

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

The Applicants' Hearing Summary of the Issue Specific Hearing 2: Day 1

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Glossary

Term	Meaning
400 kV grid connection cables	Cables that will connect the proposed onshore substations to the existing National Grid Penwortham substation.
400 kV grid connection cable corridor	The corridor within which the 400 kV grid connection cables will be located.
Applicants	Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL).
Biodiversity benefit	<p>An approach to development that leaves biodiversity in a better state than before. Where a development has an impact on biodiversity, developers are encouraged to provide an increase in appropriate natural habitat and ecological features over and above that being affected.</p> <p>For the Transmission Assets, biodiversity benefit will be delivered within identified biodiversity benefit areas within the Onshore Order Limits. Further qualitative benefits to biodiversity are proposed via potential collaboration with stakeholders and local groups, contributing to existing plans and programmes, both within and outside the Order Limits.</p>
Code of Construction Practice	A document detailing the overarching principles of construction, contractor protocols, construction-related environmental management measures, pollution prevention measures, the selection of appropriate construction techniques and monitoring processes.
Commitment	This term is used interchangeably with mitigation and enhancement measures. The purpose of commitments is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects. Primary and tertiary commitments are taken into account and embedded within the assessment set out in the ES.
Construction Traffic Management Plan	A document detailing the construction traffic routes for heavy goods vehicles and personnel travel, protocols for delivery of Abnormal Indivisible Loads to site, measures for road cleaning and sustainable site travel measures.
Design envelope	A description of the range of possible elements and parameters that make up the Transmission Assets options under consideration, as set out in detail in Volume 1, Chapter 3: Project Description. This envelope is used to define the Transmission Assets for EIA purposes when the exact engineering parameters are not yet known. This is also referred to as the Maximum Design Scenario or Rochdale Envelope approach.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
Direct pipe	A cable installation technique which involves the use of a mini (or micro) tunnel boring machine and a hydraulic (or other) thruster rig to directly install a steel pipe between two points.
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.

Term	Meaning
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
Evidence Plan Process	A voluntary consultation process with specialist stakeholders to agree the approach to, and information to support, the EIA and Habitats Regulations Assessment processes for certain topics.
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.
Intertidal area	The area between Mean High Water Springs and Mean Low Water Springs.
Intertidal Infrastructure Area	The temporary and permanent areas between MLWS and MHWS.
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 Authority	A body empowered by law to exercise various statutory functions for a particular area of the United Kingdom. This includes County Councils, District Councils and County Borough Councils.
Local Highway Authority	A body responsible for the public highways in a particular area of England and Wales, as defined in the Highways Act 1980.
Main rivers	The term used to describe a watercourse designated as a Main River under the Water Resources Act 1991 and shown on the Main River Map. These are usually larger rivers or streams and are managed by the Environment Agency.
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
Maximum design scenario	The realistic worst case scenario, selected on a topic-specific and impact specific basis, from a range of potential parameters for the Transmission Assets.
Mean High Water Springs	The height of mean high water during spring tides in a year.
Mean Low Water Springs	The height of mean low water during spring tides in a year.
Micro-tunnel / micro-tunnelling	A tunnelling technique involving the use of a hydraulic (or other) jacking rig and a mini (or micro) tunnel boring machine to install a concrete tunnel between two points.
Mitigation measures	This term is used interchangeably with Commitments. The purpose of such measures is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects.
Morecambe Offshore Windfarm: Generation Assets	The offshore generation assets and associated activities for the Morecambe Offshore Windfarm.

Term	Meaning
Morecambe Offshore Windfarm: Transmission Assets	The offshore export cables, landfall, and onshore infrastructure required to connect the Morecambe Offshore Windfarm to the National Grid.
Morecambe OWL	Morecambe Offshore Windfarm Limited is owned by Copenhagen Infrastructure Partners' (CIP) fifth flagship fund, Copenhagen Infrastructure V (CI V).
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 Offshore Wind Project: Generation Assets	The offshore generation assets and associated activities for the Morgan Offshore Wind Project.
Morgan Offshore Wind Project: Transmission Assets	The offshore export cables, landfall and onshore infrastructure required to connect the Morgan Offshore Wind Project to the National Grid.
Morgan OWL	Morgan Offshore Wind Limited is a joint venture between JERA Nex bp (JNbp) and Energie Baden-Württemberg AG (EnBW).
National Grid Penwortham substation	The existing National Grid substation at Penwortham, Lancashire.
National Policy Statement(s)	The current national policy statements published by the Department for Energy and Net Zero in 2023 and adopted in 2024.
Offshore booster station	A fixed structure located along the offshore export cable route, containing electrical equipment to ensure bulk wind farm capacity can be fully transmitted to the onshore substations.
Offshore substation platform(s)	A fixed structure located within the wind farm sites, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the Generation Assets to the landfall.
Offshore export cable corridor	The corridor within which the offshore export cables will be located.
Offshore Permanent Infrastructure Area	The area within the Transmission Assets Offshore Order Limits (up to MLWS) where the permanent offshore electrical infrastructure (i.e. offshore export cables) will be located.
Offshore Order Limits	See Transmission Assets Order Limits: Offshore (below).
Offshore substation platform(s)	A fixed structure located within the wind farm sites, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Onshore export cables	The cables which would bring electricity from the landfall to the onshore substations.
Onshore export cable corridor	The corridor within which the onshore export cables will be located.
Onshore Infrastructure Area	The area within the Transmission Assets Order Limits landward of MHWS. Comprising the offshore export cable corridor from MHWS to

Term	Meaning
	the transition joint bay, onshore export cable corridor, onshore substations and 400 kV grid connection cable corridor, and associated temporary and permanent infrastructure including temporary and permanent compound areas and accesses. Those parts of the Transmission Assets Order Limits proposed only for ecological mitigation and/or biodiversity benefit are excluded from this area.
Onshore Order Limits	See Transmission Assets Order Limits: Onshore (below).
Onshore substations	The onshore substations will include a substation for the Morgan Offshore Wind Project: Transmission Assets and a substation for the Morecambe Offshore Windfarm: Transmission Assets. These will each comprise a compound containing the electrical components for transforming the power supplied from the generation assets to 400 kV and to adjust the power quality and power factor, as required to meet the UK Grid Code for supply to the National Grid.
Preliminary Environmental Information Report	A report that provides preliminary environmental information in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This is information that enables consultees to understand the likely significant environmental effects of a project, and which helps to inform consultation responses.
Renewable energy	Energy from a source that is not depleted when used, such as wind or solar power.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations due to the flow of water.
Substation	Part of an electrical transmission and distribution system. Substations transform voltage from high to low, or the reverse by means of electrical transformers.
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).
Transmission Assets Order Limits	The area within which all components of the Transmission Assets will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds).
Transmission Assets Order Limits: Offshore	<p>The area within which all components of the Transmission Assets seaward of Mean Low Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning.</p> <p>Also referred to in this report as the Offshore Order Limits, for ease of reading.</p>
Transmission Assets Order Limits: Onshore	<p>The area within which all components of the Transmission Assets landward of Mean High Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds).</p> <p>Also referred to in this report as the Onshore Order Limits, for ease of reading.</p>

Acronyms

Acronym	Meaning
AIS	Air Insulated Switchgear
AOD	Above Ordnance Datum
BCA	Bilateral Grid Connection Agreement
CoCP	Code of Construction Practice
CoT	Project Commitment
CBRA	Cable Burial Risk Assessment
CfD	Contracts for Difference
CMS	Construction Method Statement
CSIP	Cable Specification and Installation Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DECC	Department of Energy and Climate Change
Defra	Department for Environment, Food and Rural Affairs
DESNZ	Department for Energy Security & Net Zero
dML	Deemed Marine Licence
EnBW	Energie Baden-Württemberg AG
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
EPP	Evidence Plan Process
ES	Environmental Statement
EWG	Expert Working Group
GIS	Gas Insulated Switchgear
HDD	Horizontal Directional Drilling
HGV	Heavy goods vehicle
HNDR	Holistic Network Design Review
HVAC	High Voltage Alternating Current
IALA	International Association of Marine Aids to Navigation and Lighthouse Authorities
IAQM	Institute of Air Quality Management
LAT	Lowest Astronomical Tide
MCA	Maritime and Coastguard Agency
MCZ	Marine Conservation Zone
MDS	Maximum Design Scenario

Acronym	Meaning
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MMO	Marine Management Organisation
MPS	Marine Policy Statement
MTBM	Mini (or micro) tunnel boring machine
NGESO	National Grid Electricity System Operator
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
O&M	Operation and Maintenance
OSP	Offshore Substation Platform
OTNR	Offshore Transmission Network Review
PDE	Project Design Envelope
PEIR	Preliminary Environmental Information Report
PPP	Pollution Prevention Plan
PRoW	Public rights of way
SAC	Special Areas of Conservation
SAR	Search and Rescue
SPA	Special Protection Area
SNCBs	Statutory Nature Conservation Bodies
SSSI	Sit of Special Scientific Interest
SWMP	Site Waste Management Plan
TEP	Technical Engagement Plan
TJB	Transition Joint Bay
UK	United Kingdom
UXO	Unexploded Ordnance
WSI	Written scheme of investigation

Units

Unit	Description
%	Percentage
dB	Decibels
Kg	Kilogram
kHz	Kilohertz

Unit	Description
KJ	Kilojoules
km	Kilometres
km ²	Kilometres squared
kV	Kilovolt
m	Metres
m ²	Metres squared
m ³	Metres cubed
nm	Nautical mile
μPa	micropascal

1 **The Applicants' Hearing Summary of the Issue Specific Hearing Day 1**

1.1 **Introduction**

1.1.1.1 This document presents a written summary of Morgan OWL and Morecambe OWL, (together, 'the Applicants') oral case at the Issue Specific Hearing 2 (ISH2) Day 1. ISH 2 Day 1 on the Morgan and Morecambe Offshore Wind Farms Transmission Assets Development Consent Order (DCO) application took place on 29 July 2025 at AFC Fylde Football Club, Mill Farm Sports Village, Coronation Way, Wesham PR4 3JZ.

1.2 Hearing Summary ISH2 Day 1

Table 1.1: Hearing Summary ISH2 Day 1

ID	Agenda Item	Notes
1	Welcome, introductions and arrangements for the hearing	
2	Purpose of the hearing	
3	Environmental, onshore and offshore matters	
4(a)	Item 1- General matters a) Update on statements of common ground	<p>1) The Examining Authority (ExA) began by addressing the status of the Statements of Common Ground (SoCG), noting the need for further progress following this halfway stage of the examination. The ExA requested for the SoCGs to be given priority during the upcoming weeks and for the Applicants to provide an update on the current positions.</p> <p>2) The Applicants confirmed that significant progress had been made since the initial submissions at Deadline 1. The Applicants have conducted various technical meetings and exchanged SoCG templates with the relevant stakeholders in order to progress discussions. The Applicants submitted a Statement of Commonality (REP3-043) at Deadline 3. This summarises the position with the various stakeholders in terms of where SoCGs are required, the current status with each stakeholder and provides a list of which statutory undertakers are progressing through the protective provisions process.</p> <p>3) The Applicants went on to provide a status update for the relevant stakeholders, in relation to substantive progress made on the respective SoCGs:</p> <ul style="list-style-type: none"> i. Historic Environment – All matters are agreed, with the exception of ongoing discussions relating to archaeology surveys and the Outline Onshore and Intertidal Written Scheme of Investigation. ii. Environment Agency (EA) – The Applicants and the EA are largely agreed on matters of ecology, waste, pollution and prevention and the Water Framework Directive. iii. National Highways – There has been positive engagement from National Highways and progress has been made in relation to the updated SoCG. Further engagement is expected to take place moving into Deadline 4 and beyond at Deadline 5.

