


MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Annex 2.4 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Lancashire County Council (REP3-084)



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1 Applicants' Response to IP submissions received at Deadline 3

1.1 Introduction

- 1.1.1.1 Following Deadline 3, Morgan Offshore Wind Limited ('Morgan OWL') and Morecambe Offshore Windfarm Limited ('Morecambe OWL'), (together, 'the Applicants') have reviewed each of the submissions received from stakeholders who registered as Interested Parties (IPs) in the Examination.
- 1.1.1.2 Details of the Applicants' response to Lancashire County Council submissions received at Deadline 3 are set out in this annex.

2 Applicants' Response to IPs' response to Written Questions (ExQ1)

2.1 Lancashire County Council

Table 2.1: REP3-084 – Lancashire County Council's Responses to ExQ1

Reference	ExA Question	LCC Response	Applicants' response
Q1.1.5	Construction working hours Proposed construction hours are set out in Requirement 14 of Schedule 2A and 2B of the dDCO [REP2-004].	Planning LCC is content to defer to Fylde Council on both of these matters.	Noted
Q1.1.12	Outline Code of Construction Practice The applicants Outline Code of Construction Practice (oCoCP) [APP-193] presents the framework and outline of measures to manage the environmental impacts during the construction phase of the proposed development. The detailed oCoCP will be supported via a series of management plans (listed in Table 1.1. of the oCoCP), outline versions of which have also been provided with the application. It is therefore an important document for the construction process. Please confirm whether you are satisfied that the oCoCP is sufficiently robust, precise and enforceable to provide effective	General The applicants Outline Code of Construction Practice (oCoCP) [APP-193] presents a framework/outline measures only. The detailed CoCP(s) and supporting management plans will need to provide robust, precise and enforceable management and mitigation measures for the potential environmental impacts during the construction phases. Ecology In relation to onshore ecology, an Outline Ecological Management Plan (document reference J6) sets out mitigation and management measures relevant to onshore ecology and nature conservation and in relation to onshore and intertidal ornithology. Detailed plans are yet to be developed as stated in the following documents: <ul style="list-style-type: none">• Outline CoCP Sections 1.1.3.3 and 1.7.3,• Outline Ecological Management Plan Section 1.2,	The Applicants thank LCC for their responses. The Applicants would clarify that detailed plans will not be prepared until the post-consent stage, prior to commencement of the relevant stage of work, as part of the discharging of requirements process. As set out for example, at Requirement 8 of the draft Development Consent Order (REP3-009), the relevant detailed plan would be prepared for the associated stage of work and will be approved by the relevant planning authority, in advance of those works commencing at the relevant time. Preparation of the detailed plans will follow the post-consent detailed design stage, ensuring that the relevant planning authority has sufficient information at that time to be able to approve the detailed plans. This is standard practice for large-scale infrastructure projects.

Reference	ExA Question	LCC Response	Applicants' response
	management and mitigation of potential environmental impacts during the construction phases.	<ul style="list-style-type: none"> • Draft DCO Requirement 8 • Commitment CoT35 <p>Lancashire County Council's Local Impact Report describes matters relevant to a Code of Construction Practice and associated Ecological Management Plans.</p> <p>It will need to be ensured that the final documents provide comprehensive details to address all of the matters outlined in Lancashire County Council's Local Impact Report in addition to those stated within the oCoCP and Document J6.</p>	
Q1.1.13	<p>Statements of Common Ground (SoCG)</p> <p>Deadline 3 (7 July 2025) includes the submission of updated SoCG, including summaries of the principal areas of disagreement and statement of commonality.</p> <p>Relevant parties where a SoCG has been requested should fully engage with the SoCG process. The ExA requests fully considered SoCGs including summaries of the principal areas of disagreement.</p> <p>For statutory undertakers, where there is documented evidence that matters, including protective provisions, are agreed and no other matters of disagreement remain, then a statement from parties to this effect would suffice. In the absence of such a statement, where protective</p>	<p>Meetings have been held between the County Council and the applicant covering all relevant topics to confirm areas of agreement and those that are still in dispute. A final SoCG cannot be agreed within this timescale, so at this stage all that we can achieve is the submission of latest versions.</p>	<p>The Applicants are committed to working with LCC throughout the examination on Statements of Common Ground and will endeavour to reach agreement with LCC wherever practicable.</p>

Reference	ExA Question	LCC Response	Applicants' response
	provisions are being negotiated and even if agreement is expected to be reached, then a brief and focused SoCG or position paper should be progressed, focusing on the matters where differences remain between the respective parties, rather than an unnecessarily long SoCG. It is not sufficient for these to be just recorded in the applicants' Land Rights Tracker as this is not a document that is necessarily agreed with the relevant statutory undertaker.		
Q1.2.3 b)	<p>Green Belt</p> <p>In their response to hearing action point 7 [REP1-037] the applicants confirm that the Black Red Amber Green (BRAG) appraisal for the onshore cable corridor did not include Green Belt as an assessment criterion but that it was considered within the BRAG assessment of onshore substation search zones and onshore substation options.</p> <p>As previously noted, the identification of onshore substation search areas (Stage 2c) in section 4.5.4 of Selection and Refinement of Onshore Infrastructure [AS-028] makes no reference to the Green Belt and it is not included in the constraints</p>	<p>It appears that the question maybe wrongly worded, and should have been intended to say that "sites located in the Green Belt have been reasonably avoided?"</p> <p>LCC considers that Green Belt does need to be taken into consideration.</p> <p>The County Council considers that the substation elements of the proposal would be inappropriate development in the Green Belt as they would conflict with purposes a) and c) of the Green belt as expressed in paragraph 143 of the NPPF.</p> <p>Very special circumstances therefore need to be demonstrated to justify their location. Lack of alternative sites outside of the Green Belt may be comprise very special circumstances.</p>	<p>As noted in the Applicant's Response to Examining Authority Questions (REP3-056, Q.1.2.3), the extent to which, in justifying siting development within the Green Belt, it needs to be shown that sites outside of the Green Belt have been reasonably avoided is a matter of planning judgement to be determined on the facts and circumstances of a particular case. There is no specific requirement in case law or policy relating to the Green Belt for an applicant to demonstrate that there are no suitable locations outside of the Green Belt.</p> <p>The Applicants undertook a robust site selection and refinement exercise when identifying the routing for the Transmission Assets and potential sites for the substations which is documented in Chapter 4 of the ES (AS-026) and Annex 4.3 (AS-028). The Applicants also submitted a Green Belt Technical Note (REP3-069) at D3 which provides an examination of the site selection process and technical justifications for the routeing of the transmission cables.</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>shown on Figure 4.2. There is no evidence of the Green Belt being considered at this stage, noting that Table 4.7 [AS-028] which includes the Green Belt relates only to Stage 3c (refinement of onshore substation search areas for PEIR).</p> <p>...</p> <p>Taking account of any relevant policy and case law, to what extent does it need to be demonstrated that site locations outside of the Green Belt have been reasonably avoided?</p>	<p>However, it needs to be demonstrated that locations outside of the Green Belt have been considered and why they are unsuitable if that is the case. It is noted that only a relatively short section of the cable route lies within the Green Belt. The County Council considers that there is a lack of justification on this point which is a major omission.</p>	<p>This document sets out the reasons why the Green Belt entered into the site refinement process at Stage 3c, and clearly demonstrates (via an additional onshore constraints map) that the areas of Green Belt to be affected could not reasonably have been avoided without resulting in significant environmental impacts that are avoided by the choice of substation locations.</p> <p>As set out in the Green Belt Technical Note at paragraph 1.6.4.21, the Applicants agree that the substations would constitute inappropriate development.</p> <p>Notwithstanding the fact that the Transmission Assets comprise critical national priority infrastructure, for which the starting point for decision making is the presumption that the test of very special circumstances is met, very special circumstances do exist which clearly outweigh any harm to be caused to the Green Belt, by reason of inappropriateness or any other identified harm. The very special circumstances which exist in relation to the Transmission Assets are set out in section 1.7 of the Green Belt Technical Report.</p>
Q1.3.1b)	<p>New/recently consented developments</p> <p>The applicants' response [REP2-031] to paragraphs 4.6.1 to 4.6.4 of Preston City Council's written representation [REP1-095] appears to take account of the consented developments at Pheonix Park and Land off Riversway in terms of overall cumulative effects but it is not clear that these consented developments have been assessed in terms of the specific</p>	<p>The first part of this question is for Preston City Council to respond to as the LPA for that part of the DCO boundary. From the County Council's perspective there are no minerals or waste proposals or other Regulation 3 developments which would have potential implications for the DCO project. Fylde Council and South Ribble Council will be able to comment on other development proposals within their areas.</p>	<p>Noted, with thanks.</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>effects of the proposed development upon their users and occupiers.</p> <p>...</p> <p>b) Are there any other recent developments, where updates are required to assess the impacts of the proposed development upon their current/future occupiers?</p>		
Q2.1.6a	<p>Article 2 (Development consent etc. granted by the Order)</p> <p>This article would grant development consent for both projects, subject to development consent being granted for the associated generation assets. Notwithstanding that paragraphs (2) and (3) may be removed as appropriate if the generation assets are granted prior to the making of the Order, is the current drafting of these paragraphs suitably robust and enforceable for its intended purpose?</p>	<p>The question erroneously makes reference to Article 2, when it should refer to Article 3. LCC considers that the currently drafted wording is suitably robust and enforceable for its intended purpose.</p>	<p>Noted, with thanks.</p>
Q2.1.17	<p>Article 36 (Trees subject to tree preservation orders (TPO))</p> <p>Paragraph 1.10.1.2 of the Tree survey and arboricultural impact assessment – Part 1 of 2 [APP-128] says that at the time of submission, there is currently no impact on TPO trees.</p>	<p>It should be noted that trees can be TPO'd at any time including between the current date and the date when works start on site which could be several years. Alternatively, the exact route of the cable alignment could change affecting trees which were not previously affected. Where this may happen cannot be foreseen at this stage. The applicant should therefore make an</p>	<p>The Applicants would refer Lancashire CC to their response to this question in REP3-056.</p>

Reference	ExA Question	LCC Response	Applicants' response
	Bearing in mind paragraph 22.3 of Advice Note Fifteen: drafting Development Consent Orders, does this remain to be the position? If there are not TPO trees likely to be affected, is this article necessary and, if it is, should there be provision for consent to be required prior to any works to, currently unknown, trees subject to a TPO?	application for any works to the TPO's in the usual manner prior to any designated trees being affected.	
Q2.3.3	<p>Remaining issues relating to the requirements will be considered at a subsequent issue specific hearing on the dDCO and further written questions if required. In order to provide for the efficient use of hearing time, the local authorities and any other relevant party are requested to consider the drafting of the draft requirements in Schedule 2 (A and B) and provide details of any disagreed matters, along with alternative drafting where applicable and any suggested additional requirements.</p> <p>Where applicable this may be done within the Statement of Common Ground between the applicants and the relevant interested party.</p>	Comment is noted. The County Council will review the wording of the dDCO along with the other LPA's and seek agreement with the applicant through a SOCG	Noted.
Q3.1.1 b)	Commitments Project Commitment (CoT) 33 [REP2-011] states "An	This appears to be standard approach to which LCC has no objection. The submission of the Dust Management Plan is included in paragraph 8 of the Requirements detailed in Schedule 2A	The Applicants note this response.

Reference	ExA Question	LCC Response	Applicants' response
	<p>Outline Dust Management Plan (DMP) has been prepared as part of the Outline CoCP and submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. The measures in the detailed DMP(s) will accord with guidance set out by the Institute of Air Quality guidance Management (IAQM, 2024) where appropriate and practicable, and will include measures for monitoring and reporting dust levels, and dust suppression and mitigation measures during construction and operation.”</p> <p>a) Define the process of identification of what is considered "were appropriate and practicable"?</p> <p>Do you consider this approach to be adequate?</p>	<p>and Schedule 2B. LCC and the District Council's may have further comments on the details of the Requirements.</p> <p>LCC is otherwise content to defer to Fylde Council on this matter.</p>	
Q3.1.3	<p>Air Quality Assessment Baseline</p> <p>Air quality assessment baseline in the Environmental Statement (ES) Air quality (9.6.1.6) [APP-121] states that “Concentrations measured during 2020 and 2021</p>	<p>Planning</p> <p>LCC is content to defer to Fylde Council as an Environmental Health authority on this matter.</p>	The Applicants note this response.

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	<p>may have been affected by the COVID-19 lockdowns and are not therefore necessarily representative of current concentrations as outlined in the IAQM Position Statement on 'Use of 2020 and 2021 Monitoring Datasets' (IAQM, 2021). Nevertheless, measured concentrations have been considered to ensure the assessment is conservative."</p> <p>Is this information representative of the current air quality baseline, given it was predominantly gathered during the COVID19 pandemic when air quality data could have been disproportionately affected?</p>		
Q3.1.4	<p>Meteorological data used for dispersion modelling</p> <p>Air quality assessment baseline in the ES Air quality chapter [APP-121] Table 9.29 states that "Uncertainties arise from any differences between the conditions at the met station and the development site, and between the historical met years and the future years. These have been minimised by using meteorological data collated at a representative measuring site.</p> <p>The model has been run for a full year of meteorological conditions.</p>	<p>Planning</p> <p>LCC is content to defer to Fylde Council as an Environmental Health authority on this matter.</p>	<p>The Applicants note this response.</p>

