

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Annex 2.3 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Fylde Borough Council (REP3-082)

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Contents

1	APPLICANTS' RESPONSE TO IP SUBMISSIONS RECEIVED AT DEADLINE 3.....	1
1.1	Introduction	1
2	APPLICANTS' RESPONSE TO IPS' RESPONSE TO WRITTEN QUESTIONS (EXQ1)	2
2.1	Fylde Borough Council.....	2

Tables

Table 2.1: REP3-082 – Fylde Borough Council's Responses to ExQ1.....	2
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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 Fylde Borough Council submissions received at Deadline 3 are set out in this annex.

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

2.1 Fylde Borough Council

Table 2.1: REP3-082 – Fylde Borough Council's Responses to ExQ1

Reference	Question To	ExA Question	IP submission	Applicants' response
General and cross-topic questions				
Scope of the development and general matters				
REP3-082 -2.1 and 2.2 (Q1.1.5)	The applicants (a, b and c), Local authorities (b and c)	Construction working hours Proposed construction hours are set out in Requirement 14 of Schedule 2A and 2B of the dDCO [REP2004]. a. Requirement 14(2) for both projects provides for circumstances where works may take place outside the core working hours specified in 14(1). These include a range of works (a) to (g) including generalised elements such as "where continuous periods of construction are required" and "any other time-critical element". Whilst noting that provision in 14(3) for such works to be subject to 48 hours' advance	Response to Q1.1.5b The proposed core working hours (07:00–19:00, Monday to Saturday, with a 1-hour mobilisation period before and after) are excessive, in and close to residential areas. Harmful impacts would arise from noise, vibration, and light nuisance, especially during the early morning, late evening and weekend periods. The standard restrictions controlled by conditions attached to planning permission issued by FBC restrict construction hours to 08:00–18:00 (Monday–Friday) and 08:00–13:00 (Saturday), with no works on Sundays or Bank Holidays. However, any impacts would be exacerbated by the prolonged duration and relatively high intensity of the proposed works. Therefore, FBC would expect greater restriction in particularly sensitive areas and would not accept anything more permissive than its standard restrictions for all other areas.	The Applicants note Fylde Borough Council's (FBC) position concerning construction working hours. As noted during the hearings w/c 28 July, the Applicants have updated the draft DCO (C1/F06) at Deadline 4 to remove Saturday afternoon working. With regards to FBC's comments on details of phasing, the Applicants refer FBC to Requirement 3 of Schedules 2A and 2B of the draft DCO (REP3-009) which confirm that the stages will be informed by detailed design post consent. With regards to FBC's comments about areas particularly sensitive to construction and mobilisation-related disturbance, the Applicants refer the Council to its response Q1.1.5 b) in REP3-056 in which it was confirmed that construction noise will be controlled during the construction phase to levels below the Significant Observed Adverse Effect Level (SOAEL). These levels are considered disruptive and will be avoided. The means of controlling noise from all construction works to below SOAEL will be set out in Construction Noise and Vibration Management Plan(s). This will be developed in accordance with the outline Construction Noise and Vibration Management Plan

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>notice to the relevant planning authority, can the applicants provide a more detailed justification for the flexibility sought for the certain works identified in (a) to (g)?</p> <p>b. Noting that core working hours from 7:00am until 7:00pm (Monday to Saturday) are proposed, with an hour before/ after for set-up and close down works, are there any particular locations where the proposed hours including mobilisation activities might be more likely to lead to issues of unreasonable noise and disturbance for local residents and/or other receptors? If so, what reduced working hours would be reasonable in such locations?</p> <p>c. The recent 'Request for Information' letter from the Secretary of State for Energy Security and Net Zero regarding the Mona Offshore Wind project (EN010137)</p>	<p>Based on proximity, areas particularly sensitive to construction and mobilisation-related disturbance include:</p> <ul style="list-style-type: none"> • The care home in the Dunes area; • Residential properties near North Beach car park (temporary compound); • Homes adjacent to Blackpool Road playing fields; • Residential areas near the proposed substations; and • Locations along the main HGV/construction access routes due to potential cumulative impacts. <p>Response to Q12.1.5c</p> <p>It is reasonable to assume that the likely impacts arising from onshore works will differ to offshore works. Therefore, the more restrictive hours set out in response to Q2.1.5b are more appropriate. FBC considers that it would cause significant harm to residential amenity if works from 07:00 were permitted six days a week for up to 11 years.</p> <p>If the applicant can put forward a greater level of detail in terms of phasing-when and where operations are likely to take place it is possible to secure such details through the DCO where appropriate, FBC could consider more permissive hours. However, as it stands these impacts are considered substantial.</p>	<p>(APP-196) which forms part of the Outline Code of Construction Practice (OCoCP). The detailed CoCP(s) are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP3-009). Detailed Construction Noise and Vibration Management Plan(s) will be implemented by the Applicants as approved by the relevant local planning authority in consultation with the relevant statutory stakeholders, as appropriate. Through the application of standard mitigation measures secured through the Noise and Vibration Management Plan, construction noise levels will be below the SOAEL noise levels, thereby avoiding disruption at residential receptors and other noise sensitive receptors, including those listed by FBC.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		requested that the applicant provide, without prejudice, updated documents to refer to more restrictive working hours of 7:00am to 1:00pm on Saturdays. Please comment on this request in relation to the proposed development, including whether the construction working hours should be similarly amended.		
REP3-082 – 2.3 (Q1.1.12)	Any local authority, Natural England and the Environment Agency	<p>Outline Code of Construction Practice</p> <p>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.</p>	<p>FBC employs a single officer who is responsible for emergency planning, business continuity and corporate risk management across its entire organisation. This level of resourcing is appropriate for Local Authority such as FBC but this capacity significantly constrains the Council's ability to lead or support developer-led emergency planning activity beyond statutory minimums, particularly for a scheme of this scale.</p> <p>In this context, the primary responsibility for emergency preparedness should rest with the applicants, in consultation with the Lancashire Resilience Forum [LRF] and/or its successor body to serve as the multi-agency coordinating body for emergency preparedness across the sub-region and should be funded appropriately</p>	<p>The Applicants welcome Fylde Borough Council's comments on the outline Code of Construction Practice (REP3-018). The Applicants note that the recommendations put forward by FBC would most appropriately sit within updates to the outline Spillage and Emergency Response Plan (AS-046). The Applicants will review the recommendations made and seek discussion with FBC at an appropriate SoCG meeting making any appropriate updates to AS-046 for submission at Deadline 4.</p> <p>The Applicants would highlight that no impact to emergency services was identified in the EIA and therefore there is no need for a s106 to be entered into as there is no impact that needs to be mitigated in order that it can be considered to be acceptable in planning terms. The Applicants refer back to comments made in row REP1-101.14 of REP2-037 and their response to question 16.1.8 in REP3-056, which set out the Applicants' position regarding emergency services.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		Please confirm whether you are satisfied that the oCoCP is sufficiently robust, precise and enforceable to provide effective management and mitigation of potential environmental impacts during the construction phases.	<p>by the applicants through a Section 106 mechanism. Fylde Borough Council</p> <p>In order to ensure that the Outline Code of Construction Practice [App-193] and any subsequent management plans are sufficiently robust, FBC would expect the applicants to:</p> <ul style="list-style-type: none"> • Liaise directly with the LRF regarding risk assessments, emergency response coordination, and scenario planning; • Share a final, site-specific Emergency Response Plan with both the LRF and Local Authority Partners prior to the commencement of works; • Ensure that any construction-related emergency measures are embedded into contractor management, site induction and management processes. <p>Should FBC be required to engage in detailed reviews or exercises, this would need to be formally resourced via a Section 106 agreement or similar funding mechanism to avoid detriment to the Council's statutory responsibilities and existing emergency arrangements.</p> <p>FBC raised the need for the applicant to liaise with the LRF in Section 14.3.1 of the FBC Local Impact Report [LIR] [REP1-078], submitted at Deadline 1 on 20 May 2025. FBC again requested that the</p>	With regard to officer time and resource post consent, the Applicants would note that they would enter into Planning Performance Agreements with Fylde Borough Council that could reasonably include allocated budget to cover this post consent engagement cost.

Reference	Question To	ExA Question	IP submission	Applicants' response
			applicant liaise with the LRF during an online meeting held on 20/06/2025.	
REP3-082 – 2.4 (Q1.1.13)	The applicants, local authorities, statutory consultees and relevant statutory undertakers where a SoCG has been previously requested in the ExA's Rule 6 letter.	<p>Statements of Common Ground (SoCG)</p> <p>Deadline 3 (7 July 2025) includes the submission of updated SoCG, including summaries of the principal areas of disagreement and statement of commonality.</p> <p>Relevant parties where a SoCG has been requested should fully engage with the SoCG process. The ExA requests fully considered SoCGs including summaries of the principal areas of disagreement.</p> <p>For statutory undertakers, where there is documented evidence that matters, including protective provisions, are agreed and no other matters of disagreement remain, then a statement from parties to this effect would suffice. In the absence of such a statement, where protective provisions are being negotiated and even if agreement is expected to be reached, then a brief and focused SoCG or position</p>	<p>FBC continues to liaise with the applicants to progress the preparation of a Statement of Common Ground [SoCG]. Most recently, a series of topic specific meetings have been arranged, with some having taken place. These meetings have been specifically arranged with the preparation of the SoCG in mind.</p> <p>FBC and its consultees consider that there is still a significant amount of information and clarification required to be able to properly understand and assess the likely impacts of the proposed development. At this stage, FBC will not be submitting or signing up to a draft SoCG but is working towards a draft document being available for Deadline 4.</p> <p>FBC notes that currently, with regards to the SoCG, there has been no liaison with the Council as landowner. The applicants have previously engaged with the Council and landowner separately and FBC is of the opinion that a separate SoCG should also be well advanced.</p>	<p>The Applicants can confirm that topic specific SoCG meetings have been held between the Applicants and Fylde Borough Council.</p> <p>In addition, the Applicants can confirm they are in engagement with FBC in its capacity as a landowner. In addition to meetings held with FBC on the 3 June and 11 July 2025, a series of email correspondence has been provided to address the concerns raised within FBC's written representation (REP1-081). The Applicants note that a response to this written representation was submitted at Deadline 2 (REP2-030), and engagement between the parties remains ongoing.</p> <p>With regards to a separate SoCG solely focussing on the FBC land matters, it is the Applicants' position that such matters would be more appropriate to progress via ongoing discussions on Heads of Terms (HoTs). Nonetheless, the Applicants raised this query directly with its point of contact at FBC (as landowner) on the 2 July 2025. The Applicants received a response on the same day confirming a SoCG would not be required for land matters, and arrangement for use of council owned land will be covered through ongoing HoTs discussions.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		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.		
Site selection and alternatives				
REP3-082 – 2.5 (Q1.2.3)	The applicants (a, b and c), Fylde Borough Council (b), Lancashire County Council (b).	<p>Green Belt</p> <p>In their response to hearing action point 7 [REP1-037] the applicants confirm that the Black Red Amber Green (BRAG) appraisal for the onshore cable corridor did not include Green Belt as an assessment criterion but that it was considered within the BRAG assessment of onshore substation search zones and onshore substation options.</p> <p>As previously noted, the identification of onshore substation search areas (Stage 2c) in section 4.5.4 of Selection and Refinement of Onshore Infrastructure [AS-</p>	<p>FBC acknowledges that whilst there is no policy requirement for a sequential test for Green Belt development, the lack of consideration of alternative non-Green Belt options are relevant when attributing weight to assess whether very special circumstances exist.</p> <p>For example, if the applicants have failed to show that alternative non-Green Belt sites could not have been used, then the need (in terms of the benefit) is less likely to outweigh the Green Belt and other harm, as it could have been located on a non-Green Belt site.</p> <p>The information below relates to relevant case law which supports the assertion that the applicant has not properly considered and justified the Green Belt location and impacts.</p>	<p>In relation to the Gren Belt, the assertion that “<i>the applicants should be required to establish the lack of suitable alternative sites and through that, the need for the development on the proposed site</i>” is incorrect as a matter of law. As the Applicants have noted in their Applicants' Response to Examining Authority's Written Questions (REP3-056) and as was confirmed by the Court of Appeal in Whitley Parish Council v North Yorkshire County Council, EP UK Investments Limited, [2023] EWCA Civ 92, the existence of very special circumstances for development in the Green Belt does not depend on an applicant demonstrating the absence of suitable alternatives outside of the Green Belt. The extent of consideration that needs to be given to this is therefore a matter of planning judgement taking into account the facts, need and particular policy support for the development in question. The Applicants would highlight that the judgment in <i>Whitley</i> is more recent than the caselaw cited by Fylde Borough Council and does not rely on nor refer to the cases cited by FBC. They further note that these quotations appear to have been</p>