ID	Agenda Item	Notes
		<ul style="list-style-type: none"> iv. Marine Management Organisation (MMO) – The Applicants confirmed that substantive progress had been made, and engagement had also been excellent. There will be a further update provided at Deadline 4 on the SoCG. v. Trinity House – All matters are agreed. However, Trinity House have stated that they will maintain a watching brief over the Development Consent Order (DCO) in order to monitor the deemed marine licences conditions. vi. Maritime and Coastguard Agency – All matters are agreed. vii. Historic England – All matters are agreed. However, there are two outstanding matters which Historic England intend to update their position on at Deadline 4. viii. Natural England (NE) – The Applicants noted that the panel will already be aware that NE's approach is based on their Risk and Issues Log and highlighted their engagement with this throughout the examination. The Applicants are targeting a SoCG in relation to offshore matters to be submitted at Deadline 6 (hearing action point ISH2_27). ix. National Farmers Union. A SoCG was submitted at Deadline 3 and the Applicants will undertake further proactive engagement in the upcoming weeks. x. BAE Systems – The Applicants confirmed that a SoCG was submitted into examination on 22 July 2025 and emphasised their intention to continue engaging with BAE. East Irish Sea Transmission Project – The Applicants explained that there is not currently sufficient information in the public domain to enable them to have a SoCG with the East Irish Sea Transmission Project, but the Applicants are keeping the situation under review. xi. Blackpool Airport Operations – The Applicants confirmed it has been agreed that no SoCG is required, and the focus is on the Cooperation Agreement and land negotiations with the Airport. <p>4) The Applicants reiterated the ExA's opening remarks by acknowledging the resource constraints experienced by the councils and expressed their sympathies in this regard. Notwithstanding this, the Applicants confirmed that positive progress had been made with the following councils:</p> <ul style="list-style-type: none"> i. Lancashire County Council – In respect of Hydrology and Flood, all matters are agreed. However, one update to the Code of Construction Practice is pending, which will be made at Deadline 4. With regard to Historic Environment, all matters are agreed, apart from one matter which relates to the discharge of the onshore WSI being an ongoing matter, which will run into the post consent phase. ii. Fylde Borough Council – The Applicants submitted a SoCG at Deadline 1 and are holding ongoing technical meetings with the relevant specialists from the Council. Both parties are targeting an updated SoCG at Deadline 4. iii. South Ribble Borough Council – South Ribble Borough Council have engaged with the Applicants and agreed to further discussions. The target is to submit an updated SoCG at Deadline 4.

ID	Agenda Item	Notes
		<p>iv. Preston City Council – The Applicants confirmed that they had met with Preston City Council on 30 June 2025 and are proactively engaging with them with a target of a submission of a SoCG at Deadline 4. The Applicants acknowledged the resource constraints of this particular council.</p> <p>v. Newton-with-Clifton Parish Council (NWPC) and Freckleton Parish Council (FPC) – The Applicants confirmed that two initial meetings have been held and a SoCG template is currently in circulation. There will be a further meeting on 11 August 2025 to discuss any outstanding comments from the Parish Councils.</p> <p>5) The ExA questioned if a submission of a SoCG with Blackpool Borough Council was expected at Deadline 4. The Applicants responded that they have had conversations with Blackpool Borough Council on several technical matters. The SoCG now currently sits with Blackpool Borough Council in terms of agreeing to the final form. The Applicants confirmed that they had received an update noting that the Council was deferring on some matters, which the Applicants suspect will be included in the SoCG. The SoCG is with Blackpool Borough Council to confirm they are satisfied for it to be submitted.</p> <p>6) Blackpool Borough Council concurred with the Applicants and confirmed that the SoCG is under current discussions. They welcomed the Applicants' comments regarding the resolution of issues and look forward to proactive discussions to find solutions to outstanding matters.</p> <p>7) The ExA also enquired as to whether Deadline 5 was realistic for the submission of a SoCG for NWPC and FPC.</p> <p>8) NWPC and (FPC) concurred with the Applicants' comments and confirmed that submission at Deadline 5 would be achievable. The Parish Councils noted that they were willing to assist the Applicants in the submission but questioned its value as both parties are not in agreement on certain matters.</p> <p>9) The ExA noted that arguably the most useful section of a SoCG is the principal areas of disagreement.</p>
4(b)	<p>Item 1 – General matters</p> <p>b) Updated documents and errata sheet</p>	<p>10) The ExA requested for the Applicants to provide an overview of the errata sheet and noted that when the document becomes too lengthy, there is a danger that certain updates will be missed. The ExA also invited the Applicants to comment on their approach and how this issue can be mitigated.</p> <p>11) The Applicants noted that the identification of errata is common in development consent order applications due to the fact that minor corrections like typographic errors are frequently required. Furthermore, during the examination, additional material is often submitted in response to representations, thus documents are updated on that basis.</p> <p>12) The Applicants confirmed that most of the outline management plans will be updated for Deadline 4 meaning that any errata identified will be picked up in those updates. Accordingly, these will then be removed from the errata document as those corrections or changes no longer need to be made.</p> <p>13) The Applicants further clarified the Transmission Assets were following the approach taken on the Mona Offshore Wind Farm Project (Mona). The errata document ensures the accurate management of corrections and keeps a record of all relevant changes. Where there are more than ten errata identified at the close of examination, the Applicants have committed to updating those documents (or ES chapters) at Deadline 6. For</p>

ID	Agenda Item	Notes
		<p>example, the submitted document would contain the updated chapter both as a clean version and as a track change version to demonstrate the extent of corrections. If there are less than ten errata identified, an errata sheet will be included at the beginning of the chapter, which signposts any changes made.</p> <p>14) The Applicants also confirmed that the decision to manage the errata process in this way is primarily due to the increasing length of the documents and the significant volume of material being produced at every deadline. The Applicants submitted that to update the documents at every deadline would be less helpful than maintaining a list of where the relevant changes are. of the Applicants also noted that a list of documents that has recently been agreed with NE that will be updated at Deadline 5. [Post hearing note: The Applicants have submitted a note on recent progress in relation to offshore matters with NE and a list of application documents that the Applicants have agreed to update at Deadline 5 in satisfaction of hearing action point ISH2_2.]</p> <p>Additional item: Notification of change request</p> <p>15) The ExA then introduced the additional agenda item which consisted of the Applicants' summary of the Notification of Change Request.</p> <p>16) The Applicants brought up the Change Request Indicative Overview Plan (AS-082) (the plan) on the screen.</p> <p>17) The Applicants confirmed that the primary driver for the change request has come from the need to align certain accesses with the final constructed layout of Lytham St Anne's Way (B5410). Change 1 was brought about following engagement with Lancashire County Council as part of the overarching review of construction accesses.</p> <p>18) The Applicants also saw this as an opportunity to align the Order Limits with the ongoing discussions with Blackpool Airport with regard to the Airport land.</p> <p>19) The Applicants highlighted that, at this stage, only a notification request has been submitted. The Applicants' intention is to submit the change request application at Deadline 4, which will include detailed documents and supporting information.</p> <p>20) The Applicants went on to highlight a key point is that the proposed changes provide for an overall reduction of the Order Limits and an overall reduction in the amount of land that will be subject to permanent acquisition.</p> <p>21) The Applicants proceeded to explain that the indicative overview is broken down into four separate changes. Change 1 is broken down into three parts: a, b and c. . The Applicants noted that at the time of initial design of the project, the Applicants were aware of construction occurring on the B5410 and knew that the accesses would potentially need to be realigned based on the new alignment of the road, but did not have the detail of that realignment.</p> <p>22) The Applicants confirmed that they will be removing the construction and operational accesses labelled to the 1a and 1b on the plan. These accesses are being moved 200m north within the Order Limits. This is to align with an existing access that has been identified as part of the realignment of the B5410.</p>

ID	Agenda Item	Notes
		<p>23) The Applicants also identified an additional access to the east of the B5410, and that is to provide access to the east of the B5410, which is associated with feedback received from landowners with the aim of avoiding the eventuality of taking a road through the Christmas tree farm located further east. This is change 1c.</p> <p>24) The Applicants went on to describe Change 2, which has come about from discussions with Blackpool Airport and identifying an operational access alignment through Work Nos. 10A, 10B, 12A, 12B, 14A and 14B. This change takes the operational access from Leach Lane to where the transition joint bay will be to the west.</p> <p>25) The Applicants then explained how Change 2 is tied into Change 3, which consists of the removal of the operational access to the north i.e. relocating the operational access to be taken from the south rather from the north (Leach Lane rather than Squires Gate Lane).</p> <p>26) Finally, the Applicants explained Change Request 4, which involves a reduction in the Order Limits for the working area within Blackpool Airport following conversations with the Airport as part of the Cooperation Agreement. Both parties are in agreement that the area across the runway and north of the runways is an exclusion zone for the purposes of construction activities. Furthermore, linked to the reduction in the Order Limits within the Airport, the Applicants confirmed that they are also able to commit to removing some of the Order Limits at Blackpool Road Recreation Ground so as not to impact on an 11-a-side pitch.</p> <p>27) The ExA went on to request an overlay of the current football pitch layout over the Order Limits at this location to demonstrate the implications on the football pitches. [Post hearing note: The Applicants have submitted an overlay plan illustrating the football pitches layout at Blackpool Road Recreation Ground combined with the change request (change 4(b)) in the Change Request Report at Deadline 4 (see S_MMCR_3) in satisfaction of hearing action point ISH2_3.]</p> <p>28) The Applicants also highlighted one additional element to Change 4 which was not set out in the notification letter. It relates to an access west from the Queensway which falls within the Airport that will be removed as part of Change 4a. Following discussion with the Airport on Friday 25 July, the construction access will be relocated south within the Order Limits.</p> <p>29) The Applicants confirmed that they had made both Lancashire County Council and Blackpool Airport aware of the proposed changes and that they would be provided with an explanation and drawings to illustrate the change of access point.</p> <p>30) The ExA then questioned whether these changes involve any additional land or powers.</p> <p>31) The Applicants clarified that they did not require any additional land nor any additional powers as the changes are entirely within the redrawn Order Limits.</p> <p>32) The ExA requested the Applicants to confirm the plot numbers of the Recreation Ground that will be affected by these changes.</p> <p>33) The Applicants confirmed that the plot numbers were included in the Notification of Change Request letter (AS-081) (the letter). The Applicants agreed to include further detail and explanation as part of the Change Request application.</p>

ID	Agenda Item	Notes
		<p>34) The ExA requested that the additional element to Change 4 is included in the notification letter and that the letter is updated to include it this week.</p> <p>35) The Applicants confirmed that they could update the letter. [Post hearing note: The Applicants have submitted an update to the change request document (AS-081) to provide an explanation of the construction access change required as part for Change 4 (reduction in Order Limits at the Airport) at Deadline 4 (see AS-083) in satisfaction of hearing action point ISH2_4.]</p> <p>36) The ExA enquired as to why these matters had not been identified and dealt with at the pre-application stage.</p> <p>37) In response to the ExA, the Applicants responded that pre-application there was insufficient clarity about the re-alignment of the B5410, so the Applicants included a design based on the previous alignment, as it was not possible to identify exactly what would be on the ground at the time. As part of their engagement with Lancashire County Council, when identifying and reviewing construction accesses, they realised there was a need to relocate the access to align with the constructed layout, that triggered the need for a change request.</p> <p>38) The Applicants also addressed their ongoing engagement with Blackpool Airport. The Applicants viewed the change request as an opportunity to align the Order Limits with the discussions with Blackpool Airport in order to align with the agreement reached.</p> <p>39) The ExA went on to request justification for the inclusion of no implications for the Environmental Statement (ES) within the Change Request application letter. In particular, a topic-by-topic description of the effects and implications for any mitigation proposed. [Post hearing note: The Applicants have submitted a Change Request Report which includes a topic-by-topic summary of the effects of the change request on the conclusions of the ES at Deadline 4 (see S_MMCR_3) in satisfaction of hearing action point ISH2_5.]</p> <p>40) The ExA also enquired as to why the non-statutory consultation is intended to be carried out after the formal change request in light of the PINS advice note and previous practice, where non-statutory consultation has been carried out before the change request.</p> <p>41) The Applicants responded that they had reviewed the change request advice and considered what would make a reasonable and proportionate consultation. The Applicants explained that the reason for submitting the change request application first was because this gives parties the benefit of having detailed supporting information alongside the updated works plans, technical drawings and the land plans, which would better inform understanding and aid ability to submit representations.</p> <p>42) The Applicants also went on to state that there has already been a level of informal consultation to date with the key stakeholders, which is how the Applicants have arrived at the decision to submit the change request notification. The non-statutory consultation proposed serves as an additional consultation so that others have the opportunity to comment on it. The Applicants further submitted that this approach aligns with recent change applications made on numerous other projects, including Mona.</p>