Reference	ExA Question	LCC Response	Applicants' response
Q3.1.7 b)	<p>Air quality effects during construction</p> <p>NPS EN-1 paragraph 5.7.9 states that construction should be undertaken in a way that reduces emissions, such as the use of low emission mobile plant during construction as appropriate, and that consideration should be given to making this mandatory in DCO requirements.</p> <p>a) Explain how are you going to comply with this policy? Has consideration been given to a commitment to the use of low emission vehicles or plant?</p> <p>b) Should this be a mandatory requirement, and if not, why not?</p>	<p>Q3.1.7 a) is for the applicant. In terms of Q3.1.7b) most likely we would expect the applicant to submit a Construction Air Quality Management Plan (CAQMP), which then has to be complied with so that in response to b) the answer is that they must comply with the CAQMP.</p>	<p>The Outline Code of Construction Practice (REP3-018) includes measures to maintain and address air quality emissions during construction, as secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP3-009).</p> <p>Additionally, an Outline Dust Management Plan (DMP) (J1.2/F02) has been prepared as part of the Outline CoCP and submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. The measures in the detailed DMP(s) will accord with guidance set out by the Institute of Air Quality guidance Management (IAQM, 2024) where appropriate and practicable, and will include measures for monitoring and reporting dust levels, and dust suppression and mitigation measures during construction and operation.</p> <p>The Applicants have set out in the response to Q3.1.7(b) why a mandatory requirement for the use of low emission vehicles or plant is not required.</p>
Q6.1.6 d)	<p>Sand dunes (Lytham St. Anne's SSSI, Local Nature Reserve, Biological Heritage Site, Geological Heritage Site)</p> <p>"The applicants reiterate that there would be no direct impacts to the sand dune habitats or sand lizard population at Lytham St Anne's SSSI, LNR, BHS and GHS as a result of the construction of the project, because the dunes will be crossed using trenchless technology. The entry and exit pits associated with the</p>	<p>Part d)</p> <p><u>Sand Dune Habitats</u></p> <p>The Applicant's Response to Lancashire County Council Local Impact Report - Rev F01 (REP2-039) states that:</p> <p>"The Applicants note that several stakeholders have raised concerns about potential indirect effects to the dune habitats as a result of the trenchless crossing, and therefore are preparing further information (to be submitted at D3) to provide evidence that the technique will not cause any changes in hydrology that could affect the sensitive dune slacks".</p>	<p>The Applicants have prepared and submitted (at Deadline 4) a Sand Lizard Mitigation Plan (S_D4_14) as an appendix to the Outline Ecological Management Plan (REP3-022) that further clarifies the risks to sand lizard/sand lizard habitats during construction and sets out the rationale for avoidance and mitigation measures proposed to be adopted.</p> <p>Regarding the potential for vibration to sand lizard burrows from HGV movements along the beach access track, the Applicants note that this track is already used by HGVs and other machinery such as tractors to access the beach for regular beach cleaning operations. It is therefore not</p>

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	<p>trenchless crossing will be of a sufficient distance away from Lytham St Anne's SSSI to ensure there are no direct impacts. The depth of the trenchless crossing of the dunes will be confirmed at the detailed design stage following ground investigation works, but it should be noted that this is a standard construction approach that is adopted to avoid impacts on sensitive habitat features. The applicants note that several stakeholders have raised concerns about potential indirect effects to the dune habitats as a result of the trenchless crossing, and therefore are preparing further information to be submitted at D3" [REP2-036 reference REP1-210 210.11].</p> <p>CoT102 [REP2-011] makes references to "unforeseen circumstances" ("Where closures are required for longer periods due to unforeseen circumstances encountered during construction").</p> <p>a) Could those "unforeseen circumstances" cause direct impacts to the sand dune habitats or sand lizard population as a result of installation of the offshore export cables?</p> <p>b) Explain and provide a full</p>	<p>Until all relevant evidence is submitted, Lancashire County Council will not be able to adequately establish if agreement with the applicant's conclusions can be reached. The additional evidence will need to address potential impacts on Biological Heritage Sites that support sand dune habitats. In respect of Lytham St Annes Dunes SSSI, the views of Natural England should also be sought and sufficient evidence should be submitted to demonstrate that their concerns have been adequately addressed.</p> <p>Coastal sand dunes are recognised as irreplaceable habitats (The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 and National Planning Policy Framework). Coastal Sand Dunes are also Habitats of Principal Importance (NERC Act, 2006 as amended). Development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists (NPPF 2024, Section 193).</p> <p>At this stage, there appears to be a lack of information on species interest within dunes (for example, plants, invertebrates etc) and how the species and their habitats could be affected.</p> <p>Appropriate specialists should be consulted regarding potential effects such as:</p> <ul style="list-style-type: none"> • Impacts on the stability and dynamics of sand dunes. • Hydrological effects • Risk of bentonite breakout • Noise and vibration 	<p>envisaged that the construction phase would significantly change the baseline vehicle usage of the track.</p> <p>Detailed design of the trenchless crossing will be developed pre-construction in order to minimise/avoid the listed scenarios occurring.</p> <p>The Applicants have also commissioned an updated National Vegetation Classification (NVC) of the dunes, which will be undertaken by a botanical specialist in July 2025, the results of which will be shared with stakeholders and entered into the Examination at Deadline 5i.</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>list of potential consequences that could be connected to the unforeseen circumstances.</p> <p>As the possibility of “unforeseen circumstances” that could lead to prolonged closures of sections of public rights of way is acknowledged in the commitments register, why has an outline contingency plan (with an assessment of worst case scenario) not been submitted?</p> <p>d) Explain if you agree with the applicants' conclusions regarding no direct impacts to the sand dune habitats or sand lizard population as a result of the installation of the offshore export cables.</p>	<ul style="list-style-type: none"> Temperature changes <p>Sand lizard</p> <p>The Applicant's Response to Lancashire County Council Local Impact Report - Rev F01 (REP2-039) states that:</p> <p>"The Applicant notes that several stakeholders have raised similar concerns in respect of construction effects to the sand lizard habitats at Lytham St Annes, and has committed to preparing further clarification on the use of trenchless crossing techniques and a preliminary hydrological risk assessment at Deadline 3 to provide further evidence that there would be no significant effects to the sand dunes or sand lizards".</p> <p>Until all relevant evidence is submitted, Lancashire County Council will not be able to adequately establish if agreement with the applicant's conclusions can be reached.</p> <p>The applicant proposes that installation of the export cables at Lytham St Annes Dunes SSSI will be undertaken using a direct pipe trenchless technique to pass cables beneath the foredune habitat in the Ribble Estuary SSSI. The Environmental Statement states that this area supports the majority of the sand lizard population. The determining authority will need to understand the implications for all elements of the sand lizard population within the order limits and vicinity, including the area monitored by the Fylde Sand Dune Project Steering Group and any potential wider territories.</p> <p>Prior to determination of the application, the</p>	

Reference	ExA Question	LCC Response	Applicants' response
		<p>determining authority will need to be satisfied that all licensable impacts on the species and its habitat will be avoided. Detailed rationale for all proposed avoidance and mitigation measures should be provided. The proposed works have the potential to have impacts on the species, such as (for example):</p> <ul style="list-style-type: none"> • Killing or injury, • Destruction of eggs • Damaging levels of disturbance, • Destruction of habitats including breeding sites and places of shelter <p>Appropriate specialists should be consulted regarding potential effects such as:</p> <ul style="list-style-type: none"> • Temperature changes/thermal impacts • Hydrological changes • Pollution • Vibration sufficient to cause destruction of burrows or damaging levels of disturbance (with implications for breeding and/or hibernation). <p>There is a requirement for the determining authority to have regard to the Habitats Regulations in respect of any licensable impacts on protected species (See ecology section of Lancashire County Council Local Impact Report).</p>	
Q6.1.8	<p>District licence scheme (great crested newts)</p> <p>The applicants state it will apply</p>	<p>Ecology</p> <p><u>District level licencing GCN's</u></p> <p>An Impact Assessment and Conservation Payment</p>	The Applicants are grateful for this clarification from LCC.

Reference	ExA Question	LCC Response	Applicants' response
	to join the district level licence scheme in Lancashire for strategic compensation for great crested newts. Explain what this application depends on and anticipated timings.	Certificate (IACPC) needs to be submitted to the Examining Authority. Provided the IACPC has been signed on behalf of Natural England and the site details and boundaries of the IACPC are the same as the Development Consent Order (DCO) application, the IACPC can be relied upon by the Examining Authority as confirmation that the impacts of the development on great crested newts are capable of being fully addressed in a manner which complies with the requirements of the Habitats Regulations. It would be advisable to confirm with Natural England whether or not this approach is likely to be acceptable.	
Q6.1.10	<p>Commitments CoT16 [REP2-010] states "All vegetation requiring removal will be undertaken outside of the bird breeding season. If this is not reasonably practicable, the vegetation requiring removal will be subject to a nesting bird check by a suitably qualified ecological clerk of works. If nesting birds are present, the vegetation will not be removed until the young have fledged or the nest failed."</p> <p>a) Define under what circumstances it wouldn't be "reasonably practicable"?</p> <p>b) Do you consider the proposed wording to be adequate?</p>	<p>The applicant needs to provide an answer to part a) of the question <u>Vegetation Removal</u> Part b)</p> <p>Additions/amendments are needed to address the following matters:</p> <ul style="list-style-type: none"> The beginning and end of the bird breeding season should be defined. March to August inclusive is widely accepted. Protection of nesting birds is a legal requirement irrespective of any DCO Requirement and the applicant will need to comply with relevant legislation. Measures to prevent the disturbance of any wild bird included in Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) while it is building a nest or is in, on or near a nest containing eggs or young, or disturbance of dependent young of such a bird. 	<p>The Applicants note that most of the details outlined in bullet points for the response to Part b) have already been addressed in the Outline Breeding Bird Protection Plan which is Appendix C of the Outline Ecological Management Plan (Clean) - Rev F03 (REP3-022).</p> <ul style="list-style-type: none"> The Applicants have set out the breeding season as running from March – August. The Applicants are aware of their legal obligations under the Wildlife and Countryside Act (1981) and have already set this out. The Applicants have also set out measures to re-survey for Schedule 1 species one year prior to construction to inform any licensing requirements and necessary disturbance buffers. The Applicants note that within the Outline Breeding Bird Protection Plan they have not specified the vegetation type, just all vegetation (which covers ground nesting birds), and the Applicants have also proposed pre-construction nesting bird checks and that appropriate buffers will

Reference	ExA Question	LCC Response	Applicants' response
		<ul style="list-style-type: none"> Unless addressed elsewhere, measures will also be needed to protect ground nesting species including those that may be attracted to disturbed ground resulting from the proposed works. If any buildings or structures would be affected, then similar measures to protect breeding birds using those features would be appropriate. Regarding the use of the words 'Reasonably practicable' – the applicant should be able to predict the vegetation they will need to remove to carry out the development and programme works accordingly. <p>Therefore, the County Council would question why this exemption is needed. In any event there are other options available such as netting of hedgerows if it is known vegetation removal will be required during the normal nesting season</p>	<p>be put in place if birds are found nesting in any of the infrastructure areas.</p> <p>The Applicants note that the wording used is standard wording for DCO applications and has been used by many similar projects (e.g., Hornsea 4 and Outer Dowsing) and that provision has been made in the event that a nest is discovered within the Outline Breeding Bird Protection Plan. Any nests have the potential to hold up construction, so the Applicants are committed to clearing suitable nesting habitats outside of the breeding bird season, however, they have made provision for unforeseen circumstances and feel that this is not an unusual provision for a DCO application.</p> <p>Hornsea 4 C033 – <i>All vegetation requiring removal will be undertaken outside of the bird breeding season. If this is not reasonably practicable, the vegetation requiring removal will be subject to a nesting bird check by a suitably qualified ECoW. If nesting birds are present, the vegetation will not be removed until the young have fledged, or the nest failed.</i></p> <p>Outer Dowsing - <i>Removal of vegetation will take place outside of the breeding season (considered to be March – August inclusive) wherever possible. Where that is not possible in discrete areas, a check for the presence of nesting birds by the ECoW will take place in advance of work. Where active nests are located, the relevant areas of vegetation will be retained until such time as young fully fledge, or the nesting attempt has ended.</i></p> <p>With regard to LCC's point regarding the use of netting, the Applicants would like to draw LCC's attention to the guidance from the RSPB and CIEEM about the use of netting The use of netting to stop birds nesting - what you need to know CIEEM and RSPB advise against netting on</p>

Reference	ExA Question	LCC Response	Applicants' response
			hedges and trees CIEEM where the use of netting is strongly discouraged. The Applicants are committed to avoiding netting wherever possible.
Q6.1.13 c)	<p>Commitments</p> <p>CoT101 [REP2-010] states “Where high concentrations of peat are identified these, will be avoided where practicably possible for the placement of the plant and infrastructure to avoid the possibility of ground gas build up. Where this is not possible, further investigation and appropriate monitoring will be identified undertaken, if necessary”.</p> <p>a) Explain how you will determine if it’s “practicably possible” to avoid high concentrations of peat that are identified.</p> <p>b) Explain the decision-making process in relation to determining if further investigation and appropriate monitoring is necessary.</p> <p>Do you consider the proposed wording to be adequate?</p>	<p>a) This appears to be a question more for the developer than for the LPA’s.</p> <p>b) and c) Ground gas build up, if a significant risk, might be a safety issue if buildings or other enclosed spaces were to be placed above areas with significant peat deposits. However, for a temporary construction activities it would be unlikely that any structure would be fixed to the ground allowing ventilation between the ground and the structure thereby reducing the risk. It would appear that this impact could be more of an issue for the substations which would be a permanent development with the buildings presumably fixed to the ground. The building design would need to incorporate measures to prevent any ground gas ingress into the interior of the building where it might present a safety risk. This issue could be dealt with through a suitably worded requirement if there is evidence of a significant risk due to the substations being constructed on areas with peat deposits.</p>	<p>a) The Applicants refer to their response to Q6.1.13(a) contained within ‘Applicants’ Response to Examining Authority’s Written Questions (ExQ1) (REP3-056). The Applicants’ position on this point remains unchanged.</p> <p>b) and c) The Applicants note that soil surveys undertaken (as reported in Volume 3, Annex 6.2: Agricultural land classification survey results (APP-106)) have not identified any high concentrations of peat in the onshore substation sites. The Applicants have amended its commitment CoT101 such that where gas monitoring is undertaken, the results will be used to inform the detailed design of the permanent infrastructure as appropriate.</p>