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		<p>028] makes no reference to the Green Belt and it is not included in the constraints shown on Figure 4.2. There is no evidence of the Green Belt being considered at this stage, noting that Table 4.7 [AS-028] which includes the Green Belt relates only to Stage 3c (refinement of onshore substation search areas for PEIR).</p> <p>a. Clarify to what extent has the consideration of the Green Belt been underplayed in the substation site selection process, given that it does not appear to have been considered at Stage 2c which defined the search area the subject of further consideration at Stage 3c?</p> <p>b. Taking account of any relevant policy and case law, to what extent does it need to be demonstrated that site locations outside of the Green Belt have been reasonably avoided?</p> <p>c. In considering the final location of the two</p>	<p>The existence of an alternative site for a particular development may be a material consideration. In <i>Trusthouse Forte Hotels Ltd. v Secretary of State for the Environment</i> (1986) 53 P. & C.R. 293, Simon Brown J., as he then was, stated five basic principles (at pp.299 and 300), including '(1) ... [the] fact that other land exists ... upon which the development would be yet more acceptable for planning purposes would not justify the refusal of planning permission upon the application site; (2) [where], however, there are clear planning objections to development upon a particular site then it may well be relevant and indeed necessary to consider whether there is a more appropriate alternative site elsewhere. ... ; (3) [instances] of this type of case are developments, whether of national or regional importance, such as airports, ... coalmining, petrochemical plants, nuclear power stations and gypsy encampments ... ; (4) [in] contrast to the situations envisaged above are cases where development permission is being sought for dwelling houses, offices ... ; [and] (5) [there] may be cases where, even although they contain the characteristics referred to above, nevertheless it could properly be regarded as unnecessary to go into questions of comparability[, and this] would be so particularly if the environmental impact was relatively slight</p>	<p>taken out of context and do not go on to consider subsequent reasoning contained within the respective judgments. For example, the Applicants would note that in the R (on the application of Luton Borough Council) v Central Bedfordshire Council [2015] EWCA Civ 537, this judgment concluded there was no potential viable alternative site that was obviously material for the respondent to have considered. The Applicants have provided a response previously as to why they do not consider Stanah to be an obviously material alternative (see section 4 of REP3-041).</p> <p>The Applicants agree with FBC (as set out in the Applicant's Response to the Examining Authority's Written Questions, REP3-056, Q1.2.3), that there is no specific policy requirement in the NPPF or relevant NPSs requiring applicants to demonstrate that there are no suitable alternative sites outside the Green Belt, and <i>Whitley</i> confirms that suitable alternatives can exist at the same time as very special circumstances to permit development in the Green Belt.</p> <p>The Applicants undertook a robust site selection and refinement exercise when identifying potential sites for the substations which is documented in Chapter 4 of the ES (AS-026) and its associated Annex 4.3 (AS-028). The Applicants also submitted a Green Belt Technical Note (REP3-069) at D3, which clearly demonstrates (with the help of an additional onshore constraints map) that there were no suitable alternative sites outside the Green Belt in which the substations could reasonably have been accommodated without resulting in significant environmental impacts.</p>

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		<p>proposed substations, what consideration was given to the potential effects on the purposes of the Green Belt of two, not just one, substations?</p>	<p>and the planning objections were not especially strong ...'.</p> <p>Further, according to Simon Brown J, the extent to which it will be for the developer to establish the need for his proposed development on the application or appeal site rather than for an objector to establish that such need can and should be met will vary.</p> <p>In this example, where the relevant Green Belt policy in the development plan expressly provided the need for a motel on the site proposed, not merely in the area generally, had to be established in each case, the burden lay squarely on the developer.</p> <p>In R. (on the application of J. (A Child)) v North Warwickshire Borough Council (sub nom . R. (on the application of Scott Jones) v North Warwickshire Borough Council) [2001] P.L.C.R. 31, Laws L.J., having reviewed the authorities, including Trusthouse Forte Hotels, said (at paragraph 30 of his judgment), that 'all these materials broadly point to a general proposition, which is that consideration of alternative sites would only be relevant to a planning application in exceptional circumstances', and that, generally, '... such circumstances will particularly arise where the proposed development, though desirable in itself, involves on the site proposed such conspicuous adverse effects that the possibility of an alternative site lacking such drawbacks necessarily</p>	<p>The Green Belt Technical Note also reiterates that, whilst the Transmission Assets comprise Critical National Priority Infrastructure for which the starting point is a presumption that the test for very special circumstances, is met, very special circumstances do exist which clearly outweigh any harm to the Green Belt by inappropriate development or other identified harms (see section 1.7 of REP3-069).</p>

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			<p>itself becomes, in the mind of a reasonable local authority, a relevant planning consideration upon the application in question' (see also the judgment of Sales L.J. in R. (on the application of Luton Borough Council) v Central Bedfordshire Council [2015] EWCA Civ 537, at paragraph 71, citing Carnwath L.J.'s judgment in Derbyshire Dales District Council).</p> <p>In summary, FBC considers that it is reasonable to assert that adverse effects would arise because of the proposed development, specifically in terms of the impact of the substations upon the Green Belt. The impact would not be slight, and the objections are strong.</p> <p>Furthermore, Green Belt policy clearly states that such development should be considered inappropriate. On this basis, FBC considers that the applicants should be required to establish the lack of suitable alternative sites and through that, the need for the development on the proposed site.</p> <p>Furthermore, as there would be two separate substations, built and operated separately, the applicants must assess these matters separately and in-combination, giving regard to scenarios where alternative sites exist for either one or both substations.</p>	
The Environmental Statement				

Reference	Question To	ExA Question	IP submission	Applicants' response
REP3-082 – 2.6 (Q1.3.1)	The applicants (a) and local authorities (b)	<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 [REP1095] appears to take account of the consented developments at Pheonix Park and Land off Riversway in terms of overall cumulative effects but it is not clear that these consented developments have been assessed in terms of the specific effects of the proposed development upon their users and occupiers.</p> <p>a. Noting that the Land off Riversway residential development has commenced, can the applicants provide details of their assessment of the impacts of the proposed development upon these receptors, on the basis that they could be in use/occupied prior to the commencement of either Project A or Project B?</p>	<p>FBC has previously identified other current planning applications, most recently in section 16.3.2 of its LIR [REP1-078]. At the ExA request on the site visits this is a further update for those applications.</p> <p>The Construction Traffic Management Plans [CTMP] submitted by the applicants for both applications form part of the publicly available information and are referred to below. These can be viewed at pa.fylde.gov.uk and inputting application numbers 24/0414 and 24/0541 respectively.</p> <p>In summary application reference 24/0414 is a live application for a 49.9MW solar farm at Clifton Marsh Farm in Newton with Clifton, covering 69ha.</p> <p>Section three of the outline CTMP estimates that construction will be carried out over a nine-month period. Construction access is proposed to be from the east via M55 (J2)/ A582 (Edith Rigby Way)/ A583/ A584/ SUEZ Recycling and Recovery private access road. HGV movements are estimated to comprise 3,816 two-way movements over the nine-month period, with a peak of 794 per month for the first three months.</p> <p>At the time of this report, LCC Highways have requested additional information including suitability of the junction on the A584 and use of same junction by abnormal loads, rights to use the SUEZ</p>	<p>As noted in the 'Applicants' response to the Fylde Local Impact Report' (REP2-038). An update to the CEA longlists has been undertaken and included in Volume 1, Annex 5.5: Cumulative effects screening matrix and location plan (REP1-020) to take account of applications submitted since submission as well as where previously identified applications status' have changed. The two schemes highlighted 24/0414 and 24/0541 have been included as part of these updates and screened into assessments for onshore and intertidal ornithology and onshore ecology and nature conservation. An update to the assessment of cumulative effects was submitted at Deadline 2 which identified that there is no change to the conclusions of the Environmental Statement (REP2-043). It is noted that Volume 1, Annex 5.5: Cumulative effects screening matrix and location plan (REP1-020) is subject to review and will take account of any change in status of schemes. If updates to the CEA matrix require assessment updates, these will be undertaken and submitted as appropriate.</p> <p>The Applicants have reviewed the Traffic and Transport Statement section of the Environmental Statement (ES) for the Clifton Marsh solar farm (Ref: 24/0414). This section of the ES for the Clifton Marsh solar farm identifies that changes in total and HGV traffic along the A583 would be 0.3% and 5.1% respectively. This magnitude of change has been assessed in the ES for the Clifton Marsh solar farm to result in negligible effects.</p> <p>The Applicants have also reviewed the Transport Statement (TS) for the solar farm at land to west of Parrox Lane in Newton with Clifton (Ref: 24/0541). The TS identifies that net changes in traffic would be less than two vehicles per day. No assessment of traffic</p>