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		<p>43) The ExA recommended that the Applicants obtain the views of local authorities on the matter and consider whether or not there are any locations where site notices should be placed and consider the necessity of notification of individual properties that may be affected by the proposed changes. The Applicants were asked to ensure that all the relevant parties are included in the statutory consultation. The date for the ExA's decision on the change request is proposed for 14th October 2025 and Deadline 6 follows shortly afterwards. The ExA suggested that this would not allow the chance for representations to be made as part of the examination on the change.</p> <p>44) The Applicants explained that the non-statutory consultation will be based on the detailed documentation submitted at D4 to enable parties to make their representations on the change request material through the non-statutory consultation. The Applicants specified non-statutory consultation was the most appropriate route as this is more proportionate for managing those consultation responses. The Applicants will then submit a consultation report to the ExA. The Applicants noted there would also be an opportunity for the change request application to be examined further at the October hearings prior to the ExA's decision on whether to accept the changes.</p> <p>45) The Applicants further noted that, as set out in the letter, the change request does not trigger the compulsory acquisition regulations, which do require additional steps in terms of relevant representation and written representation submissions.</p> <p>46) In response to the ExA's query whether the timetable could be changed, the Applicants reiterated that the programme had been set to reflect the process undertaken on other applications. The Applicants emphasised that detailed documents will be submitted into examination for the change request at Deadline 4, including a change request track change DCO and the change request works plans. The Applicants submitted that these will clearly set out the implications of the Change Request and the purpose of the non-statutory consultation is to allow comments to be provided on those documents, however, this does not prevent anyone from making a submission as part of their representations into examination and any future Deadline.</p> <p>47) The ExA asked the Applicants whether there was a likelihood of submitting any more change requests.</p> <p>48) The Applicants responded in the negative.</p> <p>49) The ExA also asked that the Applicants take note of the various comments made by other parties including Newton with Clifton Parish Council, Freckleton Parish Council, Fylde Borough Council, Newton Residents Association to ensure there would be fair and appropriate consultation</p> <p>50) Blackpool Airport responded to the comments made by NWCP and FPC and clarified that the new element within change request 4 was, so far as the Airport understands, an unforeseen impact of the proposed changes at the Airport. However, they confirmed that they were content with the proposed relocation of the construction access.</p>

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		<p>51) Blackpool Borough Council also confirmed that they welcomed the change request from the Applicants in respect of the Northern access and Squires Gate Lane. They requested a reassurance that the Squires Gate Lane access will not be used for construction purposes.</p> <p>52) The Applicants noted the comments raised and will reflect these in the update to the notification letter as much as possible and also in the production of the materials for the formal application of the change request.</p> <p>Other matters: Ground Investigations (GI) works</p> <p>53) The Applicants provided a statement regarding their forthcoming programme of GI (ground investigation) works. The Applicants confirmed that they have been engaged in conversations with Fylde Borough Council, South Ribble Council and Preston City Council to provide prior notification with regards to intrusive survey works. These are taking place across the Order Limits and the Applicants recognised that there is public interest in this. The upcoming survey works are needed to secure further information regarding specific ground conditions to inform the post-consent detailed design stage of the project, which is standard practice in the development of these types of projects. The surveys will commence in August and are expected to last until October. To summarise, all affected landowners have been contacted, and necessary access has either already been agreed or is in the process of being agreed.</p> <p>54) The Applicants continued to say that the data collected from this survey is not needed for the EIA assessment, and the interpretive results of that will not be available until after the close of the examination. The data collected from these works will inform the detailed design and the discharge of DCO requirements in the event that the DCO granted. The Applicants offered to provide additional information on this matter for any interested parties and confirmed they would be available for questions outside of the hearing.</p>
5(a)	<p>Item 2 – Landscape character, visual effects and green belt</p> <p>a) Landscape and visual effects of proposed substations</p>	<p>55) The ExA raised the issue of moderate effects and whether the Applicants had taken these into account, noting that they are considered non-significant in accordance with other recent DCOs.</p> <p>56) In response to the ExA's question regarding the weight given to moderate effects, the Applicants confirmed that they provided a response to Q13.1.2 of REP3-056. In summary, a moderate effect is not considered to be significant for the purposes of the Environmental Impact Assessment (EIA), but this does not mean moderate effects were not considered in the planning balance. An EIA is undertaken to inform the decision maker on the significant environmental effects. Effects that are moderate or below are not significant for the purposes of the ES in reporting significant outcomes. The criteria used to inform professional judgement on these matters are within the guidelines for Landscape and Visual Impact Assessment (GLVIA3), which is the industry standard and provides a clear matrix and breakdown of the judgements to allow any reader to understand the considerations. For clarity, any effects over and above moderate are significant for the purposes of the ES.</p> <p>57) The ExA noted that moderate effects do not appear in the Applicants' non-technical summary (NTS) or the planning balance in the Planning Statement. The ExA submitted that if moderate effects are influencing the key decision-making process, there is an argument that they should be included. Post ISH note; For clarity it is</p>

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		<p>noted that other technical chapters summaries in the NTS or Planning Statement that are not considered to be significant in EIA terms are not referred to. It is assumed that all assessment outcomes significant or not in EIA terms would be considered by the decision maker.</p> <p>58) The Applicants responded that the purpose of an ES is to inform the decision-maker on significant judgements. It is for the decision-maker to arrive at a conclusion with both the ES and Landscape and Visual Impact Assessment at their disposal. The Applicants emphasised that there is no intention to underplay the impacts. Moderate effects not being classified as significant is a standard approach taken in the Landscape and Visual Impact Assessment.</p> <p>59) Fylde Borough Council concurred with the comments made by the Applicants but noted that moderate effects are still important effects that should be taken into account. Moderate effects are still relevant matters that should be considered as part of the overall planning balance as with all other technical disciplines. From a methodological perspective, Fylde Borough Council did not disagree with the Applicants.</p> <p>60) The ExA asked the Applicants to provide an explanation of the difference between determining a direct effect on landscape character and an indirect effect on landscape character.</p> <p>61) The Applicants confirmed that direct effects tend to relate to the direct effects on the site from the proposed development including the loss or changes to physical assets that define landscape character, for example the loss of a of woodland/ trees or hedgerows, or an alteration in topography and the imposition of the proposed development on the site. Indirect effects are the consequences of direct effects on the perception of the landscape character in the wider area. The methodology for assessment on impacts on landscape character including Magnitude of impact, are set out within the Landscape and Visual Impact Assessment (APP-123) and for the substations in particular, paras 10.12.3.22 - 24.</p> <p>62) The ExA enquired whether there was a distance threshold from the edge of the substation site where an effect transitions from direct to indirect.</p> <p>63) The Applicants confirmed that the boundary is not defined in the guidance. A direct effect is in principle, wherever a physical effect takes place, for example, for the purposes of the substations, any matter related to loss of vegetation. It relates to spatial extent and duration.</p> <p>64) Lancashire County Council agreed with the way direct and indirect effects had been defined by the Applicants. They noted that caution should be taken when looking at effects on the wider landscape. A development even of this scale will only have a direct effect on the immediate area so it should not be penalised if it is then considered not to affect a wider area.</p> <p>65) The ExA questioned how the assessment on landscape character of the effects of the two substations had been carried out.</p> <p>66) The Applicants confirmed that the fundamental basis for the assessment was the study area which established the context for judgement and was principally informed by the ZTV (Zone of Theoretical Visibility). A 5km study area had been agreed at scoping for the substations. This defined the reasonable extent within which the visible</p>

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		<p>change for the landscape was considered appropriate. The narrative of the assessment acknowledged that the impact on character would be generally be greater nearer to the site than at a further distance. The Applicant noted that it was important that the extent of landscape considered in informing a judgement on the impact on landscape character, should not be so large as to dilute the proper assessment of effects on change and this was a matter of professional judgement informed by the ZTV and individual landscape character area extents. Post ISH Note: Figure 1.1 of ES illustrates the extent of the landscape character areas (LCA) and the 5km study area. The LCA of relevance comprises 15d 'Coastal Plain Fylde'. Figure 10.2 Volume 3: Figures - Part 5 of 7, illustrates the extent of the ZTV for substations overlaid on LCAs which indicates that the ZTV as it relates to assessment of landscape character impact, extends to the following: Kirkham to the north; Newton - with - Scales to the east; Freckleton to the south and Ribby Wrea Green to the west - approximately up 2km in each direction.</p> <p>67) Lancashire County Council confirmed that they considered Green Belt land to be a valued landscape.</p> <p>68) The Applicants recognised the importance of the land subject to Green Belt policy and acknowledged its local value. However, in terms of how Green Belt policy informs the assessment of landscape value and its contribution to the assessment of effect on landscape character, it is not relevant and does not raise its value beyond normal countryside. For the purposes of good practice, land covered by Green Belt policy is not a valued landscape, but this is not to say that the land is not valued by local residents. NPPF para 187b) is relevant 'recognising the intrinsic character and beauty of the countryside' and guidance within GLVIA 3 on this matter.</p> <p>69) The Applicants went on to reference paragraph 5.10.12 of the National Policy Statement (NPS EN-1) which mentions valued landscapes. 'Outside nationally designated areas, there are local landscapes that may be highly valued locally..... these should be paid particular attention. However, locally valued landscapes should not in themselves be justified to refuse consent as this may unduly restrict acceptable development.'</p>
5(b)	<p>Item 2 –</p> <p>Landscape character, visual effects and greenbelt</p> <p>b) Proposed landscape mitigation and management measures</p>	<p>70) The ExA began by asking for comments from the local authorities. Lancashire County Council noted that what has been produced to date does not screen or mitigate the effects of the scale of the onshore substation buildings. The only way to do this is to occupy more land because it is working within tight boundaries. In terms of the footpath at the Morgan substation (Bridleway 5-5-BW 16) LCC questioned whether this could be moved permanently towards Dow Brook so that there is at least some degree of openness that people can enjoy to the east.</p> <p>71) The Applicants highlighted that Section 6.2 of the Outline Design Principles document (APP-209) shows the design code as they have prepared and the oLMP (Outline Landscape Management Plan (APP - 208) the indicative landscape strategy. The entire strategy is to allow for consideration of what Lancashire County Council has outlined and will form part of the discussions around the evolution of the substation and landscaping design anticipated as part of ongoing consultation. There is substantial room within those boundaries to achieve good levels of planting. In terms of the design of the pond features, this conversation needs to be had with Fylde</p>

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		<p>and the other councils to ensure the proposed design codes demonstrate a commitment to achieving appropriate design outcomes sympathetic to landscape character. Due to time constraints, not much progress has been made on this point. The Applicants hoped that the local authorities would be more comfortable with the amount of latitude available to respond to landscape character and the other issues that have been identified acknowledging that the design will evolve with the delivery partners' involvement as part of the post consent design process. The Applicants are content to evolve the commitments contained within the design code in order for the scheme to come forward in the appropriate way.</p> <p>72) The Applicants clarified that all documents shown at the hearing so far are available on the examination library as part of the application and are publicly accessible.</p> <p>73) Fylde Borough Council expressed concern regarding the siting of the two substations within Green Belt land and raised several points on this topic. The ExA noted that most of these points had already been raised in writing, which the Applicants have previously responded to.</p> <p>74) Fylde Borough Council added that they were not convinced the scale of the substations could be effectively mitigated.</p> <p>75) The Applicants confirmed that the Landscape and Visual Impact Assessment is very clear and open about the landscape and visual impact of the proposed development informed by a judgement about the nature of mitigation that could be achieved. The Applicants consider there is sufficient space to adequately allow for planting to properly mature and for an appropriate design to come forward for each substation using the design governance of the oDP. The Applicants have drafted a programme of engagement and noted that Fylde Borough Council is not available to meet before Deadline 4 which places certain pressure on timings. However, the Applicants intend for the programme of meetings to commence immediately after Deadline 4.</p> <p>76) The ExA requested the Applicants provide an update on this point for the next deadline. [Post hearing note: The Applicants have provided a timetable for engagement with Fylde Borough Council and Lancashire County Council in respect of the outline Design Principles at Deadline 4 (S_D4_9.2) in satisfaction of hearing action point ISH2_19.]</p>
5(c)	<p>Item 2 – Landscape character, visual effects and greenbelt</p> <p>c) Good Design, including Applicants' Outline Design Principles</p>	<p>77) A representative from the Transmission Assets Steering Committee noted an absence of visual renderings of the proposed substations. They also considered that the Outline Design Principles (APP- 209) provided two misleading images and that there were the proposed trees shown taller than the 30m lightning masts in the visualisations provided in APP- 136 Volume 3: Figures - Part 6 of 7. There is also no sense of how the sloping terrain on which these substations will sit will be handled. They added that without accurate visualisations, it is not possible to assess how they might dominate the rural views or how the noise and light will disrupt the area's tranquillity.</p> <p>78) The Applicants confirmed that the visualisations are accurate and based on good practice but acknowledge they are not fully rendered. The Applicant noted that they do not currently anticipate the masts to be lit. Further, they noted that the pylons that cross the site are shorter by approximately 4-5m and are not lit. The Applicants</p>

