoW, should they be required due to the conditions encountered at the time of use. <p>The Outline Public Rights of Way Management Plan (AS-048) will be updated and submitted to Lancashire County Council at Deadline 3 for comment. The updates will include further clarification regarding the management of PRoW which cross haul routes, including relevant management measures and illustrations.</p>
Q12.1.7	The applicants	Public rights of way It is noted that the expectation from Lancashire County Council as contained in paragraph 7.49 of their LIR [REP1-085] is that rights of way should be reinstated using gravel or materials to replicate previous surfaces and replacement of stiles, gates and direction posts as appropriate.	<p>The Outline Public Rights of Way Management Plan (AS-048) secured via Requirement 8 of Schedules 2A & 2B of the draft DCO (REP1-004), provides the principles for the management of interactions with Public Rights of Way during the construction phase.</p> <p>In accordance with Requirement 8 of the draft DCO (REP2-004), prior to the commencement of the relevant stage of the works, the Applicants must prepare detailed PRoW Management Plan(s) for approval by the relevant planning authority following consultation with the relevant stakeholders. Section 1.5.8 of the outline plan identified that the detailed PRoW Management Plan(s) would</p>

Reference	Question To	ExQ1	Applicants' response
		<p>a) Please provide further details and commitments regarding the reinstatement of footpaths?</p> <p>b) Please also provide further details including mitigation measures for all footpaths impacted as requested at paragraph 9.5 of the LIR [REP1-085].</p>	<p>include further information regarding the design and surfacing of reinstated PRoWs. Furthermore, the Applicants have made a commitment (CoT08 of Volume 1, Annex 5.3 of the Environmental Statement (REP2-010)) to reinstate the working area post construction to pre-existing condition as far as reasonably practicable in line with relevant guidance. This is secured via article 29 and Requirement 16 of Schedules 2A & 2B of the draft DCO (REP2-004).</p> <p>The Applicants held a productive meeting with Lancashire County Council regarding PRoW on 11th June 2025 and are continuing to liaise with Lancashire County Council to provide further clarification, where needed, on the measures proposed within the Outline PRoW Management Plan (AS-048) and the mitigation measures that could be applied to all footpaths.</p>
Q12.1.8	The applicants	<p>Public rights of way</p> <p>Fylde Borough Council (FBC) have identified in their LIR [REP1-078] that there will be permanent impacts to the footpaths close to the proposed Morecambe substation with the introduction of a gated crossing. Please provide further detail of the timing, duration and frequency of these crossings. In addition, Lancashire County Council have commented at paragraph 7.68 of their LIR [REP1-085] that there is little space between the PRoW/bridleway and the Morgan substation and no screening is proposed.</p> <p>Can the applicants consider either better screening or a diversion of the footpath/bridleway?</p>	<p>The Applicants would highlight that there are sections of Bridleway 5-5-BW-16 where trenchless techniques have been committed to, to ensure that the trees remain in situ. The trenchless crossings can be seen on Sheet 20 of the Onshore Crossing Schedule (REP1-019). Due to the retention of the majority of trees along the PRoW the Applicants do not feel it is necessary for further screening.</p> <p>The Applicants have also retained the option to install the onshore export cables via open trenching for some discrete areas of the PRoW where mature trees are not present. If the cables are installed via open trenching in these locations the PRoW will be temporarily diverted as shown in Figure 1.7 of the Outline Public Rights of Way Management Plan (AS-048), which is secured as set out in 12.1.7 above. With respect to the gated crossings at the Morecambe substation, it is proposed that temporary gated crossings would be established prior to the commencement of construction and be in place throughout the construction phase of the Transmission Assets. It is proposed that these temporary gated crossings would then transition to permanent gated crossings to facilitate access to the Morecambe substation and be in place throughout the operation and maintenance phase of the Transmission Assets (see section 1.5.5 of Outline PRoW Management Plan (AS-048)).</p> <p>However, it is worth noting that trenchless techniques are proposed for the onshore export cable corridor at the Morecambe onshore substation</p>

Reference	Question To	ExQ1	Applicants' response
			<p>locationthis location. As such, most trees at the Morecambe onshore substation would remain in situ and/or be supplemented by further planting. Therefore, it is considered that further screening at the Morecambe onshore substation beyond that proposed as part of the Outline Landscape Management Plan (AS-050) is not required.</p> <p>The Applicants have committed to implementation of detailed Landscape Management Plans through the following commitment, CoT15, which is secured by Requirement 6, Schedules 2A & 2B of the draft DCO (REP2-004).</p>
Q12.1.9	The applicants	<p>Green Lane bridleway Written representations [REP1-125] refers to the use of the Green Lane bridleway which links the two farming businesses at Lower House Farm and Greenbank Farm. The applicants' response at D2 [REP1-125.6] appears to Ogive little reassurance as to the continuing use of this lane for the farming business save that the PRoW Management Plan will seek to minimise impacts. There is no clarity as to what the Agricultural Liaison Officer might be able to achieve as to the usage of such an important access route.</p> <p>The applicants are requested to reconsider this response and provide some certainty at this stage which the landowners can rely on?</p>	<p>The Agricultural Liaison Officer, secured through Requirement 8 of Schedules 2A & 2B of the draft Development Consent Order (REP2-004) will be appointed and be the main point of contact for landowners and occupiers during the construction works. The role of the ALO includes engaging with landowners/ occupiers on practical day to day farming matters and ensuring farming operations can continue as normal which is set out in the scope of works for the ALO in the Outline Code of Construction Practice (APP-193). The Public Right of Way Plan Management Plan (AS-048) shows that the Green Lane bridleway is to be temporarily diverted during construction and an alternative route is proposed (5-5-BW 16). Should cattle movements be required during the temporary diversion of Green Lane Bridleway there is an alternative route available through the diversion proposed. The ALO will liaise with the landowner/ occupier and contractor to ensure this can be facilitated in a safe and practical way. If alternative methods are required, such as moving livestock in trailers, the affected landowner will be able to claim compensation in accordance with the compensation code. .</p>
Q12.1.10	The applicants	<p>Operational security for farms Several farmers highlight the issue of operational security of their land. As an example, one representation [REP1-109] queries whether every vehicle and individual involved with construction works will have their tyres or boots disinfected in order to minimise the risk of disease being spread. How will the applicants ensure</p>	<p>Biosecurity controls are crucial to reducing the impact on affected parties and holdings, which are set out in the Outline Biosecurity protocol (APP-205). As stated in the Outline Biosecurity protocol (APP-205), the working areas will be fenced to ensure there is an area of land contained and controlled by the main works contractors to limit spread or transmission of any disease. Disinfection and wash down points for both plant and personnel will be implemented where there is an identified need and there will be restrictions on movements between holdings where there is likely to be a risk of disease transmission. The highest</p>

Reference	Question To	ExQ1	Applicants' response
		<p>compliance? Similarly, how will the closure of gates be enforced. In their D2 response to REP1.109, [REP2.030] the applicants acknowledged previous errors, but the reassurance is somewhat vague and there is no clarity as to crossing points or access for farmers. The applicants are asked to provide more specific detail during on these matters?</p>	<p>risk of transmission is found within soil movements and as outlined in the Outline Soil Management Plan (APP-200), controls will be in place to restrict any movement of soils between holdings unless pre agreed with the affected landowners.</p> <p>With regard to general farm security, the previously acknowledged errors with gates were as a result of numerous contractors accessing the site for multiple purposes simultaneously ahead of a defined and controlled work area. As the main works corridor will be completely fenced, as set out in the Outline Construction Fencing Plan (APP-203), the access will be limited and controlled to that area therefore negating the risk of any issues with gates and security. There will also be security onsite during the works to control who is accessing the working width. As explained in the Outline Biosecurity protocol (APP-205) and Outline soil management plan (APP-200), both of which are secured by Requirement 8 of Schedules 2A and 2B to the draft DCO (REP2-004) all those working on the project will be made aware of relevant management measures, including biosecurity protocol with gates and contact details of the ALO team who can be contacted should there be any confusion or lack of understanding at any locations.</p>
Q12.1.11	The applicants	<p>Farming access</p> <p>Several farmers [example is RR-582] also mention the need for 24 hour access to their land and their animals so the cattle can be moved at a time conditions are favourable. How would this be achieved considering the use of some single farm tracks proposed by the applicants?</p>	<p>Crossing points and access tracks (where not in the working corridor) will remain in the favour of the landowners unless the Applicants are actively working through that section for installation or reinstatement works. These will be communicated and planned with the affected parties by the ALO in advance of the works to mitigate impacts in accordance with the appointment of the ALO in the Outline Code of Construction Practice (APP-193) (secured through Requirement 8 of Schedules 2A & 2B of the draft Development Consent Order (REP2-004)). Accommodation works will also be agreed with affected parties prior to works to reduce impact on those holdings. Such works may include the installation of temporary tracks to facilitate movement of stock outside the working areas if this cannot be accommodated in other ways.</p>
Q12.1.12	The applicants	<p>Link boxes</p> <p>The National Farmers' Union (NFU) have expressed concerns regarding their effect on farming operations [REP1-085]. The applicants' response to this [REP1-063] indicates that "where</p>	<p>a) Link box locations will be driven by the cable length sections procured at manufacturing and the electrical safety calculations for the sheath voltages, as defined within the Energy Networks Association standards document, ENA -ER C.55/5. It is in the Applicants' best interests that joint bays and associated link</p>

Reference	Question To	ExQ1	Applicants' response
		<p>possible, link boxes will either be located within non-agricultural land or installed on the boundaries of agricultural land.” A significant part of the cable route is along agricultural land so this comment is of limited reassurance especially as it will only be actioned “where possible”. The reference to link boxes in the applicants’ D2 response [REP2-030] gives no further clarity.</p> <p>a) Can a more reliable commitment be provided ensuring that link boxes will be placed at field boundaries where it is not possible to locate them on non-agricultural land?</p> <p>b) As NFU request, can an indicative sketch design be provided?</p>	<p>boxes are as close to field boundaries and public roads as practicable to facilitate maintenance access..</p> <p>The Applicants note that the precise positions of the link boxes will not be known until detailed design stage, informed by detailed cable design, final cable length, sheath voltage calculations and terrain constraints and therefore it is not possible to commit to their specific locations at this stage.</p> <p>b) The indicative sketch design is presented in Figure 1 in appendix 3.1 of this document.</p>
Q12.1.13	The applicants and the National Farmers' Union	<p>National Farmers Union</p> <p>The revised Land Rights Tracker indicates on a number of occasions that there will in future be more direct contact with landowners as opposed to the negotiation with the wider group.</p> <p>Whilst the reasoning behind this is accepted, the NFU are undoubtedly able to make an informed contribution. Please confirm that the applicants will continue to meet with the NFU and also seek a Statement of Common Ground?</p>	<p>A statement of common ground has been issued to the NFU and meetings held on 15th May 2025 and 30th June to discuss the outstanding points of difference. The current position of the Statement of Common Ground has been submitted at deadline 3 (S_D1_6/F02) the Applicants will continue to engage with the NFU on those matters outstanding in hope to resolve as many as possible during examination.</p> <p>The NFU are a member organisation but are not professionally instructed on behalf of any affected party. Further detailed negotiations regarding heads of terms will be directly with the landowners and their appointed professional land agents who are acting on their behalf to finalise the heads of terms and land agreements based on the generic terms that have been negotiated as a group with the NFU. Those agents instructed are welcome to consult the NFU on any points raised or being negotiated but it will not be possible to have the NFU present at these meetings unless this is organised by the agent and/or the landowner.</p>

Reference	Question To	ExQ1	Applicants' response
Q12.1.14	The applicants	Peat management plan SRBC have raised concerns at section 10 [REP1-097] as to the impact on peat and whether this can be adequately avoided. The Council has requested a more comprehensive peat management plan. Please can this be provided?	<p>As shown in Volume 3, Annex 6.2: Agricultural land classification survey results (APP-106), the soil auger boring surveys have identified limited areas of peat within the Onshore Order Limits. In addition, the soil survey work also found that peat resources identified in the Soil Survey of England and Wales mapping (see Table 6.5 of (APP-106)) have been subject to significant wastage over the 60 year period since the original mapping was undertaken in the late 1960's as intensive agricultural management of these soils has continued.</p> <p>Notwithstanding the above, The Outline Soil Management Plan (APP-200) at Section 1.7.6 includes potential measures that can be applied where peat soils are identified and cannot remain in situ within the construction areas and states that Peat Management Plans for these areas will be developed as part of the detailed SMP(s). This is secured by inclusion of Requirement 8 of the draft DCO Schedules 2A & 2B (REP2-004).</p>
Q12.1.15	The applicants	Outline Soil Management Plan The implementation of the SMP is the responsibility of the Agricultural Liaison Officer. It is suggested that it should be in consultation with other bodies such as the NFU and Fylde Borough Council. Is there any objection to this which would result in the widening of Requirement 8 of Schedules 2A and 2B of the dDCO?	<p>Paragraph 1.2.1.1. of the Outline Soil Management Plan (APP-200) explains the Applicants and all appointed contractors will be responsible for the implementation of the detailed Soil Management Plans and that the detailed SMP(s) will require approval by the relevant planning authority (including Fylde Borough Council where the SMP concerns an area of land within the remit of Fylde Borough Council) following consultation with relevant stakeholders.</p> <p>The Applicants consider that no further widening of Requirement 8 is needed based on the commitments provided in Paragraph 1.2.1.1 of the Outline SMP (APP-200)</p>
Q12.1.16	The applicants	Blackpool Road Recreation Ground The application currently retains the flexibility for the entry/exit pits for the trenchless cable installation at Blackpool Road Recreation Ground to be either within the eastern and western ends of the open space [work nos. 53A/53B and 51A/51B) or within the adjacent areas within Blackpool Airport (work nos. 13A/13B and 12A/12B). a) Explain why this flexibility is required, including why entry/ exit pit options are required within the recreation ground and	<p>For clarity, works at the Blackpool Road Recreation Ground will commence within Blackpool Airport (Work No. 12A/12B), cross Leach Lane, pass through the grounds (Work Nos. 52A/52B, 51A/51B, 15A/15B and 53A/53B), and then reconverge at Blackpool Airport (Work No. 13A/13B). The Applicants have committed to utilise trenchless installation techniques within the Blackpool Road Recreational Ground Work No. 15A/15B (CoT123), to minimise potential impacts to the space.</p> <p>To achieve the trenchless installation beneath Work No. 15A/15B, entry and exit pits are proposed in Work Nos. 12A/12B, 52A/52B, 51A/51B and 53A/53B, as secured by relevant work descriptions within Schedule 1, Part 1 of the draft</p>

Reference	Question To	ExQ1	Applicants' response
		<p>what the implications would be if entry/ exit pits were excluded from the recreation ground?</p> <p>b) Have appropriate measures been agreed with FBC that would secure the appropriate reinstatement of the open space and any facilities affected by the proposed entry/ exit pits?</p>	<p>Development Consent Order (dDCO, REP2-004). The Applicants confirm that this provides the flexibility to install cables from either east to west or west to east, based on engineering assessments during the detailed design phase.</p> <p>a. The Applicants require the flexibility regarding the entry/exit pit locations on the western alignment (Work Nos. 12A/12B, 52A/52B and 51A/51B) primarily due to the spatial constraints at the Leach Lane entry point. This location is bounded closely by residential properties, resulting in a significantly reduced width of the temporary construction corridor. Regarding the eastern alignment (Work no. 53A/53B), entry and exit pits are essential to meet the Applicants' commitment to cross all A, B and classified unnumbered roads via trenchless techniques, unless specifically excluded (CoT02). Therefore, entry and exit pits within Work no. 53A/53B are necessary to facilitate the trenchless crossing beneath The Hamlet, enabling the cable corridor to converge within Work no. 13A/13B.</p> <p>In addition, the Applicants note that there are inherent challenges related to employing the trenchless techniques from 12A/12B to 13A/13B (or vice versa). This is due to the overall length of the drill and the trajectory to reconverge on to the cable corridors within Blackpool Airport from the recreation ground. Specifically, the onshore export cables routed through the recreation ground will require a gradual bend, which will be limited to the cable bending radius limits and tension constraints specified by the cable manufacture.</p> <p>Therefore, should entry and exit pits be excluded from within the recreational grounds, the Applicants would lose the critical flexibility to effectively address engineering constraints, as well as maintain the commitment to trenchless crossings of roads.</p> <p>b. The Applicants can confirm that they have been engaging and will continue to engage with Fylde Borough Council and St Annes FC regarding appropriate mitigation for the potential loss of playing fields at Blackpool Road Recreation Ground. The Applicants have made a commitment (CoT124 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) that where mitigation is required for construction activities at Blackpool Road Recreation Ground (for example, the relocation or provision of alternate amenities and the reinstatement of</p>

Reference	Question To	ExQ1	Applicants' response
			<p>the open space) these measures will be secured via separate agreements with the relevant parties. This will be entered into pursuant to s106 Town and Country Planning Act 1990 and/or s111 Local Government Act 1972. The Applicants will continue to engage with Council in relation to the mitigation proposals throughout the examination.</p> <p>The Applicants have made a commitment (CoT08 of Volume 1, Annex 5.3 of the Environmental Statement (F1.5.3/F04) to reinstate the cable working area post construction to its pre-existing condition as far as reasonably practical in line with relevant guidance. This is secured via article 29 and Requirement 16 of Schedules 2A & 2B of the draft DCO (REP2-004) and applies to the Recreation Ground as well as other land within the Order Limits (see also response to REP1-078 4.4.1)</p>
Q12.1.17	The applicants	<p>Blackpool Road Recreation Ground</p> <p>The response to action point 18 from ISH1 [REP1-041] shows two areas of the Blackpool Road Recreation Ground will have entry or exit pits constructed whilst the works no. 52A52B refers to "open cut or trenchless techniques."</p> <ul style="list-style-type: none"> a) What arrangements are in place for the restoration of the football pitches, what is the timeframe for such restoration and how can this be safeguarded? b) Are any replacement sporting facilities being provided during the disruption? c) In their deadline 2 (D2) submission, the applicants make reference to the possibility of a replacement site but that this would be included in the terms of a section 106 agreement – why would this not be part of the draft DCO (dDCO) for this application? 	<p>a) The Applicants have made a commitment (CoT123 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to install the onshore export cable corridor at Blackpool Road Recreation Ground via trenchless techniques. This trenchless technique installation is anticipated to last a maximum of 5 months of total active construction within the grounds. Appropriate exclusion fencing between the entry and exit pits (Works No. 51A/51B and 53A/53B) will only be erected for a maximum of 2 months within the 5 months of active construction to mitigate potential impacts to users. This is secured by Requirement 8 within Schedules 2A & 2B of the draft Development Consent Order (REP2-004). Once the installation work is completed, the entry and exit pit compound will be reinstated using stored subsoil and topsoil. All temporary construction compounds and temporary fencing will be removed, field drainage and/or irrigation will be reinstated, and any post-construction field drainage will be installed before the land will be reinstated. The reinstatement will take place within the maximum 5 month active construction duration, as secured through CoT123.</p> <p>Detailed arrangements for the restoration of the football pitches at Blackpool Road Recreation Ground will be noted within the detailed Open Access Management Plan. This will be agreed with the relevant Local Authorities, as well as other relevant stakeholders, as part of the detailed Public Rights of Way</p>

Reference	Question To	ExQ1	Applicants' response
		d) Commitment Reference (CoT)124 provides for the securing of separate agreements to mitigate construction activities at Blackpool Road Recreation Ground (For example, section 106 or section 111). Provide an update on the progress being made towards these agreements, details of the mitigation being sought and when the agreements are expected to be signed?	<p>Management Plan. This requirement to provide this plan is secured within Schedules 2A & 2B, Requirement 8 of the draft DCO (REP2-004)</p> <p>b) The Applicants can confirm that they have been engaging and will continue to engage with Fylde Borough Council and St Annes FC regarding appropriate mitigation for the potential loss of playing fields at Blackpool Road Recreation Ground. The Applicants have made a commitment (CoT124 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) that where mitigation is required for construction activities at Blackpool Road Recreation Ground (for example, the relocation or provision of alternate amenities) these measures will be secured via separate agreements with the relevant parties. This will be entered into pursuant to s106 Town and Country Planning Act 1990 and/or s111 Local Government Act 1972. The Applicants will continue to engage with Council in relation to the mitigation proposals throughout the examination.</p> <p>c) The Applicants note that, whilst some potential locations have been discussed, no specific replacement site has yet been identified which the Applicants could have included in their application. The draft DCO (REP2-004) provides for a number of potential outcomes in this regard. For example, it may be that both projects lay cables in Blackpool Road Recreation Ground, or only one project lays cables in this area. It should be noted therefore that, dependent on what is constructed, provision of new temporary football pitches at an alternative site may not be necessary, as other mitigations (such as hiring existing pitches in another location) may be sufficient. Given the need for flexibility, a s106 agreement is therefore considered to be the most appropriate way to secure financial contributions for Fylde Council to manage and distribute as is required post consent.</p> <p>d) The Applicants would refer to the response provided above to Q12.1.17 Part B and would anticipate the agreement to be reached and the S106 and/or S111 to be signed and submitted into examination by Deadline 6 at the latest.</p>