Reference	ExA Question	LCC Response	Applicants' response
Q6.1.14 c}	<p>Commitments</p> <p>CoT126 [REP2-010] "To mitigate for potential temporary habitat loss associated with Mill Brook Valley Biological Heritage Site, temporary construction compounds will be micro-sited to avoid the site wherever reasonably practicable."</p> <p>a) Define "wherever reasonably practicable".</p> <p>b) Explain how you will mitigate for potential temporary habitat loss if it's not deemed "reasonably practicable".</p> <p>Do you consider the proposed wording to be adequate?</p>	<p>Qu 6b)</p> <p>Amendments and additional provision are needed to address the following matters:</p> <ul style="list-style-type: none"> Habitat losses within the BHS would not necessarily be temporary, especially in the case of Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity (See NPPF definition of irreplaceable habitat). Environmental Statement Volume 3, Chapter 3, Section 3.11.6.52 states that "Habitat would be reinstated but the impact and effect is long term and there is a risk that habitat of comparable quality cannot be provided or maintained". A clear distinction needs to be made between avoidance, mitigation, compensation and enhancement in line with the mitigation hierarchy (See CIEEM EclA guidelines for further information). It is not clear what would be considered 'reasonably practicable'. This appears to be left entirely to the applicants own judgement/discretion. Unavoidable impacts should be clearly identified and considered when applying the mitigation hierarchy to the planning decision. The determining authority should consider the possibility of design amendments to avoid such impacts. If the determining authority is satisfied that these impacts are unavoidable, then final mitigation/compensation measures 	<p>A specific method statement for Mill Brook Valley BHS, which would be directly impacted by the proposed temporary construction compound at Penwortham Substation, has been prepared and submitted as an appendix to a revised version of the Outline Ecological Management Plan (OEMP) (REP3-022). This provides clarity on the mitigation measures proposed at the BHS for the construction period.</p> <p>Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) has been prepared in accordance with CIEEM EclA guidance, and avoidance, mitigation and compensation measures have been clearly identified within the chapter.</p> <p>The implementation of appropriate mitigation will be secured by Requirement 12 of Schedules 2A & 2B of the draft DCO (REP3-009). The Applicants will prepare detailed Ecological Management Plan(s) in accordance with the Outline Ecological Management Plan (REP3-022) which will be implemented by the approved by the relevant planning authority in consultation with Natural England, as appropriate.</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>should be agreed and their implementation secured through an appropriate DCO Requirement. Before impacts on the BHS are accepted, it would be appropriate for the applicant to provide details of other options explored and why they were not feasible.</p> <ul style="list-style-type: none"> NPPF 2024, Section 187 states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value. The applicant should therefore demonstrate how the BHS would be both protected and enhanced (taking account of BHS qualifying features/habitats/species). 	
Q6.1.15	<p>Mitigation</p> <p>Paragraph 1.2.1.8 of 'Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas' [REP2-046] states "In accordance, with CAP 772 guidance (Civil Aviation Authority (CAA), 2017) the wildlife hazard management zones around Blackpool Airport and BAE Warton Aerodrome extend to 13 km" and paragraph 1.2.1.9 states "Given the extent of the wildlife hazard management zones in relation to the Transmission Order Limits, the applicants could not locate environmental mitigation and benefit areas outside of the wildlife hazard</p>	<p>The following is relevant to parts a) and b) of Q6.1.15. It is not clear that effective mitigation could not be achieved outside wildlife hazard management zones or that biodiversity benefit area objectives would not be met if it was located outside of the wildlife hazard zones. Mitigation/compensation outside of wildlife hazard management zones would presumably not be subjected to management of bird levels for airport safeguarding purposes and could therefore have greater benefits.</p> <p>Provision of mitigation, compensation and enhancement measures as close as possible to the point of impact is appropriate and is supported by recognised best practice guidance (for example, CIEEM Guidelines for Ecological Impact Assessment). However, this doesn't preclude the possibility of off-site compensation measures. As long as the requirements of</p>	<p>The delivery of mitigation for otter (currently proposed for Lea Marsh BHS) outside the airport wildlife hazard management zones would not be considered appropriate in the context of the project impacts. This is because the purpose of the mitigation is to provide a nearby temporary breeding and/or resting place for otters that may be disturbed by construction activities taking place in the vicinity of the natal sett on Savick Brook. The provision of such mitigation outside the wildlife hazard mitigation zones would not achieve the stated ecological function for this species, as it would be unreasonable to expect that otters temporarily displaced from a breeding site on Savick Brook would use mitigation habitat >13 km from where the impact occurred.</p> <p>The Applicants have submitted an updated Biodiversity Benefit Statement (J11/F03) with the inclusion of the results statutory biodiversity metric version 1.0.4 alongside the metric spreadsheet (Appendix K of the Onshore</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>zones whilst also meeting their site selection guiding principles (as set out in paragraphs 1.2.1.2 and 1.2.1.3) and ultimately delivering effective mitigation."</p> <p>Paragraph 1.5.1.3 states "The search area also considered areas in proximity to designated habitats or priority habitats, with the objective of improving habitats that are functionally linked to designated sites and improving connectivity between habitats."</p> <p>a) Do you agree that effective mitigation could not be achieved outside wildlife hazard management zones in relation to the Transmission Order Limits?</p> <p>Do you agree that biodiversity benefit area objectives would not be met if it was located outside of the wildlife hazard zones?</p>	<p>legislation, national policy and recognised best practice guidance are met, then departures from the applicant's own site selection guiding principles could be allowed, including mitigation outside of wildlife hazard management zones.</p> <p>Paragraph 1.5.1.4 of the 'Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas' report [REP2 046] states that "The area required for biodiversity benefit was calculated using the Defra Biodiversity Metric 4.1".</p> <p>When determining the required extent of habitat creation/enhancement, the metric will take account of the proposed habitat creation/enhancement location within the spatial risk multiplier. In cases where required habitat creation/enhancement cannot be achieved within the Order Limits, then habitat creation/enhancement within the Local Planning Authority boundary, National Character Area or Marine Plan Area would be appropriate wherever possible.</p> <p>Lancashire's emerging Local Nature Recovery Strategy (LNRS) is now available as a consultation draft. The LNRS includes mapped opportunity areas where habitat creation and enhancement would provide the greatest benefits for Lancashire's biodiversity and habitat connectivity. This will affect the Strategic Significance score within the metric, which will also be relevant to the required extent of habitat creation/enhancement.</p>	<p>Biodiversity Benefit Statement (J11/F04)). The updates to the Biodiversity Benefit Statement are to correct some minor mapping errors and to transpose the assessment into the statutory DEFRA metric spreadsheet. Noting that version 4.1 of the spreadsheet that was used at Application has been superceded by the adoption of the statutory metric spreadsheet (version 1.0.4) in February 2024. Furthermore, the Applicants will update the Biodiversity Benefit calculations post-consent to reflect any changes in the design/ layout and habitat retention, enhancement and creation once the detailed design work had been completed, as is common practice for this type of assessment. Should it not be possible to deliver the proposed voluntary biodiversity benefits at the Lea Marsh Biodiversity Benefit Area because land access is not secured, off-site options would be explored and the BNG metric calculator updated as necessary.</p>
Q6.2.1 d)	<p>Biodiversity calculations:</p> <p>a) Provide reasoning for the proposed percentage (%) in the biodiversity benefit</p>	<p>Part d)</p> <p>For the following reasons, it is not clear how biodiversity calculations have been completed and Lancashire County Council is not in a</p>	<p>The Applicants have submitted an updated Biodiversity Benefit Statement (J11/F03) with the inclusion of the results statutory biodiversity metric version 1.0.4 alongside the metric spreadsheet (Appendix K of the Onshore Biodiversity Benefit Statement (J11/F04)). The updates to</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>strategy - 59.62% increase for the habitat, 20% for watercourse, 41.37% for hedgerow.</p> <p>b) Explain in detail the methodology used and why the scheme won't fully comply with future biodiversity net gain requirements i.e why the whole length of the corridor has not been assessed?</p> <p>c) The ExA requests the BNG metric spreadsheet used for the calculations is submitted into the examination.</p> <p>d) Confirm whether clarity exists on how the calculations have been done and is there agreement on the methodology and the spatial areas for which the calculations have been presented?</p>	<p>position to agree on the methodology and spatial areas for which calculations have been presented:</p> <p>Submitted documents (including the Biodiversity Benefit Statement and Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas) state that the area required for biodiversity benefit was calculated using the Defra Biodiversity Metric 4.1. However, it does not appear that the full Defra Biodiversity Metric 4.1 spreadsheets are included within the Examination Library. The calculations therefore cannot be verified.</p> <ul style="list-style-type: none"> 8.5% of the Onshore Order Limits and 19.6% of the survey area were assessed from surveys undertaken in adjacent parcels, through the use of aerial photography and desk-based analysis, rather than site-based habitat surveys. This may have implications for the accuracy of habitat classification and habitat condition assessments. In turn, this could affect the accuracy of biodiversity gain calculations. It is not clear how Lancashire's emerging Local Nature Recovery Strategy has informed strategic significance calculations within the metric. Implications for irreplaceable habitats are still unclear (See response to Q6.1.6(d)). Impacts on such habitats would require bespoke compensation 	<p>the Biodiversity Benefit Statement are to correct some minor mapping errors and to transpose the assessment into the statutory DEFRA metric spreadsheet. Noting that version 4.1 of the spreadsheet that was used at Application has been superceded by the adoption of the statutory metric spreadsheet (version 1.0.4) in February 2024. Furthermore, the Applicants will update the Biodiversity Benefit calculations post-consent to reflect any changes in the design/ layout and habitat retention, enhancement and creation once the detailed design work had been completed, as is common practice for this type of assessment. However, while the total net percentage change has altered for habitats, hedgerows and watercourses, it is still positive and doesn't change any conclusions in the ES.</p> <p>The Applicants can confirm that all areas of land within the boundaries of the Morgan onshore substation and Morecambe onshore substation footprints, for which UKHabs mapping and habitat condition assessments were undertaken, were accessible for the purposes of the survey. Further detail on the proportion of habitats that were mapped from aerial photographs/from adjacent land within the Order Limits and survey buffer is being submitted at Deadline 4.</p> <p>Lancashire's Local Nature Recovery Strategy was not taken into account in the BNG metric calculator, and it is noted that the strategy was adopted in 2025 after the DCO submission. However, the Applicants acknowledge that this is an important document in the context of local nature conservation and biodiversity objectives, and the BNG assessment would be updated once the detailed design work for the onshore substations is completed. The delivery of biodiversity benefits at Lea Marsh fields would be within the boundary of the "<i>Areas that could become of importance – DRAFT</i>" layer on the Local Nature Recovery</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>measures that cannot be calculated using the DEFRA Biodiversity Metric).</p> <ul style="list-style-type: none"> • Damage to habitats arising from wider environmental impacts (such as pollution and hydrological changes) are still unclear. • Habitat creation, enhancement and management measures given within the Biodiversity Benefit Statement are indicative only. • Spatial areas for biodiversity gains include areas within wildlife hazard management zones (See Q6.1.15). It is not yet clear if the indicative habitat creation/enhancement will be found to be acceptable, appropriate or effective within these areas or if alternative provision will be required. 	<p>Strategy habitat map; this area of land was chosen due to its proximity to the existing Lea Marsh BHS and Mason's Wood BHS and the ability of the land parcels to enhance the natural connectivity between them; an approach which would fit with the Local Nature Recovery Strategy. Given that the indicative BNG assessment is predicting net gains for habitat, hedgerow and linear watercourse units well in excess of 10%, there is sufficient headroom within the proposed net gains to accommodate any increases in baseline unit value that may occur as a result of a higher 'strategic significance' score within the pre-construction baseline. The Applicants have committed to biodiversity enhancements outside the framework of the voluntary BNG assessment; these are summarised in Section 1.10 of the Outline Ecological Management Plan (REP3-022).</p> <p>There are no irreplaceable habitats within the permanent footprint of the onshore substations for which the BNG calculation has been undertaken.</p> <p>All potential direct and indirect impacts on important ecology features have been assessed in Volume 3 Chapter 3: Onshore ecology and nature conservation (APP-075). The scope of the ecological impact assessment was discussed and agreed with stakeholders at several Expert Working Group (EWG) meetings prior to submission. It is acknowledged by the Applicants that there are specific concerns with respect to indirect effects including hydrological changes to the Lytham St Anne's Dunes SSSI and St Anne's Old Links Golf Course BHS, and therefore a preliminary hydrogeological risk assessment was submitted into the examination at Deadline 3. The Applicants have also committed to updating this risk assessment as part of the detailed design phase (CoT41, CoT119, CoT128)</p>

Reference	ExA Question	LCC Response	Applicants' response
Q6.2.2	<p>Mitigation Hierarchy</p> <p>Confirm that the applicants have adequately followed the mitigation hierarchy in respect to no biodiversity net loss and biodiversity net gain.</p>	<p>For the following reasons, it is not possible for Lancashire County Council to confirm that the applicants have adequately followed the mitigation hierarchy:</p> <ul style="list-style-type: none"> • Full design details are not yet available. • Damage to habitats arising from wider environmental impacts (such as pollution and hydrological changes) are still unclear (For example, hydrological impacts on dune habitats discussed in response to Q6.1.6). • Habitat creation, enhancement and management measures given within the Biodiversity Benefit Statement are indicative only. • It is recommended that avoidance, mitigation, compensation and biodiversity gain measures should seek to contribute to delivery of Lancashire's emerging Local Nature Recovery Strategy (currently available as a consultation draft). Further information would be necessary to demonstrate this, including: <ul style="list-style-type: none"> • Protecting and enhancing identified areas of particular importance to biodiversity. • Contributing to achievement of agreed priorities and delivery of 	<p>Please see previous response to Q6.2.1 in respect of impacts to dune habitats, mitigation hierarchy, BNG assessment (including consideration of the Lancashire Local Nature Recovery Strategy) and avoidance, mitigation and compensation measures.</p> <p>With regard to site selection, at Deadline 2 the Applicants submitted Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas (REP2-046). This provides an overview of how the environmental mitigation and biodiversity benefit areas were identified as part of the overall site selection process (as described in Volume 1, Chapter 4: Site selection and consideration of alternatives AS-026). The note also explains the site-specific factors considered in the refinement of these areas as part of the overall iterative design process for the Transmission Assets.</p> <p>The Applicants maintain their position that the project would not significantly affect any irreplaceable habitats.</p> <p>The ecology mitigation documents for the M55-Heyhouses Link Road have been reviewed (Lancashire Council planning reference: 5/10/0779), and the Applicants can confirm that the Order Limits do not overlap with the ecological mitigation areas for the M55 scheme (all of the mitigation land for the scheme lies to the south of the Order Limits).</p> <p>The Applicants can confirm that the location of the mitigation for the M55-Heyhouses link road (known locally as the Queensway Farmland Conservation Area (FCA)) was thoroughly considered during the pre-application process and that the cable route was designed to avoid the</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>identified potential measures, taking account of mapped opportunity areas.</p> <ul style="list-style-type: none"> Potential effects of the proposed scheme include licensable impacts on protected species, impacts on designated sites and impacts on priority habitats and irreplaceable habitats. Further information would be needed to adequately demonstrate that such impacts were unavoidable, including a robust statement to describe alternatives explored to avoid these impacts and why they were not feasible. Implications for irreplaceable habitats are still unclear (See response to Q6.1.6(d)). Impacts on such habitats would require bespoke compensation measures. This should apply to all habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity (See NPPF definition of irreplaceable habitat). The proposed scheme may have impacts on habitats created to mitigate the ecological impacts of earlier developments, including the M55-Heyhouses link road. It is not clear if this impact could be avoided or reduced. It is not clear if additional use of trenchless techniques could reduce the extent of habitat loss or damage. 	<p>FCA mitigation, this was discussed at EWG process (E5.1 Technical Engagement Plan Appendices Part 2 of 3 (APP-191)) of which LCC were attendees. LCC did not raise any concerns regarding the FCA at this stage.</p> <p>The Applicants are clear that there are predicted to be no impacts on the habitats of the FCA due to avoidance and would welcome further clarification from LCC on which impacts they are referring to. The Applicants also note that their mitigation site at Lytham Moss was chosen in part as it has the potential to temporarily (during the period of construction) enhance the FCA and provide ecological benefits over a wider area.</p> <p>The Applicants maintain their position that the baseline data presented in Volume 3 Chapter 3: Onshore ecology and nature conservation (APP-075) is sufficient to inform the ecological impact assessment. To assist with providing further comfort to stakeholders in this respect, a technical note has been prepared and submitted into the examination at Deadline 4 to clarify the land parcels that were not surveyed 'on the ground'. This demonstrates, as set out in previous responses on this topic, that most of the unsurveyed land parcels were outside the Order Limits and were hardstanding/ built-up areas of negligible nature conservation value. As previously stated in response to ExA Q6.1.1, the Applicants have also committed to an extensive programme of pre-construction surveys, as is typical for developments of this nature given the timescales involved in the consenting process. This will enable any requirements for habitat/ protected species mitigation/ compensation and/ or licensing to be updated as necessary prior to the commencement of construction activities e.g. newly identified badger setts, newly identified ponds.</p>