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		<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>	<p>access road from the A584 and frequency of trips. LCC Highways have not provided details of any consideration of cumulative impacts with Morgan & Morecambe. However, the FBC case officer has requested an updated CTMP to include consideration of all cumulative impacts.</p> <p>Application reference 24/0541 is a live application for a 28MW solar farm at land to west of Parrox Lane in Newton with Clifton, covering 32ha. The associated CTMP estimates that construction will be carried out over a six-month period. Construction access is proposed to be from the west of the site via the M55 (J3)/ A585/ A583/ Kirkham Road/ Lower Lane and following an identical route back to the M55. The initial proposal was to use Parrox Lane but this was amended following objection from LCC Highways. HGV movements are estimated to comprise a total of 332 two-way movements over the six-month period, with a peak of 10 per day in the early stages of development.</p> <p>At the time of this report, LCC Highways have been reconsulted, with the FBC case officer requesting that the consider cumulative impacts with this proposed development.</p>	<p>effects is presented in the TS, however, the Applicants note that the forecast levels of traffic would be within day to day fluctuations and would be likely to result in negligible effects. The Applicants note the ongoing engagement between LCC and the promoter of the solar farm in regard to access via Lower Lane (rather than Parrox Lane) but would note that the Applicants do not propose any traffic movements via either of these roads.</p> <p>Noting the very low forecast changes in traffic flows for both schemes and assessment of negligible significance, the Applicants assessed (within the Review of Cumulative Effects Assessment and In-Combination Assessment at Deadline 2 (REP2-043)) that there is no potential for significant cumulative effects with the Transmission Assets.</p> <p>Notwithstanding, the Applicants would highlight that section 1.13 of the outline Construction Traffic Management Plan (oCTMP) (REP2-016) includes a commitment to the establishment of a Transport Working Group (TWG). The aims of the TWG are to assist the highway authorities in coordinating the competing requirements from schemes within the traffic and transport study area. The TWG would allow developers to discuss matters and coordinate with the aim of minimising disruption where practicable. Topics for discussion could include opportunities for coordination in relation to:</p> <ul style="list-style-type: none"> • Road works and road/lane closures; • Forecast peak HGV demand; • Any emerging issues, areas for improvement, lessons learnt that can be shared; • Highway improvements; and

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				<ul style="list-style-type: none"> Timing of abnormal indivisible load movements. <p>The Applicants consider that in the event of a temporal overlap with either of the solar farms that the TWG would provide a suitable mechanism for co-ordination to minimise the potential for disruption.</p>
REP3-082 – 2.7 (Q1.3.2)	Fylde Borough Council	Environmental Impact Assessment (EIA) Regulations At D2 [REP2-057] FBC maintains its position that the Environmental Statement does not meet the requirements of what it states to be “Regulation 18(4)(b) of the EIA Regulations”. Noting the existence of the separate Infrastructure Planning (EIA) Regulations 2017 that are relevant to Nationally Significant Infrastructure Projects, could FBC refer to any relevant policy, case law, guidance or published advice that supports its position?	FBC acknowledges that the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 apply but substantively they require the same thing, where Reg 14(3)(b) of the 2017 regulations has the same wording as the referenced Reg 18(4)(b) of the EIA Regs. FBC acknowledges this error and would amend the reference in its submission [REP2-057] to Reg 14(3)(b) but otherwise maintains its position.	In the absence of the provision of any relevant policy, case law, guidance or published advice that support FBCs position, the Applicants maintain their position presented within ‘Applicants’ Response to WRs from Statutory Consultees: Fylde Council (REP3-053), specifically REP2-057.057.2, 057.4 and 057.5 which provide evidence to support that there is sufficient information within the ES to reach reasoned and robust conclusions.
The draft Development Consent Order (dDCO) Articles				

Reference	Question To	ExA Question	IP submission	Applicants' response
REP3-082 – 2.8 (Q2.1.6)	The applicants (a-d) Fylde Borough Council (FBC) (a) South Ribble Borough Council (SRBC) (a), Preston City Council (PCC) (a), Lancashire County Council (LCC) (a).	Article 2 (Development consent etc. granted by the Order) a. This article would grant development consent for both projects, subject to development consent being granted for the associated generation assets. 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? b. What would the implications be for this article if the decisions on either the Morgan or Morecambe generation assets were subject to legal challenge? c. The applicants are asked to explain in further detail what happens to each relevant article, if consent is refused for one of the generation assets but granted for the other, to ensure that this DCO	FBC requests that specific references should be provided for the DCOs which are identified as having been applied for in Article 2. which would usually be set out in the definitions section.	The Applicants confirm that the specific DCOs are identified in Article 3 (Development consent etc. granted by the Order) by the use of the defined terms in Article 2 (Interpretation) of the draft DCO (REP3-009): “Morecambe generation assets” means the Morecambe offshore windfarm generating assets for which separate development consent is being sought by Morecambe; AND “Morgan generation assets” means the Morgan offshore wind farm generating assets for which separate development consent is being sought by Morgan; The Applicants have considered the definitions above as part of their response to hearing action point ISH3_5 (please see S_D4_9).

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>would only grant powers to give effect to the one project.</p> <p>d. Further to (c) if one of the generation asset projects not be granted, or not implemented, what would the implications of this be for the works and land plans? Would amended plans need to be submitted to reflect the reduced order limits and order land?</p>		
REP3-082 – 2.11 (Q2.1.17)	The applicants, FBC, SRBC, PCC, LCC	<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>Bearing in mind paragraph 22.3 of Advice Note Fifteen: drafting Development Consent Orders, does this remain to be the position? If there are not TPO trees likely to be affected, is this article necessary and, if it is, should there be provision for consent to be required prior to any works to, currently unknown, trees subject to a TPO?</p>	<p>FBC notes that under statutory undertakings, there is exemption for any tree works application, instead with a requirement to inform the local authority that work is being carried out near to or upon protected trees.</p> <p>FBC considers that the article is not necessary, instead there should be a provision for the applicant to revisit the situation in consultation prior any tree work or removal. Projects of this scale will extend over longer periods of time and the situation/circumstances regarding protected trees may well change and FBC may require some input.</p> <p>There should also be a provision to require that all arboricultural works carried out along the transmission route are only undertaken by suitably qualified</p>	<p>The Applicants refer FBC to their response to this question in REP3-056.</p> <p>It is noted within Section 1.8.2 of Volume 3, Annex 10.5: Tree survey and arboricultural impact assessment (APP-128 and APP-129) that “no activities that result in excavations, changes in level or soil compaction should take place within the root protection area (RPA) of any retained trees, especially older mature trees. This would include the storage of materials, any construction work, trafficking by vehicles or even excessive trafficking by pedestrians”. In addition, the arboricultural impact assessment along with section 1.7.9 the outline code of construction practice (REP3-018) sets out the tree protection measures for retained trees. These include:</p> <ul style="list-style-type: none"> the establishment of construction exclusion zones (positioned according to RPAs through the erection of tree protection fencing to minimise the potential for harm to occur to retained trees.

Reference	Question To	ExA Question	IP submission	Applicants' response
			arboricultural professional and to the standards set out in BS3998:2010.	<ul style="list-style-type: none"> Where possible, unprotected areas of woodland, mature and protected trees (i.e., veteran trees) have and will also be avoided. <p>These measures will be secured via CoT35 (detailed CoCP(s) through Requirement 8, Schedules 2A&2B of the draft development consent order (REP3-013).</p> <p>An arboricultural method statement will be submitted at Deadline 5 and will confirm that all arboricultural works carried out along the transmission route are only undertaken by suitably qualified arboricultural professional.</p> <p>The Applicants note that further to discussions during Issue Specific Hearing 3, Fylde Borough Council will be providing details of alternative drafting approaches to this article, for the Applicants to consider further for Deadline 5.</p>
Schedule 2A and 2B - Requirements				
REP3-082 – 2.9 (Q2.3.3)	FBC, SRBC, PCC, LCC, Blackpool Borough Council, Natural England, Historic England, Environment Agency and any	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	FBC has submitted representations in this regard, notably within its LIR [REP1-078].	The Applicants note the comment made by FBC and responded to their LiR at REP2-038.

Reference	Question To	ExA Question	IP submission	Applicants' response
	interested party	disagreed matters, along with alternative drafting where applicable and any suggested additional requirements. Where applicable this may be done within the Statement of Common Ground between the applicants and the relevant interested party.		
Schedule 12 – Approval of matters specified in requirements				
REP3-082 – 2.10 (Q2.4.1)	FBC, SRBC, PCC and any relevant statutory organisation	This Schedule sets out a procedure for the approval of reserved matters under the requirements and any related appeals. Set out any relevant comments on the content of Schedule 12. For any elements that are not agreed, provide suggested alternative drafting and the justification for it.	<p>FBC requests that references to eight weeks within all sections of Schedule 12 [REP2-004] be amended to ten weeks. FBC considers that this is justified on the basis that some requirements are substantial, for example Schedule 2A requirement 5 includes detailed design matters, with the consideration of such associated details likely requiring more than eight weeks.</p> <p>FBC considers this request is reasonable, on the basis that Schedule 12 includes a deemed discharge clause which should provide the applicants the reassurance and certainty they could reasonably require.</p> <p>FBC requests that the reference to 10 days within part 4 of Schedule 12 be amended to 25 days. FBC notes that some statutory consultees reserve the right to response only within 21 days of consultation and that key consultees for this application, such as the Environment</p>	<p>The Applicants note FBC's request to increase the discharge of requirements from 8 weeks to 10 weeks. It was confirmed during the Issue Specific Hearing 3 (ISH3) that the Applicants will be increasing this timescale to 10 weeks and this will be reflected in the draft DCO at Deadline 4 (C1/F06).</p> <p>With regards to the timeframe for consultation, the Applicants confirm that the draft DCO will be updated at Deadline 4 (C1/F06) to increase the timeframe at paragraph 4(3) to 15 business days (noting paragraph 5(1) was increased to 15 business days at Deadline 3).</p> <p>With regards to FBCs' comments concerning fees, the Applicants note this was discussing during ISH3 and there is a hearing action point for FBC and the Applicants to engage on this drafting and for the Applicants to consider and provide updates for Deadline 5.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>Agency and Natural England, operate on this basis.</p> <p>FBC requests that fees are specified within part 6 of Schedule 12, noting that some other recently made DCOs include the same, for example for Heckington Fen Solar Park [EN010123]. This should include a fee of £2,578 for the first application to discharge each requirement and a fee of £588 for each subsequent application for the same.</p>	
Air Quality				
REP3-082 – 2.12 (Q3.1.1)	The applicants (a) and Fylde Borough Council (FBC), South Ribble Borough Council (SRBC), Preston City Council (PCC), Lancashire County Council (LCC), Blackpool Borough Council (BBC) (b)	<p>Commitments</p> <p>Project Commitment (CoT) 33 [REP2-011] states “An Outline Dust Management Plan (DMP) has been prepared as part of the Outline CoCP and submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. The measures in the detailed DMP(s) will accord with guidance set out by the Institute of Air Quality guidance Management (IAQM, 2024) where appropriate and practicable, and will include measures for monitoring and reporting dust levels, and dust</p>	<p>FBC requires that the Outline Dust Management Plan [APP-195] be expanded upon to specifically enable the relevant responsible authority to require action to be taken with regards to dust management and mitigation. As drafted, the interpretation could be that the final say on such matters lies solely with the applicants.</p>	<p>The Dust Management Plan(s) will need to be agreed with the relevant planning authorities (including FBC) and will include details of specific and appropriate reactive control measures to be implemented in response to complaints, either made directly to the appointed contractor or by way of the Environmental Protection Departments of the relevant local authorities (including FBC).</p> <p>The Dust Management Plan(s) will include details of actions to be taken in response to a complaint and will ensure that processes are in place to ensure that all complaints are investigated and mitigation / management implemented, as required (including those submitted via FBC). The Outline Dust Management Plan (J1.2/F02) has been updated a Deadline 4 to provide further detail on the complaints action procedure that will be implemented if a complaint is made by a member of the public about any matter associated with the construction works area.</p> <p>The Dust Management Plan(s) will also include details pertaining to the implementation of mitigation /</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>suppression and mitigation measures during construction and operation."</p> <p>a. Define the process of identification of what is considered "where appropriate and practicable"?</p> <p>b. Do you consider this approach to be adequate?</p>		management measures at the request / discretion of the relevant Environmental Protection Departments, should the Council deem this to be necessary following relevant complaints.
REP3-082 – 2.13 (Q3.1.2)	The applicants	<p>Commitments</p> <p>CoT36 [REP2-011] states "Onshore Decommissioning Plan(s) will be developed prior to decommissioning. The Onshore Decommissioning Plan(s) will include provisions for the removal of all onshore above ground infrastructure and the decommissioning of below ground infrastructure (if and where relevant and practicable), and details relevant to flood risk, pollution prevention and avoidance of ground disturbance. "</p> <p>Define the process of identification of what is considered "if and where relevant and practicable"?</p>	<p>Whilst directed at the applicants, FBC considers it appropriate to provide a response to this question.</p> <p>FBC is a Category 1 responder under the Civil Contingencies Act 2004 and contributes to multi agency emergency preparedness and response through its active role in the Lancashire Resilience Forum [LRF]. This includes participation in risk assessment processes, emergency planning groups, and incident response coordination.</p> <p>To date, FBC has not been approached directly by the Applicant regarding liaison with emergency services in the context of this proposed development. While FBC is supportive of engagement on emergency preparedness, it is important to highlight that resourcing constraints limit the extent of our direct involvement in ongoing liaison or coordination activities.</p>	The Applicants refer FBC to their response at row REP3-082 – 2.3 (Q1.1.12) above.