Reference	Question To	ExQ1	Applicants' response
Q12.1.18	The applicants	<p>Blackpool Road Recreation Ground</p> <p>The impact on Blackpool Road Recreation Ground is considered by the applicants to be minor adverse. However, nearly half of the recreation ground appears to be affected according to the plan at figure 1.1 and the area numbered 15A15B will not be usable as fencing of a minimum height of 1.2m will be erected along each of the 4 cable routes. This is contrary to the commitment claimed at paragraph 1.3.1.5. Added to the 5-month work period needs to be added the time for reinstatement so the pitches can be used again so effectively this could be an entire football season for half the pitches at the ground.</p> <p>Please re-assess whether this impact is “minor adverse” and whether an alternative facility should be provided (and secured through the dDCO) for the relevant season(s) by way of mitigation?</p>	<p>REP1-041 sets out the Applicants' response to Hearing Action Points: ISH 18 Blackpool Road Recreation Ground and explains the impacts on the grounds including the works proposed (Section 1.3) and the mitigation measures that have been included to reduce, as far as possible the effects of Transmission Assets on the playing fields.</p> <p>Section 1.3.1.6 clarifies that there would be a maximum of five months active construction within the playing fields. As part of the design to limit impacts on the grounds, the works in area 15A15B will be underground, with no ground disturbance proposed, but to ensure public safety (paragraph 1.3.1.7) the corridor (15A15B) between the entry and exit pits will be fenced off and secured while the trenchless cable installation is occurring. This fencing in area numbered 15A15B will be in place for a maximum of 2 months within the 5-month total construction duration for all construction scenarios, as is secured within the Open Space Management Plan (Appendix A to the Outline Public Rights of Way Management Plan (AS-049). The lack of ground disturbance proposed in Area 15A15B will ensure that this area of the Recreation Ground would be available to all users as quickly as possible.</p> <p>The Applicants have been engaging with both representatives of St Annes Football Club and Fylde Borough Council to understand the nature and extent of the use of Blackpool Recreation Ground and to identify potential measures that could be appropriate to reduce any effects on the use of the ground.</p> <p>An outline Open Space Management Plan is included at Annex A to the Outline Public Rights of Way Management Plan (AS-048). The commitment to the implementation of detailed Open Space Management Plan(s) is secured in Requirement 8 of the draft DCO Schedules 2A and 2B (C1/F04). This plan would be developed in detail prior to the commencement of the construction of this phase and will include the consideration of timings of the works, football club schedules, potential requirements for the provision of alternative facilities and other user requirements at that stage. Section 1.2.2.9 of REP1-041 states in relation to the playing fields that measures will be “agreed with the relevant local authorities, as well as other relevant stakeholders”.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicants will secure mitigation for the construction activities at Blackpool Road Recreation Ground via a section 106 agreement. The Applicants have been actively engaging on this with Fylde Borough Council.</p> <p>Based on the implementation of the measures adopted as part of the Project and the intent of the Applicants to secure mitigation through a section 106 agreement, the assessment of the effects on the ground remains as minor adverse.</p>
Q12.1.19	Fylde Borough Council	<p>Blackpool Road Recreation Ground</p> <p>The applicants have assessed the effect on Blackpool Road Recreation Ground up to a maximum of 5 months as “minor adverse.” [REP1-041]. The plan annexed to the submission explains the proposed works</p> <p>Does the Council agree with this assessment? What progress has been made with the negotiation of the section 106 agreement referred to at CoT124?</p>	<p>The Applicants note Q12.1.19 is directed towards Fylde Borough Council and shall not be responding.</p>
Q12.1.20	The applicants	<p>Sand dunes</p> <p>In paragraph 15.5.2 of their LIR [REP1-078], FBC express concerns over the lack of detail relating to the nature, timing, frequency and duration of the impacts on the sand dunes and access to them. The Council has concerns that the proposed development might be contrary to their Local Plan policy EC6. It is noted from the response from the applicants at D2 to this submission that “the applicants may be required to restrict access to land during construction.” Please clarify this and can the applicants provide further detail as requested by the Council?</p>	<p>The restriction of access would be in relation to areas of the beach where, as the Applicants' response to Hearing Points: ISH 1, 13, 14, 16,17 (REP1-040) explains at paragraph 3.2.1.3, that “to ensure public safety, the cable pull-in working areas will be fenced off and secured while works are taking place. The edge of this cable installation working area will be maintained at least 100m seaward to the Lytham St Annes sand dunes SSSI.”. This is secured by the works descriptions for Work Nos.6A and 6B together with the Works Plans (AS-014 and AS-015) and also Requirement 8 within Schedules 2A & 2B of the draft Development Consent Order (REP2-004). Requirement 8 provides that detailed CoCP(s) will be implemented by the Applicants as approved by relevant planning authorities in consultation with stakeholders, as appropriate.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicant will implement managed crossings either to the seaward or landward side of the working area on the beach to ensure that access to the beach is maintained.</p> <p>The Applicant has confirmed in response to Fylde Council's Local Impact report REP1-078 10.3.2 (REP2-038) that there would be no direct impacts to the sand dunes and therefore no restriction of access, due to the use of trenchless installation techniques in this location.</p>
Q12.1.21	The applicants	<p>Royal National Lifeboat Institution</p> <p>The Royal National Lifeboat Institution (RNLI) retain a holding objection to the proposed development [REP1-096] as they require further clarification as to the impacts on any required launch and recovery of the Lytham St Annes lifeboat along the beach close to the Thursby/ Century Care Home. The ExA notes that further meetings have taken place since the start of the examination, but a full understanding is yet to be reached.</p> <p>The concerns of the RNLI are set out in pages 2-3 of their representation lodged on 19 May 2025 [REP2-065] and the applicants are asked to respond to these with the latest position and details of any remaining matters of disagreement.</p>	<p>The Applicants provided responses to the three key matters set out in the RNLI written representation (REP1-096) in Table 2.11 of REP2-031). Following Deadline 2, the parties met on 27 June 2025 to discuss the Applicants response and determine the status of the three matters, as set out below:</p> <ul style="list-style-type: none"> • Starr gate slipway: The RNLI had already confirmed in REP1-096 that their concerns regarding access to the beach from the Starr Gate slipway had been addressed by the Applicants. • Floating cables: The Applicants explained that whilst it would not be possible to light floating cables during the export cable pull-in activity, there would be several vessels associate with the pull in process that would be lit, with rigid inflatable boats (RIBs) also acting as guard vessels. Additionally, the Applicants marine co-ordination centre (MCC) would be monitoring activity through vessel automatic identification systems (AIS). The RNLI confirmed that their lifeboats are fitted with AIS, which would allow the MCC to monitor their activity and contact the lifeboat if required. The Applicants also explained that the Outline Communication Plan (J1.1/F02) had been updated for submission at Deadline 3 to secure implementation of an activity communication plan with RNLI for the cable pull-in process. The RNLI fed back that the explanation provided by the Applicants, addressed their concerns and stated that engagement on the communications plan, secured through the updated Outline Communications Plan (J1.1/F02) would ensure the RNLI is informed of when cable pull-in works will be taking place. • Lytham St Annes Launch Area: Making reference to Annex 5.3 to the Applicants response to Hearing Action Points: ISH1 13, 14, 16, 17

Reference	Question To	ExQ1	Applicants' response
			<p>(REP1-040) (which sets out additional information regarding the works proposed at the Lytham St. Annes Beach to facilitate the landfall of the offshore export cables) and Figure 3 in REP1-040 in particular, the Applicants explained that at all times, transport of the lifeboat would be possible landward of the cofferdams (between the cofferdams and the sand dunes). Additionally, passage seaward of the cofferdams would also be possible except during the cable pull-in process (up to 6 weeks per cable). The RNLI explained that launching the Lytham St. Anne lifeboat was undertaken to the south of the proposed landfall works area and therefore, was not a concern. However, the RNLI do recover the lifeboat in the landfall works area. The RNLI explained that they usually land the lifeboat on the beach directly in front of the Thursby/ Century care home. The Applicants explained that as the export cables will be routed within the landfall works area to the north or south of the care home, there will be a natural gap on the beach in front of the care home where cables would not be routed (as illustrated by the indicative location of cofferdams in Figure 3 of REP1-040) and the RNLI lifeboat recovery location should not be affected, to which RNLI agreed. The Applicants did point out that recovery operations during cable pull-in activities of the closest export cables to the beach area in front of the care home could impact on the lifeboat recovery location (for the duration of the works for that cable), but it was agreed that it would likely be by tens of metres, which the RNLI confirmed it could accommodate. Following beaching, it was agreed by the RNLI that the lifeboat could be recovered by heading east up the beach towards the sand dunes and then heading south between the cofferdams and the sand dunes to the lifeboat station at Lytham St. Anne to the south of the landfall works area. Regarding the combined weight of the lifeboat and its transport, and the concern raised by the RNLI in REP1-096 about potential damage to the export cables, the Applicants explained that it had no concerns regarding the cables due to the fact that they are solid and armoured and given the burial depths. However, the Applicants have requested some additional information from the RNLI on weights which can be considered for cable ducts. The RNLI has agreed to provide this information, if available.</p>

Reference	Question To	ExQ1	Applicants' response
			During the meeting held on 27 June 2025, the RNLI confirmed that they will update their position at Deadline 3, which the Applicants expect to confirm the summary set out above. Following this, the Applicants and the RNLI will assess whether there are any remaining matters to engage on and will update the ExA through any relevant issue specific hearings in week commencing 28 July 2025/ or at Deadline 4.
Q12.1.22	Wrea Green Equitation Centre and Midgeland Riding School	Wrea Green Equitation Centre and Midgeland Riding School The applicants have referred to a range of mitigation measures relating to noise control. These are set out in paragraph 1.3.5.3 of the Equalities Impact Assessment [REP1-058] and secured by requirement 8 in the dDCO [REP1-008]. Do these measures provide any reassurance? Have the applicants been in direct contact to discuss the potential impact and the safeguards being suggested?	<p>The Applicants met with Wrea Green Equitation Centre on the 29th January 2025 and 20th May 2025. In both instances mitigation measures for the potential disturbance of the compound were discussed. These included the positioning of a soil bund adjacent to the outdoor paddock to limit noise and screening to limit sound travelling. Both mitigations measures will be confirmed during detailed design phase and this has been communicated to Wrea Green Equitation Centre. The Applicants are in ongoing discussion with Wrea Green Equitation Centre and most recently provided copies of documents on the 26th June 2025 and the Applicants will continue to engage.</p> <p>The Applicants met with the owners of Midgeland Riding School on 30th March 2025, the meeting included discussions around the heads of term for the rights sought and disturbance to the holding during construction. It is acknowledged that the riding centre is approximately 400m from the cable corridor and therefore the impact to the riding school is predominantly the loss of land during construction. The Crossing Schedule (REP1-016) shows that this is an area where the cables will be installed using trenchless techniques crossing ID No MGMC_ECC_WA_347, MGMC_ECC_WA_348 and MGMC_ECC_UT_359 assisting with mitigation of the impacts. The Applicants will continue to engage with Midgeland Riding School regarding the works and agree practical mitigation measures through the ALO during the pre-commencement and detailed design.</p>

2.13 Landscape and visual

Table 2.13: Landscape and visual

Reference	Question To	ExQ1	Applicants' response
Q13.1.1	The applicants	<p>Representative Viewpoints</p> <p>Volume 3 Figures – Part 6 of 7 [APP-136] contains the applicants' Representative Viewpoints (including photomontages) with further details including methodology provided in the Visual baseline technical report [APP-126] and Landscape and visual impact assessment methodology [APP-127]. The photomontages provided do not appear to make clear which year of operation they relate to.</p> <p>With reference to the presentation of visual representations and photomontages provided in [APP-136], explain in further detail how these relate to the impacts of the proposed substation that would be experienced at Year 1 and Year 15 of the proposed development.</p>	<p>The Applicants acknowledge the ExA's observations and have submitted updated visualisations (F3.12/ F02) in support of the examination process and the Landscape and Visual Impact Assessment (LVIA) presented in Volume 3, Chapter 10 Landscape and visual resources of the Environmental Statement (ES) to make it clear which year of operation they relate to.</p> <p>Furthermore, the Applicants refer the Examining Authority to Section A.1.4 Visualisations of Volume 3, Annex 10.4: Landscape and Visual Impact Assessment Methodology (APP-127), which sets out the approach taken to the preparation of photomontages in support of the LVIA. As described therein, the photomontages are visualisations that superimpose an image - typically a wireline or rendered representation of the proposed development - onto a baseline photograph or series of photographs.</p> <p>Photomontages are a widely used and established visualisation technique that enables anticipated changes in views and visual amenity to be illustrated, assessed, and compared with existing on-site conditions. The daytime visualisations and wirelines depict a model representing the maximum design scenario for the Transmission Assets. These visualisations assist in understanding the likely scale and proportions of the Transmission Assets at both Year 1 and Year 15, during both summer and winter conditions, when surrounding vegetation would be either in- or out-of-leaf.</p> <p>The Applicants acknowledge that there are inherent limitations to the use of visualisations. The photographs and graphic material, including wirelines, <u>are intended for illustrative purposes only</u>. While they are valuable tools to support the assessment process, they do not fully replicate what is, or will be, perceived by the human eye. The landscape and visual assessments are informed by fieldwork observations, which may capture additional contextual features not visible within the photographs themselves.</p> <p>The specific limitations associated with the photomontage visualisations of the Transmission Assets are documented in Section A.1.5 Information on Limitations of visualisations of Volume 3, Annex 10.4: Landscape and Visual Impact Assessment Methodology (APP-127), which complies with best practice</p>

Reference	Question To	ExQ1	Applicants' response
			guidance as set out in the <i>Guidelines for Landscape and Visual Impact Assessment</i> (3rd Edition, Landscape Institute and IEMA, 2013) (GLVIA3); and the <i>Technical Guidance Note 06/19 Visual Representation of development proposals</i> (Landscape Institute, 2019).
Q13.1.2	The applicants (a, b, c, d), Fylde Borough Council (FBC) (a) and Lancashire County Council (a)	<p>Significant effects</p> <p>Section 10.11.4 of the Environmental Statement (ES) [APP-123] explains that any effects with a significance level of moderate or less are not considered to be significant. Paragraph 10.11.4.6, however, acknowledges that moderate effects have the potential to be important and may influence the key decision-making process.</p> <p>a. Whilst paragraph 10.11.4.4 states that these 'non-significant' effects are still given appropriate weight in the assessment process, to what extent does this approach risk underplaying landscape and visual effects in the overall assessment of the application proposals?</p> <p>b. What implications would there be for the overall assessment (including in-combination and cumulative assessments) if moderate effects are taken as being significant?</p> <p>c. Why is the approach taken to significance for landscape and visual effects inconsistent with the remainder of the ES?</p>	<p>The Applicants note the ExA's questions regarding the treatment of moderate landscape and visual effects as set out in Section 10.11.4 of Volume 3, Chapter 10: Landscape and Visual Resources of the ES (APP-123). The following responds to each question in turn.</p> <p>d. The Applicants consider that the approach of the LVIA to significance, within the context of the wider ES, remains robust and consistent with both the EIA Regulations and accepted industry guidance, namely the Guidelines for Landscape and Visual Impact Assessment (GLVIA3). GLVIA3 does not prescribe the exact threshold at which point a landscape or visual effect becomes significant, but it does require a transparent process to be followed, which considers the sensitivity of receptors, magnitude of impact, and sufficient descriptive text to support the final significance of effect. Furthermore, the threshold of Moderate adverse and below is a typical point at which landscape and visual effects are not considered significant. Paragraph 10.11.4.4 of the LVIA clarifies that effects assessed as being of 'moderate' significance are not automatically treated as EIA significant, but this does not mean they are disregarded. As explicitly stated in the LVIA, such effects are given appropriate weight in the assessment process. This includes informing judgements on scheme design, mitigation, and the balancing of likely effects in the context of decision-making. The risk of "underplaying" effects therefore is explicitly mitigated by the tiered approach adopted within the LVIA and ES, which distinguishes between the significance of effects for EIA purposes and the professional judgements around landscape sensitivity, susceptibility, and value. Furthermore, those effects assessed as 'moderate' or approaching the threshold of significance are clearly identified and discussed to ensure transparency and to support a proportionate assessment and evaluation of potential environmental effect.</p> <p>e. The cumulative assessment of landscape and visual effects is set out in Section 10.14 of the LVIA (APP-123), which follows the staged methodology defined in Planning Inspectorate Advice Note Seventeen: cumulative effects assessment relevant to nationally significant infrastructure projects" (2015), and Planning Inspectorate Advice Note Seven: Environmental Impact</p>

Reference	Question To	ExQ1	Applicants' response
			<p>Assessment: process, preliminary environmental information and environmental statements (Planning Inspectorate, 2020a). In accordance with this methodology and GLVIA3 guidance, the assessment considers not only the significance of individual effects arising from the proposed development but also the potential for additive or synergistic effects in combination with other developments. Where landscape and visual effects are assessed as moderate or less, they are still included in the cumulative assessment where relevant receptors may also be affected by other planned, consented, or under-construction developments, as accumulation of individual moderate adverse effects, for instance experienced sequentially during a journey undertaken by the same visual receptor, may also be judged as significant in some circumstances (See paragraph 10.11.4.3 of the LVIA (APP-123). These non-significant, but potentially material effects, are therefore carried forward and reassessed in the context of combined or sequential visibility, spatial overlap, and receptor sensitivity. The cumulative assessment explicitly identifies where a combination of individually non-significant effects may together result in effects of greater concern or complexity.</p> <p>f. Reclassifying all moderate effects as significant for the purposes of the EIA would materially alter the interpretative methodology of the assessment. While the professional judgement underpinning the assessment would remain unchanged, the outcome in terms of the number of effects deemed 'significant' would increase. Such an approach could potentially dilute the distinction between effects of a higher magnitude - i.e. those assessed as 'moderate-major' or 'major'- and those judged to be on the threshold of significance. This may reduce the clarity of the assessment by conflating a broad spectrum of effects under the same significance category, contrary to the principles of proportionality and transparency set out in GLVIA3. From a procedural perspective, this would not invalidate the assessment but may introduce inconsistency with established EIA practice, making it more difficult to compare findings across disciplines or to interpret cumulative effects in a consistent manner.</p> <p>g. The Applicants respectfully do not agree that the approach to significance for landscape and visual effects is inconsistent with the remainder of the ES. Each technical chapter of the ES applies a significance threshold that is informed by topic-specific guidance and professional judgement. For landscape and visual effects, GLVIA3 sets out a nuanced framework in</p>

Reference	Question To	ExQ1	Applicants' response
			<p>which not all moderate effects are automatically deemed significant - a position that reflects the complex and subjective nature of landscape character and visual perception. In contrast, other environmental topics may have more prescriptive thresholds for significance based on measurable criteria or regulatory limits. Accordingly, the variation in approach across the ES reflects appropriate methodological tailoring rather than inconsistency. Moreover, cross-chapter consistency is maintained through Volume 1, Chapter 5: Environmental assessment methodology (APP-034)), which sets out the overarching approach to assessment, including the rationale for topic-specific interpretations of significance. This approach ensures that each discipline applies the most relevant and recognised guidance while remaining within the overall EIA framework.</p>
Q13.1.3	The applicants	<p>Tree survey and arboricultural impact assessment</p> <p>Paragraph 1.6.2.4 and 1.6.2.5 of the Tree survey and arboricultural impact assessment [APP-128] explains that due to access constraints, access was not possible to approximately 12% of the onshore infrastructure area and that, in these areas, observations were made utilising satellite mapping. What progress is being made on surveying these where access has previously not been possible?</p>	<p>Where possible, areas of woodland, mature and protected trees will be avoided, as set out in CoT03 secured by Article 3(1), Works Plans – Onshore and Intertidal within the draft DCO (REP2-004).</p> <p>Areas which have not been surveyed as part of the application, and which will include potential tree removal to facilitate construction of the Transmission Assets will be surveyed as part of the pre-construction environmental surveys (refer to paragraph 1.2.1.5 of the Outline Code of Construction Practice (APP-193)).</p> <p>The Applicants note that the omission of 12% of the onshore infrastructure area does not invalidate the conclusions of the arboricultural impact assessment.</p>
Q13.1.4	The applicants	<p>Indicative layout of proposed substations</p> <p>The Outline Design Principles (ODP) document [APP-209] sets out the considerations that will inform the detailed design of the proposed development including the substations.</p> <p>Figures 10 and 11 of the ODP show indicative illustrations of both substations and visualisations are provided elsewhere. Please also provide an indicative layout drawing for each proposed substation notating the different structures,</p>	<p>The Applicants have already provided, within the oLMP (AS-050) <i>Indicative Landscape Strategy plans</i> for both onshore substation site (see oLMP Figures 1.1 to 1.3), which illustrate the footprint of each substation site and the Applicants' approach to mitigation planting for both projects.</p> <p>The Applicants have also prepared, as a standalone document, an indicative 3D illustration of the layout of each onshore substation site's layout, that has been submitted at Deadline 3 (F3.12/F02). This illustration annotates the <u>typical</u> structures, equipment and buildings that would be required at each site, aligning with the EIA project description.</p> <p>The layout mirrors the design used to prepare the photomontages.</p>

Reference	Question To	ExQ1	Applicants' response
		equipment and buildings that would generally be required for each.	These layouts are <u>indicative and intended for illustrative purposes only</u> . The final design will be developed following the award of consent, the placing of a relevant contract with a substation contractor, and subject to approval by the local planning authority as part of requirement 4 of Schedules 2A and 2B of the draft DCO [REP2-004].
Q13.1.5	The applicants (a & b), FBC (c) and Lancashire County Council (LCC) (c)	Outline Design Principles The ODP [APP-209] includes (Section 6.2) a 'Post consent Design Code' which include what appear to be fairly generalised design requirements. a. To what extent has the ODP been subject to engagement with the local planning authority and other stakeholders? Explain how the design principles and design code have been informed by those potentially affected, including residents, community groups, infrastructure users, interest groups and local employers? b. What further measures are proposed to ensure there is appropriate future engagement with potentially affected persons, organisations and groups on the design of the proposed substations? c. Can FBC and LCC explain the role each has been able to play so far in assisting with the development of the content of the ODP?	<p>a) The Applicants acknowledge that the outline Design Principles (oDP) (APP-209) document was not specifically consulted upon prior to submission, however, the Applicants did seek to secure feedback on context and design matters to help inform the Project, through consultation, and these discussions did influence the principles presented in the oDP document (APP-209). The Applicants confirm that the material presented in the oDP document (APP-209) has been informed by an iterative process of engagement with a range of stakeholders, including the local planning authorities, relevant statutory consultees, landowners, community representatives, and other interested parties. The Applicants presented, in September 2024, to the Landscape Expert Working Group an overview of the purpose and status of the forthcoming oDP document. The presentation also outlined how the Applicants intend to meet the criteria for 'good design'; its approach, evolution and response to design and what the post-consent design process (including governance structures and design codes) would entail.</p> <p>The Applicants have undertaken proactive engagement with the relevant local planning authorities throughout both the pre-application and post-submission stages of the DCO process. This engagement is documented in Section 5 of the oDP (APP-209), as well as within the Consultation Report (APP-170) and its associated annexes (APP-171 to APP-188).</p> <p>Two stages of non-statutory consultation were held prior to statutory consultation, providing opportunities for local communities and stakeholders to comment on the proposals at formative stages of the project. The first non-statutory consultation, held between November and December 2022, introduced the proposed development and invited initial feedback. A second non-statutory consultation, undertaken between April and June 2023, presented updated proposals and sought further input. During this period, the Applicants presented the following information:</p> <ul style="list-style-type: none"> – The four indicative onshore substation search areas, within which two new onshore substations would be located;

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> – An indicative onshore export cable corridor and grid connection area; – The National Grid connection point at Penwortham substation; – The indicative landfall location and onshore export cable corridor, including associated temporary construction compound areas. – Feedback received during these consultations directly informed the refinement of key parameters and design considerations, particularly for the onshore substations and associated landscaping. <p>The statutory consultation was carried out between October and November 2023. At this stage, the Applicants consulted on more detailed proposals and the Preliminary Environmental Information Report (PEIR), including the environmental assessments for the Transmission Assets. Stakeholder feedback received through this process was integral to the ongoing EIA and the further iteration of parameter proposals. The Applicants maintain that the EIA process has been used explicitly as a design tool, identifying key constraints and informing the application of good design principles. This iterative approach was supported by the Evidence Plan Process (EPP), which was established to ensure that environmental and planning considerations were addressed proportionately and collaboratively. An EPP Steering Group was established, comprising the following parties:</p> <ul style="list-style-type: none"> – The Applicants and their EIA consultants; – The Planning Inspectorate; – Natural England; – The Marine Management Organisation (MMO); – The Centre for Environment, Fisheries and Aquaculture Science (Cefas); – Historic England; – Blackpool Council; – Fylde Council; – Preston City Council; – South Ribble Borough Council; and – Lancashire County Council.