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		<p>acknowledged that the ExA have posed questions regarding the status of the design, which the Applicants have previously responded to. The Applicants confirmed that they are eager to progress discussions with Fylde Borough Council in particular, in relation to the governance of the design for the project moving forward.</p> <p>79) The Applicants went on to say that they have submitted an Outline Design Principles document (APP - 209) which establishes design codes and objectives/principles that the design will align with moving forward. The Applicants anticipate that in working through these design codes during the post-consent requirement discharge process, the visualisations will be a necessary part of informing both the treatment of any buildings in terms of colour, but also their form and nature and that Requirement 4 was clear having regard to the design matters to be considered in any pre/submission process. It is not uncommon with infrastructure of this type to not have design proposals fully developed at this stage. The Applicants are working within the parameters because the nature of the design is still in its infancy, but the general operational requirements for the schemes are understood. The Landscape and Visual Impact Assessment has undertaken the assessment based on worst-case scenario and informed by the Project Description and Project Parameters.y.</p> <p>A technical note has been issued (REP3-064), which provides the indicative layouts for both of the substations to aid understanding of the quantity of built form in terms of buildings and how much of the proposed substation area is likely to be open. The 3D models used in technical note submission, were the same models used to create the visualisations provided within the Landscape and Visual Impact Assessment.</p> <p>80) The ExA noted that Morecambe is proposing either Gas Insulated Switchgear (GIS) or Air Insulated Switchgear (AIS), but that there was only one indicative substation layout for Morecambe.</p> <p>81) The Applicants confirmed that the Morgan substation would be GIS, and the visualisation for Morecambe is based on the worst-case scenario and therefore, GIS was selected for this purpose – ie with a great number of buildings.</p> <p>82) The ExA asked the Applicants if the Morecambe substation were to be air insulated, would be fewer buildings.</p> <p>83) The Applicants responded in that that would be the likely outcome.</p> <p>84) The ExA asked the Applicants to provide more detail on the difference between how AIS and GIS would manifest in substation design.</p> <p>85) The Applicants confirmed that within the technical note document previously highlighted (REP3-064), they provided some illustrations to aid understanding of the differences in visual appearance. Page 12 of the document has some indicative illustrations. The Applicant advised that whilst there are some rules around the layout of these facilities that are operationally led, there are opportunities to influence layout and design of buildings, the approach to planting layout and earthworks design that could impact the approach to screening and integration. Therefore, the schemes as currently shown have not been subject to ongoing stakeholder engagement (community or the local authority), however, Requirement 4 of the draft DCO (REP3-009) is very explicit about the elements of detail that the Applicants must submit and requires discussions with the relevant planning authority before any submission is made in its final form.</p>

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		<p>86) The Applicants further clarified that the difference between AIS and GIS from a project design perspective, is that an AIS substation footprint is generally larger than a GIS substation footprint. The Morgan Applicant explained that they did not propose an AIS substation primarily for this reason. The current location of the Morgan Onshore Substation would not be achievable with an AIS substation because of its significant increase in size. This was considered as part of the site selection process and it was considered appropriate to make an early commitment to a GIS substation so that it was possible to site an onshore substation, bearing in mind the number of physical constraints in the search area around the National Grid substation.</p> <p>87) The Applicants turned to page 12 of the Technical Note (REP3-064), which provides illustrations of a GIS substation at Hornsea Two Offshore Wind Farm and the AIS substation at Rayleigh. The fundamental difference is the presence of buildings and also the scale. The wording of Requirement 4 is clear about the importance of the design of each of the buildings /elements in relation to colour, finish, scale and other material matters. The Applicants submitted that there is no reason for them to push to the upper scale of the parameters defined in the DCO and that informs the ES, if not necessary.</p> <p>88) The Applicants confirmed that it is not in the interests of the promoter to create large-scale buildings, so ongoing design evolution is important. The Applicants are keen to ensure ongoing discussions continue with the local authority in order to settle the approach taken with design principles and coding and how they inform the post consent design process and submission.</p> <p>89) The ExA requested whether the Applicants could give a representation which takes into account the fall of the land, noting that the previous plans showed were entirely on flat land and the presence of an incline on the physical site.</p> <p>90) The Applicants confirmed that there is an additional figure within the same document which shows the hard platform for both Morgan and Morecambe inserted within the existing levels in the context of the landscape immediately surrounding each site and set in the wider context of local settlement. The approach is to have a gentle gradient across the substation platform. The Applicants have indicated spot levels on the plan included within the submitted technical note (REP3-064). One of the criteria used in relation to the site selection was a consideration of topography. The sites identified were preferable within zone 1 in terms of the existing topography. Land gradients and levels were important considerations throughout the process. The Applicants were also keen during the design development process to date, to ensure the minimisation of export of material off site in order to reduce traffic movements for material shift.</p> <p>91) The Applicants clarified that the plans on Page 12 of the technical note (REP3-064) were illustrative to indicate the nature of the components. The visualisations prepared were based on modelled building heights and the visualisations within the ES and Landscape and Visual Impact Assessment, based on known site design levels APP - 136 (Vol 3. Figures Part 6 of 7) and update REP3-015.</p>

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		<p>92) The Applicants noted that there would be a gentle cross fall across the site platform that would be informed by the existing slope of the ground. The Applicants noted in relation to the Morgan substation, that there is a slope extending from the northwestern corner to the southeastern corner draining towards the drainage/attenuation basin. The platform contour with cross-sections is shown in REP3-064. There would be a slight cut into the slope to work with the land also ensuring Dow Brook was not impacted through land level changes.</p> <p>93) Lancashire County Council noted that there were existing ridgelines and if you were to walk down the bridleway west of Morgan Substation it looked as if the site is climbing slightly to the north, which appears more pronounced towards the Morgan site. There will need to be extensive cut and fill within that area.</p> <p>94) The Applicants confirmed that they have a proper understanding of the cut and fill associated with each site to find the balance in relation to platform level and to provide levels of screening that are appropriate. The Applicants offered to provide a clearer visualisation if necessary during progression of the SOCG discussions. [Post hearing note: The Applicants will provide a cross-section illustrating the height of the onshore substations, existing topography and indicative finished ground level for the land at the Morecambe and Morgan onshore substations at Deadline 5 in satisfaction of hearing action point ISH2_17.]</p> <p>95) Fylde Borough Council referenced the Fylde Local Plan Policy, which relates to the policy: Area of Separation and the Applicants' Landscape and Visual Resources Report. EP-123 defers the Area of Separation policy GD3 discussions to the Planning Statement (REP1-032). The Planning Statement picks up on policy GD 3 but does not carry out any assessments. It simply states that there will be no effect and claims compliance. Fylde Borough Council are of the opinion that the development will have an effect and therefore requested that the Landscape and Visual Resources Assessment and Planning Statement are updated to include the Applicants' assessment so a response can be provided.</p> <p>96) The Applicants noted the request from Fylde Borough Council. The Applicants submitted that development is required to be within the Area of Separation to engage the policy. The schemes are not in the area of separation and that is why the area of separation policy has not been engaged. The Applicants understand that the Fylde Borough Council maintain a position that there is a buffer to the Area of Separation, which they fundamentally disagree with. The Applicants addressed this matter in the responses at Deadline 3 but will also provide a response at Deadline 4. [Post hearing note: The Applicants have provided a summary of their position on the aArea of Separation policy at Deadline 4 (S_D4_9) in satisfaction of hearing action point ISH2_18.]</p>
5(d)	<p>Item 2 – Landscape character, visual effects and greenbelt</p> <p>d) Green Belt considerations</p>	<p>97) The ExA urged stakeholders to review the Green Belt Technical Note (REP3-069) provided by the Applicants and respond with comments at the next deadline.</p> <p>98) The ExA addressed the Applicants' approach to the land covered by Green Belt policy. The ExA noted the Applicants' comments in relation to the Green Belt serving two out of the five purposes a) and c), which include the unrestricted sprawl of large built-up areas and to assist in safeguarding the countryside from encroachment. The ExA also referred to the technical note (REP3-069) which discusses harm to the Green Belt occurring during the construction phase, mainly as a result of the temporary working compounds. The Applicants have</p>

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		<p>stated that this should not be a determining factor given its' relatively short duration and full reversibility. If there is only minor harm to the openness of the Green Belt, then this should be considered.</p> <p>99) The Applicants clarified that the policy inference relates to permanent changes in Green Belt openness as a result of development. Whilst the Applicants acknowledge that it is important to identify harm arising from the construction phase, it is relatively short-term in comparison to permanent changes. The weight afforded to it is a matter of planning judgment.</p> <p>100) The ExA noted that the NPPF and NPPG states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal, is clearly outweighed by other considerations. The ExA asked the Applicants to clarify the meaning of 'other harm'.</p> <p>101) The Applicants confirmed that 'other harms' relate to any other harms identified through the EIA process. The technical note (REP3-069) describes the principal harms as arising from landscape and visual effects but the technical note acknowledges that there will be other harms to consider covering other ES topics including for example traffic. The Applicants offered to provide a supporting note in relation to 'other harms' as judged against transport, noise, air quality etc.</p> <p>102) The ExA requested that the Green Belt Technical Note (REP3-069) be updated to reflect this at the next deadline. [Post hearing note: The Applicants have updated the Green Belt Technical Note to address matters discussed at ISH2 including 'other harms', the wording for community benefit and quantification of harm at Deadline 4 (S_D3_12/F02) in satisfaction of hearing action point ISH2_20.]</p> <p>103) The ExA encouraged the local councils to provide comments on the Green Belt technical note at the next deadline (D5).</p> <p>104) Fylde Borough Council noted that they would need to see the additional information in terms of any information on any other harms being considered within the very special circumstances balance. It is well-established through case law that for Green Belt policy, inappropriate development by definition attracts significant weight. In addition, there is also substantial weight given to any impact on openness.</p> <p>105) The ExA requested for the Applicants and local authorities to update the SoCG documents to include a record of areas of agreement/disagreement in respect of landscape and visual impacts and Green Belt harms etc.</p> <p>106) [Post hearing note: The Applicants and local authorities will include in the next SoCG any areas of agreement/disagreement on the outline Landscape Management Plan, Landscape and Visual Impact Assessment and Green Belt Technical Note at Deadline 5 (S_D3_12/F02) in satisfaction of hearing action point ISH2_21.]</p>
6(a)	Item 3 –	<p>107) The ExA commenced the item on Aviation by questioning Blackpool Airport on the status of their Cooperation Agreement with the Applicants.</p>