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>The primary responsibility for engaging with the emergency services rests with the applicants and it is suggested that formal engagement should take place via the LRF and its thematic groups (e.g. Risk, MACPOL, and Recovery), and the sharing of plans, access routes, constraints, and hazard-specific information in advance of site mobilisation.</p> <p>FBC recommends that the applicants prepare and maintains an Emergency Services Liaison and Coordination Plan, which should: set out roles and responsibilities across agencies; confirm engagement with the emergency services, including Fire and Rescue, Police, NHS Trusts, and NWS; and, be updated in response to any material changes in construction activity or risk.</p> <p>Should facilitation from FBC be required beyond statutory minimums, a resourced agreement would be necessary to avoid overburdening existing capacity and to ensure robust preparedness and community protection.</p>	
REP3-082 – 2.14 (Q3.1.3)	The applicants, FBC, SRBC, PCC, LCC and BBC	Air quality assessment baseline Air quality assessment baseline in the Environmental Statement (ES) Air quality (9.6.1.6) [APP-121] states that “Concentrations measured during 2020 and 2021 may have been affected by the COVID-19 lockdowns and are	FBC considers the use of 2020–2021 data as an air quality baseline inappropriate due to pandemic-related anomalies (e.g., significantly reduced traffic and NOx levels). Although air quality in the borough is generally good, data from those years do not reflect typical conditions and may underestimate the project’s potential impact.	<p>The baseline assessment relies on data collected from relevant local monitoring stations for a five-year period between 2019 and 2023. Data from 2023 was the most up to date information at the time of submission of the application. Therefore, the measured concentrations include three years of data outside of the COVID-19 lock-down period.</p> <p>To ensure the assessment uses a conservative yet representative baseline of current air quality, the</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>not therefore necessarily representative of current concentrations as outlined in the IAQM Position Statement on 'Use of 2020 and 2021 Monitoring Datasets' (IAQM, 2021). Nevertheless, measured concentrations have been considered to ensure the assessment is conservative."</p> <p>Is this information representative of the current air quality baseline, given it was predominantly gathered during the COVID19 pandemic when air quality data could have been disproportionately affected?</p>	<p>However, it is noted that the Air Quality chapter [APP-121] sets out that the approach is conservative, stating in sections 9.6.1.10-12 that the highest background readings have been taken. FBC therefore queries whether additional data points from 2017 and 2018 should have been included to account for the fact that the data from 2020 and 2021 has been effectively excluded. The assessment methodology on section 9.10 does not account for these matters.</p>	<p>background concentrations of NO₂, PM₁₀, and PM_{2.5} were derived from the highest measured annual concentration at the nearest representative monitoring station (for the five year period of data collection). This is set out within paragraphs 9.6.1.10 to 9.6.1.12 of Volume 3, Chapter 9: Air quality (APP-121).</p> <p>It is not considered necessary or appropriate to use baseline data from pre-2019. Whilst the baseline assessment adopts a conservative approach (as outlined above), there is also a requirement to balance this conservatism with taking into consideration changing conditions over time (current trends typically show an ongoing continual improvement in air quality over time across the UK). On this basis, five years of the most recent complete data were used to inform the baseline assessment. The use of 2017 and 2018 data would be 7-8 years from the current date and therefore unlikely to be representative of current conditions.</p>
REP3-082 – 2.15 (Q3.1.4)	The applicants (a-b) and FBC, SRBC, PCC, LCC and BBC (c)	<p>Meteorological data used for dispersion modelling</p> <p>Air quality assessment baseline in the ES Air quality chapter [APP-121] Table 9.29 states that "Uncertainties arise from any differences between the conditions at the met station and the development site, and between the historical met years and the future years. These have been minimised by using meteorological data collated at a representative</p>	<p>FBC also queries the appropriateness of the use of one year of data, as per parts 'a' and 'b' of this question, directed at the applicants. FBC reserves the right to review this answer and provide further comments.</p>	<p>a) Using one year of meteorological data (obtained from a representative meteorological recording station situated within the assessment study area, i.e., Blackpool) is considered sufficient because it aligns with standard industry practice for dispersion modelling, for road traffic emissions, where the source is at ground level (i.e. exhaust emissions) and the modelled receptor locations are typically roadside within relative close proximity to modelled source (this contrasts to scenarios where multiple years of meteorological conditions are modelled, which typically comprise stack emissions at several metres above ground level and concentrations at receptors at increasing distance from the source where meteorological conditions likely have a greater influence in potential air quality impacts). The</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>measuring site. The model has been run for a full year of meteorological conditions. This means that the conditions in 8,760 hours have been considered in the assessment."</p> <p>a. Explain why one year of meteorological data is considered sufficient?</p> <p>b. How have seasonal and annual variations in weather patterns been considered?</p> <p>Are the local authorities satisfied with the approach in relation to meteorological data used in the dispersion modelling?</p>		<p>air quality assessment has used the industry recognised ADMS-Roads model to predict air quality impacts from changes in traffic, as set out in paragraphs 9.10.3.10 and 9.10.3.11 of Volume 3, Chapter 9: Air quality (APP-121).</p> <p>b) Seasonal variations in weather patterns have been accounted for by using a full year of meteorological data, which captures all four seasons. This approach, consistent with current industry practice (Local Air Quality Management Technical Guidance (LAQM.TG), Defra, 2022), ensures that the model incorporates meteorological variations throughout the year, within the modelled annual concentration values.</p>
Ecology, biodiversity and nature conservation (on-shore)				
Ecology and nature conservation				
REP3-082 – 2.16 (Q6.1.6)	The applicants (a-c), NE, LCC, FBC, Environment Agency (EA) and any other interested party (d)	<p>Sand dunes (Lytham St. Anne's SSSI, Local Nature Reserve, Biological Heritage Site, Geological Heritage Site)</p> <p>"The applicants reiterate that there would be no direct impacts to the sand dune habitats or sand lizard population at Lytham St Anne's SSSI, LNR, BHS and GHS as a result of the construction of the project,</p>	<p>FBC notes the applicants' proposed use of trenchless technology to cross beneath the Lytham St Anne's dune system. Whilst this is considered to be the most appropriate method to avoid direct physical disturbance of these highly sensitive habitats, this is an extremely sensitive location.</p> <p>The possibility of "unforeseen circumstances" (e.g. failure or collapse of boreholes, hydrofracture, or unforeseen ground conditions and disturbance) could,</p>	<p>The Applicants welcome the agreement in principle from FBC that under normal circumstances there would be no impacts to the sensitive dune habitats or the sand lizard population.</p> <p>The Applicants have prepared and submitted a Sand Lizard Mitigation Plan as an appendix to the Outline Ecology Management Plan (OEMP) (S_D4_14) that further clarifies the risks to sand lizard/ sand lizard habitats during construction and sets out the avoidance and mitigation measures to be adopted.</p> <p>Regarding the potential for vibration to sand lizard burrows from HGV movements along the beach access</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>because the dunes will be crossed using trenchless technology. The entry and exit pits associated with the trenchless crossing will be of a sufficient distance away from Lytham St Anne's SSSI to ensure there are no direct impacts. The depth of the trenchless crossing of the dunes will be confirmed at the detailed design stage following ground investigation works, but it should be noted that this is a standard construction approach that is adopted to avoid impacts on sensitive habitat features. The applicants note that several stakeholders have raised concerns about potential indirect effects to the dune habitats as a result of the trenchless crossing, and therefore are preparing further information to be submitted at D3" [REP2-036 reference REP1-210 210.11]. CoT102 [REP2-011] makes references to "unforeseen circumstances" ("Where closures are required for longer periods due to unforeseen circumstances encountered during construction").</p>	<p>in a worst-case scenario, result in indirect or even direct impacts on the dune habitats or protected species such as sand lizards. While these occurrences are uncommon, these are not "unforeseen", and risk cannot be discounted and therefore additional assurances and safeguards are necessary.</p> <p>FBC considers that the potential consequences of "unforeseen circumstances" includes but is not limited to:</p> <ul style="list-style-type: none"> • Ground subsidence or sinkholes within or near the dune system; • Accidental release of drilling fluids (e.g. bentonite) to surface, potentially impacting flora and invertebrates; • HGV use along sand winning track causing potential vibration disturbance (collapse of nesting borrows). Surveys identified that this is nesting hotspots (south facing slope of track. Therefore phasing restrictions will be key to manage the impact; • Unexpected requirement for open-cut works if trenchless techniques fail; • Prolonged site presence or construction activities that increase human or machinery disturbance; and, 	<p>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. The forecast levels of HGV movements via this access track would equate to approximately eight two-way movements per day on average whilst the access is in use (i.e. four arrivals and four departures). Additional mitigation measures are included in the outline sand lizard mitigation plan submitted at Deadline 4 (an appendix to the outline ecological management plan (J6/F04)).</p> <p>It is therefore not envisaged that the construction phase would significantly change the baseline vehicle usage of the track. Detailed design of the trenchless crossing, informed by ground investigations and geotechnical surveys, will be developed pre-construction in order to confirm ground conditions and de-risk execution. The Applicants can confirm that under no circumstance will open-cut cable installation occur within the Lytham St Anne's SSSI, as secured in Schedule 1, Part 1 of the draft Development Consent Order (dDCO, REP3-009). This restriction ensures the protection of sensitive dune habitats and species such as the sand lizards (Works No. 6A/6B).</p> <p>The proposed installation method at landfall is direct pipe, which reduces the likelihood of ground subsidence or sinkholes. This is due to the pipe casing follows directly behind the drill heads, which does not leave voids behind in the drill path.</p> <p>The risk of bentonite breakout is also low with the direct pipe methodology due to reduced drilling fluid pressures and volumes when compared to other trenchless techniques. Further details on the management of drilling fluids and measures to control inadvertent breakouts are provided in the Outline Bentonite</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<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 list of potential consequences that could be connected to the unforeseen circumstances.</p> <p>c. As the possibility of “unforeseen circumstances” that could lead to prolonged closures of sections of public rights of way is acknowledged in the commitments register, why has an outline contingency plan (with an assessment of worst case scenario) not been submitted?</p> <p>d. Explain if you agree with the applicants' conclusions regarding no direct impacts to the sand dune habitats or sand lizard population as a result of the installation of the offshore export cables.</p>	<ul style="list-style-type: none"> Need for emergency access or remediation works within the SSSI, leading to unplanned impacts on habitats. <p>FBC therefore fully expects these risks to be addressed explicitly within the project's risk register and mitigation hierarchy.</p> <p>Given that the applicants have acknowledged the possibility of prolonged closures of public rights of way due to unforeseen construction issues [CoT102], FBC requests an Outline Contingency Plan to be submitted to the examination. This should include:</p> <ul style="list-style-type: none"> A worst-case scenario assessment for dune impacts; Emergency protocols and response measures to minimise environmental harm; Pre-agreed communication protocols with local stakeholders, including Natural England and the FBC; Restoration measures in the event of habitat damage; and, Temporary alternative access arrangements for PRoWs and beach users. <p>Such a plan would be prudent and proportionate to the sensitivity of the receiving environment and would demonstrate good project management.</p>	<p>Breakout Plan [APP-206]. If a bentonite breakout was to occur, the Applicants would notify the relevant enforcing authority and agree the appropriate course of action.</p> <p>The Applicants do not think an Outline Contingency Plan is not require. They would highlight the management plans submitted as part of the Application already include the necessary controls as detailed below.</p> <ul style="list-style-type: none"> A worst-case scenario for potential impacts on Lytham St Annes Dunes can be found in Table 3.21 of section 3.11.4 of Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) and Table 1.19 of Volume 3, Chapter 1: Geology, hydrogeology and ground conditions (APP-068). Emergency protocols are contained within the Outline Spillage and Emergency Response Plan (AS-046) has been submitted as part of the Application which includes measures to minimise environmental harm. The Plan also outlines that notifications will be sent to the appropriate enforcing authority regarding the situation along with details of how the situation has been or will be overcome. An outline communication plan (APP-194) has been submitted as part of the application. Detailed Communication Plan(s), which will be developed from the Outline Communication Plan (APP-194) and, which forms part of the CoCP(s). The CoCP(s) are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP3-009). Detailed Communication Plan(s) will be