Reference	Question To	ExQ1	Applicants' response
			<p>In summary, the oDP document (APP-209) reflects a collaborative and structured engagement process undertaken by the Applicants over the course of the pre-application phase.</p> <p>The design principles and emerging design code have been shaped by input from local planning authorities, statutory consultees, landowners, residents, community groups, infrastructure users, and local employers. The oDP document (APP-209) will continue to inform the detailed design of the authorised development, ensuring that it responds appropriately to local character, relevant planning policy, and community context, in accordance with the Applicants' response to (b) below.</p> <p>b) The Applicants are therefore keen to engage with FCB and LCC to develop, where considered appropriate, the Design Codes in support of ensuring the local authorities have sufficient design control in place to inform the final design and requirements discharge. It is anticipated that this will develop during the programme for the Examination and in the preparation of the SoCG, and the Applicants will welcome comments on the oDP and the Design Codes during examination process.</p> <p>c) The Applicants recognise the importance of continued engagement with the appropriate stakeholders in the evolution of the detailed design of the proposed onshore substations, as secured by Requirement 4 of Schedules 2A and 2B of the draft DCO (REP2-004). In accordance with best practice, and to ensure an appropriate and transparent process, several mechanisms are proposed to secure future engagement following the grant of development consent, which are listed below.</p> <p>The Applicants consider - through a combination of secured documents, embedded consultation commitments, and formal planning control mechanisms - that appropriate and proportionate measures are in place to ensure that any potentially affected persons, organisations and groups have had (see response to Q1.13.5 (a) above), and will continue to have, meaningful opportunities to engage with the detailed design of the proposed onshore substations at the appropriate stages of the post-consent process. The list of control mechanisms related to design are as follows:</p> <p><i>Requirement for Approval of Detailed Design</i></p> <p>The draft Development Consent Order (dDCO) includes Requirement 4 of Schedules 2A and 2B, which provides for the submission and approval, by</p>

Reference	Question To	ExQ1	Applicants' response
			<p>the relevant planning authority, of the final detailed design of the onshore substations prior to the commencement of construction. This Requirement ensures that the relevant planning authority will have formal oversight of the final design and provides a mechanism through which the views of stakeholders, where relevant and appropriate, can be taken into account.</p> <p><i>Detailed Landscape and Ecological Management Plan</i></p> <p>The oLMP (AS-050) and oEMP (REP2-018) provide the framework for the development of a detailed Landscape and Ecological Management Plan (LEMP) post-consent. Section 1.1.5 Implementation of the oLMP sets out the process by which the detailed LEMP will be developed and involve consultation with the relevant stakeholders in accordance with the objectives and principles of the oLMEP, with the expressed aim of ensuring that planting schemes, management regimes and biodiversity enhancements are contextually appropriate and responsive to local landscape character and ecological opportunities.</p> <p>Commitment to Continued Engagement through the Design Principles document</p> <p>The oDP document (APP-209) includes 'Design Code 3 Continued Engagement with Stakeholders', which commits the Applicants to ongoing engagement with relevant stakeholders in relation to the detailed design of the onshore substations. Matters for continued discussion may include building materiality, colour treatment, fencing and security measures, surface water drainage design, and refinement of landscape proposals (as part of the development of the LEMP).</p> <p>d. The Applicants welcome FBC's and LCC's comments and the opportunity to discuss this matter further as part of the SoCG process. The Applicants have had landscape topic specific meetings with LCC on Wednesday 18th June and with FBC on Monday 30th June. These meetings are reflected in the updates to the SoCGs submitted at Deadline 3.</p>
Q13.1.6	FBC and LCC	Design content Paragraph 5.10.30 of NPS EN-1 states that the Secretary of State should be satisfied that the local authorities will have sufficient design content secured to ensure future consenting will	The Applicants note Q13.1.6 is directed towards FBC and LCC and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		<p>meet landscape, visual and good design objectives.</p> <p>Is FBC and LCC satisfied that the current design content provided in the application and secured in the draft Development Consent Order (dDCO) would meet this requirement?</p>	
Q13.1.7	The applicants	<p>Applicants' design approach</p> <p>e. To help with understanding of the applicants' design approach to the proposed substations, explain in further detail what the design vision is for the proposed substations and how this design vision reflects local context?</p> <p>f. Is the general design approach for the substations to seek to (partially) screen them from views in order to reduce their visual and landscape effects, or is it to provide complimentary landscaping as part of a design approach that seeks to provide buildings and structures that can potentially be appreciated as features within the landscape?</p>	<p>g. The Applicants' design vision for the proposed onshore substations is founded on the principle of delivering an integrated response to fulfil the onshore substations' technical and operational requirements while minimising and mitigating potential environmental effects through a coordinated approach, as set out in the oDP (APP-209). While the overall scale and function of the onshore substations are determined by operational requirements and engineering considerations, the Applicants recognise that aspects of the onshore substations' design – including layout, built components, the use of materials, and associated landscape measures - should be responsive to the local environment and character.</p> <p>Therefore, the design approach, seeks to respond to the receiving landscape, where practicable given the nature of the infrastructure required, minimising adverse effects in a manner that is as responsive to the local environment as possible, including the landscape, communities and people using the PRoW network. This approach is consistent with the principles of good design as articulated in the National Infrastructure Commission's guidance and aligns with the expectations set out in National Policy Statements EN-1 and EN-5, particularly in relation to energy infrastructure within rural and semi-rural contexts. The Design Principles of the oDP (APP-209), seek to guide the design process towards design outcomes that ensure that the substation sites would fit sensitively into the local context; mitigate (as far as possible) adverse environmental effects; respects local communities.</p> <p>h. The general design approach for the onshore substations is to seek to control views to reduce potential visual and landscape effects. This acknowledges that while any visible buildings / structures can be appreciated (potentially) in views, they also can be recognised as features in a landscape that have been sensitively considered and designed. However, the design response should be considered in the understanding that most of the electrical equipment of a substation might lie outside of any building</p>

Reference	Question To	ExQ1	Applicants' response
			<p>enclosures, and the layout must meet operational requirements. The wording of Requirements 4 of Schedules 2A and 2B of the draft DCO (REP2-004) identifies the submission to include details of: layout; scale, building design including dimensions, material finishes/ colour; and fencing to support that approach. Design Codes [principles] are defined in the oDP to support that design submission including a commitment to ongoing consultation and design development to accord with DC1 – DC13.</p> <p>The Applicants also refer the ExA to Section 1.3.2 of the Outline Landscape Management Plan (oLMP) (AS-050), which sets out the objectives of the landscape proposals to integrate, filter and/or screen the proposed onshore substations. These objectives are summarised as follows:</p> <ul style="list-style-type: none"> – Landscape integration: to provide an appropriate setting that manages the landscape impacts of the proposed onshore elements, in particular the onshore substations, responding to adjacent land uses and the landscape character of the area: <ul style="list-style-type: none"> ○ retain and protect existing trees, hedgerows and other vegetation, wherever practicable; ○ reinstate land and planting replacement trees, hedgerows and other vegetation where practicable; ○ compliment, extend and join existing landscape elements and habitats including hedgerows, trees and woodlands to enhance the green infrastructure and landscape fabric within and around the onshore substation sites; and ○ use appropriate native (and of local provenance) species to contribute towards habitat enhancements (subject to landowner agreement) and in turn to promote biodiversity to achieve a biodiversity benefit and bolster the diversity of native species that are present locally (refer to the oEMP (REP2-018)). – Landscape amenity: aim to: <ul style="list-style-type: none"> ○ filter/screen views of the components of the proposed substations and integrate these into the landscape context.
Q13.1.8	The applicants	National Policy Statement	Please see the Applicants' response to ExQ1 Q13.1.8 in the Appendix 3.2 of this document.

Reference	Question To	ExQ1	Applicants' response
		<p>Paragraph 5.10.25 of NPS EN-1 says in considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on equally sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.</p> <ul style="list-style-type: none"> . Can the applicants provide any examples of such existing permitted infrastructure with a similar magnitude of impact? a. What examples of good practice can be inherited from other existing similar substation developments? What bad practice can be avoided? This should include considerations of where more than one substation is located near to another. 	
Q13.1.9	The applicants	<p>Siting and design of proposed substations</p> <p>Explain in further detail how consideration of the siting and anticipated design of the proposed substations, including the individual elements within them, would be capable of responding to features such as particular site characteristics, local views, public rights of way, topography and existing screening. How are these matters incorporated into the ODP?</p>	<p>The siting and design of the each proposed substation is framed in the DCO using parameters described in Volume 1, Chapter 3 Project description (AS-025); Commitments described in Volume 1, Annex 5.3 Commitments Register (APP-037) and Design Codes described in the oDP (APP-209) - noting that the oDP incorrectly refers to 'principles' at 4.5.2.3 – 4.5.2.5 and should reference 'codes' - which support the final design development that will be submitted to the local planning authority to discharge requirement 4 and of Schedules 2A and 2B of the draft DCO [REP2-004].</p> <p>The Design Codes are acknowledged as being relatively general in nature, however, the ongoing design development will be informed by a detailed understanding of the receiving environment, including local topography and landform, the presence of existing vegetation, the proximity to Public Rights of Way (PRoWs), and the location and sensitivity of visual receptors.</p> <p>Section 5 Design Approach, Evolution and Response of the oDP (APP-209), provides a summary of how the Applicants have approached the development of the Project and how the design has evolved in response to environmental,</p>

Reference	Question To	ExQ1	Applicants' response
			<p>technical and contextual considerations. Additionally, Volume 1, Annex 5.3 Commitments Register (APP-037) sets out a range of mitigation and monitoring measures identified through the EIA process, designed to avoid or reduce potential adverse effects. These 'Commitments' (CoTs) are aligned with the Design Framework for the Projects - see Section 3, oDP (APP-209) - and will guide the final design. The combination of design codes, Commitments, and Requirements provides a recognised framework to ensure that the detailed design of the proposed substations responds appropriately to the specific characteristics of each site and secures a proportionate and enforceable mechanism for mitigating environmental effects and delivering substations that are sensitively integrated into their local landscape context.</p> <p>Furthermore, as noted elsewhere, the Applicants are keen to engage with FCB and LCC to develop as may be considered appropriate, the Design Codes [in support of ensuring the local authorities have sufficient design control in place to inform the final design and requirements discharge. It is anticipated that this will develop during the programme for the Examination and in the preparation of the SoCG.</p>
Q13.1.10	The applicants, FBC and LCC	Proposed substations Notwithstanding the applicants' justification for needing two separate substations, what are the benefits and disbenefits of the proposed design of having two separate substations rather than one single substation in terms of a) visual appearance, b) landscape character and c) the openness of the Green Belt?	<p>The Applicants outline the following, in response:</p> <p>a. Visual appearance -</p> <p><u>Benefits:</u> The separation of the substation site support the delivery of coherent design solutions, to the benefit of visual appearance. The Morgan onshore substation proposes to use Gas Insulated Switchgear (GIS) technology, whereas the Morecambe onshore substation will use either GIS or Air Insulated Switchgear (AIS). Each technology has different characteristics as follows. The AIS visual appearance is characterised by an 'open yard' arrangement and includes a few small buildings. The GIS visual appearance is characterised by similar equipment housed in more structures. Delivering different technology approaches in the same site could lead to a lack of coherence and loss of opportunity.</p> <p><u>Disbenefits:</u> The separation of the two substation sites would, theoretically, result in a more extensive Zone of Visual Influence (ZVI). However, the anticipated loss of additional vegetation and the challenges of establishing a larger single site on existing topography, could result in increased visibility from PRow's and settlements and generate a more expansive ZVI.</p> <p>b. Landscape character –</p>

Reference	Question To	ExQ1	Applicants' response
			<p><u>Benefits:</u> The spatial separation of the substations helps to dilute and reduce their individual and cumulative influence on the receiving landscape. This allows for existing landscape features to be retained, such as the small copse adjoining Dow Brook that provides an effective visual and physical buffer between the substation sites. Such existing features may be lost with a single, and larger, footprint that homes both substation sites. The two-site approach also supports screening and landscape integration, where feasible, retaining existing landscape features such as field boundaries and vegetation.</p> <p>While a consolidated site for both substations is theoretically capable of reducing its footprint and extent of influence in the landscape, this would not be realised in practice, as each substation requires independent operational accesses independent to the construction accesses, servicing, and infrastructure (such as cabling). As such, a single consolidated site would not result in a net reduction in total land take. Moreover, the integration of such a consolidated development would present greater challenges due to the increased scale of the built form and associated infrastructure. This would, in turn, adversely affect the Applicants' ability to achieve appropriate site levels and implement a planting strategy capable of effectively mitigating landscape and visual effects.</p> <p>The land between the two substation sites supports an alteration in substation orientation and provides visual separation, such that they are not always perceived within the same view, as exemplified by Representative Viewpoints 5, 7 and 8. This spatial separation serves to reduce the overall effect on landscape character.</p> <p>The proposed separate siting of the substations facilitates the establishment of a distinct setting and buffer for each, enabling the surrounding landscape to remain dominant and legible. The opportunity to deliver an open yard configuration, compatible with AIS technology - one of the substation design options under consideration for Morecambe - would also be compromised if the two substations were required to share a single site.</p> <p>c. The openness of the Green Belt –</p> <p>The Green Belt Technical Note (S_D3_11) specifically addresses the impact of the substations on the openness of the Green Belt.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The two site substation strategy will not lead to an increased level of harm to the openness of the Green Belt as the quantity of development considered to be inappropriate and therefore harmful, would not be reduced as a result of the promotion of a single site, as each substation requires independent operational access, servicing, and infrastructure (such as cabling) and would not significantly reduce in scale if they were to be conjoined.</p> <p>As the Green Belt Technical Note (S_D3_11) explains, the concept of 'openness' is considered to have both a spatial and a visual element.</p> <p>The two-substation strategy supports the positioning of each substation in relation to the existing topography, vegetation etc to minimise impacts on 'visual' openness as far as practicable. The two-substation strategy also reduces the impact on spatial openness diluting the scale, form and density of built development which are the relevant factors affecting the perception of the spatial extent of undeveloped land.</p> <p>It should be noted that the delivery of separate substations also supports micro-sitting, providing increased optionality to minimise and mitigate harm.</p>
Q13.1.11	The applicants, FBC and LCC	Good design What further detail could be provided within the ODP and elsewhere to demonstrate the ways in which 'good design' can be secured including equipment procurement and layout considerations, taking account of the local context of the respective substation sites?	<p>The oDP (APP-209) and oLMEP (AS-050) documents, in combination with Volume 1, Annex 5.3 Commitments Register (APP-037), are the primary controls on delivery of good design.</p> <p>The Applicants welcome the opportunity to develop these documents during the Examination process via SoCG discussions with stakeholders (including local authorities).</p>
Q13.1.12	The applicants	Board-level design champion The Post Consent Design Code includes the designation of a board-level design champion for each project. Why are they not already appointed given that good design is a relevant matter at the development consent application stage? When is it intended that they will be appointed?	<p>The National Infrastructure Strategy (HM Treasury, 2020) highlights that "<i>good design is an essential element in securing high performance of infrastructure from the start</i>" and requires all projects to appoint a board level Design Champion to be accountable for delivering coherent good design.</p> <p>The Morgan Offshore Wind Project appointed Dirk Dollmann in the role of Design Champion during the pre-application phase. Dirk Dollmann is a Senior Engineering Manager within EnBW and is the Project Director for the Morgan Offshore Wind Project. He has a wealth of experience in delivering good design on offshore wind farm projects across Europe, including Baltic 2, Hohe See and Albatros wind farms; and was appointed the Design Champion for the Mona</p>

Reference	Question To	ExQ1	Applicants' response
			<p>Offshore Wind Project also. He has been involved in design decision-making for the Morgan Offshore Wind Project since pre-application.</p> <p>As stated in The Applicants' response to Hearing Action Points (REP1-073), Morecambe Offshore Wind Limited is in the process of being acquired by Copenhagen Infrastructure Partners (CIP). As such, appointment of a Design Champion on behalf of the Morecambe Offshore Windfarm was subject to change and could not be named until the project had certainty. The Applicants have committed to updating the Examination when this transaction is complete. A Design Champion for the Morecambe Offshore Windfarm will be announced at this update.</p> <p>The Applicants were conscious that appointment of one Design Champion was not an aligned position and therefore sought the later appointment through the commitment within the oDP (APP-209). APP-209 underpins the Applicants' design commitments for both projects and demonstrates that good design has been a relevant matter through the pre-application and development consent application stages.</p> <p>The Design Champion is accountable for delivering good design and holds the project team to account in terms of a macro vision of design. The Design Champion will guide and champion an iterative design process to test the best way of achieving the design principles outlined above.</p>
Q13.1.13	The applicants, FBC and LCC	Independent design review process <ol style="list-style-type: none"> Would the use of an independent design review process be beneficial to help secure and implement good design in the final design process for both proposed substations? How could this be secured through the dDCO? 	<ol style="list-style-type: none"> The Applicants acknowledge the potential value that an independent design review process can bring to the evolution of design in support of Requirements discharge. However, the Applicants note that the forward design process for the proposed onshore substations are already subject to a comprehensive and robust design process. This includes adherence to the Design Codes outlined in the oDP (APP-209), as well as commitments made in the oLMP (AS-050) and oEMP (REP2-018), other associated management plans, and Volume 1, Annex 5.3 Commitments Register (APP-037). Together, these documents form a framework of control measures that collectively ensure that the final design of the substations is subject to a clear, enforceable, and accountable process, including defined objectives for landscape integration, visual containment, and biodiversity enhancement. Notwithstanding the strength of this framework, the Applicants recognise that the inclusion of an independent design review process could provide an additional layer of design advice/assurance, subject to FBC and LCCs internal officer team competency, to inform the discharge of Requirement 4

Reference	Question To	ExQ1	Applicants' response
			<p>in Schedules 2A and 2B of the draft DCO [REP 2-004]of the draft DCO. The Applicant also note an IDR Panel should be advisory.</p> <p>b. It is the Applicants' recommendation that good design is secured and implemented by an agreed process between relevant local authorities and the Applicants via the development of the Transmission Assets oDP (APP-209). The Applicant suggests that the enhancement of Design Principles and Design Codes are explored during SoCG drafting to enhance confidence in the Applicant's commitment to delivery of good design. The Applicants' Design Champion (already committed) and design consultants would support design governance, and as may be required, by PPA agreement regarding specific design resource within the local authorities to support post consent design development, pre requirement discharge discussion and requirement submission. This approach is supported by guidance provided by the NIC and embedded in EN1/EN5 policy.</p> <p>The status of the Design Principles and Code should be agreed to provide sufficient confidence in the commitment to good design. The Applicants consider this strategy to be preferable to design review and would amongst other things:</p> <ul style="list-style-type: none"> – support smooth programme delivery for requirement discharge and delivery on the ground, including necessary design gateways and specialist delivery partner input – deliver good design underpinned by early commitment by way of agreed design principles and codes – reflect project delivery, including the separate project substation delivery programmes.
Q13.1.14	FBC and LCC	Residential visual amenity Section 10.7.4 of the ES [APP-123] considers 'Views from Residential Properties'. Paragraph 10.7.4.4 concludes that no occupiers of residential properties within the study area have the potential to experience a degree of harm over and above substantial to make considering	The Applicants stand by the assessment within the ES and its conclusions, which have been prepared in accordance with best practice EIA and Landscape Institute guidance - namely the 'Landscape Institute Technical Guidance Note 2/19 Residential Visual Amenity Assessment' - and undertaken by chartered and experienced practitioners appointed to deliver this part of the DCO submission. There are no details pertaining to the Volume 3, Chapter 10: Landscape and Visual Resources (APP-123) that are absent or insufficient to