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	Aviation a) Update on and consideration of outstanding issues regarding Blackpool Airport	<p>108) Blackpool Airport provided a joint statement agreed with the Applicants and Blackpool Borough Council. The Applicants, Blackpool Airport and Blackpool Council have continued to engage in detailed discussions and negotiations regarding the works on Blackpool Airport's operational land since Issue Specific Hearing 1. As noted by the Applicants, Blackpool Council and Blackpool Airport (both Blackpool Airport Operations Limited and Blackpool Airport Properties Limited), have been negotiating the terms of a cooperation agreement for many months to facilitate construction and operation of the transmission assets through Blackpool Airport, whilst ensuring the continued safe, efficient and uninterrupted operation of the Airport.</p> <p>109) Blackpool Airport went on to say that significant progress has been made on the cooperation agreement since Issue Specific Hearing 1, and a final form of agreement has now been reached. The Applicants, Blackpool Council and Blackpool Airport expect to be able to confirm signature of the cooperation agreement over the next week. Whilst the cooperation agreement addresses concerns including but not limited to necessary mitigations to maintain uninterrupted operations and bird strike as outlined in their relevant representation and written representation (REP 1-115). Blackpool Airport and Blackpool Council reserve the right to make fresh representations. Any new application documents or any amendments to existing application documents, such as representations where such representations are to be made only in respect of new or amended clauses or sections of those documents. Any new proposals where those matters may materially prejudice licenced operations and functions, including, but not limited to, all flight operations. The Applicants, Blackpool Council and Blackpool Airport continue engagement on land agreements. Therefore, Blackpool Airport reserves its respective positions in relation to land rights.</p> <p>110) The ExA questioned when the Cooperation Agreement is expected to be concluded.</p> <p>111) Blackpool Airport confirmed that the document is in agreed form. There is a signing process to take place and internal governance at the Airport at both board level and council level. The timescales for those are not yet confirmed, but all parties are keen to conclude the agreement as soon as possible.</p> <p>112) The ExA enquired as to whether, once concluded, this will enable Blackpool Airport to withdraw their current position.</p> <p>113) Blackpool Airport Operations Limited confirmed in the affirmative that they would anticipate withdrawing their objections subject to the caveats noted before in the joint statement. This, however, does not necessarily apply to Blackpool Council.</p> <p>114) The ExA then asked if the concern over runway 28 raised during the accompanied site inspection had now been resolved.</p> <p>115) Blackpool Airport responded that they were satisfied subject to the completion of the Cooperation Agreement; but given its confidential nature they were not in a position to share details.</p> <p>116) The Applicants concurred that once the document is signed and the governance process has been completed, it is the Applicants' understanding that Blackpool Airport will be withdrawing its objections regarding</p>

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		<p>the operational impacts on the Airport, noting the points around reserving its position in respect of any subsequent changes and the position on land agreements, which is a matter for Blackpool Council.</p> <p>117) The ExA highlighted the current stage of examination and requested that this outstanding issue be concluded as soon as possible.</p> <p>118) The Applicants confirmed that they were aware of Deadline 4 and the longer period before Deadline 5. The Applicants stated that this matter is now in the hands of Blackpool Council and Blackpool Airport in terms of the process that they need to go through. As soon as that agreement is completed, the Applicants will request the ability to submit the notification out of deadline as it will influence the ExA's next set of questions.</p> <p>119) The ExA then asked Blackpool Airport if there will be any implications for the draft DCO and supporting documents in terms of measures that are required to ensure the aviation interests at the Airport are safeguarded.</p> <p>120) Blackpool Airport responded that they were not aware of any further need to amend the draft DCO. They confirmed that certain changes had already been made to the draft DCO to allow the Airport to act as consultee on certain matters, which has now been secured.</p> <p>121) The Applicants confirmed that they do not believe any further changes to the draft DCO are required. Any references to Blackpool Airport for consultation in respect of the relevant requirements and the outline management plans have already been made.</p> <p>122) Blackpool Council concurred with Blackpool Airport's statement and the operational mitigations that have been put forward by the Applicants. The Agreement will begin to go through the Council's governance process and the Council look forward to the Applicants' support and assistance with that.</p> <p>123) The ExA went on to query how the Cooperation Agreement meets the relevant NPS policy tests and how they could recommend to the Secretary of State (SoS) on this issue.</p> <p>124) The Applicants suggested that it would be sensible to provide a joint statement with Blackpool Airport regarding its withdrawing of submissions once the cooperation agreement has been signed and completed. [Post hearing note: The joint statement will be submitted as soon as it is available, which will explain how relevant aviation NPS policy has been met and how Blackpool Airport's concerns have been alleviated in satisfaction of hearing action point ISH2_6.]</p> <p>125) The Applicants and Blackpool Airport have already agreed that there will be a form of words whereby the Airport will be withdrawing its position, once the Agreement has been signed and completed. In respect of bird strike and the Wildlife Hazard Management Plan (WHMP), there has been significant progress made over the last ten weeks regarding the material submitted by the Applicants, the discussions that have taken place and working towards achieving a position with Blackpool Airport where they are comfortable about the process being followed.</p> <p>126) The ExA confirmed that from the Applicants, Blackpool Airport and Blackpool Council's respective perspectives those matters have now been satisfactorily resolved through information provided to examination</p>

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		<p>and a solution that is effectively secured through the draft DCO and the outline plans. The ExA also questioned whether there should be an addendum to the ES to cover these matters.</p> <p>127) The Applicants confirmed that they consider that the information has already been submitted, specifically through the Baseline Bird Technical Report (REP3-060), but will consider how it fits overall with the Outline Hazard Management Plan and where this information should now sit in terms of the application documents. [Post hearing note: The Applicants will provide a note to explain what information has been submitted to date in relation to bird strike and how this fits with the ES at Deadline 5 in satisfaction of hearing action point ISH2_7.]</p>
6(b)	<p>Item 3 – Aviation</p> <p>b) Update on and consideration of outstanding issues regarding BAE Warton Aerodrome</p>	<p>128) The ExA turned to the Statement of Common Ground with BAE Systems, which they noted did not show significant progress at the current stage of examination.</p> <p>129) BAE Systems explained that in order to share and discuss relevant information between the parties, there is a requirement for non-disclosure agreements. There are ongoing discussions between both parties on this. The latest position is that a draft template has been shared by BAE Systems with comments received from Morgan at the end of the previous week. BAE Systems are still awaiting comments from Morecambe. The details of discussions that have taken place with the Applicants cannot be discussed until the non-disclosure agreement has been completed. However, BAE Systems confirmed there is a willingness from both parties to hold these conversations.</p> <p>130) The ExA went on to say that this response did not provide much more information than the Statement of Common Ground. The ExA also noted that at Deadline 1, the Applicants stated that the need for potential bird strike mitigation requirements was not raised during pre-application consultation and was identified in BAE Systems' relevant representation. However, the consultation report indicated that BAE Systems did raise this issue at an earlier stage a considerable time ago. The consultation took place over a year prior to submission of the application.</p> <p>131) The Applicants explained that they would investigate this further and review their previous submissions. They emphasised that important point to note is that this concern was raised and discussed in detail at issue specific hearing 1. Since that time, the Applicants have worked proactively with Blackpool Airport to reach an agreed position in respect of this and to ensure that Blackpool Airport are comfortable with the information provided by the Applicants. The necessary mitigation has now been agreed and will be incorporated into Blackpool Airport's own current WHMP.</p> <p>132) The Applicants went on to say that they are committed to working with BAE Systems to reach the same position. The non-disclosure agreement is now being prioritised to be able to obtain the relevant information that was provided by Blackpool Airport and has not yet been provided by BAE Systems. This will inform the development of the wildlife hazard management plan in the same way as has been done with Blackpool Airport. The Applicants noted that it is important the focus is on where the parties currently are and on finding a solution to resolve those matters in a proactive way.</p>

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		<p>133) The ExA suggested that the Applicants had put forward an inaccurate response to a statement and suggested that an action point would be appropriate to look into this further. [Post hearing note: The Applicants have provided clarification on their comments in the Applicants' Response to Hearing Action Points due at Deadline 1 (REP1-037) in relation to when bird strike was first raised by BAE Systems and BAE Systems' concerns and details included in the Consultation Report Annex – Statutory consultation summary of responses and Applicants' regard (Part 2 of 2 (APP-188) at Deadline 4 (S_D4_9) in satisfaction of hearing action point ISH2_8.]</p> <p>134) The ExA queried with BAE Systems what the latest position concerning the strategy of the WHMP was.</p> <p>135) BAE Systems confirmed that they still had some concerns with the information submitted by the Applicants at Deadline 3. The Applicants have submitted the baseline bird technical data, which in effect sets out the current bird environment i.e. the number of birds in the air and their patterns. BAE Systems needs to be able to understand how the risk may change from the current pattern during and post-development. This information is essential to identify how risk to operations from potential bird strike will change and this is currently missing from the Applicants' submissions.</p> <p>136) The Applicants referred to the approach taken with Blackpool Airport in order to resolve the same issue as there are clear similarities with BAE Systems. The CAA CAP 738 safeguarding process makes it clear that the ownership of the bird strike risk assessment belongs with the Airport Operator and therefore the onus is on the Airport Operator to create that understanding with the Applicants. In order to do this, the Applicants have outlined this in their strategy in the OWHMP as submitted into examination. This demonstrates how the submission of the Bird Baseline Technical Report and the information contained within the Outline Ecological Management Plan will feed into an outline wildlife attractants risk assessment. The Applicants have committed to producing that as part of the OWHMP and this is what is in progress with Blackpool Airport. They are in agreement that this process is appropriate for them to manage their risk.</p> <p>137) The ExA highlighted paragraph 5.5.41 of EN-1, which discusses bird strike and states the importance of ensuring that infrastructure, buildings and other elements from energy installations are designed in such a way so as not to increase the bird strike risk for airport developments within 13km. The ExA suggested it does not currently appear that the Applicants are complying with this.</p> <p>138) The Applicants reiterated that the understanding of bird strike risk assessment needs to come from the operator. The Applicants are willing to work with BAE Systems to create that understanding. The only way this can succeed is through the provision of information from the Aerodrome. Blackpool Airport understand that this is a process we must go through with them, and this is why both parties have reached a place of agreement.</p> <p>139) BAE Systems submitted that Blackpool Airport's position was different to their own. The current issue is that BAE Systems do not understand the risk from this development to their operations at the Aerodrome.</p>

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		<p>There not sufficient information in the submissions to date on what the impacts could potentially be. This is also a matter that has been raised by the Defence Infrastructure Organisation (DIO). In the DIO's letter dated 20th May 2025, they have requested information on the specifics of how the ecological mitigation and biodiversity benefit sites are designed because the detail is needed to understand how birds will be attracted to these sites and how existing flight patterns will change. Without this information, BAE Systems are unable to assess what the impacts on operations may be. BAE Systems and the Applicants have been engaged in discussions on this for some time and the Applicants have provided some information within the Outline Management Plan, but BAE consider the detail is lacking. BAE Systems requires this detail to be able to undertake that assessment.</p> <p>140) The ExA explained that the examination is currently at the halfway stage and that BAE Systems has already made this point before. The same response has been received repeatedly from the Applicants. The ExA questioned the extent of information that BAE Systems expects to receive at this stage, noting that there were only three months remaining in the examination.</p> <p>141) BAE Systems confirmed that they required more clarity on the design of the mitigation and biology benefit sites and some form of assessment on bird attraction to those sites. Without this information, BAE Systems submitted that they could not assess potential impacts for bird strike. They noted that the DIO's letter from May sets out the information needed to enable BAE Systems to undertake this assessment.</p> <p>142) The Applicants clarified that all the information requested by BAE Systems was submitted at Deadline 3 within the updated Outline Ecological Management Plan (REP3-022) and the OWHMP (REP3-065). The Applicants noted that they have already provided all the information at their disposal and made it clear that BAE Systems' response to the ExA's questions (see response to Q4.1.5 of REP3-073) listed out documents which BAE Systems currently holds, including a 13 km Aerodrome Wildlife Survey, Wildlife and Habitat Hazard Management Plan and safety plan, which contains a bird strike risk assessment and strike rate probability index.</p> <p>143) The Applicants went on to state that, if BAE Systems wishes to work productively with them, then the Applicants would require the identified documents. If BAE Systems requires a bespoke understanding of the bird strike risk, they will need to provide the relevant documentation in response to the Applicants' request for information. The Applicants have demonstrated through their negotiations with Blackpool Airport that this process is appropriate whether or not the process is undertaken now or post-consent.</p> <p>144) The ExA asked BAE Systems if there was any information they could provide to progress discussions with the Applicants.</p> <p>145) BAE Systems confirmed that they could provide some comments and agreement on the species assessed in the baseline bird reports and details of existing licences to control bird species. However, in order to share the other documentation requested, the non-disclosure agreement needs to be signed.</p> <p>146) The ExA asked when this additional information could be provided.</p> <p>147) BAE Systems confirmed that they will need to take instruction, but it is likely that this information will be submitted at the next deadline.</p>