Reference	ExA Question	LCC Response	Applicants' response
		<ul style="list-style-type: none"> Owing to gaps in survey data, it is not possible to determine if measures to avoid impacts on notable ecological features have been adequately avoided. 8.5% of the Onshore Order Limits and 19.6% of the survey area were assessed from surveys undertaken in adjacent parcels, or through the use of aerial photography and desk-based analysis, rather than site-based habitat surveys. Various features may therefore have remained undetected, for example: <ul style="list-style-type: none"> Field evidence of protected or priority species. Micro-habitats including features that could potentially be used for shelter by protected or priority species. Individual species of plant and animal which may include notable species. <p>In addition to the mitigation hierarchy, consideration of alternatives will also be relevant to the requirement for the Examining Authority to have regard to the Habitats Regulations in respect of licensable impacts on protected species.</p> <p>See also related issues in response to Q6.1.6 d, Q6.1.14 c, Q6.1.15, Q6.2.1d, Q6.2.3c.</p>	
Q6.2.3 c)	Site selection Selection guiding principles are set out in paragraphs 1.2.1.2 and 1.2.1.3 of Site Selection of the Environmental Mitigation and	Part c) 'Planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent	Please see previous response to Q6.2.1 in respect of the BNG assessment including consideration of the Lancashire Local Nature Recovery Strategy.

Reference	ExA Question	LCC Response	Applicants' response
	<p>Biodiversity Benefit Areas [REP2-046] submitted at D2.</p> <p>a) Explain why the selection guiding principles set out do not include specific safety considerations and policy requirements including potential for increased risk to defence activities?</p> <p>b) Explain if any alternatives for BNG strategy have been considered, including off-site delivery.</p> <p>c) If BNG requirements and the avoidance and/or mitigation of defence aviation risks cannot be met, please explain how excluding BNG areas from the order limits might affect your comments on the application.</p>	<p>ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species' (NPPF 2024, paragraph 187).</p> <p>If biodiversity gains required by National policy cannot be provided within the order limits (because of aviation risks or other reasons), then compensation and enhancement measures should be provided elsewhere in order to meet this requirement. This would need to be secured by legal agreement (such as Section 106 agreement).</p> <p>As per the response to Q6.1.15, provision of mitigation, compensation and enhancement measures as close as possible to the point of impact is appropriate and is supported by recognised best practice guidance but doesn't preclude the possibility of off-site compensation measures. The area required for biodiversity benefit was calculated using the Defra Biodiversity Metric 4.1. When determining the required extent of habitat creation/enhancement, the metric will take account of the proposed habitat creation/enhancement location (within the spatial risk multiplier) and strategic significance score. In cases where required habitat creation/enhancement cannot be achieved within the Order Limits, then habitat creation/enhancement within the Local Planning Authority boundary, National Character Area or Marine Plan Area would be appropriate wherever possible. Lancashire's emerging Local Nature Recovery Strategy (LNRS) includes mapped opportunity areas where habitat creation and enhancement would provide the greatest benefits for Lancashire's biodiversity and habitat</p>	

Reference	ExA Question	LCC Response	Applicants' response
		connectivity.	
Q8.1.1 e)	Commitments CoT119 [REP2-010] states: "Subject to landowner approval, at detailed design stage, hydrogeological risk assessment(s) will be undertaken at St Annes Old Links Golf Club (abstraction borehole ref: GWA_01), if necessary. The hydrogeological risk assessment(s) would be informed by ground investigation information, where relevant and practicable. If undertaken, the risk assessment(s) will inform a detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI and the St Annes Old Links Golf Course."	The County Council considers that the wording in CoT 119 is too loose and enables the applicant to take a view on whether this assessment is required. In their determination of the DCO application the Examining Authority should take a view on whether this assessment is necessary in order to allow the project to proceed in an environmentally acceptable manner. If such an assessment is considered necessary, it should be subject of an enforceable Requirement. If at a later stage, the applicant is then not able to secure access to the land, further discussions would be required to agree alternative means of assessment.	<p>The Applicants refer to their response to the ExA question 8.1.1b submitted at Deadline 3 (REP3-056). The need to undertake hydrogeological risk assessment(s) specific to this location alone will be subject to landowner approval.</p> <p>To mitigate the potential hydrogeological impacts from temporary dewatering activities at the TJB excavation, the Applicants have submitted an outline hydrogeological risk assessment at Deadline 3. This includes an assessment of the Golf Course groundwater abstractions in the context of the short-term reduction of groundwater levels. Detailed hydrogeological risk assessments will be prepared in accordance with the outline risk assessment Requirement 8 of Schedules 2A and 2B to the draft DCO (REP3-009).</p>
Q8.1.3 c)	Commitments CoT118 [REP2-010] states: "Where areas of potentially significant contamination (e.g. landfills) cannot be avoided within the Transmission Assets Order Limits, ground investigation or other appropriate measures (e.g. use Personal Protective Equipment and/or hazard signage) will be implemented to mitigate potential impacts to, or effects on sensitive receptors. Where ground investigation	It is considered that areas of potential contamination (if there any) should be identified at this stage or at least before commencement of development. A risk assessment / remediation strategy for those areas should then be submitted before works commence in these areas. The current wording of CoT 118 allows the applicant to unilaterally decide whether or not to prepare an assessment or mitigation measures which is not considered to provide an appropriate level of control.	<p>The Applicants prepared and submitted Volume 3, Annex 1.1: Phase 1 Geo-environmental preliminary risk assessment (APP-069) as part of the application. The preliminary risk assessment forms the initial step in the assessment of potential land contamination. It precedes, any intrusive investigations and subsequent risk assessment with remedial options appraisals, remediation strategy (implementation and verification) where necessary. As part of the recommendations it is noted that ground investigations are proposed to obtain further information on the contamination status of the soils and groundwater for moderate or high risk potential pollutant linkages. Where the results of the ground investigation determine that remediation is required to ensure that the site is suitable for</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>identifies potential risks to sensitive receptors from contamination, a remediation strategy would be prepared in consultation with the Environment Agency.”</p> <p>...</p> <p>c) Is this commitment sufficient to ensure contaminated land risks are adequately managed?</p>		its proposed use, a remediation strategy would be prepared.
Q10.1.1d)	<p>Sand dunes</p> <p>The applicants' assessment of the potential for increased flood risk arising from damage to the existing flood defences, including the sand dunes at Lytham St Annes is presented within section 2.11.4 of Hydrology and flood risk chapter of the Environmental Statement (ES) [APP-070]. This concludes that as a result of the embedded mitigation measures set out there will be no increase in flood risk as a result of the installation of the offshore export cables.</p> <p>Project Commitment 102 [REP2-011] makes references to “unforeseen circumstances” (“Where closures are required for longer periods due to unforeseen circumstances encountered during construction”).</p>	<p>With respect to point (d) the LLFA is satisfied that the installation of the offshore export cables should result in no increase in surface water flood risk.</p> <p>Impacts to ordinary watercourses are expected to be managed and mitigated through the Detailed Code of Construction Practice and Draft Protective Provisions for the Lead Local Flood Authority.</p>	Noted and welcomed.

Reference	ExA Question	LCC Response	Applicants' response
	<p>a) Could those “unforeseen circumstances” increase the flood risk as a result of the installation of the offshore export cables?</p> <p>b) Explain and provide a full list of potential foreseeable consequences that could be connected to the unforeseen circumstances.</p> <p>c) As the possibility of “unforeseen circumstances” that could lead to prolonged closures of sections of public rights of way is acknowledged in the commitments register why has an outline contingency plan (with an assessment of worst case scenario) not been submitted?</p> <p>d) Confirm that you agree with conclusions regarding no increase in flood risk as a result of the installation of the offshore export cables.</p>		
Q10.1.3	<p>Local flood risk drainage strategy</p> <p>Confirm, with reasoning, whether you consider the proposed development is in accordance with the local flood risk management strategy.</p>	<p>There are no identified conflicts with the Lancashire Local Flood Risk Management Strategy 2021 – 2027.</p>	Noted

Reference	ExA Question	LCC Response	Applicants' response
Q10.1.4	<p>Negotiations and protective provisions</p> <p>Can you confirm if you agree with the applicants' statement at D1 "Negotiations are ongoing and further to a recent call, the applicants have issued an updated draft of the protective provisions on 15 May. The applicants are confident that these can be agreed before the close of Examination." [REP1- 065]</p>	<p>The LLFA remain optimistic that Protective Provisions for the Lead Local Flood Authority can be agreed before the close of Examination</p>	<p>Noted and welcomed</p>
Q10.1.6	<p>Outline Operational Drainage Management Plan</p> <p>The Outline Operational Drainage Plan [APP-215] only deals with the onshore substation areas.</p> <p>Is there a need for such a plan for the whole cable corridor and/or landfall? If not, explain why.</p>	<p>The LLFA does not consider that there is a need for an Operational Drainage Plan for the whole cable corridor and/or landfall.</p> <p>The reason for this is that the detailed Code of Construction Practice is expected provide details of how flood risk arising from surface water runoff will be managed during construction throughout the cable route and associated infrastructure (e.g. substations).</p> <p>This is secured through Development Consent Order, Schedules 2A and 2B, Requirement 8(1) (Code of Construction Practice) and commitments CoT09, CoT10, CoT11, CoT84, CoT86 and CoT121.</p>	<p>Noted and welcomed</p>
Q10.1.8	<p>Commitments</p> <p>CoT39 [REP2-010] states "Fences, walls, ditches and drainage outfalls will be retained at the landfall and along the onshore export cable corridor and 400 kV grid connection cable</p>	<p>The Lead Local Flood Authority does not consider the proposed wording to be adequate.</p> <p>CoT39 specifically covers 'main rivers' which are regulated by the Environment Agency. It doesn't account for ordinary watercourses which are regulated by the Lead Local Flood Authority.</p>	<p>The Applicants would direct LCC to the updated Volume 1, Annex 5.3: Commitments Register (REP3-013) submitted at Deadline 3 for amended wording of CoT39 to include ordinary watercourses and the requirement to notify the LLFA. For clarity the commitment now reads as follows:</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>corridor, where possible. Where it is not reasonably practicable to retain them, any damage will be repaired and reinstated as soon as reasonably practical. The Environment Agency must be notified if damage occurs to any Environment Agency main river or related flood infrastructure."</p> <p>a)</p> <p>Define "reasonably practicable" and "reasonably practical" in the context of retaining ditches and drainage outfalls.</p> <p>b)</p> <p>Do you consider the proposed wording to be adequate?</p>	<p>The Lead Local Flood Authority recommends an amendment to the wording to also encompass a requirement for the applicant to notify the Lead Local Flood Authority of any damage to an ordinary watercourse or related flood infrastructure as a result of the works.</p> <p>There are two further issues with the wording:</p> <ol style="list-style-type: none"> (1) We recommend that the applicant is required to notify the riparian owner of the watercourse (main river or ordinary) and/or the asset owner(s) for related flood infrastructure in addition to the regulator i.e. in addition to notifying the Environment Agency (main rivers) or the Lead Local Flood Authority (ordinary watercourses). (2) There is no timescale specified within which the applicant is to notify the Environment Agency or, with the proposed amendments above, the Lead Local Flood Authority. We consider it reasonable to expect the applicant to notify the parties above immediately so that any risk(s) arising can be managed. (3) There is no format specified as to how the applicant is expected to notify the relevant asset owners and regulators. This should be specified in the wording. We consider notification in writing to be acceptable. 	<p>Fences, walls, ditches and drainage outfalls will be retained at the landfall and along the onshore export cable corridor and 400 kV grid connection cable corridor, where possible. Where it is not reasonably practicable to retain them, any damage will be repaired and reinstated as soon as reasonably practical. The Environment Agency and Lead Local Flood Authority must be notified if damage occurs to any Environment Agency main river and ordinary watercourse or related flood infrastructure respectively.</p> <p>The protective provisions are otherwise being negotiated and progressed with the EA and the LLFA respectively. These protective provisions are not yet in agreed form, however, the Applicants can confirm that these provide strong protections for the EA and LLFA's drainage infrastructure and rivers, such as provision of plans for approval, supervision and protective works.</p>
Q10.1.9 b)	<p>Commitments</p> <p>CoT82 [REP2-010] states "Where trenchless techniques are proposed for crossing ordinary watercourses, the entry and exit</p>	<p>The Lead Local Flood Authority considers that this is an adequate mitigation measure which satisfactorily address concerns raised in [REP1-085] - response provided in [REP2-039, reference REP1-085 11.9].</p>	<p>Noted and welcomed</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>pits will be set back a minimum of 8 m from the bank of the watercourse. These crossings are detailed in the Onshore Crossing Schedule. Where required, geomorphological surveys will be undertaken on ordinary watercourses that may be crossed by trenched techniques. These will be used to inform detailed designs prior to construction.”</p> <p>a) Explain the decision-making process in relation to statement “where required” in relation to surveys to be undertaken on ordinary watercourses.</p> <p>b) Do you consider this an adequate mitigation measure that satisfactorily address concerns raised in [REP1-085] - response provided in [REP2-039, reference REP1- 085 11.9]?</p>		
Q10.1.10	<p>Commitments</p> <p>CoT84 [REP2-010] states “An Outline Code of Construction Practice (oCoCP) has been prepared and submitted with the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. In order to</p>	<p>The Lead Local Flood Authority considers the proposed wording to be adequate.</p>	<p>Noted and welcomed</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>manage impacts to field drainage, the Outline CoCP stipulates field drainage plans will be developed in consultation with the relevant landowners. If required, additional field drainage will be installed to ensure the existing drainage of the land is maintained during and after construction".</p> <p>a) Explain the decision-making process in relation to statement "if required, additional field drainage will be installed".</p> <p>b) Do you consider the proposed wording to be adequate?</p>		
Q10.1.11	<p>Commitments</p> <p>CoT96 [REP2-010] states "The Outline Code of Construction Practice (oCoCP) has been submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. The Outline CoCP includes that farm access routes between fields within a farm holding will be maintained (where reasonably practicable), or alternative routes agreed with the land holder to enable the</p>	<p>The Lead Local Flood Authority has no identified conflicts with the proposed wording insofar as our remit. The issues raised in this question relating to farm access routes are very detailed and it is considered would be best discussed between the developer and the relevant landowner at the time of constructions works.</p>	<p>Noted and welcomed. The Applicants are in ongoing discussions with all relevant landowners with regard to access during construction</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>continued operation of agricultural land holdings during the construction phase, where this may be possible."</p> <p>a) Explain the decision-making process in relation to phrased "where reasonably practicable" and "where this may be possible".</p> <p>b) Do you consider the proposed wording to be adequate?</p>		
Q11.1.5	<p>Lancashire County Council</p> <p>Paragraph 12.7 of Lancashire County Council's (LCC) LIR [REP1-085] states that its Historic Environment Team will in due course be providing further comments on the content and conclusions of the various reports submitted with the application.</p> <p>These comments are now requested from LCC at deadline 3 in order that there is full opportunity for any matters raised to be examined within the six-month examination timetable.</p>	<p>Geophysical Survey Report, EN020032-000494 & 00495</p> <p>Comment was made on 22/11/2023 in relation to the PEIR:</p> <p>"The report is however considered to have identified a number of areas which will require a further stage of archaeological investigation (trial trenching) should they be directly impacted by the proposed development."</p> <p>Intertidal Archaeology Survey Report, EN020032-00496 and Geoarchaeological DBA, EN020032-00497</p> <p>Comment was also made on 22/11/2023 in relation to the PEIR, which applied to both reports:</p> <p>"The recommendations for further work seem to be both appropriate and necessary."</p> <p>It should be noted that LCC had already indicated that they would defer to the opinion of Historic England in relation to any detailed comment on the Geoarchaeological DBA due to the need for more specialist knowledge in this area (i.e. Historic</p>	<p>The Applicants note this response from the Historic Environment Team at Lancashire County Council. The revised Outline Onshore and Intertidal Written Scheme of Investigation (Rev F02, REP3-026) sets out the basis for a programme of post-consent archaeological and geoarchaeological mitigation, including works required to inform detailed design. This programme is secured through Requirement 11 within Schedules 2A and 2B of the Draft Development Consent Order (REP3-009).</p> <p>The revised Outline Onshore and Intertidal Written Scheme of Investigation (REP3-026) has been discussed with Lancashire County Council who have agreed that the proposed programme of post-consent archaeological and geoarchaeological mitigation is suitable. This agreement is noted in the Statement of Common Ground with Lancashire County Council (REP3-044, ref. LCC.HE.13).</p> <p>With regard to C14 dating, the Applicants note that all environmental samples from the completed trenches have been processed, and a list of samples suitable for scientific dating is being compiled. If suitable material is identified,</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>England's Regional Science Advisor, Dr. Sam Rowe).</p> <p>Interim Trial Trenching Report, EN020032-00499</p> <p>It should be noted that it is not usual practice to comment on reports that are incomplete, hence the reason why LCC have not yet made any formal comment on this piece of work.</p> <p>LCC's assessment of the interim report would however be as follows:</p> <p>LCC is in agreement with the statement that the evaluation works are considered to have demonstrated that the results of the geophysical survey have been found to be reliable (see 1.4.1.2), but only where they have so far been undertaken. It cannot simply be assumed that this will inevitably apply to those areas yet to be subject to evaluation. In a recent (20/06/25) Statement of Common Ground meeting with the applicant, the applicant's archaeological consultant, Mr M. Rawlings from RPS, stated that around another 350 trenches are to be excavated, starting at the end of July 2025, indicating that only around 25% of the total number of proposed evaluation trenches have so far been excavated. This is not considered to be a sufficient percentage of the evaluation trenches proposed on which to make site-wide assumptions.</p> <p>Although it has been suggested that a number of features could be of a possible prehistoric date, see Trial Trenches 129-138 & 145-159, a request for a rapid assessment of the finds collected from the evaluation revealed that only two pieces of debitage (evidence for prehistoric flint working) had so far been recovered from Trench 43.</p>	<p>dating could be undertaken within a couple of months, subject to laboratory availability.</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>To date no assessment of the environmental (bulk soil) samples that were collected for any dateable material has been undertaken, and as it is likely that it will only be possible to date many features from material that can be dated by means of C14 dating. Until this has been done assigning a significance to them will not be possible.</p> <p>LCC by virtue of two site monitoring visits (14/05/24 & 07/06/24) is however satisfied that those evaluation works that have been undertaken have been done so in accordance with the Outline Onshore and Intertidal Written Scheme of Investigation, EN020032-00561.</p> <p>LCC is therefore of the opinion that the limited works undertaken so far have demonstrated that there is a potential for previously unknown archaeological sites, of an as yet unknown, but probable, local and/or regional significance, to lie within the redline boundary of the proposed development.</p> <p>It is therefore considered to be a reasonable assumption, on the basis of the current information contained within the Interim Trial Trenching Report, that further post-evaluation archaeological investigations will be necessary. It is however, given the limited number of trenches excavated and absence of any definitive dating of those features encountered, still not possible to state categorically that the evaluation has demonstrated that no previously unknown sites of a potential national significance will be impacted by the proposed development.</p> <p>As to where all those areas requiring further archaeological investigation may lie, and the exact nature and extent of the works required, that will</p>	