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>FBC broadly agrees in principle that no direct impacts to the dune habitats or sand lizard population would be likely under normal circumstances given the planned use of trenchless technology. However, without sight of detailed ground investigations and a defined construction methodology, the conclusion cannot be regarded as fully robust.</p> <p>The depth and alignment of the crossing, combined with a lack of submitted contingency measures, currently leave a residual risk of unanticipated effects that need to be addressed before such a conclusion can be confidently supported.</p> <p>FBC therefore requests that the applicants provide:</p> <ul style="list-style-type: none"> • A full technical rationale for the chosen trenchless method and parameters for the expected depth; • Site-specific ground investigation data once available; and, • A detailed outline of environmental safeguards and contingency measures and particularly considering the ecological designations. <p>Until these matters are clarified, a precautionary stance must be maintained regarding potential impacts on the sand dune system and associated protected species.</p>	<p>implemented by the Applicants as approved by the relevant local planning authorities in consultation with the relevant statutory stakeholders, as appropriate</p> <ul style="list-style-type: none"> • The Applicants have made a commitment (CoT08 of Volume 1, Annex 5.3 of the Environmental Statement (AS-030) to reinstate each working area post construction to pre-existing condition as far as reasonably practical in line with relevant guidance. This is secured via Article 29 and Requirement 16 of Schedules 2A & 2B of the draft DCO (REP3-009). • The Applicants will manage and maintain access to the existing Public Rights of Way (PRoW) network during construction (CoT91 of Volume 1, Annex 5.3: Commitments Register of the ES). No PRoW will be permanently stopped up as a result of the construction, operation and maintenance or decommissioning of the Transmission Assets. To ensure public safety at Lytham St Annes Beach, trenchless technique working areas will be fenced off and secured while construction works are taking place. Public access between the exit pit working areas and the sea will remain unrestricted. However during drilling activities, access between the exit pits and the sand dunes may be temporarily managed (but not blocked) for up to two weeks per exit pit. This is to maintain public safety while the trenchless technique machines are working below the surface of the beach. Public access of the beach during construction is further detailed in Appendix A, of the Outline Public Rights of Way (PRoW) Management Plan (AS-048).

Reference	Question To	ExA Question	IP submission	Applicants' response
REP3-082 – 2.17 (Q6.1.10)	The applicants (a), NE, EA, NE, FBC, SRBC, Preston City Council (PCC), LCC, Blackpool Borough Council (BBC) (b)	<p>Commitments</p> <p>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>Do you consider the proposed wording to be adequate?</p>	FBC considers the proposed wording to be adequate.	The Applicants note this response and welcome FBCs agreement.
REP3-082 – 2.18 (Q6.1.11)	The applicants (a), NE, EA, FBC, SRBC, PCC, LCC, BBC (b)	<p>Commitments</p> <p>CoT31 [REP2-010] states “Ponds identified during the route planning and site selection process have been avoided where possible. During construction any newly identified ponds will be avoided through micro-siting of the onshore export cable corridor and 400 kV grid connection cable corridor</p>	Wording should include a commitment to provide replacement ponds where ponds are to be lost.	Where it is not reasonably practicable or possible to micro-site around a newly identified pond within the Order Limits, the ECoW will determine the nature conservation value of the pond to agree on an appropriate course of action. For example, if it is a newly dug pond with limited aquatic life and marginal vegetation, a commitment to post-construction re-instatement may be sufficient to mitigate any harm. Where higher ecological value ponds are identified (in the professional judgement of the ECoW) that cannot be avoided, further compensatory pond(s) may be incorporated within the existing mitigation land within the

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>where reasonably practicable."</p> <p>a. Define "reasonably practicable". How is the decision made and on what basis. What if it's not deemed "reasonably practicable".</p> <p>Do you consider the proposed wording to be adequate?</p>		<p>Order Limits. Further pre-construction surveys of the pond(s) may be undertaken as necessary to inform the evaluation of nature conservation value.</p> <p>The Applicants would also like to highlight that they have made a commitment (CoT92 of Volume 1, Annex 5.3: Commitments Register of the ES (REP3-013) to join the Lancashire District Level Licensing (DLL) Scheme in relation to Great Crested Newts. As part of the DLL scheme compensation ponds will be created by Natural England. This is secured by Requirement 12 of Schedules 2A & 2B of the draft development consent order (REP3-009).</p>
REP3-082 – 2.19 (Q6.1.13)	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (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</p>	<p>The current wording is inadequate because it does not refer to the need for a peat management protocol to be followed if impacts on peat cannot be avoided. The Outline Soil Management Plan [APP-200] should be referenced as this document describes acceptable peat management measures.</p>	<p>The Applicants note this response. However, it is considered that the soil management plan would not be an appropriate location for information related to ground gas to be considered as the soil management plan is focussed on the handling of peat and not ground gas build up. Ground gas build up might be considered a risk where permanent buildings or other enclosed spaces were to be placed above areas with significant peat deposits. For the Transmission Assets, this would only relate to the onshore substations. 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. Therefore, ground gas is not considered to be a risk. 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	Question To	ExA Question	IP submission	Applicants' response
		<p>relation to determining if further investigation and appropriate monitoring is necessary.</p> <p>Do you consider the proposed wording to be adequate?</p>		
REP3-082 - 2.20 (Q6.1.14)	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (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>Wording should be amended to read "To mitigate and compensate 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, and mitigation and compensation measures will be proposed if avoidance is not reasonably practicable."</p>	<p>The Applicants note FBC's comment and will actively engage with them through the SoCG process in regards to this. The Applicants would like to confirm that mitigation measures specific to Mill Brook Valley BHS have been added in Section 1.6 to the Outline Ecological Management Plan (J6/F04).</p>
Biodiversity net gain (BNG)				
REP3-082 – 2.21 (Q6.2.1)	The applicants (a-c), NE, FBC, SRBC, PCC, LCC, BBC and any other	<p>Biodiversity calculations:</p> <p>a. Provide reasoning for the proposed percentage (%) in the biodiversity benefit strategy - 59.62% increase for the habitat, 20% for watercourse, 41.37% for hedgerow.</p>	<p>FBC notes the explanation provided by the applicants concerning the methodology and how the calculations have been done. However, FBC has several concerns and objections.</p> <p>Firstly, the areas presented for habitat creation and enhancement are described as 'indicative' throughout. Calculations will</p>	<p>Following the update in February 2024 of the statutory metric spreadsheet the Applicants have utilised this and updated the biodiversity benefit statement (J11/F03) at Deadline 4. Furthermore, as communicated in Issue Specific Hearing 2 in July (S_D4_5 and S_D4_6), the Applicants have updated the draft Development Consent Order at Deadline 4 to include an in principle</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
	interested party (d)	<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>need to be re-visited when/if these areas are confirmed. It stated that where access could not be obtained habitat calculations were based on existing datasets. FBC requires an understanding the proportion of land where access was not available and where there was reliance on existing datasets and implications/mitigations.</p> <p>Secondly the BNG metric spreadsheet, FBC requests full sight of the details of the habitat condition assessments undertaken to complete the biodiversity metrics.</p> <p>The scope of the assessment of onshore biodiversity benefit is limited to areas of permanent habitat loss.</p> <p>FBC requests an explanation as to how long the 'temporary' habitat losses will be, and how long habitat reinstatement in these areas is likely to take. If the time periods involved are several years, consideration should be given to providing further off-site habitat creation and enhancement.</p>	<p>without prejudice biodiversity benefit requirement (C1/F06).</p> <p>The Applicants can confirm that all areas of land within the boundaries of the Morgan onshore substation and Morecambe onshore substation footprints (Works No. 20A/20B, 21A/21B), 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 Transmission Assets Onshore Order Limits and survey buffer has been submitted at Deadline 4 as part of Annex 3.3: Applicants' response to ExQ1 6.1.1: Phase 1 Habitat Survey Coverage (S_D4_12).</p> <p>As the scope of the BNG assessment is limited to the areas of permanent land take, no calculation has been undertaken to quantify the BNG requirement for the entirety of the onshore transmission assets order limits. In December 2023, the Applicants presented this approach to BNG to stakeholders as part of the expert working group process and no alternative approach was suggested. In addition, it was noted that early calculations for the delivery of 10% BNG for the entirety of the onshore transmission assets order limits would require c.100 ha of land to deliver the mitigation for this area which, as communicated during the Issue Specific Hearing 2 (S_D4_5 and S_D4_6) is neither feasible, nor required. In addition, the Applicants refer Fylde Borough Council to REP1-085 – 10.29 of the Applicants' Response to Lancashire County Council's LIR (REP2-039) where it is noted that there is currently no legal requirement to provide for biodiversity net gain with applications for development consent under the</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
				<p>Planning Act 2008 and that the Transmission Assets are exempt from any future legal requirement as the requirement will not apply retrospectively to applications made before the provisions come into force.</p> <p>The Applicants have submitted an updated Biodiversity Benefit Statement (J11/F03) with the inclusion of the results of the updated statutory biodiversity metric version 1.0.4 alongside the metric spreadsheet (Appendix K of the Onshore 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. However, while the total net percentage change has altered for habitats, hedgerows and watercourses, it is still positive and does not change any conclusions in the ES.</p> <p>Habitat condition assessments have been undertaken and have been added as Appendix J of the biodiversity benefit statement (J11/F03) at Deadline 4.</p> <p>Temporary habitat loss is defined within section 3.10.3 of Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) as:</p> <ul style="list-style-type: none"> • short term: a period of months, up to one year; • medium term: a period of more than one year, up to three years; or