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		<p>148) The Applicants requested that the information be sent directly to them in addition to submitting it into the examination as there is often a delay with material being uploaded. The Applicants also requested the information be provided to them either this week or early the following week if possible.</p> <p>149) BAE Systems confirmed that they would provide the information to the Applicants directly.</p> <p>150) The ExA queried when the information covered by the non-disclosure agreement could be provided.</p> <p>151) BAE Systems confirmed that this will be dictated by the signing of the non-disclosure agreement, which currently sits with the Applicants.</p> <p>152) The Applicants clarified that the non-disclosure agreement was actually back with BAE Systems and reiterated the Applicants' commitment to expediting this process to get the relevant information disclosed as quickly as possible. The non-disclosure agreement was returned to BAE Systems on 25th July 2025.</p> <p>153) BAE Systems noted that the comments received on Friday were from Morgan, but they were unclear on whether Morecambe were also intending to send comments. [Post hearing note: The Applicants note that comments from Morecambe were returned on 28th July 2025.]</p> <p>154) The ExA noted that the priority must be progressing discussions and suggested that there should be a Hearing Action Point for BAE Systems to provide the documents referred to by Deadline 4.</p> <p>155) [Post-hearing note: the Applicants were advised on 6 August that contrary to the position stated at the hearings BAE are unable to provide any documentation without an NDA in place. The Applicants are seeking to progress this with BAE as a matter of urgency]</p> <p>156) The ExA stated they have two questions for the Applicants: (1) how they suggest the panel deal with the issue of progress made within the Recommendation Report, and (2) how the Applicants consider they have complied with paragraph 5.5.41 of EN-1.</p> <p>157) The Applicants responded that they were committed to undertaking a wildlife attractants risk assessment, which is agreed within the OWHMP. This assessment requires engagement from the Aerodrome. The Applicants have not yet had confirmation from BAE Systems in terms of what species needs to be assessed. The Applicants can also undertake a bird strike risk assessment, but it is yet to be determined what the matrices is for that risk.</p> <p>158) The Applicants went on to refer to BAE Systems' response ExQ1 4.1.5 where BAE state they have a strike rate probability index which tracks and monitors bird strikes and assesses risk at Warton Aerodrome. The Applicants clarified that they could not undertake a bird strike risk assessment on behalf of Warton Aerodrome without understanding their strike rate probability index currently being held back by the non-disclosure agreement.</p> <p>159) The ExA expressed its frustration that this point had been raised for a long period of time, before the examination had even begun.</p>

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		<p>160) The Applicants clarified that having looked at the Consultation Report, the Section 42 responses were addressing the ecological mitigation areas proposed at the Preliminary Environmental Report stage. The exercise undertaken for application, which is explained in the site selection of the environmental and biodiversity benefit areas (REP2-046) is the process undertaken as a result of the comments raised in section 42, refining the ecological mitigation areas. The Applicants then had a meeting with BAE Systems on 21 October 2024 to present the ecological mitigation areas. [Post hearing note: The Applicants' summary above is in satisfaction of hearing action point ISH2_8.]</p> <p>161) The Applicants further noted that there is a clear process to resolve this issue, which has been followed with Blackpool Airport. Discussions had taken place regarding how Blackpool Airport currently manage the risk of bird strike. In terms of policy compliance, the Applicants noted there are developments undergoing construction and that have been recently built within the 13 km areas around both Warton Aerodrome and Blackpool Airport. There is a new road being built and some significant housing developments at Queensway. This development is no different to those in respect of level of disturbance and the impacts or measures being considered.</p> <p>162) The Applicants clarified that in terms of policy compliance (paragraph 5.5.41 of EN-1) they are looking at the identification of a risk that is already being managed on a regular basis by both Airports through their WHMPs. The aim of the Applicants is to effectively ensure that appropriate mitigation and processes for this project are also in place in order to manage and mitigate risk. The process, which has been agreed with Blackpool Airport, includes provision of information now and in the future through the discharge of requirements, specifically the Ecological Management Plan and the WHMP. These are appropriate measures to manage the relevant risk.</p> <p>163) The Applicants have demonstrated through their work and the agreement with Blackpool Airport, that where there is the provision of the correct information, the risk can be managed, and policy can be satisfied. There is no reason why this same process cannot be engaged with by BAE Systems to reach an agreed position. The Applicants commented that BAE Systems have offered positive remarks regarding the provision of that information and the Applicants are committed to concluding the non-disclosure agreement as soon as possible. By the end of the examination, these matters should be resolved as they are with Blackpool Airport.</p> <p>164) The ExA requested that the Applicants make a note to describe how they are compliant with paragraph 5.5.41 at Deadline 4. [Post hearing note: The Applicants have provided a submission explaining how they are complying with NPS EN-1 paragraph 5.5.41, including whether any requirement securing the WHMP meets tests for conditions i.e. reasonable possibility/capability of being successfully discharged at Deadline 4 (S_D4_9) in satisfaction of hearing action point ISH2_9.]</p>
6(c)	Item 3 – Aviation	<p>165) Blackpool Airport and BAE Systems made representations regarding the specifics of their respective functions.</p>

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	c) Similarities between Blackpool Airport and Warton Aerodrome issues	<p>166) The Applicants responded that they do understand the operational differences between Blackpool Airport and Warton Aerodrome. However, they noted that both Airports are subject to the same civil aviation authority guidance, being CAP 772, which is about the management of wildlife hazards and is referenced in the OWHMP. CAP 738 is about the safeguarding of aerodromes and CAP 705 concerns safety management systems. The only slight difference for Warton Aerodrome as part of their military licence, is to comply with bird strike management (3270 Aerodrome Wildlife Control). However, this essentially replicates the CAP 772 process by outlining the need for a baseline and attractant risk assessment, the existing aerodrome habitat management process and the aerodrome current bird strike assessment matrices. Therefore, it replicates the same guidance the Applicants have applied to Blackpool Airport.</p> <p>167) The Applicants went on to say that Warton Aerodrome currently manage their existing bird strike issues, so they do understand change in the area associated with bird strike risk assessments. The Applicants had previously made reference to the construction of large schemes, for example the Preston Western Distributor Scheme, which falls within the 13 km wildlife hazard management radius and included the installation of more than 2000 trees and 122,000 shrubs, more than twice the length of hedge removed, replaced with newly planted hedgerows, four new breeding ponds and open viaducts to maintain otter habitats. This construction was completed in 2023 and both BAE Systems and the Aerodrome were able to manage that risk. The Applicants felt it appropriate to highlight that ongoing wildlife hazard management occurs all the time and the Applicants are willing to become part of that wildlife hazard management process.</p> <p>168) The ExA suggested that it may be helpful for either the Applicants, Blackpool Airport or BAE Systems to put into submission a document that highlights or limits the differences between the Airports.</p> <p>169) NWCP and FPC claimed that there was an impasse between reducing bird risk and satisfying ecological obligations. There has been no progress aside from with Blackpool Airport. The Parish Councils warned the Applicants that if they go too far in accommodating the Airport, they will reduce the efficacy of ecological mitigation, which they have already addressed inadequately in their WHMP. The main issue is that this development should be in a different place further north. The projects should also be built simultaneously and not sequentially. The aviation issue would disappear if the claimed alternative route was chosen as it is more than 13km away.</p> <p>170) A representative from Westgate Area Residents Association expressed that the way both developments are being combined gives them zero confidence that the Applicants understand the gravity of the risk to residents' safety. The worst-case scenario is that this project is a risk to the lives of residents under the flight path. The risk assessment is a box-ticking exercise, but some risks simply cannot be mitigated.</p> <p>171) In response to the representative from Westgate, the Applicants responded that they do recognise these concerns and the importance of ensuring the safety of residents. The Applicants confirmed that they are seeking to work with the Airports to resolve this. The Applicants reiterated that this is a risk the Airports are already managing on a daily basis, and it is the Applicants' position that they are not increasing that risk.</p>

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		<p>172) In response to NWCP and FPC, the Applicants confirmed that they are completely aware of the interaction between the effectiveness of ecological mitigation areas and the WHMP. They are working towards a solution to meet both the needs of the Airports, but also deliver the mitigation needed for Natural England.</p> <p>173) [Post hearing note: The Applicants were advised on 6 August that contrary to the position stated at the hearings BAE are unable to provide any documentation without an NDA in place. The Applicants are seeking to progress this with BAE as a matter of urgency.</p>
7(a)	<p>Item 4 – Onshore ecology (including Habitats Regulations Assessment (HRA))</p> <p>a) Outline Ecological Management Plan</p>	<p>174) The ExA began the item by asking the Applicants to briefly describe their mitigation area strategy and the purpose for each area being covered. The ExA also requested the Applicants to confirm the potential impact being mitigated in terms of species and to clarify whether the measures are temporary or permanent.</p> <p>175) The Applicants confirmed that the westernmost environmental mitigation area known as Fairhaven Saltmarsh. The purpose of this area is to mitigate potential impacts of disturbance and temporary habitat loss on waders associated with the Ribble and Alt SPA and Ramsar site by reducing disturbance impacts at Fairhaven Saltmarsh.</p> <p>This mitigation area is to be utilised mainly during construction and could be used during operation and maintenance period for cable repair and reburial where needed for both projects. The reason that either project could use it is because only one project will be constructing at landfall at one time.</p> <p>176) The ExA questioned what the size of the areas was based on.</p> <p>177) The Applicants confirmed that the size was based on the size of the roost that is there currently so the whole roost is needed to reduce the displacement and disturbance to the intertidal waders that use that roost. Therefore, if only one project was to go ahead, the same amount of land would still be required.</p> <p>178) The ExA highlighted NE's recent comments on Fairhaven Saltmarsh in relation to the SPA and Ramsar site where they stated that the Applicants need to further consider the mitigation hierarchy. NE acknowledged that a seasonal restriction is a significant measure to avoiding impacts to overwintering features and have encouraged the Applicants to extend the restriction to avoid impacts to passage features. The ExA asked the Applicants to provide an update on their position.</p> <p>179) The Applicants confirmed that on 25 July 2025, they had a meeting with NE to discuss the outstanding issues in relation to intertidal and onshore ornithology. The meeting discussed NE's remaining concerns about the species at landfall during the passage period, the impacts and mitigation for species on the functionally linked land on the onshore cable corridor and the approach to the assessment of non-named assemblage species of the SPA. The discussions during the meeting were positive and it was agreed that significant progress has been made to date.</p> <p>180) The Applicants went on to say that further detail and clarifications were useful for NE and it was agreed that these issues were moving towards a resolution. The Applicants agreed to submit further clarifications and documents set out in the meeting at Deadline 4. The Applicants are engaging with Natural</p>