Reference	ExA Question	LCC Response	Applicants' response
		not be able to be determined until such a time as all the remaining evaluation trenches have been excavated and the necessary post-excavation analysis and reporting of the works has been completed.	
Q11.1.6 d)	<p>Interim trial trenching report</p> <p>Paragraph 1.1.2.1 of the Interim trial trenching report [APP-103] explains that, in total, 222 trenches have been proposed across the onshore infrastructure area and that, as of August 2024, 139 trenches have been investigated. It goes on to say that further trial trenching and geoarchaeological investigation will be undertaken post consent and prior to construction.</p> <p>Paragraph 1.2.2.1 states that, to date, the evaluation has comprised the excavation of 73 of the 222 trenches proposed.</p> <p>a)</p> <p>a) Please clarify the current position regarding trial trenching, including the evaluation of it. Has any further trial trenching been carried out since August 2024? If so, please provide the results and update the assessment accordingly.</p>	<p>a) the last correspondence received from the applicant's archaeological consultant (Mr. M. Rawlings, e-mail dated 16/04/25) indicated that 138 trenches have been completed and reported on in the submission.</p> <p>This would leave a further 89 trenches to be completed in the first stage of works (see 1.3.3.1 of the Programme of archaeological trial trenching and geoarchaeological investigation, Written Scheme of Investigation, revision 03, May 2024), if the archaeological contractor is working to that document.</p> <p>In the same e-mail of 16/04/25 it was however stated that a further 189 trenches were still to be excavated, and that draft trench location plans had been drawn up for consultation with LCC (not yet received) with a proposed start date of May 2025.</p> <p>However, in a recent (20/06/25) Statement of Common Ground meeting with the applicant, their archaeological consultant, Mr M. Rawlings of RPS, stated that there are around another 350 trenches still to be excavated, and that these works are now scheduled to start at the end of July 2025. This would indicate that only around 25% of the evaluation trenches have so far been excavated. A request for a rapid assessment of the finds collected from the evaluation revealed only two pieces of debitage (evidence for prehistoric flint working) had so far been recovered (Trench 43).</p> <p>b) & c) to the best of my knowledge this was</p>	<p>The Applicants welcome the comments from Lancashire County Council. The Applicants' position regarding ExQ11.1.6(d) is set out in the Applicants' Response to Examining Authority's Written Questions (ExQ1) Rev FO1 (REP3-056). The Applicants confirm that no more trial trenching will be undertaken until spring 2025. However, in response to issue specific hearing 2 action point 48 (ISH2.48), the Applicants have provided a document detailing the trial trenching approach of the Transmission Assets against that taken by other DCO projects. It has been concluded that The Transmission Assets has undertaken a significant number of trenches when compared to other projects. Therefore, it is considered that the number of trenches completed is proportionate.</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>b) What criteria was used to determine the implementation of the trenching already carried out, as opposite to that left to be undertaken post consent?</p> <p>c) Explain further why the full extent of the proposed trenching has not been already carried out to inform the assessment?</p> <p>d) To what extent does the shortfall in the evaluation of trial trenching ahead of the assessment, weaken the overall findings in the ES in relation to onshore archaeology? Please explain your reasoning.</p>	<p>governed mainly by access issues</p> <p>d) see LCC comments on the Interim Trial Trenching Report in the reply to 11.1.5</p>	
ThQ11.1.7	<p>Quakers Wood Burial Ground</p> <p>The applicant's position on Quakers Wood Burial Ground is set out in Annex 3.2.18 of PDA-025 and Annex 5.9 of REP1-045. Are there any outstanding concerns regarding the potential effects on Quakers Wood Burial Ground in relation to its likely location, the effects of the proposed development upon it and any mitigation measures required?</p>	<p>Historic Environment Team</p> <p>LCC is in agreement with the comments made by the applicant as set out in Annex 3.2.18 of PDA-025 and Annex 5.9 of REP1-045 with regards to the assessment of the area for human remains undertaken in the Historic environment desk-based assessment (APP-097) and the Geophysical Survey, (APP-098). Given the results of the surveys and the proposed use of trenchless technology to install the cables in this area the mitigation proposed in sections 1.5.3.10 to 1.5.3.12 of the Outline Onshore and Intertidal Written Scheme of Investigation (APP-214), is considered to be appropriate.</p>	Noted and welcomed
Q13.1.2 a)	Significant effects	In order to answer this question, the landscape and visual effects, in conjunction with	

Reference	ExA Question	LCC Response	Applicants' response
	<p>Section 10.11.4 of the Environmental Statement (ES) [APP-123] explains that any effects with a significance level of moderate or less are not considered to be significant. Paragraph 10.11.4.6, however, acknowledges that moderate effects have the potential to be important and may influence the key decision-making process.</p> <p>a. Whilst paragraph 10.11.4.4 states that these 'non-significant' effects are still given appropriate weight in the assessment process, to what extent does this approach risk underplaying landscape and visual effects in the overall assessment of the application proposals?</p> <p>b. Can the applicants explain how landscape and visual effects of moderate or less</p> <p>c. are carried forward to any in-combination or cumulative assessment of effects?</p> <p>d. What implications would there be for the overall assessment (including in-combination and cumulative assessments) if moderate effects are taken as being significant?</p> <p>e. Why is the approach taken to significance for landscape and</p>	<p>corresponding figures have been reassessed. Collective observations are then detailed, followed by specific reference to viewpoints.</p> <p>f. Landscape architects base their assessments on the process of using the tables, which identify which 'category' the chosen Landscape Character Area/ Viewpoint sits within. It becomes subjective where an applicant's Landscape Architect may select a category which is then considered to differ from the assessing authority. With this respect the landscape quality or viewpoint can appear underplayed.</p> <p>g. Do the Tables fully represent the landscape in question?</p> <p>For instance Table 10.19 in the Landscape Assessment states:</p> <p><i>"The resource has very little ability to absorb change of the type proposed without fundamentally altering its present character....."</i></p> <p>It is argued that this description applies to the landscape in question (Morgan Substation), however because it is not a nationally designated area, such as AONB, it cannot be classified as such and instead... "The landscape resource has moderate capacity to absorb change of the type proposed without significantly altering its present character" has to be applied. This automatically reduces its importance and scoring criteria, even though the landscape is considered to have very high merit in its own right. Thus such medium value, sensitivity or capacity creates a moderate scoring.</p>	<p>The Applicants note the concerns raised regarding the interpretation of landscape and visual effects, specifically the methodological application and judgements contained within the Landscape and Visual Impact Assessment (LVIA) presented in Volume 3 Chapter 10 Landscape and visual resources (APP-123) of the ES.</p> <p>The Applicants reiterate that the LVIA has been undertaken in accordance with best practice guidance, including the <i>Guidelines for Landscape and Visual Impact Assessment, Third Edition</i> (GLVIA3), and is underpinned by a transparent and robust methodology, as set out in Volume 3 Chapter 10 Landscape and visual resources (APP-123) and its supporting Annexes (APP-124 to APP-127).</p> <p>As described at paragraph 10.11.4.2 of the LVIA's assessment methodology, the application of professional judgement is inherent in the evaluation of receptor sensitivity, impact magnitude and significance of effect, supported and underpinned by a narrative to explain the conclusions reached. Therefore, differences in opinion between parties are not unexpected.</p> <p>The Applicants confirm that the application of professional judgement is guided by consistent criteria, supported by baseline evidence, visualisation material and a reasoned narrative. Tables such as Table 10.19 are tools to aid this consistency, not to diminish the value of any landscape. It is not the case that the value of a landscape is downgraded solely based on the absence of national designation. Rather, the assessment considers a broad range of indicators of value, including landscape quality, scenic quality, rarity, representatives, conservation interest, recreation value, perceptual aspects (including tranquillity), associations and functionally, as listed in Section 1.5 Assessment of landscape effects of <i>Volume 3</i>, Annex 10.4: Landscape and visual impact assessment methodology (APP-127).</p>