Reference	Question To	ExQ1	Applicants' response
		<p>private views a public interest matter. Therefore, an assessment of residential visual amenity has not been provided by the applicants.</p> <p>Does FBC agree with the applicant's approach of not providing an assessment of residential visual amenity in relation to the proposed substations?</p>	<p>adequately inform the assessment nor its conclusions, and have engaged with FBC to understand the basis of their representations via the SoCG process.</p>

2.14 Noise and Vibration

Table 2.14: Noise and Vibration

Reference	Question To	ExQ1	Applicants' response
Q14.1.1	The applicants	<p>Operational noise</p> <p>Table 1.5 and 1.6 of Operational Noise [APP-120] gives indicative plant strategy for the Morgan and Morecombe onshore substation sites.</p> <ol style="list-style-type: none"> Explain why those parameters are marked as indicative? What are the maximum sound power levels associated with identified items? What are maximum quantities and heights of the items? How does the 'indicative' nature of those values impact the results of the operational noise assessment and ensure that the worst-case scenario has been assessed? As the precise details of the design and specific components of the substations are not yet known, and considering the 'on balance' assessment, what level of certainty is there that potentially low level yet still potentially annoying levels of noise would not result for local residential properties, including at night-time and when windows might be open? 	<ol style="list-style-type: none"> The Applicants confirm that the onshore substations designs assessed within the Operational Noise Assessment (APP-120) are marked as indicative as they have been based on indicative layouts and therefore do not represent the final designs and layouts for the onshore substations and their associated equipment. As set out in Table 8.14 of Volume 3, Chapter 8: Noise and vibration of the Environmental Statement (APP-117), the design assessed represents the Maximum Design Scenario (MDS) and has allowed for assessment of potential noise impacts, and the setting of noise limits, at the nearest affected receptors. An indicative layout for the onshore substations has been submitted at Deadline 3 in relation to a response to ExA Q13.1.4. The indicative detail within the Operational Noise Assessment (APP-120) falls within the remit of the MDS assessed as part of the Noise and Vibration assessment in Chapter 8 (APP-117). The Applicants refer to Table 1.5 and 1.6 of Volume 3 Annex 8.3 (APP-120) for the maximum sound power levels associated with the plant assessed. An indicative layout for the onshore substations, including quantities and height of plant, has been submitted at Deadline 3 in response to ExA Q13.1.4 (F3.12/F02). The Applicants refer to the response in a) above which explains how the worst-case scenario has been derived and assessed. Through the adherence to the noise limits presented in the Operational Noise Assessment (APP-120) and committed to via Requirement 18 of Schedules 2A and 2B of the draft DCO (REP2-004) that requires the production of an operational noise management plan, significant adverse effects will be avoided. The assessment has been undertaken in accordance with BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound', which assesses sound externally to a dwelling. This guidance is to be followed for any applications comprising electrical plant and equipment, such as the onshore substations as part of the Transmission Assets. In accordance with BS 4142:2014+A1:2019,

Reference	Question To	ExQ1	Applicants' response
			<p>should noise from operation of the substations exceed the background sound level by 5 dB, an adverse impact is likely, which could be perceived as an annoyance to the resident. This approach is the result of years of research from previous editions of the guidance, including the accumulated experience of the associated authors. By enforcing limits to be less than 5 dB above background sound levels, and taking into account the sensitivity of the receptor, a significant adverse effect will be avoided. By protecting the resident through external limits through the application of BS 4142:2014+A1:2019, the resultant internal acoustic environment within residents' homes will also be protected.</p>
Q14.1.2	The applicants	<p>Operational noise Paragraph 1.2.3.14 of Operational Noise [APP-120] states "It has been assumed that this is the sound power level per phase and thus each capacitor bank has a sound power level of LW 82 dB(A)." Explain what is the basis for this assumption?</p>	<p>The Applicants clarify the word 'phase' within Paragraph 1.2.3.14 of Environmental Statement Volume 3, Annex 8.3: Operational Noise (APP-120) relates to the operational electrical components of the onshore substation, as opposed to 'phases of development'. The Applicants also confirm due to the logarithmic nature of decibels, the addition of two components of equal sound level result in an increase of 3 dB. Therefore, the resultant sound power from the operation of two capacitor banks of 82 dB(A) will result in an overall sound power level of 85 dB(A). This information is included within APP-120 and considered as part of the noise impact assessment.</p>
Q14.1.3	The applicants	<p>Operational noise Paragraph 1.2.3.21 of Operational Noise [APP-120] states "In the absence of a detailed design, indicative mitigation measures which may be incorporated as a primary mitigation measure (as part of the design) have been included within the assessment. " a) Explain why this paragraph states "may" rather than "will". Does use of a word "may" indicate that indicative mitigations measure could not be incorporated? b) Does the word "indicative mitigation" mean a different strategy, not assessed in the Environmental Statement (ES), could be adopted?</p>	<p>The Applicants provide the following response:</p> <p>a) Based on the MDS assessed, the mitigation set out within Table 1.7 of APP-120 is required to be implemented to ensure a significant adverse effect is avoided at the nearest noise sensitive receptors. Such mitigation measures include use of acoustic enclosures, barriers and quieter plant. At detailed design stage, the mitigation measures will be finalised to ensure that the agreed operational noise limits will be met. The use of 'may' in paragraph 1.2.3.21 has been used on the basis that not all the mitigation measures set out in Table 1.7 of APP-120 will necessarily be required to meet such limits. The mitigation measures identified at detailed design stage will be agreed with the Local Planning Authorities when discharging Requirement 18 (Control of Noise during Operational Stage) of Schedules 2A and 2B of the draft DCO (REP2-004).</p>

Reference	Question To	ExQ1	Applicants' response
		Explain in detail what mitigation measures are proposed that will be included as part of the primary mitigation measures.	<p>b) The Applicant refers to the response in a) above.</p> <p>Based on the MDS assessed, the mitigation measures within Table 1.7 of APP-120 would be included as primary mitigation. However, as stated previously, the design of the substations is not yet finalised, and noise will be a main consideration in the final design to ensure a significant adverse effect is avoided.</p>
Q14.1.4	The applicants	<p>Operational noise</p> <p>Paragraph 1.2.3.19 of Operational Noise [APP-120] states: "Acoustic enclosures are available which attenuate sound at 100 Hz by around 20 dB (National Grid, 2021). An enclosure which can achieve this amount of low frequency attenuation will reduce noise levels at higher frequencies by a greater amount. However, an overall noise reduction of 20 dB has been applied as conservative assumption in the absence of a full enclosure specification."</p> <p>a) Why do you state this assumption is "conservative"?</p> <p>b) Provide evidence that 20dB at 100Hz reduction is possible and achievable.</p> <p>c) If enclosure attenuate "by around" 20dB how accurate are the outcomes of the noise risk assessment? Have uncertainties and limits of deviation been considered?</p>	<p>The Applicants provide the following response:</p> <p>a) As stated within paragraph 1.2.3.19 of APP-120, the acoustic enclosure will attenuate noise by 20 dB at 100 Hz. Due to the nature of sound waves, the level of attenuation across the frequency range varies, with poorer performance at lower frequencies. Therefore, at the higher frequency range (500 Hz and beyond) the attenuation of the enclosure will be higher than 20 dB. However, the assessment has assumed an overall 20 dB reduction at all frequencies, therefore underestimating the performance of the enclosure and resulting in a conservative, worst-case approach in terms of impact assessment.</p> <p>b) The Applicants refer to paragraph 1.2.3.19 of APP-120, which refers to the assessment undertaken by National Grid for the proposed Little Horsted substation, for which enclosures to address the same frequency reduction requirements were specified. Also, the Applicants note the requirements of other energy providers which require this reduction at 100Hz, such as, SP Energy Networks 'General Specification for the Civil Engineering and Building Design and Construction of 132kv Grid Substations'. Examples of such enclosures have been designed by Kimpton Acoustic Engineering for both Beatrice Wind Farm and Blackhillock Substation to achieve a 20 dB reduction at 100 Hz.</p> <p>c) As stated in a) above, the enclosure will have a greater attenuation performance than considered within the assessment, therefore representing a worst-case performance.</p>

Reference	Question To	ExQ1	Applicants' response
Q14.1.5	The applicants (b and c), Fylde Borough Council (FBC) (a and c), Lancashire County Council (LCC)	Operational noise limits The proposed operational noise limit to control operational noise impacts at the nearest noise-sensitive receptors is $L_{Ar,T} < LA_{90,T} + 5$. (Table 1.9, Operational Noise [APP-120]) <ol style="list-style-type: none"> Are you satisfied with the limit and methodology and assumptions made to derive it? How are the noise limits going to be enforced and monitored. Should operational noise limit be included and secured by Requirement 18 (Schedules 2A and 2B) of the draft Development Consent Order (dDCO)? 	The Applicants provide the following response: <ol style="list-style-type: none"> The operational noise limit criteria is based on the guidance within BS 4142:2014+A1:2019, which includes a method to assess impacts on people resulting from industrial and commercial sound sources. By limiting the sound level from the substation plant to be less than 5dB(A) above representative background sound levels, adverse impacts at the noise sensitive receptors will be avoided (Table 1.1 of APP-120). The Applicants confirm that Operational Noise Management Plan(s) for the onshore substations, secured under Requirement 18 of Schedules 2A and 2B of the draft DCO (REP2-004), will be prepared and submitted to the relevant local authority for approval. The Plan(s) will identify the noise limits for the operation of the onshore substations and the measures for how these limits would be monitored. The Applicants refer to the response to point b) above.
Q14.1.6	The applicants	National Policy Statement (NPS) Paragraph 5.12.6 of the NPS EN-1 requires that the applicant's assessment includes the identification of any distinctive tonal, impulsive or low frequency characteristics of noise. <ol style="list-style-type: none"> Please provide a summary, in the clearest possible terms, of how these characteristics have been identified. This may include examples of equivalent sounds sources to provide a guide to all interested parties. Give the design flexibility sought for particular elements of the proposal, what likelihood is there that such characteristics might change once the final design has been determined? 	The Applicants provide the following response: <ol style="list-style-type: none"> The Applicants note that paragraph 5.12.6 of the NPS EN-1 states the following: <i>"Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</i> <ul style="list-style-type: none"> <i>a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise [...]"</i> <i>identification of noise sensitive receptors and noise sensitive areas that may be affected</i> <i>the characteristics of the existing noise environment</i> <i>a prediction of how the noise environment will change with the proposed development</i>

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> ○ <i>in the shorter term, such as during the construction period</i> ○ <i>in the longer term, during the operating life of the infrastructure</i> ○ <i>at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year</i> • <i>an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas</i> • <i>if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise</i> • <i>all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life"</i> <p>Section 9 of BS 4142:2014+A1:2019 provides a methodology for identification of tonal, impulsive or low frequency content of a sound from industrial and commercial sources, and how this is to be considered within the assessment. This primarily relates to the operational noise arising from the onshore substations. This method has been used to identify such characteristics from the operational sound sources within the onshore substations.</p> <p>In regard to distinctive tonal components and those of low frequency, one method for their identification is through analysis of the associated frequency spectrum. The Applicants refer the Examining Authority to Graph 1.1 of APP-120 which shows a typical frequency spectrum associated with a Super Grid Transformer. Annex C of BS 4142:2014+A1:2019 identifies the low frequencies to be between 25 and 125 Hz, and states in this range, a distinctive tone can be identified based on a 15 dB difference between the adjacent one-third octave bands in this range. Using Graph 1.1 of APP-120 to demonstrate this, should there be a 15 dB difference between the decibel level of the 100 Hz tone and the 80 Hz tone, as well as between the 100 Hz tone and</p>

Reference	Question To	ExQ1	Applicants' response
			<p>125 Hz tone, the sound has a distinctive tonal component. As shown on Graph 1.1, there is a 15 dB difference, where the 100 Hz tone is approximately 80 dB, and the 80 and 125 Hz tones are approximately 60 dB.</p> <p>In regard to impulsivity, an understanding of the operation of source is key in determining if any component is impulsive against the existing acoustic environment. As the sound sources from the onshore substations will be continuous in nature, there will be no sudden peaks of sound produced. Therefore, the sound has been concluded as having no impulsive components.</p> <p>b) The Applicants acknowledge the characteristics considered within APP-120 for operational noise will not reflect the final design of the onshore substations. However, at the detailed design stage, the onshore substation components and any mitigation implemented will ensure any tonal, impulsive or low frequency characteristics are suitably controlled within the Maximum Design Scenario assessed to avoid a significant adverse effect. This is further set out in Table 6.2 of the 'Post-consent Design Code' of Outline Design Principles (APP-209) and secured as part of the discharge of Requirement 18 'Control of noise during operational stage' of Schedules 2A and 2B of the draft DCO (REP2-004) in production of an operational noise management plan to be submitted to and approved by Fylde Borough Council as the relevant planning authority. The Plan(s) will identify the noise limits for the operation of the onshore substations and the measures for how these limits would be monitored, including any consideration of any tonal, impulsive or low frequency characteristics.</p>
Q14.1.7	The applicants	NPS Paragraph 5.12.6 of the NPS EN-1 requires that, where noise impacts are likely to arise from the proposed development, the applicant's assessment includes an assessment of any likely impact on health and well-being where	<p>With regard to construction noise, the Applicants confirm that the application has applied the use of Lowest Observed Adverse Effect Levels (LOAEL) and Significant Observed Adverse Effect Levels (SOAEL) in line with the approach in Annex E of BS 5228-1 2009 and DMRB LA 111 to determine construction noise impacts, in accordance with the relevant industry standards and best practice approaches for assessing construction.</p>

Reference	Question To	ExQ1	Applicants' response
		appropriate. Submissions have been made by local residents on the potential effects on health and wellbeing. Please explain fully how the application has taken this policy requirement into consideration?	<p>The LOAEL and SOAEL impact levels refer to levels outside the property, 1m from its façade. The use of these external levels is then used to determine how health and quality of life on residents may change in accordance with the following set out in Table 1.3 in ES Volume 3 Chapter 8: Noise and Vibration (APP-117):</p> <ul style="list-style-type: none"> • “Lowest Observed Adverse Effect Level: Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life. • Significant Observed Adverse Effect Level: The noise causes a material change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.” <p>With regard to operational noise from the onshore substations, the Applicants refer to the response to Q14.1.1 above which identifies the use of BS 4142:2014+A1:2019 to set appropriate standard operational noise limits at receptors to ensure significant adverse effects are avoided. The Projects will ensure the noise limits that are appropriate for the location of interest are enforced, so no impacts to human health occur.</p> <p>The Applicants also refer to Volume 3, Annex 5.1: Human Health (APP-035) which addresses the potential human health impacts of noise and vibration in relation to NPS and which identifies no significant adverse effects on health and wellbeing already experienced by nearby receptors from either construction or operational noise sources.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicants confirm that means of controlling noise and vibration for all construction works will be set out in the Construction Noise and Vibration Management Plan(s). This will include means to control construction noise levels to below the SOAEL and minimise to below the LOAEL, where reasonably practicable. The Plan(s) 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 (REP2-004). 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 also refer to the Operational Noise Management Plan(s) for the onshore substations, secured under Requirement 18 of Schedules 2A and 2B of the draft DCO (REP2-004), which will be prepared and submitted to the relevant local authority for approval. The 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>
Q14.1.8	The applicants	<p>NPS</p> <p>The third limb of paragraph 5.12.17 of NPS EN-1 requires that proposals, where possible, contribute to improvements to health and quality of the life through the effective management and control of noise.</p> <ol style="list-style-type: none"> Summarise how the proposed development does this, cross referencing where necessary to existing documents. If it has not been possible for the proposal development to achieve this then explain why not. 	<p>The Applicants note that Paragraph 5.12.17 of NPS EN-1 in full states: <i>"The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</i></p> <ul style="list-style-type: none"> <i>avoid significant adverse impacts on health and quality of life from noise</i> <i>mitigate and minimise other adverse impacts on health and quality of life from noise</i> <i>where possible, contribute to improvements to health and quality of life through the effective management and control of noise"</i> <p>The Applicants confirm the Project will be designed so as to avoid significant adverse impacts and mitigate and minimise any adverse impacts, therefore complying with the first two aims of paragraph 5.12.17.</p>

Reference	Question To	ExQ1	Applicants' response
			Regarding the third aim, as the Project will introduce a new industrial sound source to the environment, it is not possible to contribute to the improvement of health and quality of life for nearby receptors. This is the case for the majority of applications in which a new sound source is introduced. It should be acknowledged however, by achieving the first two aims, there would be no significant adverse effects on health and quality of life already experienced by nearby receptors, as concluded within APP-035.
Q14.1.9	The applicants	NPS Paragraph 5.12.6 of NPS EN-1 states that where noise impacts are likely to arise from the proposed development, the applicant should include 'the identification of noise sensitive receptors and noise sensitive areas that may be affected' in the noise assessment. Noise sensitive receptors are detailed in the assessment of the existing noise environment in ES Noise and vibration [APP-117] however, there would not appear to be any reference to any noise sensitive areas. <ul style="list-style-type: none"> a) Have any been identified? If yes, where is this explained and where are they located? b) Clarify whether existing public rights of way could be classified as noise sensitive areas? If not, why not? 	<p>The Applicants provide the following response:</p> <ul style="list-style-type: none"> a) The Applicants refer to the following definition of Noise Sensitive Receptors within the Glossary of both APP-119 and APP-120, which includes examples of noise sensitive areas: <p><i>'Receptors which are potentially sensitive to noise. Examples include residential properties, education facilities, community facilities, END quiet areas, international and national or statutorily designated sites, public rights of way and cultural heritage assets'</i></p> <p>The Applicants refer to Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) and Volume 3, Chapter 5: Historic Environment (APP-096) in which potential noise impacts on ecological and historical assets are also considered.</p> b) The Applicants confirm that Public Rights of Way (PRoW) have been classified as noise sensitive areas, as defined in a). The Applicants refer to Section 1.5 of APP-120 which considers the noise impacts from operation of the onshore substations on recreational users of the closest PRoW, this being public footpath 5-5-BW 16. Section 8.11.9 of Volume 3, Chapter 8: Noise and vibration (APP-117) concludes that there would be no significant effect upon the aforementioned PRoW.
Q14.1.10	The applicants (b),	Commitments	The Applicants acknowledge comments regarding the definition of "mobilisation period" and confirm the following additional clarification, which is now captured

Reference	Question To	ExQ1	Applicants' response
	FBC, SRBC, Preston City Council (PCC), LCC, Blackpool Borough Council (BBC) (a)	<p>CoT18 [REP2-010] states "Core working hours for the construction of the intertidal and onshore works will be as follows: • Monday to Saturday: 07:00 - 19:00 hours; and • up to one hour before and after core working hours for mobilisation ("mobilisation period") i.e. 06:00 to 20:00. Activities carried out during the mobilisation period will not generate significant noise levels (such as piling, or other such noisy activities). In circumstances outside of core working practices, specific works may have to be undertaken outside the core working hours. This will include, but is not limited to, works being undertaken within and/or adjacent to Blackpool Airport and cable installation at landfall and at the River Ribble. Advance notice of such works will be given to the relevant planning authority." In relation to the statement "Advance notice of such works will be given to the relevant planning authority."</p> <p>a) Is it sufficient for the local authorities that advance notice will be given or should this be changed so that works, outside of the core hours secured by Requirement 14 (Schedules 2A and 2B) in the dDCO, are to be agreed with the relevant planning authority in writing in advance and must be carried out within the agreed times?</p> <p>b) What would be the expected frequency and duration of such works and over what period might they be expected to continue in any specific location?</p>	<p>within Requirement 14 of Schedule 2A and 2B of the Draft Development Consent Order (REP2-004).</p> <p><i>"For the purposes of this requirement "mobilisation activities" include workforce arrival and departure, site inspections, inductions and safety briefings, deliveries (excluding heavy goods vehicle movements), movement to place of work, and general site preparation and housekeeping, site maintenance work but does not include any operation of heavy machinery or flood lights."</i></p> <p>Regarding the provision for advance notice for works outside of core working hours, the Applicants have updated Requirement 14 of Schedules 2A and 2B of the draft DCO (C1/F05) for Deadline 3 to require the Applicants to provide a minimum of 48 hour's notice to the relevant planning authority of all construction works and activities which are to be undertaken outside the hours specified under sub-paragraph (1), and such works and activities cannot be undertaken unless agreed with the relevant planning authority. Detailed planning for such activities is included within the Construction Code of Practice and associated construction documentation, which is provided to the relevant local planning authorities months in advance. The Applicants clarify that the 48 hour advance notice provided in Requirement 14 of Schedule 2A and 2B, specifically applies to only minor changes in scope or emergency works, rather than planned activities.</p> <p>a) The Applicants note Q14.1.10(a) is directed towards FBC, SRBC, PCC, LCC and BBC and shall not be responding.</p> <p>b) The Applicants note that the expected frequency, duration, and location-specific nature of works outside core working hours are intended to be minimised and managed to reduce the overarching programme duration and to reduce construction costs where possible. Where lengthy construction works are required, it would always be preference to start works at the start of the working day, and aim to complete by the end of that day, unless detailed design indicates otherwise due to operational or engineering constraints.</p> <p>As defined within the Outline Code of Construction Practice (APP-193) specific activities may require continuous working hours (24 hour</p>