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		<p>England in regards a potential tidal restriction during the months of October and April. This restriction could mean that when the high tide is greater than 7.8m above chart datum work would not be able to occur at Lytham St Annes beach 2 hours either side of high tide. . This tidal restriction however would exclude the cable pulling activities and marinised trenching works. The other commitments that the project has made are to ensure that Ecological Clerk of Works (ECoW(s)) are always present during the landfall works and also screening of the compounds to reduce disturbance to the intertidal waders.</p> <p>181) The ExA then asked about the advice given by NE for the Applicants to give more consideration to reduction of the impacts at the source with measures such as visual screening and noise reduction techniques.</p> <p>182) The Applicants confirmed that this was what they had just outlined, being reduction in the impact at source is the tidal restriction, utilisation of ECoW(s) and the screening around the compound.</p> <p>183) The ExA asked if any progress had been made regarding the questions raised by NE about whether Fairhaven Saltmarsh concerned mitigation or compensation .</p> <p>184) The Applicants confirmed that the Fairhaven Saltmarsh was provided as part of a package of mitigation measures, which included reduction of disturbance at the landfall by restricting the amount of work during sensitive seasons. The wintering restriction previously mentioned is further mitigation that has been offered into examination, which NE welcomes. The Applicants have also made additional commitments in terms of reducing disturbance during the passage period. The Fairhaven Saltmarsh was designed as part of the package of measures and due to the introduction of seasonal restrictions during the examination phase, the Applicants consider less importance should be put on Fairhaven Saltmarsh to rule out adverse effects on integrity on the SPA and Ramsar site and that was acknowledged by NE. If the Applicants can reduce impact on those passage species such that adverse effects on integrity on the SPA can be ruled out, Fairhaven Saltmarsh could be seen as an enhancement measure.</p> <p>185) The Applicants went on to answer the question regarding whether Fairhaven Saltmarsh is compensation or mitigation and referred the ExA to their response at Q6.1.2 of REP3-056. The Applicants view this measure as mitigation rather than compensation. The Applicants' position is that a temporary disturbance which does not result in any lasting effects on the conservation objectives does not qualify as an adverse effect on integrity. Compensation is not required where there is no adverse effect on integrity. There is no lasting impact on those features.</p> <p>186) The ExA questioned the Applicants on whether they were considering the conflict with aviation and safety risks in relation to classification of the area as mitigation or enhancement.</p> <p>187) The Applicants responded that they were aware of those connections between the mitigation areas and the potential risk to the Airports. They highlighted that this had been addressed in conversations with NE. Due to the additional commitments made by the Applicants over the last week that will be submitted at Deadline 4, including the presence of an ECoW during the works at landfall, the screening of compounds and the potential high tide restriction around the passage period, the Applicants feel that the measures proposed at the</p>

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		<p>Fairhaven saltmarsh are falling within the enhancement category rather than measures that are necessary to rule out adverse effects on integrity.</p> <p>188) The ExA noted that a misclassification could invalidate the HRA and requested that the Applicants clarify that if adverse effects cannot be ruled out without compensation, whether this measure is required or simply an added bonus.</p> <p>189) The Applicants clarified that this is a point they are currently working through with NE and are looking to rule out adverse effects on integrity by the measures previously set out..</p> <p>190) The Applicants went on to say that the meeting with NE took place on 25 July 2025 so there has clearly been a shift from NE's Deadline 3 position. The Applicants are making additional commitments to ensure there is no risk of adverse effect on integrity. The other measures have yet to be agreed with NE, but the Applicants understood the need for clarity surrounding the function of Fairhaven Saltmarsh. The Applicants are also aware of need to justify the securing of compulsory acquisition powers over this land. From NE's perspective, they have referred to the area as all of mitigation, enhancement and compensation so they may not be entirely clear where it sits currently. The Applicants confirmed that they are working through this point with NE.</p> <p>191) The ExA requested that a document be submitted clarifying the position. [Post hearing note: The Applicants submitted a note clarifying the current position with NE (re Adverse Effect on Integrity) for the Ribble and Alt Estuary SPA and the Fairhaven Saltmarsh mitigation area at Deadline 4 (S_D4_9.1) in satisfaction of hearing action point ISH2_12.]</p>
7(b)	<p>Item 4 –</p> <p>Onshore ecology (including Habitats Regulations Assessment (HRA))</p> <p>b) Mitigation areas suitability</p>	<p>192) The Applicants continued to address the other mitigation areas, namely Lytham Moss. This area is for the temporary disturbance and displacement of swans, geese and waders during the construction of the onshore export cable corridor. This has been identified as a temporary mitigation area and the whole area will be utilised by both projects.</p> <p>193) The Applicants continued by describing Moss Side. This is needed because of the permanent loss of a high-quality water body. There was found to be 44 aquatic invertebrates and good quality water in this pond. This mitigation area is identified as Work No. 49B due to the pond being situated in Morecambe's onshore cable corridor meaning this would only be utilised by Morecambe and is permanent.</p> <p>194) The next area introduced by the Applicants was the permanent loss of Freshfield Pond North and Freshfield Pond South Biological Heritage Sites, which include rare invertebrates and bog vegetation. This is a permanent mitigation area and for Morgan only due to the loss at the permanent Morgan onshore substation site.</p> <p>195) The next area identified by the Applicants is at Newton-with-Scales, the purpose of which is to mitigate for the permanent habitat loss associated with the onshore substation sites. This is a permanent mitigation area, and it has been apportioned based on the permanent habitat loss between Morgan and Morecambe.</p>

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		<p>196) The ExA highlighted that NE have requested more details on the measures, the relevant to specific waterbird species, how those measures will be delivered, timescales for delivery, monitoring and greater consideration of the suitability of the species-by-species basis. The ExA also identified that this may be information welcomed by the Airports.</p> <p>197) The Applicants confirmed that they were already aware of this point and was discussed in the previous meeting with NE. The Applicants have agreed to submit a clarification note for Deadline 4.</p> <p>198) The ExA asked if the Applicants were planning to submit the Draft Habitat Management Plan that NE have requested.</p> <p>199) The Applicants confirmed that the clarification note will be submitted as part of the Outline Ecological Management Plan. The Applicants do not have a Habitat Management Plan. The information requested by NE will be inserted into the Outline Ecological Plan – there is not a separate habitat management plan.</p> <p>200) The ExA noted that it was aware there was not currently a Habitat Management Plan but acknowledged that NE had specifically requested one. The ExA understood that the Applicants were intending to update the Ecological Management Plan and enquired whether there is a process that will ensure this is aligned with the OWHMP as there may be a conflict between the two.</p> <p>201) The Applicants clarified that they will not be having a separate Habitat Management Plan. The measures that would normally be in a Habitat Management Plan are contained within the Ecological Management Plan (EMP). This is a terminology issue rather than a material matter. The update to the OWHMP will be addressing the points raised by NE. The OWHMP sits as an appendix to the EMP. The final plan is to be approved by the relevant planning authorities (Fylde Council). NE will also be consulted in terms of the discharge of the final EMP. Through their involvement in the process of finalisation, NE will also be engaged in the OWHMP because it is effectively an appendix to that document.</p> <p>202) The ExA wanted to confirm that the potential conflict between aviation risks and requirements for habitat management were going to be addressed through NE's role as consultant.</p> <p>203) The Applicants responded in the affirmative, through involvement in the Outline EMP process and the detailed Ecological Management Plan process. The Applicants also signposted the ExA to requirement 12 in both Schedules 2A and 2B of the DCO, where NE is named as consultee for the purposes of the final Ecological Management Plan.</p> <p>204) The next area identified by the Applicants was for the disturbance of otters from the installation of the 400 kV grid connection cable corridor, especially surrounding Savick Brook. The temporary mitigation area is needed for both projects due to the disturbance ranges.</p> <p>205) The ExA noted that there is an outstanding issue in relation to the EA not being satisfied with the wording and they request to be a consultation for the Ecological Management Plan when it comes to that area. The ExA asked the Applicants if there was an update on this matter.</p>

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		<p>206) The Applicants confirmed that they had met with the EA on 23 July 2025 to work through the issue. The EA is committed to providing updated wording in regard to Requirement 12 which the Applicants understand will be provided at D4.</p> <p>207) The EA concurred with the Applicants in that discussions had been had regarding this issue. The EA do not consider the issue to be fully resolved yet but are working to provide some wording that can be included in the Requirement. This will ensure that the EA can see the relevant ecological management plans relevant to their remit, which includes the habitat for otters. The EA noted that they did not want to encumber the process by being named consultee for the ecological management plans where they do not have issues relating to their remit. The EA are confident they will find some appropriate wording that will be acceptable to both them and the Applicants.</p> <p>208) The ExA asked what consideration had been given to phasing of works in relation to likely reduction of the need for mitigation areas to have to deliver for all displaced birds.</p> <p>209) The Applicants recognised NE's comments on this point and referred back to the position that if both projects are to be built concurrently, the maximum area of mitigation will be needed. Therefore, for the purposes of the environmental assessment and compulsory acquisition powers, it is necessary to make provision for those maximum areas.</p> <p>210) The ExA wanted to clarify that the worst-case scenario this is based on is valid and relevant, and it should be assumed that this is going to be done together at the same time.</p> <p>211) The Applicants responded in the affirmative.</p>
7(c)	<p>Item 4 –</p> <p>Onshore ecology (including Habitats Regulations Assessment (HRA))</p> <p>c) BNG strategy (indicative areas, unclear metrics, aviation conflicts)</p>	<p>212) The ExA asked the Applicants to briefly describe the biodiversity net gain strategy with a description of each area.</p> <p>213) The Applicants confirmed that the biodiversity net gain strategy is contained within the Biodiversity Benefit Statement and includes a range of measures that will be delivered at both the Morgan and Morecambe onshore substations, plus habitat enhancements at the Lea Marsh Fields Biodiversity Benefit Area. The Applicants went on to say that the Applicants' approach to the provision of biodiversity benefit land was discussed at the Expert Working Group (EWG) Topic meetings and the decision was made to only take account of the permanent areas of infrastructure loss rather than the whole of the Order Limits. The Applicants emphasised that they are aware of the emerging Defra guidance, but that there is currently no mandatory biodiversity net gain requirement for Nationally Significant Infrastructure Projects (NSIPs).</p> <p>214) The ExA referred to Q6.2.1 in relation to the biodiversity net gain calculations. The ExA understands the Applicants' position and that there is no certainty as to whether the adopted methodology complies with the future policy for NSIPs. However, the ExA asked if the Applicants could provide the reasoning for the proposed percentages contained within the biodiversity benefit strategy.</p> <p>215) The Applicants confirmed that the calculation has taken into account the delivery at both Morgan and Morecambe onshore substations and is separated out within the biodiversity benefit statement (REP2-020). The</p>

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		<p>additional provision at Lea Marsh Fields is also separated out so there are differences in amount based upon the respective footprint of each of the project substations. For example, at the Morgan onshore substation, the habitat enhancements would not deliver 10%. Therefore, a greater proportion of the biodiversity benefit at Lea Marsh Fields is apportioned to that site. The areas were calculated based on the whole of that land parcel, which does result in more than 10% benefit of units when it is calculated.</p> <p>216) In response to the ExA's query as to why the Applicants biodiversity benefit exceeded 10%, the Applicants reiterated that the strategy is indicative at this stage and is therefore dependent on agreement for delivery and updates post-consent. This is the usual route for biodiversity net gain assessments. As a result, indicative biodiversity benefits calculations at this stage are in excess of the minimum of 10%.</p> <p>217) The ExA asked if the Applicants were to aim for 10%, what the difference in proportion and size of land would be required to deliver the strategy.</p> <p>218) The Applicants confirmed that the numbers were just indicative and stressed the importance of understanding the wider benefit for the scheme. Although the numbers are useful to indicate the quantum of land and the quantum of enhancement that will be delivered using that metric, it is not the only measure used as the scheme wants to deliver biodiversity benefits and can deliver a good amount of these benefits, in addition to what is being delivered at the substations.</p> <p>219) The ExA acknowledged the Applicants' response but wanted to explore the numbers in the context of aviation risks. The ExA asked whether achieving the minimum 10% would potentially reduce the risk to Warton Aerodrome.</p> <p>220) The Applicants confirmed that this would not reduce the risk to the Aerodrome because the biodiversity benefit statement has already taken into cognisance the measures that the aviation stakeholders would look to. An update to the Biodiversity Benefit Statement at Deadline 2 took on board comments from Aviation stakeholders to help inform the indicative measures at Lea Marsh Fields. Such as the ponds within the biodiversity benefit area being designed small enough to discourage the larger wader species. There are also woodland areas within that indicative area to ensure that those larger bird species are not attracted to the site.</p> <p>221) The ExA asked the Applicants if they could explain why they considered the strategy effective given the constraints associated with that specific land, for example, why the enhancement area is not located outside the restricted zone.</p> <p>222) The Applicants clarified that it has been designed so that it does not attract the larger species causing concern for Blackpool Airport. Biodiversity net gain should be in closest proximity to that scheme so siting it outside of the 13km radius would not have the same effect.</p> <p>223) The ExA's understanding was that this is the position when it comes to mitigation areas but not necessarily biodiversity net gain areas.</p> <p>224) The Applicants confirmed that this was true, but advised that when calculating biodiversity net gain, delivering it further away from when the impact is will attract a higher penalty clause in terms of delivery.</p>