Reference	ExA Question	LCC Response	Applicants' response
	visual effects inconsistent with the remainder of the ES?	<p>Equally in this instance, its Green Belt designation or direct proximity to Area of Separation, both of which in this instance are intended to operate in conjunction to help afford protection to this landscape, do not seem to afford a greater weighting.</p> <p>h. With the context of this application the use of 'temporary' also seems to reduce the scoring criteria, both to the Transmission Assets and Construction Period. Whilst in a more usual planning application context the construction period may be considerably less time, here the construction period is stated as 60 months for each Substation, both of which may run sequentially rather than in parallel.</p> <p>i. Equally the 'temporary' works to for example the Blackpool Road Playing Field Area (Moderate effects) would likely need full pitch reinstatement over a significant area. As well as being out of use for the duration of the proposed construction work (sequential situation?), pitch reinstatement ideally needs a whole season to establish, before play is recommended. In both these instances it is questioned whether the scoring reflects the long period of time over which the effect would occur.</p> <p>The length of time an area is 'out of action' should increase its sensitivity and therefore its scoring?</p> <p>i. It is common within this landscape assessment that there is a change in scenario from Year 1 to Year 15, with the implication that mitigation (tree planting) is the bandage to all effects. In terms of effects on Landscape Character this cannot be the case, if the</p>	<p>Furthermore, the Applicants reiterate that the Green Belt is a spatial policy designation, defined by the fundamental aim and defined purposes set out in paragraph 142 and 143 of the NPPF. These defined purposes do not relate directly to the assessment quality or character of the landscape set out in GLVIA. The Applicants recognise, , during a SoCG meeting held on 30 June 2025, Fylde Borough Council (FBC) advised that the <i>Area of Separation</i> policy should afford protection to landscape character, rather than functioning solely as a spatial planning policy. Notwithstanding FBC's recent clarification, the Applicants note that no elements of the Transmission Assets are located within the <i>Area of Separation</i>, and reaffirm the judgements set out in Section 10.12 of Volume 3 Chapter 10 Landscape and visual resources (APP-123) regarding the direct and indirect effects on landscape character – 15 Coastal Plain, 15d The Fylde. The Applicant's position is that development needs to be located in the policy area to affect it.</p> <p>With respect to the duration of effects and the interpretation of 'temporary', the Applicants acknowledge that the construction period for each substation may extend up to 66 months reflecting a construction period for Morgan LSS up to 36 months and Morecambe up to 30 months and assuming they may be built at separate times. This construction duration has been transparently reported within the LVIA as part of the <i>Maximum design scenario</i>, which for the onshore export cable is represented by the sequential construction of the Transmission Assets (rather than concurrent), as this presents the longest potential construction phase. The use of the term 'temporary' is not intended to lessen the implication of construction phase effects, but rather to highlight their reversibility and the transient nature of construction activities that will take place during that construction phase. Regarding the Blackpool Road Playing Fields and the need for reinstatement, the</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>fundamental changes which have created the change are still present. The Substations would still change the intrinsic Landscape Character and prevent and destroy those characteristics which characterised the particular area, namely its openness, and its Green Belt designation in conjunction with The Area of Separation. These protect the open area between Kirkham and Newton-With-Scales, the long distance views, its rural context (urban fringe is a misnomer) and the tranquillity that this affords.</p> <p>In many instances throughout the Landscape Assessment, it is implied that mitigation in the form of tree planting leads to major adverse becoming moderate adverse. These two categories are detailed as follows;</p> <p>Major: These beneficial or adverse effects are considered to be very important considerations and are likely to be material in the decision- making process. Such effects may occur where proposed changes would be uncharacteristic and/or would significantly alter a valued aspect of (or a high quality) landscape or where proposed changes would be uncharacteristic and/or would significantly alter a valued view or a view of high scenic quality.</p> <p>Moderate: These beneficial or adverse effects have the potential to be important and may influence the key decision-making process. Such scale or at variance with the character of an area or where proposed changes to views would be demonstrably out of scale or at variance with the existing view.</p>	<p>Applicants refer LCC to the Outline Open Space Management Plan (S_D4_10) which has been appended to J1.5 Outline Public Rights of Way (PRoW) Management Plan (APP-198). This sets out the measures to minimise potential impacts to the users of Blackpool Road Recreation Ground, making clear that the works in this area being largely limited to the compounds and the accesses to the compounds, the majority of the Blackpool Road Recreation Ground will remain open for most of the construction period, in accordance with commitment CoT123 (see Volume 1, Annex 5.3: Commitments Register (APP-037)). The length of time an area is 'out of action' has been reflected in the LVIA's consideration of magnitude of impact.</p> <p>The Applicants acknowledge LCC's commentary regarding the perceived reliance on mitigation - specifically tree planting - as a means of reducing effects on landscape and visual resources over time. The Applicants do not contend that mitigation planting wholly eliminates adverse effects. Rather, the LVIA recognises that, within the local context of the substations, mitigation planting may reduce the magnitude of change, to a degree, by softening the visual envelope of development, integrating elements into the surrounding context, and helping to re-establish a sense of scale and enclosure. However, such mitigation is not assumed to negate the level of effects. In this regard, the LVIA methodology acknowledges that Moderate effects may still constitute important considerations within the decision-making process, and as noted in the assessment concerning the substation, remain adverse for both the construction and operational phases of the Transmission Assets.</p> <p>In relation to LCC commentary regarding specific viewpoints, the Applicants welcome the opportunity, as already offered and agreed, to discuss these matters with LCC in detail through the ongoing SoCG process. The</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>It is argued that the proposed changes may still count as Major at Year 15 (with reference to a high quality landscape), but notwithstanding even as Moderate the presence of the Substation(s) would continue to be 'demonstrably out of scale and at variance with its existing view and be uncharacteristic'.</p> <p>j. In the context of the Morgan Substation, the applicants claim that mitigation (alone-in the form of tree planting) would result in Moderate Adverse effects over time (Y15). It is difficult to accurately assess this, due to the lack of topographic information. Levels at AOD (when they are legible) on viewpoints are often at different levels than the proposed development itself, which then requires some interpolation. Equally the assimilation of the Morecambe Substation is qualified by the requirement to lower levels to help its integration. Its location and scale differ from The Morgan Substation, which also helps integration.</p> <p>ii. The applicant uses written terminology to give context to a lesser effect, with descriptions such as 'slightly discordant in nature with open agricultural landscape' 'barely discernible' and 'urban fringe'. This underplays character or views and is often used alongside scoring. This can underplay a moderate score.</p> <p>k. Viewpoint 3. The magnitude is noted as medium (see points above). The descriptions omit to detail what is lost, which can be seen when comparing with the baseline. The open, rural character with long and distant views and its gently rolling landscape. Views are</p>	<p>Applicants remain committed to continued engagement with LCC to clarify the basis of these judgements and ensure that any remaining differences in professional opinion are clearly articulated and evidenced within the SoCG for the benefit of the ExA.</p> <p>The Applicants refer LCC to Technical Note: Landscape and Design Matters (REP3-064), in which the Applicants have submitted further topographic information at Deadline 3 to support stakeholders' understanding of the relationship between the proposed substation site levels and the surrounding landform. The request for further levels information request made by the ExA at ISH2 is noted and will be discussed further with LCC/FBC.</p> <p><i>Section 1.2.5</i> Topographic Information of the Technical Note (REP3-064) reaffirms the Applicants' position that its approach is consistent with other offshore wind projects and their associated onshore transmission infrastructure, and that final substation layouts and platform levels will be determined during the detailed design stage, informed by the necessary technical requirements. Cut-and-fill operations will be required to establish level development platforms - particularly at the sloping Morgan OWL site - and these will be designed to minimise spoil movement, as described in the Volume 1, Chapter 3: Project Description (REP2-008) and the outline Landscape Management Plan (oLMP) (AS-050). Finalised levels will remain subject to approval under Requirement 4 of the draft DCO (REP3-009).</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>foreshortened. It is argued that Magnitude should be 'high' and remain 'high' and not be relegated to 'medium'. Only if the openness and landscape were allowed to flow over and through could the effects be different. The only way to achieve this is by having GL (Ground Level) at a much reduced level, thereby having built structures partly buried and using materials which 'blend' with a landscape setting, using good and innovative design. This is already demonstrated with motorway service stations being carefully integrated into their landscape and rural setting.</p> <p>iii. Viewpoint 4 and 5: Again the aspects that are lost irretrievably, are not noted. The effects of the Blue Field Solar Farm when seen in conjunction are not noted. These cumulative effects would increase the scoring and the two developments would be seen in conjunction and could be scored as Moderate Adverse. Negative effects on Green Belt and The Area of Separation would occur.</p> <p>iv. Viewpoint 6 noted in (v) above, however the proposal as stands is at a higher GL and no planting (due to the cable route?) enables little screening from the southern elevation.</p> <p>v. Viewpoint 7: The classification for road users is noted as medium, however what is not mentioned is that when constant views appear over a length of road (in this instance the A583 in a southerly direction), there would be cumulative effects of both substations and the proposed Blue Field Solar Farm. This would raise the scoring to Moderate Adverse. Notwithstanding the effect of extending the Kirkham urban area beyond its present</p>	

Reference	ExA Question	LCC Response	Applicants' response
		<p>eastern boundary, it would compromise the Green Belt when areas are seen in conjunction with The Area of Separation.</p> <p>vi. The points noted above also apply specifically to Viewpoints 12 and 13.</p> <p>Therefore many of the points noted as Moderate Adverse possibly could be categorised as Major Adverse and equally some of the Minor Adverse could read as Moderate Adverse. It is the fundamental changes and effects which are proposed and which the applicant does not demonstrate that have been sufficiently mitigated. It is queried whether the Morgan substation can be sufficiently mitigated, primarily because of the scale and extent in its specific location.</p>	
Q13.1.5 c)	<p>Outline Design Principles</p> <p>The ODP [APP-209] includes (Section 6.2) a 'Post consent Design Code' which include what appear to be fairly generalised design requirements.</p> <p>a. To what extent has the ODP been subject to engagement with the local planning authority and other stakeholders? Explain how the design principles and design code have been informed by those potentially affected, including residents, community groups, infrastructure users, interest groups and local employers?</p>	<p>To date one there has only been a single meeting with the applicants to discuss comments made in the County Council's LIR.</p> <p>An opportunity to provide a Development Brief from the outset would have been useful.</p> <p>There is some windfarm guidance (Landscape Sensitivity to Wind Energy Development in Lancashire' (Lovejoy 2005)). It does focus generally on wind turbines, but does state that small-medium size developments are applicable in the landscape character area (15d) applicable to this site.</p> <p>To date the ODP quotes (p39) requirements that 'Projects should be inspiring in form and detail' and it is suggested that they 'look beyond the site boundary to consider the wider benefits..'. Whilst this might be applicable to ecological aspects (with proposed BNG areas), Figures 10 and 11 of the document do not demonstrate inspiring form and</p>	<p>The Applicants acknowledge LCC's comments regarding the limited engagement that has taken place during the Examination period, noting that only one meeting has occurred since the publication of LCC's LIR.</p> <p>With respect to the outline Design Principles, the Applicants acknowledge that the oDP document (APP-209) was not subject to specific consultation prior to submission, as explained in the Applicants' response to ExQ1 Q13.1.5 (parts (a) to (c)) in S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056). Nevertheless, the Applicants did seek to secure feedback on context and design matters to help inform the Project through earlier phases of consultation (prior to the DCO submission), and these discussions did influence the principles presented in the oDP document (APP-209).</p> <p>The Applicants are committed to proactively engaging with LCC (and Fylde Borough Council) to develop and refine, where appropriate, the Design Principles and Design</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>b. What further measures are proposed to ensure there is appropriate future engagement with potentially affected persons, organisations and groups on the design of the proposed substations?</p> <p>c. Can FBC and LCC explain the role each has been able to play so far in assisting with the development of the content of the ODP?</p>	<p>detail of the proposed substations nor their integration with the landscape.</p> <p>The document notes that choice of material and form are driven by functional and structural requirements. Materials and form currently suggest a lack of imagination or appreciation of landscape context and setting and suggest the cheapest, unimaginative solutions. Recent buildings associated with Energy from Waste facilities provide good examples of design, whereby the built form becomes an attractive building in its own right.</p> <p>There is a need to demonstrate good design in this instance, which reflects its Green Belt location and its open, rural characteristics, which allow views to flow. As this route of encouraging renewables is progressed, good precedence is required, without the reliance on a confidence that the need for renewables is sufficient and outweighs the need for a quality submission.</p>	<p>Codes. This engagement aims to ensure that issues relating to local character and the sensitivities of the receiving landscape at each substation site are adequately addressed to alleviate any residual concerns. It will also support robust design controls submitted and inform the final design and the discharge of relevant requirements.</p> <p>It is proposed by the Applicants and agreed with LCC (and Fylde Borough Council) that this collaborative engagement can be developed during the remainder of the Examination via the preparation of the SoCG. The Applicants welcome focused commentary on both the Design Principles and Design Codes as part of the ongoing Examination process. Such engagement is expected to build upon the existing oDP (APP-209), which will be updated and resubmitted in due course within the Examination.</p> <p>The timetable for engagement is set out within S_D4_9.2, HAP Annex: ISH2.19</p>
Q13.1.6	<p>Design content</p> <p>Paragraph 5.10.30 of NPS EN-1 states that the Secretary of State should be satisfied that the local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.</p> <p>Is FBC and LCC satisfied that the current design content provided in the application and secured in the draft Development Consent</p>	<p>LCC Landscape is not satisfied that landscape and good design objectives have been sufficiently explored and as such demonstrated, particularly with regards to the substation designs. The landscape proposals are bland and merely an attempt to screen. The applicant has not demonstrated a full understanding of Landscape Character or the location and setting, i.e. within a Green Belt and directly adjacent to the Area of Separation, both of which place more demands and requirements in terms of design.</p> <p>A simple grey rectangular outline (of the built form) does not explore possibilities. The manipulation of levels is one of the only ways a built form of such</p>	<p>The Applicants note LCC's concern that the landscape and good design objectives, particularly in relation to the onshore substations, have not been sufficiently explored or demonstrated.</p> <p>The Applicants reiterate that the Green Belt is a spatial policy designation, defined by the aim and purposes set out in paragraphs 142 and 143 of the NPPF. These purposes do not relate directly to the quality or character of the landscape. Moreover, the Applicants note that, during a SoCG meeting held on 30 June 2025, Fylde Borough Council (FBC) advised that the Area of Separation policy should afford protection to landscape</p>

Reference	ExA Question	LCC Response	Applicants' response
	Order (dDCO) would meet this requirement?	<p>scale could be accommodated, yet the applicant seems reluctant to annotate levels and has not demonstrated an ability to work with the levels or to manipulate them to improve the landscape impacts of the development.</p> <p>Once the design has been agreed, then the minutiae is virtually in place (such as tree species and compositions, maintenance etc.) and is circa 75% documented. This is easy and straightforward; getting an appropriate design is more challenging.</p>	<p>character, rather than functioning solely as a spatial planning policy.</p> <p>Notwithstanding this clarification, elements of the proposed design – such as the layout of the site, the arrangement and form of built components, the selection of materials, and associated landscape measures (which will be subject to detailed design post-consent and to accord with Requirement 4) – should be informed by, and respond to, the local context, as previously acknowledged in the Applicants' response to ExQ1 Q13.1.7 in S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056). In this instance, this includes cognisance of the Green Belt..</p> <p>Secondly, with respect to LCC's reference to a "<i>simplified grey rectangular outline</i>" used to depict the built form of the onshore substations, the Applicants note that it is typical practice for NSIPs to submit indicative three-dimensional models illustrating the typical buildings, equipment, and infrastructure likely to be required. These models are consistent with the project description assessed in the EIA and with the authorised development defined within the draft DCO. As set out in the Technical Note: Landscape and Design Matters (REP3-064), the final design of each substation will be developed post-consent and will be subject to approval by the relevant planning authority pursuant to Requirement 4 of Schedules 2A and 2B of the draft DCO. In addition, the Applicants submitted further topographic information at Deadline 3, also included within the Technical Note (REP3-064), to support stakeholders' understanding of the relationship between the proposed substation site levels and the surrounding landform and note the ExA's request for further additional levels information at ISH2. Section 1.2.5 Topographic Information of the Technical Note (REP3-064) reaffirms the Applicants' position that its approach is consistent with other offshore wind projects</p>