Reference	Question To	ExQ1	Applicants' response
			operations). This is typically associated with technically complex works or safety critical operations and are listed out in section 1.6.2.7. The frequency and duration of these continuous activities will vary by location and be limited in nature. In most cases, such continuous operation will be isolated events rather than ongoing occurrences at any single location.
Q14.1.11	The applicants	Commitments CoT19 [REP2-010] states "All trenchless crossings will be undertaken by non-impact methods such as HDD (or other trenchless techniques including micro tunnelling and direct pipe), excluding preparatory works, in order to minimise construction noise and vibration beyond the immediate location of works". <ul style="list-style-type: none"> a) Specify what constitutes excluded preparatory works. b) What noise and vibration impacts are expected from those and what mitigation measures are proposed? 	<p>a) The Applicants confirm that 'preparatory works' referred to in CoT19 are those associated with preparing the entry and exit pits of the trenchless technique crossings. The walls of each pit may require supporting with vertical sheet piling, which will be installed using vibratory construction plant, such as vibratory hammers.</p> <p>b) The Applicants confirm that the construction noise impacts from these preparatory works have not been assessed as a standalone construction activity. However, they have been assessed as part of the trenchless techniques works, for which the construction noise impacts are reported in Tables 8.25 and 8.28 of APP-117, with the assessment concluding that these works are unlikely to result in significant adverse effects.</p> <p>The Applicants confirm that construction vibration impacts associated with the installation of sheet piled walls are reported in Table 8.30 of APP-117, with the assessment concluding that these works will not result in significant adverse effects.</p> <p>With regard to mitigation measures, the Applicants confirm that means to control noise and vibration for all construction works, including trenchless crossings, will be set out in the Construction Noise and Vibration Management Plan(s). This 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 (REP2-004). 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>

Reference	Question To	ExQ1	Applicants' response												
Q14.1.12	The applicants	<p>Construction noise Outline construction noise and vibration management plan [APP-196]:</p> <p>a) What noise limits are proposed in general and in proximity to residential properties specifically?</p> <p>b) In relation to the statement in paragraph 1.2.1.1 "Where noise complaints are received, construction noise and vibration monitoring may be undertaken at the relevant receptors to ensure the threshold values are not exceeded and notify the principal contractor if exceedances occur." Is the intention to only conduct monitoring if there is a noise complaint?</p> <p>c) How will the noise and vibration during the construction works be monitored to ensure compliance with limits and effectiveness of the attenuation measures?</p>	<p>a) The Applicants confirm that construction noise will be controlled to levels below the Significant Observed Adverse Effect Level (SOAEL) as noted in paragraph 1.4.1.4 of APP-196. The SOAEL levels to be applied to during construction are set out in the table below. The Applicants note that SOAEL levels will vary, as they will be set according to baseline noise level experienced at residential properties, and will vary according to time of day.</p> <p>The SOAEL levels to be applied during construction of the Projects are set out in the table below:</p> <table> <tr> <th></th><th>SOAEL – Category A¹ (L_{Aeq,T})</th><th>SOAEL – Category B² (L_{Aeq,T})</th><th>SOAEL – Category C³ (L_{Aeq,T})</th></tr> <tr> <td>Receptors within each Category</td><td>All other receptors</td><td> <ul style="list-style-type: none"> Bridge Farm Co-Op Travel Management Lawns Farm School House, West Moss Lane White Gates White Lodge </td><td> <ul style="list-style-type: none"> Broster Grove Century Care Home Christal Avenue Clifton Drive North A Clifton Drive North B Dunepoint Summerfields </td></tr> <tr> <td>Time Period: Weekdays (07:00-19:00) Saturdays (07:00-19:00)</td><td>65</td><td>70</td><td>75</td></tr> </table>		SOAEL – Category A ¹ (L _{Aeq,T})	SOAEL – Category B ² (L _{Aeq,T})	SOAEL – Category C ³ (L _{Aeq,T})	Receptors within each Category	All other receptors	<ul style="list-style-type: none"> Bridge Farm Co-Op Travel Management Lawns Farm School House, West Moss Lane White Gates White Lodge 	<ul style="list-style-type: none"> Broster Grove Century Care Home Christal Avenue Clifton Drive North A Clifton Drive North B Dunepoint Summerfields 	Time Period: Weekdays (07:00-19:00) Saturdays (07:00-19:00)	65	70	75
	SOAEL – Category A ¹ (L _{Aeq,T})	SOAEL – Category B ² (L _{Aeq,T})	SOAEL – Category C ³ (L _{Aeq,T})												
Receptors within each Category	All other receptors	<ul style="list-style-type: none"> Bridge Farm Co-Op Travel Management Lawns Farm School House, West Moss Lane White Gates White Lodge 	<ul style="list-style-type: none"> Broster Grove Century Care Home Christal Avenue Clifton Drive North A Clifton Drive North B Dunepoint Summerfields 												
Time Period: Weekdays (07:00-19:00) Saturdays (07:00-19:00)	65	70	75												

Reference	Question To	ExQ1	Applicants' response			
			Time Period: Evenings (19:00-23:00) Sundays (07:00-23:00)	55	60	60
			Time Period: Night (23:00-07:00)	45	50	55
			¹ SOAEL where baseline noise level is below this value when rounded to the nearest 5 dB ² SOAEL where baseline noise level is equal to this value when rounded to the nearest 5 dB ³ SOAEL where baseline noise level is above this value when rounded to the nearest 5 dB All SOAEL levels are described as free field levels			
			<p>b) The Applicants confirm that noise monitoring will not be restricted to a situation in which there has been a noise complaint. As noted in paragraph 1.5.1.1 of APP-196, the Applicants will routinely monitor noise mitigation measures during the construction phase. Regular audits of the construction work areas will be undertaken and if non-conformity with any of the mitigation measures is identified, it will be recorded and appropriate remedial actions will be implemented. Examples of such remedial action include the replacement of barriers or enclosures found not to be reducing construction noise levels as intended.</p> <p>The locations at which construction noise levels will be measured during the Project and their durations will be set out in a noise monitoring strategy that will be approved by the relevant planning authority as part of the final Noise and Vibration Management Plan.</p>			

Reference	Question To	ExQ1	Applicants' response
			<p>Further details of the approach to monitoring, audit and remedial actions will be developed during the detailed design phase and included in the final Construction Noise and Vibration Management Plan(s) for approval by the relevant planning authority. The Applicants have committed to providing an updated outline Noise and Vibration Management Plan at Deadline 4 to secure this commitment.</p> <p>c) The Applicants refer to the response to b) above with regard to the approach to the noise monitoring strategy during construction.</p>
Q14.1.13	FBC, SRBC, PCC, LCC, BBC	Construction noise Paragraph 1.2.2 of the Outline construction noise and vibration management plan [APP-196] covers the erection of physical barriers: <ul style="list-style-type: none"> a) Are you satisfied with the proposed process? b) Should timings be specified in relation to advance notification where consultation is required? 	The Applicants note Q14.1.13 is directed towards FBC, SRBC, PCC, LCC and BBC and shall not be responding.
Q14.1.14	FBC, LCC	Construction noise Outline construction noise and vibration management plan [APP-196], paragraph 1.2.2.4 states that "In particular, the applicants will erect a topsoil bund along the western boundary of the Morecambe Temporary Construction Compound to minimise noise impacts during the construction phase at Quaker Wood Stables." Do you have any comments in relation on this approach?	The Applicants note Q14.1.14 is directed towards FBC and LCC and shall not be responding.
Q14.1.15	The applicants (b), FBC, SRBC, PCC, LCC, BBC (a)	Construction noise Outline construction noise and vibration management plan [APP-196], paragraph 1.2.1.1 states that "In certain circumstances, specific works may have to be undertaken outside the core working hours to maintain time critical activities. Where applicable, these activities will be notified to	<p>b) The Applicants confirm that information on communication with residents on notification of construction works, including out of hours working, will be provided in the Communications Plan, an outline of which is provided in the Outline Communications Plan (APP-194).</p> <p>The plan sets out a framework for engaging stakeholders (i.e., sets out methods of contacting and engaging with affected groups;</p>

Reference	Question To	ExQ1	Applicants' response
		<p>the relevant planning authority at least 48-hours' notice in advance of the works."</p> <p>a) Is a minimum of 48-hours' notice of advance of the works sufficient?</p> <p>b) Are affected residents going to be notified in advance of the works?</p>	<p>methods of providing advance notifications); roles and responsibilities for implementing the communication plan; and complaints procedure. Specifically, it includes a commitment in paragraph 1.3.1.1.1 that all necessary parties, including local residents, will be informed when construction works will take place, including those to be undertaken out of hours. Information provided will include general location of the activities, and their expected duration.</p> <p>Detailed Communication Plan(s), which will be developed from the Outline Communication Plan (APP-194) and, which forms part of the CoCP(s). The detailed CoCP(s) are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP2-004). Detailed Communication 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>

2.15 Socio-economic Effects

Table 2.15: Socio- economic effects

Reference	Question To	ExQ1	Applicants' response
Q15.1.1	The applicants and Blackpool Borough Council	<p>Outline Employment and Skills Plan</p> <p>The provisions in the Outline Employment and Skills Plan (oESP) [APP-239] are noted together with the consultation with Lancashire County Council as contained in Requirement 19.</p> <ul style="list-style-type: none"> a) Please update the Examining Authority (ExA) on progress with their discussions following issue specific hearing 1 (ISH1) relating to the oESP and the possibility of negotiating a section 106 planning agreement. b) Blackpool Borough Council have requested that the plan should be subject to their approval – can this be agreed? 	<ul style="list-style-type: none"> (a) The Applicants maintain that it would not be appropriate for delivery of the detailed Employment and Skills Plan to be secured by way of a Section 106 Agreement, on the basis that provision of the detailed Employment and Skills Plan is already secured through Requirement 19 of Schedules 2A and 2B to the draft Development Consent Order (REP2-004). This would result in the unnecessary duplication of the requirement. (b) The Applicants have proposed amendments to Requirement 19 of Schedules 2A and 2B to the draft DCO, which provide that the detailed Employment and Skills Plan shall be subject to the approval of Lancashire County Council in consultation with each relevant local planning authority (which includes Blackpool Borough Council) This ensures that each relevant local planning authority will have an opportunity to provide comments or suggestions in advance of the detailed Employment and Skills Plan being approved pursuant to Requirement 19(b). The approach of having a single higher tier/regional Council as approving body of the detailed Employment and Skills Plan aligns with all recent offshore wind DCOs.
Q15.1.2	The applicants	<p>Community benefits</p> <p>Fylde Borough Council (FBC) also raise the possibility of a section 106 agreement and at paragraph 17.1.2 [REP1-078] set out a number of community benefits which could benefit from financial assistance.</p> <ul style="list-style-type: none"> a) Can the applicants consider whether these or other local benefits might be considered in the light of the limited 	<p>The Applicants' response to paragraph 17.1.2 of the FBC Local Impact Report (REP1-078) was submitted at Deadline 2 (REP2-038). This explains why the Applicants do not deem it appropriate to secure these measures through a s106 agreement.</p> <ul style="list-style-type: none"> a) The Planning Statement (REP1-032) describes the need for delivery of the Transmission Assets and associated benefits at a national level. The key benefits of the Transmission Assets are contained in Section 1.5 of the Statement of

Reference	Question To	ExQ1	Applicants' response
		<p>local benefits as contained in the updated Planning Statement [REP1-032]?</p> <p>b) In addition, the applicants are asked to explain whether the proposals are in accordance with paragraph 4.2.12 of EN-1 taking into account the limited local benefits.</p>	<p>Reasons (REP1-012). The Applicants highlight the updates made at Deadline 1 to the Statement of Reasons (tracked) (REP1-013). This includes those benefits that would be experienced at the local level. The Applicants' response to FBC's local impact report contained a list of wider community benefits, noting this list is not exhaustive. The Applicants therefore do not consider these to be limited. The measures identified by FBC are not needed to mitigate the impacts of the proposed development and are not required as they do not meet the statutory tests set out in s122 of The Community Infrastructure Regulations 2010 (as amended) of being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. It would therefore not be appropriate to secure these measures through a S106 Agreement. The Applicants have also explained how they will engage on a community benefit fund that, in accordance with Government guidance, sits outside of the planning process and in line with this guidance, should not be a material consideration in that regard, in the response to Hearing Action Point ISH1_31 (REP1-037).</p> <p>b) The National Policy Statement Tracker (APP-231) confirms that the Transmission Assets are compliant with paragraph 4.2.12 of NPS EN-1. The Applicants have applied the mitigation hierarchy in the EIA and made provision for appropriate monitoring and reporting on the effectiveness of these measures as required (as described in each topic chapter of the Environmental Statement). Cumulative impacts and inter-related effects are addressed under Volume 4, Chapter 3: Inter-relationships of the ES (document reference F4.3) and within each topic chapter of the ES (document reference F2 – F4). The Applicants do not consider that the reference in paragraph 4.2.12 of EN-1 to 'Applicants should</p>

Reference	Question To	ExQ1	Applicants' response
			set out how residual impacts will be compensated for as far as possible' requires financial or other compensation to be provided and that such impacts would be considered in the overall planning balance. Insofar as project mitigation measures have been required in order to mitigate residual effects, these have been incorporated as part of the proposed works.
Q15.1.3	The applicants	<p>Tourism</p> <p>FBC state at paragraph 13.1.3 of their local impact report (LIR) [REP1-078] that there were 3.067 million tourism visits in 2014 worth more than £214 million which equated to 5% of all tourism visits in Lancashire. In this context, the socio-economic justification from the applicants set out in the relevant chapter [APP-141], based on the entire northwest of the country, risks underestimating impacts at a local level. At ISH1, it was suggested that this assessment should concentrate on the Fylde region and the applicants are asked again as to why this is being resisted? Blackpool Borough Council raise a similar point at section 6.2 of their LIR [REP1-068].</p> <p>The applicants are asked to respond as to whether they have complied with paragraphs 5.13.1 to 5.13.7 of EN-1 as the impacts on tourism have not been considered at a local level?</p>	<p>Compliance with NPS EN-1</p> <p>Table 2.1 of Volume 4, Chapter 2: Socio-economics (APP-141) sets out how and where relevant paragraphs within NPS EN-1 are considered in the ES, specifically paragraphs 5.13.2 to 5.13.6 of NPS EN-1 in relation to the assessment on the visitor economy (which includes tourism effects). The following paragraphs summarise how the assessment, as presented in APP-141, complies with these requirements.</p> <p>5.13.2 <i>'Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES'.</i></p> <p>In line with this requirement, it is appropriate to undertake either a local or regional visitor economy assessment. Since the anticipated effects are diffuse and not solely concentrated within a single local authority, a regional assessment has been undertaken within section 2.11 and 2.12 of APP-141.</p> <p>5.13.3 <i>The applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the applicant can gain a better understanding of local or regional issues and opportunities.</i></p> <p>Stakeholder consultation (both non-statutory and statutory) undertaken for the topic of socio-economics involved engagement with all potentially relevant local authorities within the Order Limits, in order to ensure there were continued opportunities for these</p>

Reference	Question To	ExQ1	Applicants' response
			<p>authorities to provide feedback to the Applicants and to participate in the prescribed consultation process. This has allowed the Applicants to gain a deeper understanding of local and regional issues, which have been considered throughout the design refinement process. (refer to section 2.3 of APP-141).</p> <p>5.13.4 <i>'The applicant's assessment should consider all relevant socio-economic impacts, which may include [...] effects on tourism':</i></p> <p>This requirement does not specify the spatial extent which should be considered within an assessment of effects on tourism. Potential visitor economy effects have been assessed within section 2.12 of APP-141 – the assessment is therefore compliant with paragraph 5.13.4 of NPS EN-1.</p> <p>5.13.5 <i>'Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies'.</i></p> <p>Visitor economy conditions in the areas surrounding the proposed development are described within section 2.6.6 of APP-141.</p> <p>This describes local visitor economy assets including St. Anne's Pier, Royal Lytham and St Annes golf course in Fylde, and South Pier, Blackpool Beach, and Blackpool Opera House/Winter Gardens in Blackpool.</p> <p>This description of existing visitor economy conditions also includes reference to the visual receptor categories described in Volume 3, Chapter 10: Landscape and visual resources (APP-123). As specified at paragraph 2.6.6.3 of APP-141, these include:</p> <ul style="list-style-type: none"> • Impacts experienced by people using local footpaths and bridleways within 1 km of the onshore substations; • Impacts experienced by people using the beach for leisure and recreation;

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> • Impacts experienced by people using National Trails/long distance paths; • Impacts experienced by people using local footpaths and bridleways within 1 km of the corridor route; • Users of public open space; and • Impacts experienced by people using local footpaths and bridleways within 1 km of the corridor route. <p>On the matter of correlation with local planning policies, the following have been considered within APP-141:</p> <ul style="list-style-type: none"> • Adopted Fylde Local Plan to 2032 (incorporating Partial Review) (Fylde Council, 2021). • Economic Development Strategy and Action Plan 2012 to 2030 (Fylde Council, 2013). • Blackpool Local Plan Part 1: Core Strategy (2012–2027) (Blackpool Council, 2016). • Lancashire Strategic Economic Plan (2014). <p>As such, the assessment of potential visitor economy effects as presented in APP-141 is compliant with paragraph 5.13.5 of NPS EN-1.</p> <p>5.13.6 <i>‘Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses’.</i></p> <p>As set out above, the assessment of potential visitor economy effects presented in section 2.11 and 2.12 of APP-141 includes consideration of the visual receptor categories described in Volume 3, Chapter 10: Landscape and visual resources (APP-123).</p> <p>Potential visitor economy effects have been assessed within APP-141, ensuring the assessment is compliant with paragraph 5.13.6 of NPS EN-1.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>As set out in detail within section 1.4 of REP1-046, research on interactions between offshore wind projects and their associated transmission infrastructure and the visitor economy concludes coastal areas are not significantly impacted by their construction or operation. This includes the installation of onshore cabling and onshore substations. Where impacts on the visitor economy are observed, these are characterised as either 'benign', or in some cases positive.</p> <p>This is consistent with other Environmental Statements prepared for UK offshore wind projects, as summarised within Glasson et al (2021), and with Marine Scotland (2022) advice.</p> <p>As such, the assessment of potential visitor economy effects as presented in Volume 4, Chapter 2: Socio-economics (APP-141) should be considered appropriate.</p> <p>Fylde Borough Council and Blackpool Borough Council were requested to "Provide evidence of where projects of this kind have had an impact on the tourism economy" via Hearing Action Point 53 under Agenda Item 6(i) of the Issue Specific Hearing 1. It is the Applicants' understanding that no such evidence has yet been provided.</p> <p>However, in response to the request for a more localised consideration of potential tourism effects, the Applicant will prepare a note on this for submission at Deadline 4.</p>
Q15.1.4	Fylde Borough Council and Blackpool Borough Council	<p>Tourism</p> <p>The applicants have sought to justify their approach to tourism in their response at deadline 1 [REP1-046] and in particular refer to a number of recent Development Consent Order (DCO) decisions where a similar approach has been taken. At paragraph 1.3.1.14 the applicants refer to the earlier representation from FBC [RR-0705] which indicated that 1 in 10 jobs were involved in tourism which is apparently a lower percentage than in most coastal communities.</p>	<p>The Applicants note Q15.1.4 is directed towards Fylde Borough Council and Blackpool Borough Council and shall not be responding.</p>

Reference	Question To	ExQ1	Applicants' response
		Are the Councils satisfied with the applicants' response on this matter?	
Q15.1.5	The applicants	<p>Royal National Lifeboat Institution</p> <p>The Royal National Lifeboat Institution (RNLI) retain a holding objection to the proposed development [REP1-096] as they require further clarification as to the impacts on any required launch and recovery of the Lytham St Annes lifeboat along the beach close to the Thursby/ Century Care Home. The ExA notes that further meetings have taken place since the start of the examination but a full understanding is yet to be reached.</p> <p>The concerns of the RNLI are set out in pages 2-3 of their representation lodged on 19 May 2025 [REP2-065] and the applicants are asked to respond to these with the latest position and details of any remaining matters of disagreement.</p>	Please see the Applicants' response to ExQ1 Q12.1.21 (S_D3_3).
Q15.1.6	The applicants	<p>Ballam Road Christmas tree business</p> <p>A number of representations [RR-0141; RR-0348; RR-2200; REP1-106] were received from the owners of a christmas tree business sited on the Ballam Road. This business has been established for over 20 years but the construction of the cable route may halt planting and impede access. Disruption to such a business does not appear to have been fully assessed and the original replies given by the applicants [PDA-007] and more recently in D2 [REP2-030] at reply REP1.106.3 states only that the trenchless crossing will avoid surface</p>	<p>The Applicants confirmed in their Response to Written Representations from People with interest in Land (REP2-030), that the installation of cables at the Christmas tree plantation, including areas where trees are already planted, will be done so via trenchless techniques to reduce the disruption to the business and ensure it can continue. The Applicants also confirmed at the Open Floor Hearings on 24 June 2025 that Ballam Road will not be closed at any point during the delivery of the Transmission Assets (EV6-003). The use of trenchless construction techniques at this location as part of crossing 9 shown in the Applicants' crossing schedule [REP1-016] will eliminate the need to disturb surface features, including the Christmas tree plantation.</p> <p>As the trenchless installation does not require a haul road, only pedestrian access will be necessary across the plantation. This approach will enable continued planting activities and maintain</p>