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		<p>Therefore, the metric is directing developers to deliver it as close as possible to the area of impact by using penalties if it is delivered further away.</p> <p>225) The ExA invited BAE Systems to comment on the Applicants' submission that OWHMP already takes into account the risks to aviation and if this is adequate.</p> <p>226) BAE Systems confirmed that they had comments on the strategy, which are also echoed by the DIO. Large birds are not the sole issue – wildfowls and flocking species are also a concern. Without an assessment of the risk of these sites in terms of bird strike, BAE Systems do not know what the impact will be. Not having any detailed designs of the site contributes to this. If the Applicants are seen as having a 60% biodiversity net gain, there is scope to reduce that because at the moment the risk is unknown.</p> <p>227) The Applicants made the point that the commitments in the OWHMP include the benefit areas in terms of undertaking a wildlife attractant hazard risk assessment. Whilst the Applicants have provided updated designs in the Deadline 2 submission, the Applicants would welcome the opportunity to engage with BAE Systems on this topic.</p> <p>228) The ExA queried how they should address this outstanding issue in its recommendation to the SoS if agreement with BAE Systems in relation to bird strike risk cannot be reached.</p> <p>229) The Applicants confirmed that it would follow the same process as has been followed with the ecological mitigation areas, being that the biodiversity benefit areas, ecological mitigation areas and the construction as a whole will be treated holistically in terms of its attractants risk and its overarching bird strike risk assessment. The Applicants have already demonstrated this can be achieved with Blackpool Airport. The Applicants believe that this process, whether carried out at the current stage or in the post-consent phase, is appropriate to manage the bird strike risk.</p> <p>230) In response to submissions made by NWCP, FPC, Lancashire County Council, Blackpool Borough Council and BAE Systems, regarding biodiversity net gain calculations, the Applicants reiterated that there is no statutory requirement to provide biodiversity net gain for NSIPs. There is also no guidance or agreed approach on how this should be done. The Applicants emphasised that there are metrics that apply for Town and County Planning applications, but these do not apply in this instance. The Applicants also noted that the ongoing Defra consultation had not started when the Applicants submitted their application. Therefore, in terms of biodiversity net gain calculations, these have been carried out on an entirely voluntary basis in that it can only be delivered if either the appropriate land rights are sought voluntarily or the SoS grants compulsory acquisition powers. It has always been recognised that this may not be capable of being delivered, particularly if the SoS is not satisfied that this land is needed.</p> <p>231) The Applicants went on to acknowledge that this has also been discussed with various stakeholders, including Fylde Borough Council, as part of the EWG in the pre-application stage. It was agreed with the EWG that insofar as biodiversity benefit is concerned, it would only be in relation to the permanent areas of infrastructure (i.e. the substation sites). To include the whole of the Order Limits would have required provision</p>

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		<p>of benefit for around 100 hectares of land, which the Applicants submitted to be entirely disproportionate. Submissions have been made to the Defra consultation by a number of different industries, including the water and electricity industries, regarding the complexities surrounding delivery of biodiversity net gain and the scale of what is to be delivered and therefore there remains a great deal of uncertainty in this area.</p> <p>232) The Applicants noted that the penalties relating to distance away from the site had been picked up in the consultation. There remains uncertainty on this point and a number of considerations on how close this should be to the area of impact.</p> <p>233) Finally, the Applicants addressed the requirement to effectively secure the biodiversity net gain strategy. The Applicants are aware of the recent Rampion decision and are prepared to offer a without prejudice requirement securing the strategy. The Applicants emphasised that this needs to be without prejudice because if the SoS does not grant the compulsory acquisition powers needed to deliver it, it will not necessarily be possible for the Applicants to comply with the requirement. [Post hearing note: The Applicants updated the draft DCO and explanatory memorandum to include a without prejudice biodiversity benefit requirement in square brackets at Deadline 4 (see C1/F06) in satisfaction of hearing action point ISH2_13.]</p> <p>234) The Applicants also clarified that the habitat condition assessment sheets will be submitted into the examination at Deadline 4 along with a revised version of the metric spreadsheet, which was asked for by the ExA.</p> <p>235) Further, the Applicants confirmed that the proposed drafting would be based on the Bramford to Twinstead DCO and would not put forward a figure. It will reference the biodiversity benefit statement, which would then become a certified document as well.</p> <p>236) NWCP and FPC responded that they accepted it was not a legal obligation to provide biodiversity net gain, but submitted the ExA and SoS should be furnished with what the true score of the project would be if the full metric was applied.</p> <p>237) FBC added that they will review the proposed draft wording of without prejudice requirement in due course, but wanted to make the point that if there is no specific requirement at minimum figure in the requirement itself, then they will also need to review the biodiversity statement that secures aspirational figures.</p> <p>238) The Applicants responded that they are keen to engage on this point and noted that these were the first detailed submissions received from FBC in terms of their position. The Applicants are happy to discuss the approach with the relevant parties and provide that detail at Deadline 4. They also suggested for a meeting to be set up if appropriate.</p>
7(d), (e)	Item 4 –	<p>239) The ExA's understanding was that in respect of the sand lizards, NE are claiming that there is insufficient information from the surveys conducted so they cannot rule out impacts on the sand dunes SSSI features. The ExA asked if the Applicants were maintaining their position on the survey gaps too.</p>

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	Onshore ecology (including Habitats Regulations Assessment (HRA)) d) Survey gaps (peat, habitat) e) Lytham St Annes Dunes SSSI	<p>240) The Applicants reiterated that there is no intention to affect the sand lizards or their habitats with this project. The Applicants anticipate that enough can be done through reasonable avoidance rather than licencing, but a licence could be obtained if necessary. Ultimately, the surveys would only reveal whether the species are present, and the Applicants are already aware that sand lizards are present. Therefore, additional surveys would not provide any more information. The Applicants submitted that the best option moving forward is to continue engaging with the Fylde Sand Dunes project.</p> <p>241) The ExA queried that if the SoS was minded to agree with NE on this point, how they should address the issue in their recommendation.</p> <p>242) The Applicants clarified that there are two different points that need distinguishing. Firstly, the pre-construction surveys which are required by Requirement 13 of Schedules 2A and 2B and noted that no comments have been made by NE on this. Secondly, the point raised by NE in regard to the surveys conducted pre-application to inform the assessment in relation to sand lizards and the dune habitats at the SSSI.</p> <p>243) The Applicants went on to note that the surveys only identify absence or presence and additional surveys would not change the mitigation proposed. However, the Applicants confirmed that they have taken on board the comments put forward and will be submitting a sand lizard mitigation plan into the Outline Ecological Management Plan at Deadline 4. Moreover, the Applicants also noted NE's comments in regard to the National Vegetation Classification Survey and are currently undertaking one at the Lytham St Annes SSSI and the Local Nature Reserve, which will be submitted at Deadline 5.</p> <p>244) The ExA questioned the extent of peat surveys undertaken by the Applicants.</p> <p>245) The Applicants responded that this could be picked up during the land use item because the expert that deals with the peat surveys is actually the land use expert. However, the Applicants provided a high-level summary and consider that the appropriate survey level has been completed for the purposes of this application.</p> <p>246) The Applicants went on to say that the habitat surveys did not indicate any areas with deep peat deposits other than a very small area of lowland fen habitat on the edge of Savick Brook and is outside the Order Limits. There are also some shallow peat deposits on Lytham St AnnesSSSI and Local Nature Reserve and golf course, which is highlighted in the Outline Hydrogeological Risk Assessment (REP3-061) and contains a conceptual site model showing the cross-section with the shallow peat deposits.</p> <p>247) The ExA asked the Applicants to provide an update specifically on this point. The ExA further noted that NE have stated that once peat surveys are undertaken and it is determined that peat is present, they advise an assessment takes place to consider the impacts from the project and any mitigation measures, including potential changes to the design of the scheme to avoid impacts on any deep restorative peat.</p> <p>248) The Applicants confirmed that deep peat has been considered in a number of locations within the ES. Within the Land Use and Recreation Chapter, soils and land classification are assessed. There is an area east of the Airport where the soils and silts might have peaty or peat deposits. These surveys have identified that</p>

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		<p>there are some shallower peaty soils amounting to 30-40cm which is not considered deep. The soil is organic rather than being peats themselves. Defra has conducted similar surveys in the area and found similar results. There are patches of peat, but these are fairly shallow. There are also odd hollows in fields where slightly deeper deposits can be found, but because the majority of this land is arable or intensively used, it is heavily wasted.</p> <p>249) The Applicants went on to say that geological assessments have identified the same areas east of the Airport. Archaeological trenching work has also been done and looked at some of the areas around Higher Balham and again found similar patterns to the survey works, for example shallow pits but mostly wasted.</p> <p>250) The Applicants confirmed that there is a peat management plan contained within the Outline Soil Management Plan, which specifically references some outline measures that will be implemented throughout the process. If any further survey works conducted pre-construction identified any particular areas or small pockets of peat, it would be necessary to implement bespoke measures at those locations. [Post hearing note: The Applicants submitted a note identifying where all the different elements of peat soils and peat land habitats have been considered through the ES and provided responses to NE's points raised on this topic at Deadline 4 (S_D4_9) in satisfaction of hearing action point ISH2_14.]</p> <p>251) In response to FBC's submissions, the Applicants noted that it was their understanding that the beach access is already used by the Council as part of sand clearance, emergency works and general maintenance of the dunes. The Applicants anticipate the use to be the same for the construction proposed and the same impacts are already being managed.</p> <p>252) Secondly, the Applicants highlighted that dune accretion was taken into account when undertaking site selection and refining the project. The commitment to 100m from the offset of the SSSI boundary arose from the dune accretion calculated with the Wildlife Trust prior to the application.</p> <p>253) The Applicants went on to consider the peatland habitat and confirmed that if any levels of peat are detected from the detailed soil and peat surveys, they would adhere to the management measures outlined within the Soil Management Plan.</p> <p>254) In response to Lancashire County Council's submissions, the Applicants confirmed that they have been engaged in conversations with them regarding the biological heritage sites in the Statement of Common Ground meetings and will continue to ensure that they are satisfied with the level of detail provided. In terms of the survey coverage, the Applicants clarified that 100% is not possible, but the surveys do have a high coverage level in this instance (in excess of 90% for Phase 1). The majority of areas not surveyed are residential with no ecological importance. However, the Applicants confirmed that they would provide a map demonstrating this at Deadline 4. [Post hearing note: The Applicants submitted a map detailing the Phase 1 habitat survey coverage at Deadline 4 (S_D4_9) in satisfaction of hearing action point ISH2_15.]</p>

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		255) In response to submissions from NWCP and FPC, the Applicants clarified that all survey results are contained within the Chapter and supporting annexes, including the results of barn owl surveys. Stoats and hares are not important ecological features so would not be assessed separately. The Applicants have already confirmed the presence of eels along Dow Brook so agree with the points raised. There has been a commitment to trenchless technique all main rivers, including Dow Brook meaning that there would be no direct impact on the eels.
7(f)	Item 4 – Onshore ecology (including Habitats Regulations Assessment (HRA)) f) EPS Licencing	<p>256) The ExA noted that NE have encouraged the Applicants to contact their licencing team regarding submitting a draft licence and obtaining a letter of no impediment. However, the Applicants have stated that this is not required. The ExA asked if this was the final position from the Applicants.</p> <p>257) The Applicants confirmed that they are maintaining this position but are progressing with a licence for the great crested newts via the district level licencing route. To address NE's concerns, an Impact Assessment Conservation Payment Certificate (IACPC) instead of a letter of no impediment is being pursued, which the Applicants stated is essentially the same.</p> <p>258) The ExA identified that NE have specifically encouraged the Applicants to reach out on the topic of licences and not just in respect of great crested newts.</p> <p>259) The Applicants confirmed that they are aware of NE's position and will be seeking to reach agreement before the end of the examination. The licencing route is fairly well-known for these species, meaning that if it transpires that we do need to obtain a licence then there is no reason why it would not be possible to satisfy NE in this regard.</p>