Reference	ExA Question	LCC Response	Applicants' response
			<p>and their associated onshore transmission infrastructure, and that final substation layouts and platform levels will be determined during the detailed design stage, informed by the necessary technical requirements. Cut-and-fill operations will be required to establish level development platforms - particularly at the sloping Morgan OWL site - and these will be designed to minimise spoil movement, as described in the Volume 1, Chapter 3: Project Description (REP2-008) and the outline Landscape Management Plan (oLMP) (AS-050). Finalised levels will remain subject to approval under Requirement 4 of the draft DCO (REP2-004).</p> <p>The Applicants also refer to the photomontages provided in Volume 3, Figures – Part 6 of 7 (REP3-015), and to the maximum design parameters defined in <i>Volume 3, Chapter 10: Landscape and Visual Resources</i> (APP-123), which inform the LVIA and its associated findings. These visualisations illustrate the assessed worst-case development scenario and are based on accurately modelled 3D representations, assuming the indicative site levels and prepared in accordance with recognised industry best practice.</p> <p>Finally, in response to LCC's comments regarding the level of design resolution at this stage in the Project, the Applicants refer to their response to ExQ1 13.1.5 of S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056), which explains in detail how the outline Design Principles document (oDP) (APP-209), alongside other mechanisms, will guide the evolution of the detailed design. This will ensure that the authorised development responds appropriately to local landscape character, applicable planning policy, and local communities/settlement.</p> <p>The Applicants reiterate their willingness to engage with both LCC (and FBC) on the development of Design Codes, where considered appropriate, to provide the local</p>

Reference	ExA Question	LCC Response	Applicants' response
			<p>authorities with sufficient design control over the detailed design and associated requirement discharge process. The timetable for these discussions is in the process of being agreed and coordinated in pursuit of the SoCG and ensure that LCC (and FBC) are content with the proposed post consent approach to design governance.</p> <p>The Applicants welcome comments on both the oDP and the Design Codes as part of this ongoing engagement.</p>
Q13.1.10	<p>Proposed substations</p> <p>Notwithstanding the applicants' justification for needing two separate substations, what are the benefits and disbenefits of the proposed design of having two separate substations rather than one single substation in terms of a) visual appearance, b) landscape character and c) the openness of the Green Belt?</p>	<p>The main disbenefit to requiring two separate substations is that it would increase the requirement for supporting infrastructure such as access roads and surrounding perimeter fencing. Potentially, there could also be landscape impacts through two locationally separate developments as they might occupy a larger part of a view from certain viewpoints compared to a single large substation complex. The benefits of a two substation development are that potentially two smaller sites might be able to make better advantage of existing landscape features to promote screening and reduce landscape impacts.</p> <p>However, the applicant has not demonstrated the relative benefits and disbenefits of either approach through submission of information.</p>	<p>The Applicants acknowledge LCC's request regarding the benefits and disbenefits of having two separate substations rather than one substation in terms of visual appearance, landscape character and the openness of the Green Belt.</p> <p>In response, the Applicants refer LCC to their explanation in response to Q13.1.10 of the Applicants' Response to Examining Authority's Written Questions (ExQ1) (REP03-056) and the Applicants' response to Issue Specific Hearing 1 Action 28 (REP1-039).</p> <p>As set out in the response to ISH1 Action Point 28 (REP1-039), design flexibility is necessary for the Applicants to enable each project to be constructed independently, should this be required. However, as noted in paragraph 7.2.3.4 of the same document, there may be opportunities for further coordination between the projects, subject to both achieving a Financial Investment Decision (FiD) and following their detailed designs. Due to the adjacent alignment and proximity of the Transmission Assets infrastructure, the Applicants will continue to engage with each other in delivering each of the projects.</p>
Q13.1.11	<p>Good design</p> <p>What further detail could be provided within the ODP and elsewhere to demonstrate the ways in which 'good design' can</p>	<p>vii. The scale of the larger substation to be significantly reduced, with the possibility of a further substation, somewhere outside the Green Belt area.</p>	<p>The Applicants welcome LCC's comments regarding the onshore substation sites and their design.</p> <p>As outlined above in response to LCC's response to Q13.1.5 (c) Outline Design Principles, the Applicants are committed to proactively engaging with LCC (and Fylde</p>

Reference	ExA Question	LCC Response	Applicants' response
	be secured including equipment procurement and layout considerations, taking account of the local context of the respective substation sites?	<p>viii. Preferably removing the larger substation out of the Green Belt, or best agricultural areas altogether and positioning elsewhere in a more appropriate location (possibly on an urban fringe-industrial/ commercial area) where the built form can be more flexible and where opportunities might exist to use existing/ new facades to screen facilities exist.</p> <p>ix. Potential to manipulate site levels to 'sink' the structures into the landscape (see sketch options attached), using gentle slopes (reflective of the landscape), to further aid integration. The difficulty in part is that site boundaries are so tight, that the flexibility to integrate 'naturally' is not feasible, without further land take. This would however be required.</p> <p>x. A statement built form, which is fully integrated into the landform, using natural materials, such as the use of stone, brick, timber or combinations of these materials. Alternately the built form could resemble farm outbuildings with the use of brick/ timber allowing the building to integrate with existing materials characteristic of the rural area.</p> <p>xi. Disallow the use of palisade fencing in the rural area with security to be provided by other more aesthetically acceptable fencing designs or other security solutions.</p> <p>xii. Combination of gentle mounding, walls/ fencing (to reduce effect of height and screen unsightly internal elements);</p> <p>xiii. Considered use of vertical/ horizontal elements alongside the above;</p>	<p>Borough Council) to develop and refine, where appropriate, the Design Principles and Design Codes to support the delivery of good design and post consent design governance. The agreed engagement (agreed at ISH2) aims to ensure that issues relating to the response to local character and the sensitivities of the receiving landscape at each substation site, are explored with a view to addressing concerns. The aim of the engagement will be to seek to agree any development of Outline Design Principles document to support the provision of robust design controls to inform the final design and the discharge of relevant requirements.</p> <p>. The Applicants welcome focused comment on both the Design Principles and Design Codes as part of the ongoing Examination and SOCG process building upon the existing oDP (APP-209), which will be updated and resubmitted within the Examination and is currently programmed for D5 submission following engagement with LCC (and FBC) .</p>

Reference	ExA Question	LCC Response	Applicants' response
		<p>xiv. Relocation of the footpath/ bridleway as indicated on sketches (other options are possible), by positioning nearer to the Dow Brook enables attractive views eastwards and allows filtered views westwards and to maintain/ recreate tranquillity.</p> <p>xv. Potential to open the Dow Brook into areas of 'overflow' and which allows greater areas of wetland and allows potential for future flooding.</p> <p>xvi. Provide ponds in a more natural form throughout adjacent field areas during restoration, to replicate the existing landscape pattern, and not concentrated in one area.</p> <p>xvii. Reflect existing landscape character with layout of tree planted areas. The landscape character denotes blocks of woodland planting and the field and landscape pattern is irregular. Landform manipulation and blocks of planting could be used but would require work outside existing site boundaries.</p> <p>xviii. There is also scope for strategic off-site planting. For example where is a post and wire fence with open views towards substations, there is potential to re-establish a hedgerow with hedgerow trees. This can control and filter views from foreground areas, but again relies on planting offsite.</p> <p>xix. Final surfaces on retained access tracks to be sympathetic to landscape. Equally surface surrounds within compounds to avoid white concrete-options to be discussed.</p>	
Q13.1.13	Independent design review process	If the proposed development is accepted, the County Council is certainly of the view that considerable further work is needed in relation to	The Applicants note LCC's comments, agreeing that the forward design process for the proposed onshore substations will be subject to a comprehensive and robust

Reference	ExA Question	LCC Response	Applicants' response
	<p>a. Would the use of an independent design review process be beneficial to help secure and implement good design in the final design process for both proposed substations?</p> <p>b. How could this be secured through the dDCO?</p>	<p>the design of the substation elements of the development. It is considered that this could best be secured through a Requirement within the DCO relating to the submission of details of the substation structures and the process that is used to develop an acceptable layout, design and landscaping</p>	<p>design process that will need to evolve from the parameter-based design submitted and assessed for the DCO. The Applicants would confirm that this design process is all secured through Requirement 4 of the draft DCO (REP3-009) which ensures the design of the substation is developed in accordance with the outline Design Principles document (APP-209). Similarly, any points concerning landscape treatment around the substation are secured via Requirements 6 and 7 of the draft DCO (REP3-009).</p> <p>The following documents form a framework of control measures that collectively ensure that the final design of the substations is subject to a clear, enforceable, and accountable process, including defined objectives for landscape integration, visual containment, and biodiversity enhancement. They include:</p> <ul style="list-style-type: none"> • Spatial extent set by the Work Plans. • Parameters fixed by ES Volume 1, Chapter 3: Project description (REP2-008). • Volume 1, Annex 5.3 Commitments Register (REP3-013). • Outline Landscape Management Plan (oLMP) (AS-050). • Outline Ecological Management Plan (oEMP) (REP2-018). • Outline Design Principles (APP-209).
Q13.1.14	<p>Residential visual amenity</p> <p>Section 10.7.4 of the ES [APP-123] considers 'Views from Residential Properties'.</p> <p>Paragraph 10.7.4.4 concludes that no occupiers of residential properties within the study area</p>	<p>The County Council defers to Fylde Borough Council's response to this question.</p>	<p>The Applicants acknowledge LCC's deferral to Fylde Borough Council and accordingly direct relevant parties to the Applicant's response provided in S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056) and Applicants' Response to IPs' response to Examining Authority's Written Questions (ExQ1) (REP3-056).</p>

Reference	ExA Question	LCC Response	Applicants' response
	<p>have the potential to experience a degree of harm over and above substantial to make considering private views a public interest matter. Therefore, an assessment of residential visual amenity has not been provided by the applicants.</p> <p>Does FBC agree with the applicant's approach of not providing an assessment of residential visual amenity in relation to the proposed substations?</p>		
Q14.1.5	<p>Operational noise limits</p> <p><i>The proposed operational noise limit to control operational noise impacts at the nearest noise-sensitive receptors is $L_{A,T} < L_{A90,T} + 5$. (Table 1.9, Operational Noise [APP-120])</i></p> <p>a) <i>Are you satisfied with the limit and methodology and assumptions made to derive it?</i></p> <p>b) <i>How are the noise limits going to be enforced and monitored?</i></p> <p>c) <i>Should operational noise limit be included and secured by Requirement 18 (Schedules 2A and 2B) of the draft Development Consent Order</i></p>	<p>LCC is content to defer to Fylde Council on this matter as the relevant environmental health authority.</p>	<p>Noted</p>

Reference	ExA Question	LCC Response	Applicants' response
	(dDCO)?		
Q14.1.10 a)	<p>Commitments</p> <p>CoT18 [REP2-010] states “Core working hours for the construction of the intertidal and onshore works will be as follows: • Monday to Saturday: 07:00 - 19:00 hours; and • up to one hour before and after core working hours for mobilization (“mobilisation period”) i.e. 06:00 to 20:00. Activities carried out during the mobilisation period will not generate significant noise levels (such as piling, or other such noisy activities). In circumstances outside of core working practices, specific works may have to be undertaken outside the core working hours. This will include, but is not limited to, works being undertaken within and/or adjacent to Blackpool Airport and cable installation at landfall and at the River Ribble. Advance notice of such works will be given to the relevant planning authority.” In relation to the statement “Advance notice of such works will be given to the relevant planning authority.”</p> <p>a) Is it sufficient for the local authorities that advance notice will be given or should this be changed so that works, outside of the core hours secured by Requirement 14 (Schedules 2A</p>	<p>It is presumed that the approval authority in respect of this matter will be the lower tier authorities and therefore the County Council does not provide a response to this question. However, as this issue relates to works within the intertidal zone and works potentially within the hours of darkness, there are potential issues relating to over wintering birds and bats.</p>	<p>The Applicants have made a commitment (CoT28 of the Commitments Register (REP3-013) to adopting a sensitive lighting strategy to avoid spillage to environmentally sensitive areas and to avoid sensitive ecological features such as bat roosts. This would be secured by Requirement 8, Schedules 2A&2B and Schedule 12, Schedules 2A&2B of the draft DCO (REP3-009). This would be the approach to construction lighting regardless of the permitted working hours.</p>

Reference	ExA Question	LCC Response	Applicants' response
	and 2B) in the dDCO, are to be agreed with the relevant planning authority in writing in advance and must be carried out within the agreed times?		
Q14.1.14	Construction noise Outline construction noise and vibration management plan [APP-196], paragraph 1.2.2.4 states that "In particular, the applicants will erect a topsoil bund along the western boundary of the Morecambe Temporary Construction Compound to minimise noise impacts during the construction phase at Quaker Wood Stables." Do you have any comments in relation to this approach?	LCC is content to defer to Fylde Council on this matter	Noted
Q14.1.15 a)	Construction noise Outline construction noise and vibration management plan [APP-196], paragraph 1.2.1.1 states that "In certain circumstances, specific works may have to be undertaken outside the core working hours to maintain time critical activities. Where applicable, these activities will be notified to the relevant planning authority at least 48-hours' notice in advance of the works." a) Is a minimum of 48-hours' notice of advance of the works sufficient?	LCC is content to defer to Fylde Council on this matter as the relevant environmental health authority.	Noted