Reference	Question To	ExQ1	Applicants' response
		<p>effects. This does not appear to extend either to access for planting or the already growing trees.</p> <p>The applicants are requested to consider this further.</p>	<p>access to existing trees, thereby minimising disruption to ongoing operations. Due to the installation techniques and existing use of the land, the Applicants are working with the landowners and their appointed agent regarding agreement of suitable restrictions of planting and growing over the cables once installed, to ensure existing operations can continue and whilst making sure that the cables are sufficiently protected in the future.</p> <p>The access over plots 06-002 and 06-005 is for operational and maintenance access only following completion of the installation of the cables Work Number 34A/ 34B. The Project Description (REP2-008) sets out that this would typically be a light goods vehicle or other 4X4 expected to take place on an annual basis. Based on the infrequent use of the proposed operational access, it is not envisaged there would be disruption to the Christmas tree plantation. The Applicants are in negotiation with the owners of the Christmas Tree Plantation which include provisions for voluntary terms and notification of access requirements.</p>

2.16 Transport and traffic

Table 2.16: Transport and traffic

Reference	Question To	ExQ1	Applicants' response
Q16.1.1	The applicants	<p>Construction working hours</p> <p>The Examining Authority (ExA) notes the justification provided by the applicants in [REP1-037] for proposing construction work should take place from 7.00am to 7:00pm on Saturdays.</p> <p>However, explain why the simple allocation of additional resources would not negate the stated need to prolong the duration of works at individual locations if construction hours were reduced on Saturdays.</p>	<p>Allocating additional resources (e.g. labour, plant and/or equipment) is not a simple solution to addressing reduced Saturday working hours, as the primary constraint is the available working time within a given day, rather than the resources available. Mobilisation and demobilisation, health and safety briefings and required breaks remain fixed daily activities required by CDM requirements and contractual agreements. These activities become disproportionately significant within a shorter working window, leading to an overall greater loss of productive on-site working time.</p> <p>Additionally, including additional plant or workforce within already constrained working areas and temporary cable corridors could lead to greater mobilisation/demobilisation periods, increased congestion and logistical challenges, potentially offsetting any potential gains. The Applicants maintain that Saturday afternoon working enables more efficient and timely completion of works at each specific location, thereby minimising disruption to local communities and land owners over the total programme duration of construction.</p>
Q16.1.2	The applicants	<p>Site set up and close down works</p> <p>Confirm whether the site set up and close down works referred to in Requirement 14 of Schedules 2A and 2B of the draft Development Consent Order (dDCO) [REP1-008] are the same as those works that the applicants intend carrying out in the proposed mobilisation period referred to in Commitment (CoT) 18 [APP-193].</p> <ol style="list-style-type: none"> Explain why the proposed mobilisation period is not included in the dDCO. Explain how works during the proposed mobilisation period would be monitored and controlled and any complaints dealt with. 	<p>Applicants' response to part a)</p> <p>The Applicants confirm that the term "site set up and close down works" referred to in Requirement 14 of Schedules 2A and 2B to the draft DCO (REP2-004) is intended to refer to the same types of activities as the "mobilisation period" described in CoT18 of the Commitments Register (REP2-010) and the Outline Code of Construction Practice (APP-193).</p> <p>The Applicants acknowledge that the language in Requirement 14 of Schedules 2A and 2B of the draft DCO (REP2-004) could be more clearly aligned to the language used in the outline Code of Construction Practice (APP-193).</p> <p>The Applicants have therefore amended Requirement 14 of Schedules 2A and 2B to the draft DCO (C1/F05) to expressly refer to 'mobilisation activities' (at Requirement 14(2)(h)) and to clarify the scope of those activities in Requirement 14(6)(a), which is aligned more closely to what is set out in the outline Code of</p>

Reference	Question To	ExQ1	Applicants' response
			<p>Construction Practice (APP-193), and ensures consistency across the application documents.</p> <p>Applicants' response to part b)</p> <p>The Applicants direct the ExA to the outline Construction Traffic Management Plan (oCTMP) (REP2-016) that was submitted at Deadline 2. The oCTMP includes details of measures to manage, monitor and control the arrival and departure times of employees and drivers of HGVs. The salient parts of the oCTMP are summarised below.</p> <p>With respect to HGVs, Section 1.3.3 of REP2-016 notes that HGV movements onto site would not be permitted during the mobilisation hours and no vehicles would be permitted to wait, park or load on the highway and that drivers must turn off engines when stationary.</p> <p>To ensure that HGV drivers arrive/depart only during the permitted hours REP2-016 outlines a range of management measures that would be adopted, these include:</p> <ul style="list-style-type: none"> • Section 1.3.4 outlines the establishment of a booking system for deliveries. This would ensure that all deliveries to site are pre-booked to timed slots, such that vehicles shouldn't arrive/depart outside of the working hours (07:00 to 19:00); • Section 1.3.5 outlines commitments to driver inductions for HGV drivers which would include detail on timings that drivers would be required to comply with; • Section 1.3.5 outlines that all drivers would be provided with delivery instructions that would include details of the delivery hours and restrictions that they would be required to comply with; and • Section 1.3.3 outlines that HGV drivers that expect to arrive on site prior to 7am would be required to park at appropriate lorry parks, services etc (to be agreed with the relevant highway authorities). This would be communicated to drivers through inductions and the issuing of delivery instructions. <p>With the aforementioned measures in place, the Applicants consider that HGV movements can be managed such that drivers would not arrive or depart site outside of the agreed hours.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>With regard to non-HGV movements, the Applicants note that it is proposed that employees would be permitted to arrive and depart an hour either side of the working hours (the mobilisation hours). This approach is promoted as it would allow employee vehicle movements to be scheduled outside of the most sensitive network peak hours and also during periods where non-motorised users of the highway network would be higher e.g. school start times. To ensure that employees arriving prior to 7am do not need to park/wait on the highway (potentially leading to disturbance) Section 1.7.1 of the oCTMP includes commitments to providing suitable facilities for drivers to park on site and outlines that drivers would be required to park within these designated areas.</p> <p>To monitor compliance with the permitted hours of movement a range of measures are provided within Section 1.13 of the oCTMP, the primary measure however would be the implementation of a system to record the arrival and departure times. Section 1.13.6 of the oCTMP defines a range of non-compliances whereby corrective action would be required, this includes drivers operating outside the agreed hours, overspill parking and waiting and non-designated locations. Paragraph 1.13.5.4 outlines the process for addressing any breaches or complaints.</p> <p>The Applicants have committed to the addition of a construction noise limit that will be applied to mobilisation activities undertaken during the start-up period (06:00 to 07:00) and during the shutdown hours (19:00 to 20:00). These commitments will be added to the outline Code of Construction Practice at Deadline 4. The noise limits will be set out in the Outline Construction Noise and Vibration Management Plan (APP-196) at Deadline 4 and will apply to all noise sensitive receptors. Noise monitoring will be undertaken during the construction works (including mobilisation) in accordance with the final Construction Noise and Vibration Management Plan.</p> <p>In addition to the proposed management, monitoring and control measures described above, the Applicants would also note that a Community Liaison Officer will be appointed, providing a dedicated contact for liaising with residents and local businesses and will be responsible for implementing the approved Communications Plan (in accordance with the Outline Communications Plan (APP-194)).</p>
Q16.1.3	The applicants	Water requirements	The Applicants' response to ISH1_37 (REP1-037) confirms that the predominant requirement for liquid deliveries is drill fluid and that these

Reference	Question To	ExQ1	Applicants' response
		Following issue specific hearing 1 (ISH1) you confirmed that water required for construction would be transported to site by tanker [REP1-037]. Has ground water abstraction been considered to reduce the number and impact of construction vehicles particularly on narrow lanes?	<p>movements are included within the total HGV movements assessed within Volume 3, Chapter 7 Traffic and Transport (APP-108). The Applicants response to ISH1_37 (REP1-037) also confirms that any supplementary water deliveries e.g. portable water for facilities at temporary construction compounds would be incidental and captured as part of miscellaneous allowances that have been applied to HGV forecasts. The Applicants would note that this approach has been adopted for the purpose of considering the maximum design scenario (worst case).</p> <p>The Applicants further clarify that it has been calculated (from Volume 3, Annex 7.5: Construction trip generation assumptions of the ES (APP-115)) that liquid deliveries of drill fluid would make up a very small proportion (less than 1%) of total HGV movements.</p> <p>Furthermore, the Applicants highlight that abstracted water cannot be directly used as drilling fluid as the water needs to be combined with other products first. These products would need to be transported onto site and mixed (likely requiring the construction of a batching plant and abstraction well).</p> <p>In summary, the Applicants consider that there would be limited use for abstracted water, other than potentially supporting welfare facilities at temporary construction compounds, and limited or no savings in vehicle movements. Notwithstanding this, the Applicants are committed to exploring options to reduce the numbers of construction vehicles through the development of the detailed CTMPs (following detailed design of the Transmission Assets). The requirement to produce detailed CTMPs is secured by Requirement 9 of Schedules 2A and 2B to the draft DCO (REP2-004). The Applicants would also refer the ExA to the response to Q16.1.7 below which outlines that the oCTMP (REP2-016) includes measures to mitigate effects of HGVs on narrow roads.</p>
Q16.1.4	The applicants	Construction accesses Following assessment Lancashire County Council (LCC) considers that 61 of the proposed 64 construction accesses are unacceptable [table 8.2, REP1-085]. The location and nature of proposed accesses is essential for the accurate modelling of the traffic and transport effects of the proposed development. How do you propose demonstrating to the ExA the	<p>It is the Applicants' position that the location of accesses will not materially change and consequently traffic modelling will remain valid and there will be no material change to the effects assessed. The rationale for this assertion is outlined below.</p> <p>The Applicants would initially note that extensive work has been undertaken to produce individual bespoke outline designs for all accesses and crossings. These outline designs are contained within the outline Highway Access Management Plan (oHAMP) (AS-052) and include details of the access geometry (informed by swept path analysis), extents of visibility splays</p>

Reference	Question To	ExQ1	Applicants' response
		acceptability of accesses and hence the validity of the traffic modelling and effects before the end of the examination?	<p>(informed by speed surveys) and provision for non-motorised users. The requirement to agree the final design of the accesses and crossings within the oHAMP with the relevant highway authority is also secured by Requirement 10 of Schedules 2A and 2B of the draft Development Consent Order (dDCO) (REP2-004).</p> <p>The Applicants highlight that the level of outline designs developed for temporary construction accesses for the Transmission Assets goes significantly beyond that which has been accepted by the Secretary of State for other recently consented DCO projects, such as:</p> <ul style="list-style-type: none"> • Norfolk Vanguard; • Norfolk Boreas; • Hornsea Three; • Hornsea Four; • Rampion 2 • Sheringham and Dudgeon Extension Projects; and • Awel y Mor. <p>For these applications, access locations were identified but bespoke individual designs for each location were not progressed at the DCO application stage and typically, the projects provided overarching concept plans that it was agreed could be developed to detailed designs post consent.</p> <p>By contrast, the Applicants would note that extensive design has been undertaken to produce individual bespoke outline designs for all accesses and crossings to provide assurance of the principle of access locations. These outline designs are contained within the outline oHAMP (J8/F02) submitted at Deadline 3 and include details of the access geometry, extents of visibility splays and provision for non-motorised users.</p> <p>It is the Applicants assertion that the comments that have been raised by LCC relate to matters of detail that would typically be addressed at the detailed design stage (as part of developing the detailed HAMPs) and do not render the outline designs unacceptable and therefore should not be considered to be fundamental matters for disagreement. The requirement to agree the final design of the accesses and crossings within the oHAMP with the relevant highway authority is secured by Requirement 10 of Schedules 2A and 2B of the</p>

Reference	Question To	ExQ1	Applicants' response
			<p>dDCO (REP2-004) and affords LCC assurance that the final access and crossing designs will be subject to full technical approval and independent road safety audit prior to implementation.</p> <p>Notwithstanding the above, the Applicants are committed to working with LCC on this matter and in this regard have met with LCC on five occasions following the submission of the DCO application. During these meetings, LCC shared their comments on the accesses and the Applicants have progressed updated drawings that have been shared with LCC for review. These updates have been submitted into the examination at Deadline 3 as an update to the oHAMP (J8/F02).</p> <p>During the latest meetings (23 and 30 June 2025) LCC confirmed that good progress had been made in regard to the access designs and LCC had no further comments on many locations following a review of the Applicants' proposed updates. The Applicants understand that LCCs residual comments typically relate to detailed design matters, such as where signs will be placed and can therefore be resolved through the development of the oHAMP.</p>
Q16.1.5	The applicants	<p>Accesses and haul roads</p> <p>If the interval between projects is such that it makes sense to leave accesses and haul roads in place, how is it proposed that they will be managed in the interim and by whom?</p>	<p>The Applicants clarify that there is no ability for sharing of the haul roads between Project A and Project B as identified in Schedule 1 Part 1 of the draft DCO (REP2-004). Each project of the Transmission Assets will have a separate haul road within its own cable corridor and the powers within Schedule 2A and 2B do not provide consent or powers to use the other project's haul. Morgan Offshore Wind Limited only has consent for Project A, and the associated compulsory acquisition and temporary possession powers for the purposes of Project A; and vice versa for Project B in relation to Morecambe Offshore Windfarm.</p> <p>Accesses identified as an A work only or B work only on the Works Plans – Onshore and Intertidal (AS-016 and AS-017) can only be used by the specified project, meaning that these will not in any event be left in place where there is a gap in construction between projects. Where accesses are identified for use by both Project A and Project B (i.e. because they are identified on the Works Plans – Onshore and Intertidal (AS-016 and AS-017) as both A and B works), the Applicants note that they will be subject to Requirement 16 of Schedule 2A and 2B of the draft DCO (REP2-004). Requirement 16 states that any land which is used temporarily for construction of the onshore works must be reinstated within twelve months following completion of the relevant stage of the</p>

Reference	Question To	ExQ1	Applicants' response
			<p>works. Therefore, when each undertaker has completed a stage of construction, it will be under an obligation to reinstate any temporary accesses used during construction of that stage of its project).</p> <p>The Applicants recognise, however, that a common sense approach may need to be taken post-consent if the interval between the relevant construction stage of each project is potentially short enough that it would not be appropriate to remove and reinstate an access, and instead it would be better for the access to remain in place until it could be made use of again. For the avoidance of doubt, in any event Requirement 16 of the draft DCO (REP2-004) shall apply and so this approach could not be taken where there was to be more than twelve months between the first project completing construction and the second project commencing construction in any given area. Any circumstance whereby the Applicants wanted to retain an access between the deliver of each project would be agreed and discussed with the local highway authority as part of the discharge of the Construction Traffic Management Plan and Highway Access Management Plan for the second project. Post consent coordination will be required which will be facilitated by Requirement 25 (Onshore collaboration) of the draft DCO (C1/F05) submitted at Deadline 3. The maintenance and management of the retained access would be the responsibility of the second project, as the benefit to leaving it in place would be realised by the second project.</p>
Q16.1.6	The applicants	Operational accesses Schedule 6 of the dDCO [REP2-004] includes operational accesses which you state [REP2-039] fall outside of the Outline Highway Access Management Plan [AS-052] or the dDCO Schedule 2A and 2B, Requirement 10. Explain the nature and proposed use of these accesses and any works proposed to them.	<p>All accesses required for the construction of the Transmission Assets are detailed within the outline Highway Access Management Plan (oHAMP) (AS-052). The oHAMP also includes some operational accesses (as defined in Schedules 6A and 6B) that are included in the oHAMP as they require formation of new points of access (A01, A02 and A48). Accesses A01 and A48 would be utilised to provide both a means of access to the onshore substations for both the construction and operational phase (including HGVs and abnormal loads), whilst access A02 would be provided just for the operational phase of the Morgan onshore substation (for light vehicle access only). The requirement to agree the final design of the accesses within the oHAMP with the relevant highway authority is secured by Requirement 10 of Schedules 2A and 2B of the draft Development Consent Order (dDCO) (REP2-004).</p> <p>The onshore substation operational accesses will be subject to occasional but limited traffic movements as defined in paragraphs 3.19.2.6 to 3.19.2.7 of Volume 1, Chapter 3: Project Description of the Environmental Statement</p>

Reference	Question To	ExQ1	Applicants' response
			<p>(REP2-008). Those paragraphs also confirm that the onshore substations will be unmanned; but operation and maintenance staff are expected to visit the onshore substations approximately every six months to undertake preventative and corrective works on a regular basis. In some cases, visits could take place on a monthly basis. These movements would comprise both light vehicles but also HGVs and potentially abnormal loads (noting that the requirement for HGV or AIL access during the operation and maintenance phase will in practice be limited and infrequent).</p> <p>The Access to Work Plan (APP-157) also includes the provision for operational accesses to allow for monitoring and inspection of the onshore export cables via the link boxes. These points of access are located at regular intervals and utilise existing points of access to the highway, e.g. field accesses. Section 3.19.2 of Volume 1, Chapter 3: Project Description of the Environmental Statement (REP2-008) outlines that monitoring and inspections would be expected to be on an annual basis. Inspections are typically completed via the use of a light vehicle, such as a 4x4. This level of traffic would result in negligible effects in relation to driver delay, severance, non-motorised user delay, fear and intimidation, road safety and abnormal loads (as they are not proposed for these operational accesses). The levels of work proposed at these accesses would comprise routine maintenance, similar to that which would be undertaken by the existing landowner e.g. trimming back any vegetation, maintaining gates, etc.</p> <p>The Applicants consider that this approach to managing operational access complies with the Planning Inspectorate Scoping opinion which notes: <i>The Inspectorate considers that it is unlikely that the additional vehicle movements arising from the operation and maintenance of the Proposed Development's onshore elements would result in significant effects. The ES should confirm that the anticipated road vehicle movements are below the screening values in relevant guidance for these aspects, and if values are exceeded then an assessment of LSE should be provided.</i></p> <p>Overall, as the majority of operational accesses do not require the formation of new points of access and have limited traffic movements associated with them, it is not necessary to include them in the oHAMP (AS-052). It does, however, remain appropriate to identify those operational points of access within Schedules 6A and 6B of the draft DCO (REP2-004) and on the Access to Works Plan (APP-157).</p>

Reference	Question To	ExQ1	Applicants' response
Q16.1.7	The applicants	<p>Routing strategy</p> <p>Following assessment LCC considers that up to 15 of the proposed links in the proposed Heavy Goods Vehicle (HGV) routing strategy are unsuitable for HGVs [table 8.4, REP1-085]. The routing strategy is essential for the accurate modelling of the traffic and transport effects of the proposed development. How do you propose demonstrating to the ExA the acceptability of the routing strategy and hence the validity of the traffic modelling and effects before the end of the examination?</p>	<p>It is not unusual for large linear projects (e.g. road schemes, transmission infrastructure, pipelines, etc.) to require temporary HGV access via narrower roads and there are established industry tried and tested measures to address the effects of HGVs in these circumstances and the Applicants have outlined these within the oCTMP (REP2-016).</p> <p>The Applicants have acknowledged the details of vehicle widths provided by LCC within their Local Impact Report, notably that the body width of two HGVs is 5.5m and overall width can extend up to 6.0m when considering wing mirrors.</p> <p>However, the Applicants consider that it is important that these simple metrics are not taken out of context when considering the operation of the highway network. To expand, in the UK, a 'functional road hierarchy' was established in its current form in the 1960s to provide for the efficient movement of motor vehicles on the highway network (ref. Guidance on Road Classification and the Primary Route Network, 2012, DfT). The following four tier system is directed by the Department for Transport (DfT) for roads managed by a Local Highway Authority (LHA):</p> <ul style="list-style-type: none"> • A roads – major roads intended to provide large-scale transport links within or between areas. • B roads – roads intended to connect different areas, and to feed traffic between A roads and smaller roads on the network. • Classified unnumbered – smaller roads intended to connect together unclassified roads with A and B roads, and often linking a housing estate or a village to the rest of the network. • Unclassified – local roads intended for local traffic. The vast majority (60%) of roads in the UK fall within this category. <p>Across the UK (and within Lancashire) roads can be observed that are of constrained width that are designated within the upper tiers of the functional road hierarchy and are attracting varying levels of HGV traffic. The width constraints do not necessarily lead to functionality or road safety concerns and a range of factors contribute to the satisfactory operation of these roads (e.g. speeds, frequency of bends, volume of heavy or large vehicles).</p> <p>Accordingly, the following sets out the Applicants' approach to addressing LCC's width constraint concerns for the 15 links noted.</p>

Reference	Question To	ExQ1	Applicants' response
			<p>The Applicants would note that the outline Construction Traffic Management Plan (oCTMP) (REP2-016) submitted at Deadline 2 was provided in response to LCC comments to include specific commitments to the implementation of measures to manage the passage of HGV traffic via four of these 15 links (links 39, 41b, 33b and 101). These four links all have widths consistently below 5.5m (the width of two HGVs) and therefore the Applicants consider that measures are required. The range of proposed measures are outlined in detailed in section 1.9 of the oCTMP and summarised briefly below:</p> <ul style="list-style-type: none"> • Localised road widening/passing places could be installed within the highway boundary to assist two HGVs in passing; and/or • Temporary traffic management options could be utilised to temporarily control the movement of vehicles in one direction, such that vehicles would not be required to pass at constrained locations (e.g. the use of escort vehicles or stop works). <p>The requirement to agree the final form and design of the management measures with the relevant highway authority is secured by Requirement 9 of Schedules 2A and 2B of the draft Development Consent Order (dDCO) (REP2-004).</p> <p>In addition to the oCTMP, the Applicants also submitted a note to LCC on the 28 May 2025 outlining the findings of further validation measurements and the rationale for why the other 11 links were deemed to be suitable and seeking LCC's comments. To date the Applicants have not received formal comments upon this note or the oCTMP but have discussed the matter with LCC at a meeting on the 30 June 2025. During this meeting LCC noted that the range of measures proposed were acceptable but noted that they would require a further level of detailed design to demonstrate how these measures would be expected to work at each location. The Applicants consider that the approach taken in the oCTMP is appropriate and proportionate, notwithstanding, the Applicants have agreed to continue to work with LCC to provide further explanation of how the measures would be expected to work.</p> <p>The Applicants provide a summary of the findings for these 11 links from the note shared with LCC for context below.</p> <p>Link 22b, 72, 102</p> <p>These links were noted as unsuitable by LCC as there is some on street parking, which LCC noted reduced the overall effective road width. The</p>

Reference	Question To	ExQ1	Applicants' response
			<p>Applicants note that it is not uncommon throughout the UK and Lancashire for drivers of all vehicles, including buses and HGVs to need to pass parked vehicles, with drivers giving way to oncoming traffic. The Applicants have acknowledged the presence of on street parking along these links but do not consider this would impede the movement of traffic noting that onsite observations identify there is good forward visibility, low background traffic flows and multiple opportunities for vehicles to pass. The Applicants have proposed to LCC that the imposition of parking/waiting restrictions on residents and businesses is therefore not considered to be proportionate at these locations. During the meeting with LCC on the 30 June 2025, this matter was discussed. It is the Applicants understanding that LCC would not be pursuing the request for parking restrictions and agreed that this could be monitored during construction and limited parking controls only imposed if required.</p> <p>Link 30</p> <p>The Applicants have agreed with LCC to remove the requirement for HGV traffic to travel via this link. Instead HGVs would access from the accesses on Link 40 and then travel west along the temporary haul road, simply crossing over Link 30. This approach removes the requirement for traffic to travel along Link 30, but does not result in reassignment noting that traffic travelling to Link 30 would have had to first traverse along Link 30 (to reach Link 40). The location of these links is shown on Figure 7.1 contained within Volume 3, Figures - Part 4 of 7 (APP-134).</p> <p>Links 31a, 39a, 43a, 46, 53 & 63</p> <p>These links are noted by LCC to be of constrained width to the passage of two HGVs. The Applicants have therefore provided onsite measurements as well as details of current levels of HGV use (from Table 7.21 of Volume 3, Chapter 7: Traffic and Transport (APP-108)) to LCC for their further review. In summary, it is noted all these links are currently utilised by HGV traffic to varying degrees and that the roads are all of sufficient width to accommodate the body of the HGV, with limited potential for the over sail of wing mirrors.</p> <ul style="list-style-type: none"> • Link 31a: The existing road is measured at 5.8 to 6.0m in width and currently carries 11 HGVs a day. • Link 39a – The existing road is measured at 5.5 to 6.2m in width, has been designated as a main B road by LCC and currently carries 63 HGVs a day.