Reference	Question To	ExA Question	IP submission	Applicants' response
				<ul style="list-style-type: none"> long term: a period of greater than three years. <p>It is noted in section 3.11 of Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) that the impacts of temporary habitat loss will be reversible. Although the total construction period for sequential construction of 66 months represents the MDS, most habitat loss would occur over a shorter term period and would be transient in any one location as construction progresses.</p> <p>As the scope of the biodiversity benefit statement is limited to the areas of permanent land take (Works No. 20A/20B, 21A/21B, 22A/22B, 23A/23B, 24A/24B), no calculation has been undertaken to quantify the habitat impacts within the onshore cable corridor, temporary construction compounds or other temporary impacts. However, the Applicants have identified opportunities for delivering off-site biodiversity enhancements such as habitat improvements, habitat restoration and improving habitat connectivity as set out in Section 1.10 of the Outline Ecological Management Plan (OEMP) (REP3-022). These measures would be agreed with stakeholders through further ongoing consultation and the agreed measures included within a detailed version(s) of the EMP.</p>
REP3-082 – 2.22 (Q6.2.2)	NE, FBC, SRBC, PCC, LCC, BBC	Mitigation Hierarchy Confirm that the applicants have adequately followed the mitigation hierarchy in respect to no biodiversity net loss and biodiversity net gain.	FBC notes the commitments made by the applicants as part of the Transmission Assets relevant to ecology set out in the ES. These includes measures to conserve biodiversity in terms of ecological interests and generally comply with the mitigation hierarchy, with measures to avoid and minimise impacts as far as is possible, although it is stated that offsetting (gain) will only be required for the permanent	<p>Please see comments above in respect of REP3-082 – 2.21 (Q6.2.1) relating to the BNG assessment, and other biodiversity enhancements proposed.</p> <p>With regard to site selection, at Deadline 2 the Applicants submitted S_D2_13 Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas - Rev F01 (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:</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>habitat loss areas, where biodiversity benefit is being delivered.</p> <p>It is necessary to understand how long the 'temporary' habitat losses will be, and how long habitat reinstatement in these areas is likely to take. If the time periods involved are several years, consideration should be given to providing further off-site habitat creation and enhancement.</p> <p>Further explanation should be provided by the applicants concerning efforts to avoid and minimise ecological impacts.</p>	<p>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>It is noted in section 3.11 of Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) that the impacts of temporary habitat loss will be reversible. Although the total construction period for sequential construction of 66 months represents the MDS, most habitat loss would occur over a shorter term period and would be transient in any one location as construction progresses.</p> <p>The Applicants would like to reiterate that the approach to the voluntary BNG assessment was discussed with stakeholders as part of the EWG process prior to submission of the application and no concerns were raised at that time.</p>
REP3-082 – 2.23 (Q6.2.3)	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (c)	<p>Site selection</p> <p>Selection guiding principles are set out in paragraphs 1.2.1.2 and 1.2.1.3 of Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas [REP2-046] submitted at D2.</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>Section 4.6.10 of EN-1 requires biodiversity net gain to be delivered after compliance with the mitigation hierarchy, with section 4.6.11 encouraging details of any off-site delivery to be set out within the application for development consent. Section 4.6.12 goes on to provide more advice for how off-site provision should be delivered.</p> <p>If an approach for provision outside of the order limits and thereby also off-site was to be pursued, FBC would request that the details of any such provision be provided to the examination, with sufficient time for consultation to be carried out.</p>	<p>The Applicants have provided a response with regard to alternatives for BNG strategy in Q6.2.3(b) in S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056). The Applicants position remains unchanged on this point.</p> <p>The Applicants addressed comments from the ExA concerning the proposed mitigation and bird strike during ISH2 day 1 (S_D4_5).</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<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>With reference to the hierarchy and the associated 'avoid, reduce, mitigate and compensate' process, FBC would expect to see mitigation as close to the affected area as possible and of an appropriate type. FBC would also expect to see evidence of positive engagement with other requirements in terms of biodiversity mitigation design, such as those set out in paragraph 192 on the National Planning Policy Framework.</p> <p>However, if proposed mitigation due to adverse effects on aviation cannot be achieved, because of significant bird impacts from any potential location, the ES is shown to be defective in its assessment.</p>	
Hydrology and Flood Risk				
REP3-082 – 2.24 (Q10.1.1)	The applicants (a-c), Environment Agency (EA), Lancashire County Council (LCC) (d)	<p>Sand dunes</p> <p>The applicants' assessment of the potential for increased flood risk arising from damage to the existing flood defences, including the sand dunes at Lytham St Annes is presented within section 2.11.4 of Hydrology and flood risk chapter of the Environmental Statement (ES) [APP-070]. This concludes that as a result of the embedded mitigation measures set out there will be no increase in flood risk as a result of the</p>	<p>FBC acknowledges that the applicants propose trenchless installation methods beneath the sand dune system, which is intended to minimise any disruption to the existing coastal flood defences. However, we note that "unforeseen circumstances" (e.g. equipment failure, borehole collapse, fluid escape) could, in a worst-case scenario, lead to physical disruption of the dune structure. Given the dunes' vital role in attenuating wave energy and providing a natural flood buffer, any significant disturbance or alteration - whether temporary or permanent - has the potential to increase local flood risk, particularly in extreme weather events.</p>	<p>The Applicants have provided responses with regard to unforeseen circumstances increasing flood risk and foreseeable circumstances in Q10.1.1 a-c in S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056). The Applicants position remains unchanged.</p> <p>With regards to FBCs request for an assurance protocol to be secured through the DCO, the Applicants highlight that the COCP under Requirement 8 of Schedules 2A and 2B (REP3-009) already secures the surface water and groundwater management plan and hydrogeological risk assessment, which will be developed to manage flood risk.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>installation of the offshore export cables. 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>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>The following are potential consequences of unforeseen circumstances that could affect flood risk and the hydrology of the dune habitat:</p> <ul style="list-style-type: none"> • Impacts of changes to the water table or water levels on the dune ecosystem; • Ground instability causing localised collapse or subsidence within the dune structure; • Escape of drilling fluids (e.g. bentonite breakout) causing erosion or weakening of dune surfaces; • Emergency surface works that require temporary access or excavation within the dune system; • Loss of vegetation (intentionally or inadvertently), which could reduce dune cohesion and increase erosion risk; • Prolonged site occupation increasing the potential for vehicle damage or compaction on dune areas; and, • Delay to reinstatement of any protective landscaping or temporary structures, leading to exposure during storm events. <p>FBC requires a clear framework be established respond to these eventualities in a manner that prevents increased flood vulnerability to the surrounding area.</p>	

Reference	Question To	ExA Question	IP submission	Applicants' response
		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>Given the applicant's acknowledgment of the potential for prolonged PRoW closures due to unforeseen circumstances [CoT102], FBC would expect this to be mirrored by the provision of an Outline Contingency Plan covering:</p> <ul style="list-style-type: none"> • Emergency flood risk management measures, including rapid repair protocols for any damage to the dune system; • Monitoring of dune integrity during and after HDD operations, including hydrological impacts; • Defined thresholds for when additional engineering or environmental interventions would be triggered; and, • Clear communication routes with the Council and the Environment Agency in the event of any incident. <p>FBC recommends that a worst-case scenario assessment be submitted as part of any such plan, along with mitigation and response measures that have been agreed with relevant stakeholders.</p> <p>FBC notes the conclusions set out in section 2.11.4 of the Environmental Statement [APP-070] and accepts that under normal construction conditions, the use of trenchless technology and embedded mitigation should avoid any increase in flood risk. However, FBC is not convinced by the conclusion as</p>	

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>presented, due to the absence of detailed site-specific HDD design information, including final pit locations and depth profiles and a clearly articulated contingency strategy for managing flood defence and dune hydrological integrity in the event of unforeseen complications.</p> <p>FBC requests that the ExA ensure an assurance protocol be established through an enforceable DCO requirement which details pre-construction submissions.</p>	
REP3-082 – 2.25 (Q10.1.8)	The applicants (a), EA, LCC (b)	<p>Commitments</p> <p>CoT39 [REP2-010] states “Fences, walls, ditches and drainage outfalls will be retained at the landfall and along the onshore export cable corridor and 400 kV grid connection cable corridor, where possible. Where it is not reasonably practicable to retain them, any damage will be repaired and reinstated as soon as reasonably practical. The Environment Agency must be notified if damage occurs to any Environment Agency main river or related flood infrastructure.”</p> <p>a. Define "reasonably practicable" and "reasonably practical" in the context of retaining</p>	<p>FBC considers that in the context of sensitive and functionally important locations such as: the Lytham St Anne's sand dune system, which acts as a natural flood defence, and Blackpool Road North Playing Fields, which includes key drainage infrastructure and surface water receptors, the term “reasonably practicable” is not sufficient. As currently worded, it lacks clarity and will lead to differing interpretations once in practice.</p> <p>FBC interprets “reasonably practicable” in this context to mean that all feasible best practice technical and logistical efforts must be made to retain existing ditches, outfalls, and structures unless there is demonstrable evidence that retention would compromise safety, engineering feasibility, or cause greater environmental harm.</p> <p>Similarly, “reasonably practical” (assumed to be intended as “reasonably</p>	The Applicants have provided responses with regard to this point in Q10.1.8 a in S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056). The Applicants position remains unchanged.