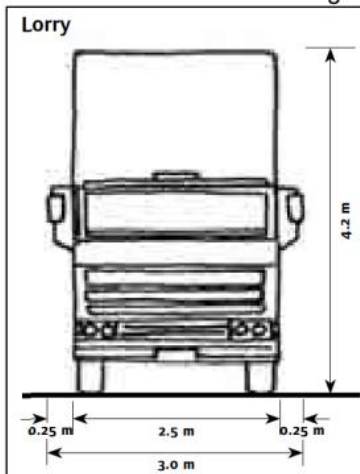
Reference	ExA Question	LCC Response	Applicants' response
	b) Are affected residents going to be notified in advance of the works?		
Q16.1.11	<p>Outline Construction Traffic Management Plan (oCTMP)</p> <p>Are you content that the amended oCTMP submitted by the applicants at deadline 2 (D2) [REP2-016] addresses your concerns with regard to the potential noise, damage and disruption caused by construction vehicles waiting on the public highway prior to the start of construction working hours as set out in [REP1-085]? If not, what further controls would you suggest and how should they be secured?</p>	<p>Paragraphs 1.3.3.1 to 1.3.3.4 of the oCTMP tries to address the LHA's concerns with regards to HGVs waiting on the public highway prior to the start of construction working hours. However, para 1.3.3.3 states that no vehicles will be permitted to wait or queue on the public highway whilst seeking access to the construction site. This could be misleading as it could be read as only relating to the vicinity of the access and not having regard to the full journey from the original location. This issue is further described in paragraph 1.3.3.5 and its current wording dismisses the integrity of paragraphs 1.3.3.1 to 1.3.3.4, as it allows HGVs to access the sites at any time, without any prior agreement with or notice to the LHA. As described in 1.3.3.4 it is critical that locations are agreed that allows vehicles to safely wait on land which is in the applicant's control or in locations that have the support of the highway authority. To overcome risk, it is suggested that locations are agreed in principle at this stage to ensure they are locally available and practical to be used, to safely manage the situation.</p>	<p>The Applicants consider that the wording included within the updated outline Construction Traffic Management Plan (oCTMP) (REP2-016) to address LCCs comments with regards to vehicles waiting on the public highway is not misleading, but is proportionate and would ensure that vehicles will not wait on the highway. The oCTMP does not delimit the extent of this commitment to within roads the vicinity of the accesses. Notwithstanding, as part of wider updates to the oCTMP at Deadline 4 (J5/F03), the Applicants have explicitly stated that the parking and waiting restrictions applies to all highways (not just within the extents of the accesses).</p> <p>With regard to comments on working hours, it is not correct that the text at paragraph 1.3.3.5 of the oCTMP allows HGVs to access at any time. The only access allowed outside of the agreed times is in relation to emergencies and trenchless installation works where 24 hour working maybe required. Requirement 14 of the dDCO Schedules 2A & 2B (REP3-009) secures the types of works that are permitted outside of the standard hours as well as the requirements in terms of notification and approval for these works. For completeness, the Applicants have included reference to the Requirement 14 as part of wider updates to the oCTMP at Deadline 4 (J5/F03).</p> <p>With regard to comments on locations where HGVs can wait the oCTMP (REP2-016) includes a commitment to agreeing these locations with LCC as part of the detailed CTMPs. To provide further assurance, as part of wider updates to the oCTMP at Deadline 4 (J5/F03), the Applicants have explicitly included a list of suitable locations. These locations comprise existing service areas</p>

Reference	ExA Question	LCC Response	Applicants' response
			and truck stops on the key motorway approaches to the traffic and transport study area. Noting the areas identified at this stage are currently used and consented for HGV parking these locations should be considered to be acceptable. Should additional locations be identified (when developing the detailed CTMPs) these would then be discussed and agreed with the relevant highway authorities (in accordance with Requirement 9).
Q16.1.12	<p>Proposed accesses</p> <p>You consider 61 of the 64 proposed accesses unacceptable [REP1-085]. The applicants have suggested that most of the issues raised relate to detailed design which can be addressed later if the dDCO was to be made, but not withstanding this they are working constructively with you to address them at this stage of the project [REP2-039]. Do you consider the level of the issues you've raised appropriate at this stage to demonstrate the feasibility of the accesses proposed? Are there any of the proposed accesses which you consider will remain unacceptable whatever measures the applicants propose?</p>	<p>The concerns and issues highlighted by the LHA relate to the principles of the access layouts. The LHA consider the level of issues raised are appropriate at this stage to demonstrate the feasibility/reasonableness of the accesses proposed. Several meetings between the LHA and the applicant (their consultants) have taken place. The concerns highlighted by the LHA regarding accesses have been taken on board for many of the accesses, and the LHA is expecting an update to the Outline Highways Access Management Plan which has regard to the remaining concerns of the LHA.</p> <p>Based on the work done to date with the updates to accesses and the progress made on the others, the LHA does not consider that there will be any accesses that will remain unacceptable. However there are still some further details to be provided and considered which will include further changes to that originally presented. The access designs at this stage will only reach a point of being accepted by the LHA in principle. All accesses will require further detail and updated at the detailed design stage.</p>	<p>The Applicants welcome LCCs acknowledgement of the work and engagement to date on this matter and confirmation that LCC do not consider that there will be any accesses that will remain unacceptable. The Applicants would note that all of LCCs comments have been addressed as part of the revisions to the Outline Highways Access Management Plan (oHAMP) (REP3-024) at Deadline 3. The Applicants have requested a meeting/comments from LCC to understand if they have any residual comments on this matter.</p> <p>The Applicant agree with LCC that designs will reach a point of being accepted in principle but will require further detailed design at a later stage. The Applicants would note that the requirement to agree the final design of the accesses and crossings with the relevant highway authority is secured by Requirement 10 of Schedules 2A and 2B of the dDCO (REP3-009). Requirement 10 affords LCC assurance that the final access and crossing designs will be subject to full technical approval and independent road safety audit prior to implementation.</p>

Reference	ExA Question	LCC Response	Applicants' response
Q16.1.13	<p>Construction traffic assignments</p> <p>Are you content Volume 3, Annex 7.5: Construction trip generation assumptions, Appendix B (APP-115) contains full details of construction traffic assignments including routing to accesses?</p>	<p>The County Council can confirm that Appendix B of Volume 3, Annex 7.5: Construction trip generation assumptions (APP-115), contains a significant level of detail of construction traffic assignment which is not unreasonable at this stage. However, LHA are awaiting a table that indicates level of use of each access as this is not possible to determine based on the information currently provided. The County Council notes that it is likely that once a contractor is appointed, traffic detail such as HGV numbers will change. The County Council are informed that HGV numbers are maximums. The numbers presented should be capped as maximums and all vehicles should be recorded into and out of each access be monitored. What is critical is that routes are NOT altered.</p>	<p>The Applicants have shared the clarification information that was requested by LCC on the 17 July 2025 to confirm peak and average HGV movements to each access.</p> <p>The Applicants note LCCs comments in regard to changes to HGV numbers and the need to 'cap' the numbers. In response the Applicants would note that, traffic demand has been derived by applying a first principles approach whereby an understanding of the demand for material and resource is derived by examining the maximum design envelop parameters and applying appropriate contingencies. Detailed derivation of these numbers (including the applied contingencies) is contained within Volume 3, Annex 7.5: Construction trip generation assumptions (APP-115).</p> <p>These maximum design scenario traffic numbers are then presented within Table 7.21 of Volume 3, Chapter 7: Traffic and transport of the ES (APP-108) and utilised to inform the assessment of traffic and transport effects. To ensure that these worst-case numbers are not exceeded, section 1.3.4 of the oCTMP (REP2-016) outlines a requirement to ensure compliance with the assessed maximum design scenario for HGV trips presented within Table 7.21 of Volume 3, Chapter 7: Traffic and transport of the ES (APP-108).</p> <p>With regard to comments on monitoring of HGV numbers, the Applicants note that section 1.14.2 of the oCTMP outlines how HGV numbers will be monitored. The Applicants would also note that section 1.14.6 of the oCTMP defines an exceedance of the target daily HGV numbers as a non-compliance whereby corrective action would be required.</p> <p>The Applicants note that Section 1.3.2 of the oCTMP details the proposed HGV routes and how compliance with</p>

Reference	ExA Question	LCC Response	Applicants' response
			these routes will be managed. Section 1.14.3 of the oCTMP outlines how compliance with these routes will be monitored and section 1.14.6 defines drivers not adhering to the agreed routes as a non-compliance whereby corrective action would be required. Should there be any proposals to alter routes these would need to be in agreement with LCC as part of the approval of the detailed CTMPs.
Q16.1.14	<p>oCTMP</p> <p>Do you consider that the measures proposed in the amended version of the oCTMP submitted at D2 [REP2-016] are an adequate basis for managing the proposed nature and volume of construction traffic on narrow routes? If not, what further measures would you suggest including?</p>	<p>The LHA do not consider that the measures proposed in the amended version of the oCTMP submitted at D2 [REP2-016] are an adequate basis for managing the proposed nature and volume of construction traffic on narrow routes.</p> <p>The applicant is indicating that a carriageway width of 5.5m or greater is sufficient for 2 HGVs. The LHA disagrees with this, and the applicant's proposed haul road is proposed to be much wider than this. The typical width of a HGV including wing mirrors is 3.0m including wing mirrors (see Figure 6.18 of Manual for Street below.) Two HGVs would require a minimum carriageway width of 6.0m, and this would have no factor of safety between the two moving HGV vehicles nor have regard to any bends in the highway, which isn't realistic. The more acute the bend the greater the highway width needed, notwithstanding the issues of forward visibility requirements. Some further local highway width information at spot locations has recently been collected by the applicant which allows greater understanding of the issue.</p> <p>The original documentation did not include much information on sustainable highway users,</p>	<p>The Applicants refer to their response to ExQ1, Q16.1.7 on this matter, which in summary sets out that the Applicants have acknowledged the details of vehicle widths provided by LCC within their Local Impact Report. However, the Applicants consider that it is important that these simple metrics are not taken out of context when considering the operation of the highway network. The Applicants have noted that across the UK (and within study area) roads can be observed that are of constrained width have a role in the road hierarchy that determines use by HGVs, and this does not necessarily lead to functionality or road safety concerns.</p> <p>It is notable that the graphic submitted by LCC in their response to EX Q1 is sourced from the DfT's Manual for Streets, that same document illustrates that 5.5m can accommodate 2-way HGV flows and notes carriageway widths should be appropriate for the particular context. By extension, discussions on appropriate mitigation should not simply focus on carriageway widths but should take a holistic view on the 'highway width' available to accommodate HGVs (e.g. adjacent verge to accommodate oversailing of wing mirrors).</p> <p>It is not untypical for large linear projects (e.g. road schemes, transmission infrastructure, pipelines, etc.) to require temporary HGV access via narrower roads and</p>

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		<p>especially in the rural locations. However, agreement has recently been made on locations for further surveys (non-motorised users) this will enable a greater understanding of safety and any issue that will need addressing as a consequence of additional HGV's using the network. The County Council awaits the results of these surveys and the information to be shared before further discussions can take place.</p> <p>The sections of highway that require mitigation have not yet been agreed and currently there is no certainty that mitigation yet to be proposed is deliverable within land controlled by the applicant or the County Council. The current oCTMP only proposes mitigation at highway links that have a carriageway width of less 5.0m.</p> <p>Whilst the oCTMP proposes some generic mitigation measures, the County Council requires further detail with regards to the number of HGV movements in and out of each access and need a refinement of the Traffic Management measures/mitigation that has regard to each location/pinch point/corridor.</p> <p>The deliverability and whether the principles of the generic mitigation can operate at specific locations is yet to be presented.</p> <p>The County Council are willing to consider mitigation proposals, but the principles of the mitigation measures must be demonstrated to be deliverable and operational for each specific highway link, as each link has its own unique</p>	<p>accordingly, there are established industry tried and tested measures to address the effects of HGVs in these circumstances. The Applicants have outlined these within the oCTMP (REP2-016).</p> <p>With reference to sustainable highway users, the Applicants refer to Section 7.5 of Volume 3, Chapter 7: Traffic and Transport of the Environmental Statement (APP-108) which contains details of the approach to defining the baseline highway environment. Noting the vast transport and traffic study area, a proportionate methodology was employed, that consisted of a review of the highway environment and sensitive receptors and the affected road user groups (Table 7.12).</p> <p>The Applicants have agreed to LCCs request for confirmatory checks and have commissioned a sample non-motorised user survey (the scope of which was agreed with LCC). The survey results have been collated and will be shared with LCC following D4.</p> <p>The Applicants and LCC have agreed to meeting following Deadline 4 to discuss these links to agree where the Parties consider that mitigation would be required and the deliverability. To inform this meeting, the Applicants are preparing plans and a note that draws together key metrics, these include:</p> <ul style="list-style-type: none"> • The existing road width (from onsite measurements) at regular intervals; • The existing highway width (from onsite measurement) at regular intervals, e.g. the width of verges either side where vehicle wing mirrors can oversail or where widening could be provided; • The existing levels of use by Heavy Vehicles (HVs) from traffic surveys;

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		<p>constraints.</p> <p>Extract: Manual for Streets Figure 6.18.</p>  <p>The diagram shows a front view of a lorry. The height is indicated as 4.2 m. The width is indicated as 3.0 m, with a central section of 2.5 m and 0.25 m on either side.</p>	<ul style="list-style-type: none"> The forecast levels of use by the Transmission Assets HV traffic at peak and on average; and Levels of non-motorised user traffic at key links. <p>This information will inform the scale of the highway constraints and refinement of a proportional mitigation plan.</p>
Q16.1.15	<p>Routing strategy for HGVs</p> <p>Do you consider that the applicants will be able to demonstrate to you the suitability of all the links in the proposed routing strategy for HGVs. Are there some links that you consider will remain unsuitable whatever measures the applicants propose?</p>	<p>Please refer to LCC Response above (Q16.1.14). In addition, the County Council cannot rule out the suitability of highway links at this stage. However, sufficient information has not been presented to date that ensures all highway links can be made suitable with appropriate mitigation.</p>	<p>The Applicants refer to the response to Q16.1.14 above. The Applicants are committed to working proactively with LCC to agree the scale of highway constraints. This will determine if any further detail regarding the application of measures outlined in the oCTMP (REP2-016) is required during the examination.</p>
Q16.1.16	<p>Outline Public Rights of Way Management Plan</p> <p>Are you content with the applicants' Outline Public Rights</p>	<ol style="list-style-type: none"> Figure 1.3 to Figure 1.10 should clearly identify which PRoWs will be open and closed trenched. 1.5.2.1 states 'A period of at least seven days' notice of any PRoW temporary 	<p>Following a Statement of Common Ground meeting with LCC on the 10th of June The Applicants will submit an update to the Outline Public Rights of Way Management</p>

Reference	ExA Question	LCC Response	Applicants' response
	of Way Management Plan? What further measures would you suggest are included?	<p><i>closure will be provided by the Contractor to the relevant Local Authorities'.</i></p> <p>Lancashire County Council requires eight weeks' notice for a public rights of way temporary closure or its extension, in unforeseen circumstances. This notice period is required from all PRow crossing points, managed or otherwise for assessment by LCC. The applicant is advised that a deviation of the PRow greater than two metres will trigger the necessity for a temporary footpath closure.</p> <p>3. Figure 1.1 - Illustrative diagram of a managed crossing of a PRow - indicates open trenching across the path of the right of way to be walked. The diagram also places the gated limitations across the PRow, which without justification would appear to be unnecessary as the haulage road is gated to give priority to path users. Figure 1.2 -Illustrative diagram of temporary diversion of a PRow - indicates open trenching across the path of the right of way to be walked. Figure 1.1 and Figure 1.2 are to be amended, as agreed at the SoCG / technical meeting held 11 June 2025.</p>	Plan (AS-048) at Deadline 4. This will address concerns raised by LCC.