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> Link 43a: The existing road is measured at 6.0 to 6.3m in width, has been designated as a main B road by LCC and currently carries 56 HGVs a day. Link 46: The existing road is measured at 5.7 to 6.6m in width and currently carries 107 HGVs a day. Link 53: The existing road is measured at 9.3 to 5.5m in width and currently carries 90 HGVs a day. Link 63: The existing road is measured at 7.1 to 6.4m in width and currently carries 23 HGVs a day. <p>Noting the above, the Applicants do not consider it is necessary to remove routes and update the traffic modelling and therefore the assessment remains valid. Notwithstanding, the Applicants are in ongoing dialog with LCC on this matter and remain committed to working collaboratively to find solutions to managing HGV movements. In summary, the Applicants would not propose to remove routes, but remain open to dialog with LCC upon further management measures.</p>
Q16.1.8	The applicants	Road closures Your response to LCC's concerns regarding the extent and duration of temporary public road closures suggests that no closures will be necessary due to the commitment to use trenchless installation techniques. Confirm that this is correct. <ul style="list-style-type: none"> a) List the private means of access (PMA) that will be crossed by the cable route and for each whether it is proposed to use open cut or trenchless installation techniques. b) In locations where it is proposed to use open cut provide the likely duration of each crossing and the measures that will be taken to maintain access for residents and emergency services. 	<p>a) The Applicants confirms that all public highways roads (with the exception of Leach Lane) will be crossed using trenchless installation techniques and will not be closed, as secured through Commitment CoT02 of the Commitments Register (REP2-010). Private access tracks are proposed to be crossed by either trenchless installation techniques or open cut methods. Where trenchless techniques across private access tracks are not possible, the Applicants have committed to ensuring that access is maintained at all times for residents and emergency services. This could be via adoption of a half and half (50/50) construction approach, whereby one half of the access is maintained and kept in use which construction is undertaken on the other half. In instances where this may not be possible (e.g. due to the width of the track) alternative measures such as the placing of steel plates over excavated sections (as access is required) would be adopted. This approach will ensure that access for landowners and tenants is retained at all times, will no full closure of private accesses required.</p> <p>The full list of PMA crossings, including method of crossing is set out in the Onshore Crossing Schedule (REP1-016). PMAs are identified under column "Obstacle Description" as "Private Access Track", and the corresponding</p>

Reference	Question To	ExQ1	Applicants' response
		<p>c) How will measures for maintaining access for residents and emergency services be secured at PMAs?</p>	<p>installation method is set out in column "Proposed Crossing Method". This indicates whether trenchless techniques will be used or whether both open cut and trenchless are being retained as options. The final construction method for each PMA will be determined during detailed design, informed by site specific survey data. Regardless of the selected method, the Applicants confirm that access across all PMAs will be maintained at all times.</p> <p>b) The durations of the works in each location would vary on a location-to-location basis and cannot be confirmed until the detailed design stage. Notwithstanding, based upon experience of other projects, the crossing of a public highway may take up to two weeks, whilst the crossing of a private accesses track would typically be completed within a day or two, but potentially up to 5 days. Regarding communication with residents about road closures, the Applicants have included within their Outline Communication Plan (APP-194) that the Agricultural Liaison Officer (ALO) will be the point of contact for landowners to discuss such works on site and the practicalities involved. This will extend to the communications with residents and on the ground practical matters in conjunction with the Community Liaison Officer (CLO). Both the ALO and CLO is secured through requirement 8 of Schedules 2A & 2B of the Draft Development Consent Order (REP2-004). Specific measures that will be utilised to ensure access is maintained for are outlined in response to Q16.1.8a.</p> <p>c) Measures for maintaining access will be secured through the commitment to implement detailed Communication Plans which is secured through commitment CoT35 (REP2-010) and through negotiations with landowners.</p>
Q16.1.9	The applicants	<p>Guild Wheel cycle route</p> <p>Clarify your latest proposals for any closure/restriction of the cycle route known as the Guild Wheel including any updated outline management measures that may be required.</p>	<p>The Applicants would note that it is not uncommon to need to manage the potential interaction between construction traffic and non-motorised users. Notably, as a recent example, the construction of the Preston Western Distributor required construction traffic to cross the Guild Wheel to the north of the A583.</p> <p>The Applicants acknowledge that there is the potential for users of the Guild Wheel to interact with construction traffic at the crossing of the A583 on the overbridge (which forms part of the Guild Wheel). Construction traffic would access from access TAT_MGMC_57 before following the order limits to cross</p>

Reference	Question To	ExQ1	Applicants' response
			<p>over the A583 on an overbridge. The location of this access and overbridge are shown on plan 16 of 19 on B11 Access to Works Plan (APP-157) access.</p> <p>Due to the width of the existing overbridge, it is not possible for two vehicles to pass, nor for users of the Guild Wheel to safely pass oncoming vehicles. Therefore, the Applicants have included measures within section 1.10.5 of the outline Construction Traffic Management Plan (oCTMP) (REP2-016) to manage the potential for conflict. These measures are described in detail in the oCTMP, in summary, require the use of bankpersons to hold back construction traffic until the route is clear. The Applicants clarify that there are no proposals to close or restrict the use of the Guild Wheel, but should a vehicle be passing over the overbridge, any users also wanting to cross would be held back for a short period (approximately 30 seconds).</p>
Q16.1.10	The applicants	Road maintenance Do you intend entering into section 278 and section 59 Highways Act 1980 agreements for the funding of road maintenance required because of the proposed development and if so at what stage?	<p>The Applicants clarify that highway authorities have existing powers via Section 59 of the Highways Act 1980, (Section 59) to recover costs for damage caused by excessive weight passing along the highway, or other extraordinary traffic. However, Section 59 is a reactive clause allowing for the recovery of costs. As such, the Applicants have proposed a strategy to work with the relevant highway authorities collaboratively, this includes commitments to preventative and reactive maintenance to manage the potential for deterioration of the highway.</p> <p>Section 1.11.3 of the outline Construction Traffic Management Plan (oCTMP) (REP2-016) includes details of these measures and the approach to agreeing this with the relevant highway authorities as part of developing the detail CTMPs (which is secured by Requirement 9 of Schedules 2A and 2B of the draft DCO (REP-004)) .</p> <p>The Applicants would note that the form and level of intervention cannot be defined at this stage noting that there are multiple factors, some of which are subject to change:</p> <ul style="list-style-type: none"> • The type of road, e.g. A roads and motorways would be expected to be able to accommodate greater changes in traffic than local roads; • The existing condition of the road, e.g. some roads may be close to the end of their asset life (requiring greater intervention) whilst others may have recently been repaired; and/or

Reference	Question To	ExQ1	Applicants' response
			<ul style="list-style-type: none"> Level of current and proposed use e.g. the final number of vehicles and loads for the Transmission Assets that could be imposed; etc. <p>Noting the potential variables, the Applicants propose the final form of maintenance is agreed with the relevant highway authorities pre-construction, through the development of detailed CTMPs. The requirement to produce detailed CTMPs in accordance with the oCTMP (REP2-016) is secured by Requirement 9 of the draft DCO (REP1-008).</p> <p>The oCTMP outlines that should maintenance measures be required, these could either delivered by the Contractor(s) or a financial contribution made to the relevant highway authority to deliver the works. The Applicants would note with regard to the latter, the final form of agreement could be via a Section 278 (of the Highways Act 1980) but could equally be via alternative means as outlined above. The Applicants consider there is sufficient security within the oCTMP to allow the form of agreement to be agreed as part of the discharge of the detailed CTMPs.</p>
Q16.1.11	LCC	Outline Construction Traffic Management Plan (oCTMP) Are you content that the amended oCTMP submitted by the applicants at deadline 2 (D2) [REP2-016] addresses your concerns with regard to the potential noise, damage and disruption caused by construction vehicles waiting on the public highway prior to the start of construction working hours as set out in [REP1-085]? If not, what further controls would you suggest and how should they be secured?	The Applicant notes Q16.1.11 is directed towards LCC and shall not be responding.
Q16.1.12	LCC	Proposed accesses You consider 61 of the 64 proposed accesses unacceptable [REP1-085]. The applicants have suggested that most of the issues raised relate to detailed design which can be addressed later if the dDCO was to be made, but not withstanding this they are working constructively with you to address them at this stage of the	The Applicant notes Q16.1.12 is directed towards LCC and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		project [REP2-039]. Do you consider the level of the issues you've raised appropriate at this stage to demonstrate the feasibility of the accesses proposed? Are there any of the proposed accesses which you consider will remain unacceptable whatever measures the applicants propose?	
Q16.1.13	LCC	Construction traffic assignments Are you content Volume 3, Annex 7.5: Construction trip generation assumptions, Appendix B (APP-115) contains full details of construction traffic assignments including routing to accesses?	The Applicant notes Q16.1.13 is directed towards LCC and shall not be responding.
Q16.1.14	LCC	oCTMP Do you consider that the measures proposed in the amended version of the oCTMP submitted at D2 [REP2-016] are an adequate basis for managing the proposed nature and volume of construction traffic on narrow routes? If not, what further measures would you suggest including?	The Applicant notes Q16.1.14 is directed towards LCC and shall not be responding.
Q16.1.15	LCC	Routing strategy for HGVs Do you consider that the applicants will be able to demonstrate to you the suitability of all the links in the proposed routing strategy for HGVs. Are there some links that you consider will remain unsuitable whatever measures the applicants propose?	The Applicant notes Q16.1.15 is directed towards LCC and shall not be responding.
Q16.1.16	LCC	Outline Public Rights of Way Management Plan Are you content with the applicants' Outline Public Rights of Way Management Plan? What	The Applicants would refer the Examining authority to the Applicants response to RR-1262.8 (PDA-012). They can also confirm that they met with LCC on 11 June 2025 to discuss the management and interactions of Public Rights of Way.

Reference	Question To	ExQ1	Applicants' response
		further measures would you suggest are included?	<p>The Applicants have shared an updated version of the Outline Public Right of Way Management Plan with LCC for them to review and comment and provide feedback via the SoCG process.</p> <p>Both parties have agreed to continue to engage with a view to achieving constructive outcomes, the Applicants will provide an update to the ExA on discussions via the Statement of Common Ground.</p>
Q16.1.17	National Highways (NH)	<p>Statement of Common Ground</p> <p>The Initial Statement of Common Ground (SoCG) between the applicants and NH [REP1-054] suggests that all issues raised by NH in [RR-1599 and PDA-042] are close to being resolved. Provide comments, highlighting areas where significant disagreement between the parties remains.</p>	The Applicant notes Q16.1.11 is directed towards NH and shall not be responding.
Q16.1.18	NH	<p>Articles 13 and 14 of the dDCO</p> <p>In [RR-1599] NH requested amendments to articles 13 and 14 of the dDCO [AS-004]. The applicants maintained that a change to article 13 was not necessary but agreed to amend article 14. The initial SoCG [REP1-054] suggests that NH is now content with the wording of the dDCO apart from having one outstanding comment on a single article. Confirm that this is correct. If so, highlight which article NH still has issues with, and provide suggested amendments.</p>	The Applicants refer the ExA to their response at Table 2.82 of PDA-007. The Applicants remain in discussion with National Highways concerning articles 13 and 17 of the draft DCO (REP2-004) and will provide any further updates as necessary at deadline 4.
Q16.1.19	NH	<p>Protective provisions</p> <p>Does NH require the inclusion of protective provisions in the dDCO? If so, please provide a copy and outline any discussions on them with the applicants to date.</p>	The Applicants have discussed this matter with National Highways at a meeting on the 23 June 2025 where National Highways confirmed they do not require Protective Provisions.

2.17 Other matters

Table 2.17: Other matters

Reference	Question To	ExQ1	Applicants' response
17.1 Green Belt			
Q17.1.1	The applicants and Flyde Borough Council	<p>It is agreed between the parties that the proposed substations represent inappropriate development in the Green Belt.</p> <p>Notwithstanding that substantial harm should be given to any harm to the Green Belt (paragraph 153 of the National Planning Policy Framework), both parties are asked to quantify the degree of any harm that would be likely to result from the proposed substations to the openness of the Green Belt and the purposes of including land in the Green Belt.</p>	<p>The harm caused by the substations to the Green Belt, by reason of inappropriateness or any other harm, has been examined in detail in the Green Belt Technical Note provided by the Applicants at Deadline 3 (S_D3_12).</p> <p>In summary, the Applicants' opinion is that the harm arising as a result of the substations can be considered in two main phases: impacts arising during the construction phase and impacts arising during the operational phase.</p> <p>For impacts during the construction phase, the onshore substations will result in impact to this area of the Green Belt resulting in harm from works compounds, associated construction activity and temporary works. The harm is considered to be not significant due to its short term/ non-permanent nature.</p> <p>For impacts during the operational phase, whilst it is acknowledged that there will be long-term harm to spatial and visual openness during the operational phase, which will affect the performance of the Green Belt area extending between settlements, it is considered that the remaining area of Green Belt will be unaffected by the substation developments, retains openness and supports the proper functioning of the Green Belt.</p> <p>This is examined in greater depth in the Green Belt Technical Note which has been submitted at Deadline 3 (S_D3_12).</p> <p>Furthermore, the proposed landscape works as detailed within the outline Landscape Management Plan (APP-208) will mitigate harm to the Green Belt by providing visual screening for the structures, helping them to assimilate into the landscape and reducing harm to visual openness.</p>
Q17.1.2	The applicants	Paragraph 5.24.1.6 of the Planning Statement discussed the implications of underground cabling for the Green Belt	As set out in paragraph 5.24.1.6 of the Planning Statement (REP-032), the Applicants consider the underground cabling to constitute 'h) ii) engineering operations' for the purposes of NPPF (2025) paragraph 154 which is not

Reference	Question To	ExQ1	Applicants' response
		<p>noting that it would constitute engineering operations.</p> <p>For clarity, can the applicants confirm their position as to whether or not any proposed cabling works (as separate from the proposed substations), including any associated construction activity such as construction compounds and haul roads, would represent inappropriate development in the Green Belt?</p>	<p>considered to be inappropriate development as the cables will be buried underground and any surface impacts reinstated following construction.</p> <p>The associated construction activity, including temporary construction compounds and haul roads are not considered to fall within this category of works and therefore, the starting point is that they are inappropriate development which will cause harm to the Green Belt.</p> <p>The Applicants have provided a detailed note in relation to Green Belt (S_D3_12) which considers the scale and nature of impacts on the various areas of Green Belt from construction works and explains why any harm resulting from these construction impacts should be given little, if any, weight in the determination of the Transmission Assets application given their relatively short duration and full reversibility.</p>
17.2 Commercial fisheries			
Q17.2.1	The applicants	<p>Engagement</p> <p>Outline the engagement that has taken place between the applicants and commercial fishing stakeholders including the National Federation of Fishermen's Organisations (NFFO) since June 2021.</p>	<p>The schedule of stakeholder engagement, with a summary of the key impacts specific to commercial fisheries raised during these consultation activities, undertaken for the Transmission Assets are presented in Table 6.3 of ES Volume 2, Chapter 6: Commercial Fisheries (APP-054) together with the Technical Engagement Plan (APP-189) and associated Appendix I (APP-192). Table 6.3 also lists how feedback has been considered in the production of the chapter (APP-054). Information from consultees has been used to inform the Commercial Fisheries ES chapter baseline in section 6.6 (and Volume 2, Annex 6.1: Commercial fisheries technical report of the ES (APP-055)) and assessment of effects (section 6.11 of APP-054).</p> <p>Comments raised during respective Generation Assets consultations that are of direct relevance to the Transmission Assets have also been set out in Table 6.3 of ES Volume 2, Chapter 6: Commercial Fisheries (APP-054). This includes consultation undertaken for the Morgan Offshore Wind Project: Generation Assets and Morecambe Offshore Wind Farm: Generation Assets that provided feedback on spatial extent, gear deployment and any other key comments (i.e. comments on cable burial depth and cable protection) not already captured in consultation for the Transmission Assets. In addition to feedback received during consultation for the Transmission Assets alone,</p>

Reference	Question To	ExQ1	Applicants' response
			this additional feedback has been used in the Commercial Fisheries ES chapter to inform the assessment of effects (section 6.11 of APP-054).
Q17.2.2	NFFO	Engagement Provide details of any engagement that you have had with the applicants on the proposed development and its potential impact on commercial fishing since June 2021.	The Applicants note Q17.2.2 is directed towards NFFO and shall not be responding.
Q17.2.3	Marine Management Organisation (MMO)	Impacts on commercial fisheries Are you content with the applicants' response to your suggestion that there should be a programme to monitor the impact of the project on bass and other commercial fisheries pages 62 and 63 of [REP1-086]?	The Applicants note Q17.2.3 is directed towards MMO and shall not be responding.
Q17.2.4	NFFO	Outline Fisheries Liaison and Co-existence Plan Are you content with the Outline Fisheries Liaison and Co-existence Plan [APP-218]? Are there any amendments/ additions that you would recommend?	The Applicants note Q17.2.4 is directed towards NFFO and shall not be responding.
17.3 Shipping and navigation			
Q17.3.1	Maritime and Coastguard Agency (MCA)	Cable laying burial surveys Confirm that the post cable laying burial surveys proposed by the applicants in [REP2-031] are acceptable. If not, what further amendments would you suggest to	The Applicants note Q17.3.1 is directed towards MCA and shall not be responding.