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>ditches and drainage outfalls.</p> <p>b. Do you consider the proposed wording to be adequate?</p>	<p>practicable”) in the context of reinstatement should mean that repairs and reinstatement works must be undertaken promptly, with clear timescales, using methods that restore the original function, drainage performance, and where relevant, the biodiversity value of the feature.</p> <p>In both locations, delays or inadequate reinstatement of drainage features could result in waterlogging, surface flooding, or soil erosion, with knock-on effects for recreational use, local habitat impacts, and wider flood management.</p> <p>FBC does not consider the current wording to be sufficiently robust for high-risk or environmentally sensitive sites like the dunes and Blackpool Road Playing Fields.</p> <p>The following concerns should be addressed:</p> <ul style="list-style-type: none"> • The phrase "where possible" introduces subjectivity. It should be revised to reflect a presumption in favour of retention, with exceptions justified in writing; • No specific timescale is given for “as soon as reasonably practicable.” This could lead to unacceptable delays in reinstatement, particularly in winter months when water management is most critical; and, 	

Reference	Question To	ExA Question	IP submission	Applicants' response
			<ul style="list-style-type: none"> There is no commitment to consult the FBC or a successor body in addition to the Environment Agency where local drainage infrastructure (not classified as EA Main River) is impacted. <p>FBC requests that the following amendments are made:</p> <ul style="list-style-type: none"> Replace “where possible” with “unless demonstrated to be environmentally damaging;” Clarify that reinstatement will occur within a defined period (e.g. 10 working days) unless agreed otherwise; and, Include FBC as a notified body where local flood infrastructure, land drainage, or parkland public and private open space is affected. 	
Historic Environment				
REP3-082 – 2.26 (Q11.1.4)	The applicants and Flyde Council	Non-designated heritage assets The applicants' response to Flyde Borough Council's (FBC) concerns [11.1.8 of REP1-078] regarding the effect on non-designated heritage assets explains that the temporary changes arising from construction works would not affect the heritage significance of the locally listed buildings.	<p>FBC has identified the non-designated and locally listed heritage assets where it is considered that the potential for harm to setting or significance might result. Details of each of these assets is provided at Appendix 3 which includes a map showing the location of each asset. The details include: a description of the asset; the criteria for which it has been listed; and, images of the asset.</p> <p>FBC notes that the applicant has responded to previous concerns raised in</p>	A more detailed assessment of the likely impacts and effects on these locally listed heritage assets was presented in the Applicants' Response to the Examining Authority's Written Questions (ExQ1) (REP3-056) - Q11.1.4(a).

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>a. Noting paragraph 5.9.33 of NPS EN-1 which says that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset, are there any instances where the proposed development would lead to any harm (not just significant harm) to the significance of any non-designated heritage asset through the proposed works within their setting. If so, provide a brief assessment of such cases.</p> <p>b. Noting paragraph 11.1.8 of FBC's LIR, can the Council provide details of each non-designated heritage asset where it considers that any harm might result to its setting and significance.</p>	<p>section 11.1.8 of REP1-078 regarding the significance and setting of the Locally Listed Buildings [LLB] Leach Lodge Farmhouse and cobble wall (LLB9/PRN6198), a surviving constructed cop (LLB10) and Thursby Nursing Home (LLB5). The applicant asserts that 'the temporary changes arising from construction works would not affect the heritage significance of the locally listed buildings'.</p> <p>FBC considers that the assessment provide is too simplified, in that the potential for very extended periods of construction and associated works could give rise to material impacts.</p> <p>A list of these assets was shared by email with the applicant on 26/06/2025.</p>	
REP3-082 – 2.27 (Q11.1.6)	The applicants (a -d), Historic England (d), FBC (d) , LCC (d) and	<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</p>	The applicant has provided a verbal update to FBC officers (during an online meeting held on 26/06/2025) that the trial trenching will resume in August 2025 and that the results from these continued	The current position with regard to trial trenching was discussed on day two of issue specific hearing 2 (please see 'ISH2 Day 2 Hearing Summary' (S_D4_6)). It was noted that the next phase of trial trenching would now commence in spring of 2026 and will feed into detailed design.

Reference	Question To	ExA Question	IP submission	Applicants' response
	Preston City Council (d)	<p>proposed across the onshore infrastructure area and that, as of August 2024, 139 trenches have been investigated. It goes on to say that further trial trenching and geoarchaeological investigation will be undertaken post consent and prior to construction. Paragraph 1.2.2.1 states that, to date, the evaluation has comprised the excavation of 73 of the 222 trenches proposed.</p> <ol style="list-style-type: none"> 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. What criteria was used to determine the implementation of the trenching already carried out, as opposite to that left to be undertaken post consent? Explain further why the full extent of the proposed trenching has not been already carried 	<p>investigations will not be available during the lifetime of this application.</p> <p>FBC relies primarily upon the Lancashire County Council [LCC] Archaeology Team for this type of matter and it is noted that this question has been directed towards them. FBC defers this matter to LCC but reserves the right to comment further.</p>	

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>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>		
REP3-082 – 2.28 (Q11.1.7)	LCC and FBC	<p>Quakers Wood Burial Ground</p> <p>The applicants position on Quakers Wood Burial Ground is set out in Annex 3.2.18 of PDA-025 and Annex 5.9 of REP1-045.</p> <p>Are there are outstanding concerns regarding the potential effects on Quakers Wood Burial Ground in relation to its likely location, the effects of the proposed development upon it and any mitigation measures required?</p>	<p>FBC considers that there are outstanding matters regarding the potential effects on Quakers Wood Burial Ground. FBC also notes that the applicant verbally agreed (during an online meeting held on 26/06/2025) to carry out further assessment, in response to our submission which aligns with the text below.</p> <p>FBC is of the opinion that the applicants' position on Quakers Wood Burial Ground as set out in Annex 3.2.18 of PDA-025 and Annex 5.9 of REP1-045 is not appropriate. This is primarily for the reason that there is no proper recognition and consideration of the fact that a substantial component of the significance of Quakers Wood is derived from its peaceful location.</p> <p>A peaceful location was selected for this burial ground on the basis that Quakers tradition value silence, with a tranquil location necessary for a believer's eternal rest and for the living to connect with God.</p>	<p>A more detailed assessment of the likely impact and effect on the Quakers Wood Burial Ground as a result of the change within its setting was presented in the Applicants' Response to the Examining Authority's Written Questions (ExQ1) (REP3-056) - Q11.1.4(a).</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			The proposed substation is in proximity to the burial ground and owing it the size and appearance the development will adversely affect the setting of the burial ground. During construction the work will adversely affect the peaceful character of the burial ground. It is not clear if and how the trenchless crossing will mitigate the worst impacts of the development on the peaceful burial site, with parts of the work order limits passing through the northern part of the burial ground.	
Land use and recreation				
REP3-082 – 2.29 (Q12.1.16)	The applicants	Blackpool Road Recreation Ground The application currently retains the flexibility for the entry/exit pits for the trenchless cable installation at Blackpool Road Recreation Ground to be either within the eastern and western ends of the open space [work nos. 53A/53B and 51A/51B) or within the adjacent areas within Blackpool Airport (work nos. 13A/13B and 12A/12B). a. Explain why this flexibility is required, including why entry/ exit pit options are required within the recreation	FBC acknowledges the applicant's intention to maintain flexibility between locating the trenchless cable installation entry/exit pits either within the eastern and western ends of Blackpool Road Recreation Ground, or within the adjacent land at Blackpool Airport. Whilst FBC understands that the applicants may wish to preserve construction flexibility during detailed design and ground investigation phases, the Recreation Ground is a well-used, publicly accessible open space with recreational, community and visual amenity value. Any use of this land for compound or pit locations must be weighed carefully against its local importance and potential for disruption. FBC considers that the Recreation Ground should only be used as a last resort, and only if the airport-side options	The Applicants would clarify that the parameters in the draft DCO (REP3-009) only permit up to four cables in each of the route options at Blackpool Airport and Blackpool Road Recreation Ground. Therefore, under the maximum design parameters of 4 cables for Morgan and 2 cables for Morecambe, it would not be possible for the Applicants to route only via the Blackpool Airport. The Applicants confirm that they are continuing to engage on the s106 agreement with FBC in relation to the Blackpool Road Recreation Ground and a draft was shared with Fylde Borough Council and Lytham Town Trust on 25 July, which included drafting relating to reinstatement.