Reference	Question To	ExQ1	Applicants' response
		the draft Development Consent Order (dDCO) [REP2-004]?	
Q17.3.2	MCA	Amendments to dDCO Confirm that the amendments made by the applicants to the dDCO [REP2-004] in response to your comments in [REP1-086] are acceptable. If not, what further amendments would you suggest?	The Applicants note Q17.3.2 is directed towards MCA and shall not be responding.
Q17.3.3	Royal National Lifeboat Institution (RNLI)	Floating cables Are you content with the applicants' proposals set out in [REP2-031] for ensuring that floating cables are not a hazard to navigation especially at night? If not what further measures would you suggest and how should they be secured?	The Applicants note Q17.3.3 is directed towards RNLI and shall not be responding.
Q17.3.4	RNLI	Annes Shannon Class offshore lifeboat Are you content with the applicants' response to your concerns regarding maintaining the ability to launch and recover the Annes Shannon Class offshore lifeboat during the proposed development [REP1-096] set out in their deadline 2 submission [REP2-031]? If not what further measures/ reassurances do you require and how should they be secured?	The Applicants note Q17.3.4 is directed towards RNLI and shall not be responding.
Q17.3.5	Trinity House	Amendments to dDCO Confirm that the amendments made by the applicants to the dDCO [REP2-004] in response to your comments in [REP1-209]	The Applicants note Q17.3.5 is directed towards Trinity House but wish to highlight the following: The Applicants held a meeting with Trinity House on 24 June 2025. During this meeting, Trinity House confirmed that they are content with the

Reference	Question To	ExQ1	Applicants' response
		are acceptable. If not, what further amendments would you suggest?	amendments made by the Applicants to the draft DCO (REP2-004). However, they have indicated that they will maintain a watching brief on any further changes to the draft DCO_(REP2-004).
17.4 Climate Change			
Q17.4.1	The applicants	<p>Greenhouse Gas Emissions (GHG) - Sulphur Hexafluoride (SF6)</p> <p>Paragraph 2.9.61 of the NPS EN-5 states applicants should at the design phase of the process consider carefully whether the proposed development could be reconceived to avoid the use of SF6-reliant assets.</p> <ul style="list-style-type: none"> a) Confirm if SF6 will be used and in what quantities. b) Explain what other designs have been considered that avoid the use of SF6 and why they have been rejected. c) Explain how SF6 gas would be prevented from being released into the atmosphere during decommissioning of any substations or other assets where it has been used. 	<p>a) The Applicants can confirm that sulphur hexafluoride (SF6) will be used within the Gas Insulated Switchgear (GIS) proposed for the Applicants' 275kV and 400kV substations. While Morgan OWL has committed to the use of GIS, Morecambe OWL has retained the flexibility to adopt either GIS or air insulated switchgear (AIS). The final quantity of SF6 to be used will depend on the selected switch gear design as well as the number of required circuits, both of which will be confirmed during detailed design. As such, the Applicants are not able to confirm the volume of SF6 to be used.</p> <p>b) As stated in Volume 1, Annex 3.3: Sulphur Hexafluoride Report (APP-028), the current assumed worst-case scenario is that the GIS technology to be used for the onshore substations will be SF6 reliant. This is due to SF6-free switchgear alternatives being an emerging market. At the 275kV and 400kV voltage levels required for the Applicants' transmission systems and national grid connections, the SF6 free solutions are not yet available at the scale and reliability required for significant national infrastructure.</p> <p>To date, no SF6 free GIS solutions have received full type testing certification or established a sufficient operational track record at these voltage levels. Given the long lead times associated with procurement, design and certification of high-voltage substation equipment, it is not practical to rely on technologies that are not yet proven or commercially viable.</p> <p>c) During the decommissioning phase of the Transmission Assets, any SF6 will be extracted and removed by certified personnel using appropriate recovery systems. The gas will either be re-used in other</p>

Reference	Question To	ExQ1	Applicants' response
			<p>installations or transferred to licensed facilities for recycling or destruction in accordance with the relevant environmental regulated in place at the time. Decommissioning plans will be developed and implemented during the decommissioning phase of the Projects.</p> <p>As required by Requirement 22 of Schedules 2A and 2B of the draft Development Consent Order (REP2-004), the Applicants will submit a detailed Decommissioning Plan for approval by the relevant planning authority within 6 months of permanent cessation of commercial operation of Project A or Project B onshore works (as relevant). This plan will include procedures for the safe handling, removal and disposal of SF6 in line with industry best practice and relevant legislation. Requirement 22(3) secures that the Applicants must implement the decommissioning plan as approved.</p> <p>The Applicants note that during installation and commissioning, the SF6 is stored in bottles to be released to the GIS equipment. The associated gas chambers and bottles will all be fitted with non-return valves (i.e. check valves), to avoid any inadvertent release of gas into the atmosphere. During all phases of the Transmission Assets, automatic monitoring systems will be used to identify any leaks. Any leaks will be repaired as soon as reasonably practicable after discovery.</p>
Q17.4.2	Environment Agency	GHG Comment, if necessary, on the applicants GHG Assessment in Appendix 1.1 [APP-139] or the GHG Emissions sections of the Environmental Statement, Volume 4, Chapter 1 [APP-138].	The Applicants note Q17.4.2 is directed towards Environment Agency and shall not be responding.
Q17.4.3	The applicants	GHG As noted in [PDA-007] reference RR-2266.2 in response to relevant representation made by Walney (UK)	In the Applicants' response to the Written Representation from the Ørsted IPs (REP1-188.4), the Applicants presented a sensitivity analysis (extracted below) to demonstrate that the revised figures for net greenhouse gas (GHG) emissions presented in the Morecambe OWF climate change chapter

Reference	Question To	ExQ1	Applicants' response
		<p>Offshore Windfarms Limited, the Transmission Assets by nature of their design do not have the potential for wake loss impacts on other offshore wind projects and as such is not a matter relevant for consideration in the examination of the proposed development. The applicants consider that the submitted GHG assessment [APP-139] does not need to be updated to reflect the updated assessments submitted to the examinations for the Generation Projects as the conclusions regarding significance have not been altered.</p> <p>As the GHG emissions of the project are cumulatively assessed with the impacts of Morgan Offshore Windfarm and Morecambe Offshore Windfarm projects why this shouldn't be updated to reflect updates in GHG emissions assessments for those projects?</p>	<p>have no impact on the conclusions on the significance of effects presented within the Transmission Assets climate change chapter (APP-138).</p> <p>The below figures are the net GHG emissions that were presented within the Transmission Assets' climate change chapter (APP-138), paragraph 1.13.2.15. To reconfirm the scenarios are as follows: Scenario 1: Transmission Assets together with Morecambe Offshore Windfarm: Generation Assets; Scenario 2: Transmission Assets together with Morgan Offshore Wind Project: Generation Assets; and Scenario 3: Transmission Assets together with Morgan Offshore Wind Project: Generation Assets and Morecambe Offshore Windfarm: Generation Assets.</p> <ul style="list-style-type: none"> ○ Scenario 1: between 353,073 and -34,669,172 tCO₂e ○ Scenario 2: between 33,306 and -50,973,394 tCO₂e ○ Scenario 3: between 28,258 and -86,000,687 tCO₂e. <p>The below net GHG emissions for each Scenario include the latest net GHG emission figures presented for the Morgan and Morecambe Generation Assets, accounting for the loss of avoided emissions arising from wake loss effects on the Ørsted IPs' projects:</p> <ul style="list-style-type: none"> ○ Scenario 1: between 382,244 and -34,291,390 tCO₂e ○ Scenario 2: between 33,306 and -50,973,394 tCO₂e ○ Scenario 3: between 57,429 and -85,622,905 tCO₂e <p>As illustrated above, there are no large changes to the net GHG emission figures included within the Transmission Assets climate change chapter (APP-138) as a result of applying the updated Morgan and Morecambe Generation figures. The marginal change to the net GHG emissions does not impact or affect the conclusions on significance presented in paragraphs 1.13.2.20 to 1.13.2.22 (within the Transmission Assets climate change chapter (APP-138)).</p>

3 Appendices

3.1 Response to Q12.1.12(b)

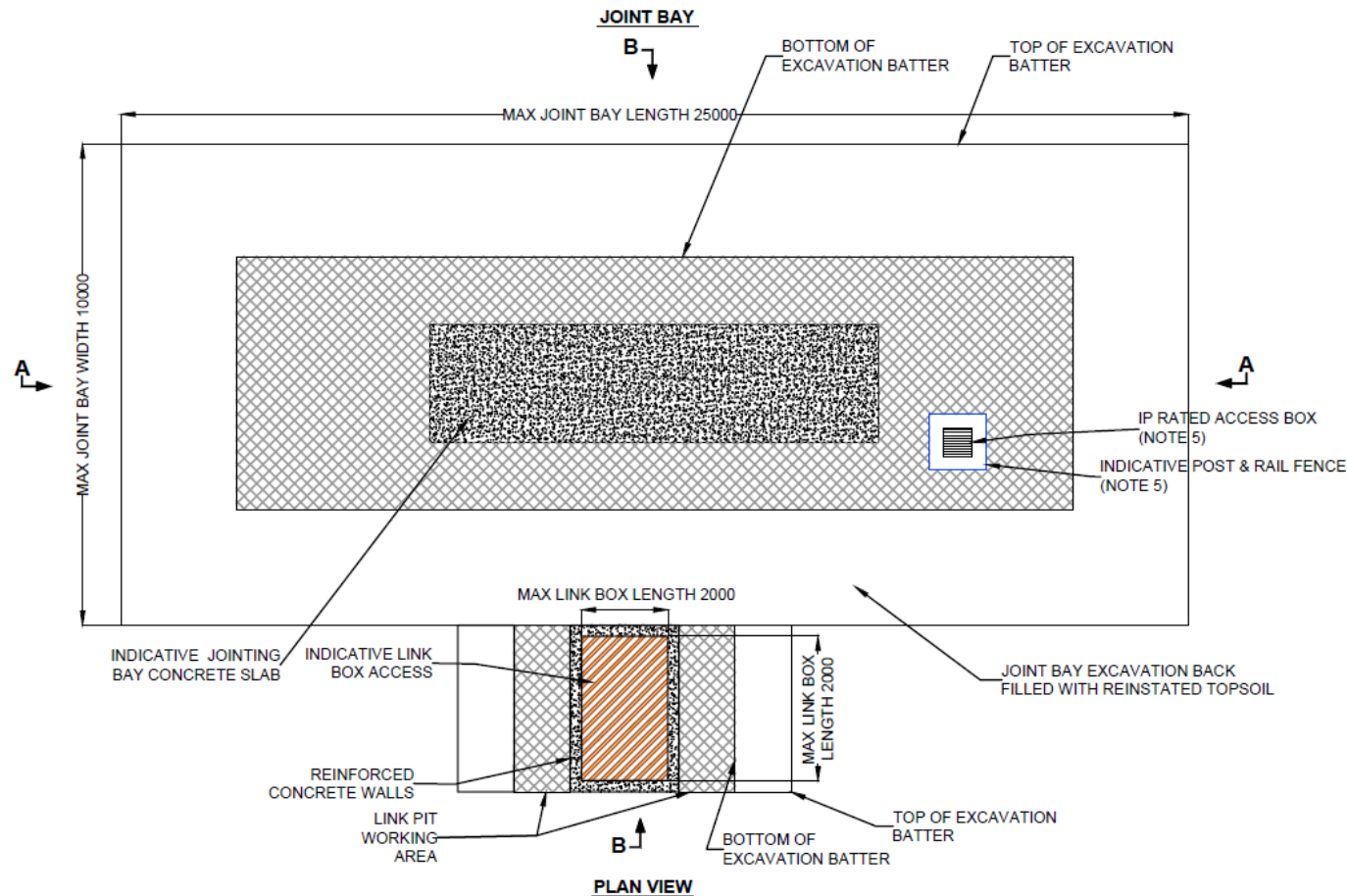


Figure 1 – Typical Project Joint Bay and Link Box

3.2 Response to Q13.1.8 – National Policy Statement

3.2.1.1 The Applicants share the following examples in response (a) and (b):

3.2.2 Sheringham and Dudgeon Extension Projects (Norfolk)

Relevant Details

- **Status:** Consent awarded on 17 April 2025
- **Operational footprint:** if **only** SEP or DEP comes forward, the substation will be up to 3.25 ha; if both Projects are taken forward, a single substation will be up to 6ha.
- **Scale:** Buildings and external electrical equipment, up to 15 m high; lightning masts 30 m high.
- **Construction compound footprint:** up to 1 ha.

Examining Authority's Conclusions on Landscape and Visual Effects

- 3.2.2.1 **Landscape character:** The ExA agreed with the Applicant's assessment that there would be significant adverse effects on landscape character within the site of the onshore substation and its immediate context, where there would be a direct change to the present land-use from agricultural farmland to an electrical substation, and visibility of the new development would be possible from locations in close proximity. It was assessed that effects on landscape character would affect a very limited extent of the overall LCA, being of medium magnitude, moderate significance and adverse upon completion and in the long-term. The ExA agreed that effects on landscape character would reduce with distance beyond the immediate context of the onshore substation and outside the Zone of Visual Influence (ZVI) identified in the assessment, with effects on the landscape character area being, at most, of a negligible magnitude, minimal significance and neutral.
- 3.2.2.2 **Visual resources:** The ExA agreed with the Applicant's assessment that there would be a significant adverse effect on the nearest visual receptors located within the onshore substation's immediate context, where views would be most apparent following completion of construction and the visibility would be greatest. Visual effects were assessed to be of a high magnitude, major significance and adverse. Over time, as proposed planting around the onshore substation establishes, visibility of the tallest components of the electrical equipment would remain visible above the newly established vegetation,

continuing to affect the nearest visual receptors to a high magnitude and major significance. The ExA agreed that effects would reduce with distance beyond the immediate context of the onshore substation and outside the ZVI, as reported in the submitted Environmental Statement.

- 3.2.2.3 The ExA's *Recommendation Report* concurred with the Applicant's findings that the height and scale of the substation equipment were the primary factors influencing landscape and visual impacts. The ExA acknowledged that while the proposed planting helped partially screen buildings and lower equipment - particularly in close-range views - it could not fully mitigate the visual effects if the substation were to be built to its maximum assessed height. The ExA concluded, overall, that there would be some inevitable impact on landscape and visual resources, but these would carry minor weight against the case for the Proposed Development for all Development Scenarios.

Good Practice in Impact Management

- 3.2.2.4 The ExA acknowledged the application of recognised good practice in the management of landscape and visual impacts, which informed its overall judgement regarding the degree of effect. Notable measures include:
- **Mitigation by Design:** The adoption of a "mitigation approach", incorporating embedded mitigation measures secured through the oLMP, was considered a positive aspect of the scheme's design evolution.
 - **Use of DCO Requirements:** The inclusion of specific Requirements within the dDCO to govern detailed design by design" and landscaping was viewed favourably. These provisions are intended to ensure that the final design appropriately manages landscape and visual impacts to the satisfaction of the relevant planning authority.
- 3.2.2.5 As part of its conclusions on landscape and visual impacts, the ExA stated: *"The design and appearance of the structures and buildings proposed for the onshore substation, together with the landscape design strategy, must form part of a co-ordinated design response that satisfies the requirements set out in National Policy Statement (NPS) EN-1, specifically sections 5.9.8 and 5.9.16. This response must be submitted to and approved by the relevant planning authority, as required by Requirements 10 and 11 of the recommended DCO."*

3.2.3 Hornsea Three Offshore Wind Farm (Norfolk)

Relevant Details

- **Status:** Consent awarded on 31 December 2020, under construction.

- **Operational footprint:** up to 14.93 ha.
- **Scale:** Buildings (main substation) and external electrical equipment, up to 25 m high; lightning masts 30 m high.
- **Construction compound footprint:** up to 9.1 ha.

Examining Authority's Conclusions on Landscape and Visual Effects

- 3.2.3.1 **Landscape character:** The ExA agreed with the Applicant's assessment that it would have a significant adverse effect on landscape character within the site of the HVDC convertor/HVAC substation, but that the landscape character impacts would diminish further away from the site.
- 3.2.3.2 **Visual resources:** The ExA considered that from more distant viewpoints, the visual impact of the HVDC convertor/HVAC substation would be less pronounced as it would be seen in the context of pylons, overhead wires, the A47 and other development, but that from closer viewpoints the visual impact would be substantial. Furthermore, the ExA felt the ES underestimated the longer-term visual impacts. In the ExA's view, even when the proposed landscaping has matured after 15 years, it considered that the visual impacts would remain significantly adverse.
- 3.2.3.3 The ExA's *Recommendation Report* reported how the ExA concluded, overall, that the Applicant's approach to minimising landscape harm, including the proposed mitigation measures, was reasonable and proportionate. The ExA was satisfied that the adverse impacts would not be so severe as to outweigh the benefits of the Proposed Development.

Good Practice in Impact Management

- 3.2.3.4 The ExA acknowledged the application of recognised good practice in the management of landscape and visual impacts, which informed its overall judgement regarding the degree of effect. Notable measures include:
- **Provision of design principles:** The ExA acknowledged the Applicant's provision of design principles for the HVAC booster station, which are to be incorporated into the detailed design and submitted for approval by the local planning authority. These principles were deemed sufficient to manage potential impacts associated with night-time views and light pollution.
 - **Illustrative landscape proposals:** For both the HVDC converter/HVAC substation and the HVAC booster station, illustrative landscaping proposals were submitted by the Applicant to reduce landscape and visual effects. The ExA noted that the detailed design of buildings and associated landscaping would be subject to approval by the relevant local planning authority.

3.2.4 East Anglia ONE North Offshore Wind Farm (Suffolk)

Relevant Details

- **Status:** Consent awarded on 31 March 2022, awaiting commencement of construction.
- **Operational footprint:** AIS Substation, up to 4.495 ha; or GIS Substation, up to 1.68 ha
- **Scale:** Buildings and electrical equipment (main substation), up to 14 m high; lightning masts 20 m high.
- **Construction compound footprint:** up to 2.335 ha.

Examining Authority's Conclusions on Landscape and Visual Effects

- 3.2.4.1 **Landscape Character:** The ExA agreed with the Applicant's assessment and addendum that there would be significant adverse effects on the local landscape 15 years post-construction. Construction activities, including the proposed access road and drainage infrastructure, would also contribute to substantial 'harm' to the character of the landscape.
- 3.2.4.2 **Visual Resources:** The ExA observed that, although the site would be relatively well screened from distant viewpoints, close-range views - particularly those between Fristonmoor and Friston - would be subject to highly significant impacts during the operational phase of the Proposed Development. These impacts would effectively sever visual and perceptual links between Friston and its northern satellite. In addition, visual receptors would experience significant adverse effects during the construction phase, comparable in magnitude to those anticipated during operation.
- 3.2.4.3 The ExA's *Recommendation Report* noted that the choice between AIS and GIS would not materially alter the level of landscape harm. The submitted photomontages were considered realistic enough to be able to gauge the potential impacts of the Proposed Development, even if certain precise elements are disputed. The ExA also considered that the growth rates and aftercare management/maintenance of mitigation planting are realistic and appropriate.

Good Practice in Impact Management

- 3.2.4.4 The ExA acknowledged the application of recognised good practice in the management of landscape and visual impacts, which informed its overall judgement regarding the degree of effect. Notable measures include:
- **Demonstration of Design Evolution:** The ExA noted that there was limited information on how the proposed design had evolved following site selection. While the application's Outline Landscape and Ecological Management Strategy

(OLEMS) assisted in this regard, the absence of a dedicated section on good design within the ES was considered by the ExA to be an omission. However, during the Examination, the submission of supplementary documentation was acknowledged by the ExA as bridging this gap. As a result, the ExA considered it clear how the design of the Proposed Development had evolved over time.

- **Engagement and Design Governance:** The ExA acknowledged the clear framework provided by the design principles submitted, which sought to ensure, moving forwards, the visual impacts of the Proposed Development are reduced.

3.2.5 East Anglia TWO Offshore Wind Farm (Suffolk)

Relevant Details

- **Status:** Consent awarded on 31 March 2022, awaiting commencement of construction.
- **Operational footprint:** AIS Substation, up to 4.495 ha; or GIS Substation, up to 1.68 ha
- **Scale:** Buildings and electrical equipment (main substation), up to 14 m high; lightning masts 20 m high.
- **Construction compound footprint:** up to 2.335 ha.

Examining Authority's Conclusions on Landscape and Visual Effects

- 3.2.5.1 **Landscape Character:** The ExA agreed with the Applicant's assessment and addendum that there would be significant adverse effects on the local landscape 15 years post-construction. While the ExA concurred with the Applicant that their mitigation planning would become increasingly effectively, the ExA noted that the wide-ranging views and open character of the local landscape would be significantly adversely impacted by the Proposed Development. The open character of the area would disappear, to be replaced by a large mass of development and surrounding planting. While the planting may be natural, its form and structure would appear out of place and unusual for the area and therefore would be harmful to the character of the area in itself notwithstanding existing patches of wood nearby. The removal of historic field boundaries and footpaths would compound this adverse effect. Furthermore, the ExA considered that the mitigation planting, though natural in form, would appear incongruous and out of keeping with local landscape patterns. This impact would be exacerbated by the removal of historic field boundaries and public footpaths, further degrading the area's landscape character.
- 3.2.5.2 **Visual Resources:** The ExA observed that, although the site would be relatively well screened from distant viewpoints, close-range views - particularly those between Fristonmoor and Friston - would be subject to highly significant impacts

during the operational phase of the Proposed Development. These impacts would effectively sever visual and perceptual links between Friston and its northern satellite. In addition, visual receptors would experience significant adverse effects during the construction phase, comparable in magnitude to those anticipated during operation.

- 3.2.5.3 The ExA's *Recommendation Report* noted that the choice between AIS and GIS would not materially alter the level of landscape harm. The submitted photomontages were considered realistic enough to be able to gauge the potential impacts of the Proposed Development, even if certain precise elements are disputed. The ExA also considered that the growth rates and aftercare management/maintenance of mitigation planting are realistic and appropriate.

Good Practice in Impact Management

- 3.2.5.4 The ExA acknowledged the application of recognised good practice in the management of landscape and visual impacts, which informed its overall judgement regarding the degree of effect. Notable measures include:
- **Technology Choice to Reduce Visual Impact:** The selection of GIS technology was intended to reduce the substation's footprint and minimise visual impacts by enclosing switching equipment.
 - **Evolution of the OLEMS and OLMP:** The Outline Landscape and Ecological Management Strategy (OLEMS) and Outline Landscape Mitigation Plan (OLMP) were refined to provide more detail, including:
 - Increased proposed planting.
 - Retention of existing screening due to a reduced substation footprint.

4 References

The Institute of Air Quality Management (IAQM), 2024, Guidance on the assessment of dust from demolition and construction, Version 2.2

Defra, 2022. Local Air Quality Management Technical Guidance (TG22).