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>ground and what the implications would be if entry/ exit pits were excluded from the recreation ground?</p> <p>Have appropriate measures been agreed with FBC that would secure the appropriate reinstatement of the open space and any facilities affected by the proposed entry/ exit pits?</p>	<p>are shown to be unfeasible due to engineering, safety, or environmental constraints. FBC would expect a robust justification from the applicant if the Recreation Ground were ultimately selected for construction activity.</p> <p>If entry/exit pits were excluded from the Recreation Ground entirely, this would offer stronger protection for community recreational space, avoid unnecessary disturbance, and limit long-term reinstatement risk. FBC would welcome the removal of this flexibility if the airport land is confirmed viable for pit construction.</p> <p>As of the time of writing, detailed reinstatement measures have not yet been agreed. However, FBC has made clear that any use of Blackpool Road Recreation Ground for construction activity must be subject to:</p> <ul style="list-style-type: none"> • A detailed reinstatement plan, agreed in advance, covering turf replacement, drainage reinstatement, and boundary treatments; • Restoration of any footpaths, sports pitches, or informal play areas to their original condition and betterment; • An explicit commitment to timescales for reinstatement, especially where phasing delays between the Morgan and 	

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>Morecambe projects could prolong disruption; and,</p> <ul style="list-style-type: none"> Provisions for temporary loss of amenity, including alternative community access or equivalent mitigation, should construction compound use span a prolonged period. <p>FBC seeks to work constructively with the applicant to agree clear protections and commitments in writing, ideally secured via a DCO Requirement or detailed provisions in the Outline Code of Construction Practice. FBC also expects close involvement during the detailed design phase to ensure the Recreation Ground's amenity and function are fully restored.</p>	
REP3-082 – 2.30 (Q12.1.19)	Fylde Borough Council	<p>Blackpool Road Recreation Ground</p> <p>The applicants have assessed the effect on Blackpool Road Recreation Ground up to a maximum of 5 months as “minor adverse.” [REP1-041]. The plan annexed to the submission explains the proposed works. Does the Council agree with this assessment? What progress has been made with the negotiation of the section 106 agreement referred to at CoT124?</p>	<p>FBC do not agree with the applicants' assessment that the impacts on Blackpool Road Recreation Ground would be minor adverse. FBC has set out the likely impacts in its Relevant Representations [RR-0705], LIR [REP1-078], Written Representations [REP1-079] and Written Statement [REP2-057].</p> <p>FBC considers that there have been limited discussion about, or details provided, for the proposed works and reinstatement. The applicants have repeatedly requested that the Council and other affected parties responsible for Blackpool Road Recreation Ground and its activities sign up to a voluntary heads</p>	<p>The Applicants refer to their response at row REP3-082 – 2.30 (Q12.1.16) above.</p> <p>The Applicants would refer Fylde Borough Council to the S106 memorandum (S_D4_16) which details all the meetings and requests for information regarding the potential impact to Blackpool Road Recreation Ground.</p> <p>The Applicants can confirm that there is a commitment within the draft Section 106 for the provision of a detailed restoration plan.</p> <p>Additionally, the Applicants can confirm that the draft Section 106 has been sent to Fylde as both the planning authority and landowner.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>of terms, with the latest deadline for sign up being 14th July 2025.</p> <p>However, there is still uncertainty about what exactly the impacts and reinstatement would be.</p> <p>2.30.4 FBC also notes that the Council as landowner has not been engaged regarding the Section 106 agreement referred to at CoT124. FBC reasserts its request for a topic specific hearing on Human Health and Recreation.</p>	<p>The Applicants met with FBC on the 3rd June to discuss the Heads of Term and description of the works proposed across FBC's portfolio. This included an explanation of the HoTs incentive and a discussion around the non-objection clause in the proposed heads of term which would apply to FBC in their capacity as landowner only. There has been ongoing dialogue with FBC and the Applicants agent primarily around resolving the title queries and FBC's ability to grant the necessary land rights. It is expected Heads of Terms discussions will progress s over the coming weeks with a further face to face being arranged.</p>
Landscape and Visual				
REP3-082 – 2.31 (Q13.1.2)	The applicants (a, b, c, d), Fylde Borough Council (FBC) (a) and Lancashire County Council (a)	<p>Significant effects</p> <p>Section 10.11.4 of the Environmental Statement (ES) [APP-123] explains that any effects with a significance level of moderate or less are not considered to be significant. Paragraph 10.11.4.6, however, acknowledges that moderate effects have the potential to be important and may influence the key decision-making process.</p> <p>a. Whilst paragraph 10.11.4.4 states that these 'non-significant' effects are still given appropriate weight in the assessment process, to</p>	<p>In the Guidelines for Landscape and Visual Impact Assessment (3rd Edition) (Landscape Institute and Institute of Environmental Management and Assessment), it states that the EIA Regulations have no 'hard and fast rules' about what effects should be deemed to be significant. The likely significance of the predicted landscape and visual effects is the result of the combination of sensitivity of place and magnitude of effect and, whilst a judgement may be made to determine which combinations are significant and which are not, even those effects which are not deemed to be significant cannot be completely disregarded.</p> <p>Only by drawing out the key issues can the true significance of impacts be understood and the scope for mitigating</p>	<p>The Applicants acknowledge FBC's interpretation and application of guidance set out in the <i>Guidelines for Landscape and Visual Impact Assessment</i> (GLVIA3) (Landscape Institute and IEMA, 2013). The Applicants agree with FBC that there are "...no hard and fast rules about what effects should be deemed 'significant'..." and further note that paragraph 3.32 of GLVIA3 also advises that "LVIA's should always distinguish clearly what are considered to be significant and non-significant effects."</p> <p>The Applicants welcome FBC's recognition that the Applicants have appropriately distinguished between the significant effects which might influence the final decision against those which would not. The Applicants reiterate that GLVIA3 does not prescribe the exact threshold at which point a landscape or visual effect becomes significant, but it does require a transparent process to be followed, which considers the sensitivity of receptors, magnitude of impact, and sufficient descriptive text to support the final significance of effect.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>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 are carried forward to any in-combination or cumulative assessment of effects?</p> <p>c. What implications would there be for the overall assessment (incouding in-combination and culmulative assessments) if moderate effects are taken as being significant?</p> <p>d. Why is the approach taken to significance for landscape and visual effects inconsistent with the remainder of the ES?</p>	<p>adverse effects be undertaken successfully.</p> <p>FBC considers that the applicants have distinguished between the significant effects which might influence the final decision against those which would not, and that the matrices of effects presented [APP-123] have taken precedence over a detailed and descriptive narrative, which would have demonstrated a clearer understanding of the local landscape.</p>	<p>Furthermore, the threshold of Moderate adverse and below is a typical point at which landscape and visual effects are not considered significant. Paragraph 10.11.4.4 of the LVIA clarifies that effects assessed as being of 'moderate' significance are not automatically treated as EIA significant, but this does not mean they are disregarded. As explicitly stated in the LVIA, such effects are given appropriate weight in the assessment process. This includes informing judgements on scheme design, mitigation, and the balancing of likely effects in the context of decision-making.</p> <p>In relation to FBC's concern that the assessment lacks sufficient insight into the local landscape, the Applicants respectfully disagree. The landscape baseline has been developed through a combination of desk study, field survey, and reference to published national and local landscape character assessments. The assessment is site-specific and takes account of the intrinsic qualities and sensitivities of the receiving environment, including topography, land use, settlement pattern, and visual context.</p> <p>The Applicants remain of the view that the methodology and professional judgements applied in the assessment are consistent with GLVIA3 and EIA best practice and provide a sound evidential base for the ExA's consideration of landscape and visual effects. Nevertheless, the Applicants are committed to continued engagement with FBC through the SoCG process to ensure that any outstanding matters are appropriately addressed during the Examination.</p>
REP3-082 – 2.32 (Q13.1.5)	The applicants (a & b),	<p>Outline Design Principles</p> <p>The ODP [APP-209] includes (Section 6.2) a 'Post consent Design Code'</p>	FBC has not had meaningful engagement with the applicants with regards to the Outline Development Principles [APP-209]. FBC considers that its answers to	With respect to the outline Design Principles, the Applicants acknowledges that the outline Design Principles (oDP) document (APP-209) was not subject to specific consultation prior to submission, as

Reference	Question To	ExA Question	IP submission	Applicants' response
	FBC (c) and Lancashire County Council (LCC) (c)	<p>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>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>other related questions (predominantly within section 13) and representations made within its Relevant Representations [RR-0705], LIR [REP1-078], Written Representations [REP1-079] and Written Statement [REP2-057] provide relevant guidance.</p> <p>FBC considers that the Outline Development Principles are high-level and generic and that any such document should be informed by more detailed information, consultation and creation of a well-reasoned design strategy.</p>	<p>acknowledged in the Applicants' response to ExQ1 Q13.1.5 (parts (a) to (c)) in <i>S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01</i> (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 FBC (and Lancashire County Council) to develop and refine, where appropriate, the Design Principles and Design 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 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. The Applicants will be engaging with Fylde BC on this further to discussions had at ISH2 and further to hearing action points ISH3_18, 19 and 20, which relate to Requirement 4 of Schedules 2A and 2B of the draft DCO (REP3-009).</p>
REP3-082 – 2.33 (Q13.1.6)	FBC and LCC	Design content	FBC considers that the proposed substations, either separately or	The Applicants note FBC's concerns that the proposed substations, either separately or collectively, would

Reference	Question To	ExA Question	IP submission	Applicants' response
		<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 Order (dDCO) would meet this requirement?</p>	<p>collectively, would likely cause significant impacts and upon the local landscape, heritage assets and views.</p> <p>FBC does not consider that sufficient design content has been provided to satisfy the objectives of good design. The application for the substations appears to be based upon the installation of basic and functional design models which would not provide a positive contribution to the rural landscape between Kirkham and Newton with Scales, and they would become significant detracting elements within views across the Green Belt and the Area of Separation.</p> <p>Mitigation through good design which blends functionality, aesthetics and integration with the surrounding landscape, would contribute more positively to the landscape, its local context and views within and across it. There is no evidence of any such consideration having been given.</p> <p>Both in terms of the content presented and the justification provided, the FBC considers that the current design content is not sufficient to meet the requirements of paragraph 5.10.30 of EN-1.</p>	<p>likely cause significant impacts; and that the application is parameter-based rather submitted in detail.</p> <p>In response, the Applicants reaffirms that its consenting strategy establishes the parameters, commitments and design principles by which the Transmission Assets have been designed and assessed through EIA process, which is normal practice for Nationally Significant Infrastructure Projects (NSIP). The relevant submitted documents include:</p> <ul style="list-style-type: none"> • The spatial extent defined by the Work Plans (REP3-007, REP3-008); • The parameters set out in 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) (REP3-022); and • oDP (APP-209). <p>The degree of design flexibility sought in respect of the Transmission Assets is considered appropriate, having regard to the current stage of technological development in electrical transmission infrastructure and the need to allow for the future input of a technology provider during the detailed design stage.</p> <p>The parameters, commitments and design principles underpinning the design of the Transmission Assets will be secured through Requirement 4 of Schedules 2A and 2B of the draft Development Consent Order (DCO) (REP3-009). This requirement prescribes the guiding principles, parameters and commitments that will inform</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
				<p>the detailed design of the Transmission Assets following the grant of consent. The final detailed design will be submitted to and approved by the relevant planning authority prior to the commencement of construction at each onshore substation location.</p> <p>The ongoing Examination process, together with continued stakeholder engagement, will inform the development of more detailed proposals for specific components of the Transmission Assets. Any refinements arising from this process will be appropriately secured through updates to the Outline Design Principles and Design Code contained within the oDP (APP-209) during the Examination. This will ensure that key matters are captured as enforceable commitments and remain subject to effective control at the detailed design stage, post consent award. The Applicants will be engaging with Fylde BC on this further to discussions had at ISH2 and further to hearing action points ISH3_18, 19 and 20, which relate to Requirement 4 of Schedules 2A and 2B of the draft DCO (REP3-009).</p>
REP3-082 – 2.34 (Q13.1.10)	The applicants, FBC and LCC	<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)</p>	<p>FBC considers that there are no benefits of the proposed design having two separate substations in terms of visual appearance, landscape character or openness of the Green Belt. In every instance, the effects would be cumulative and the harmful impacts of construction prolonged.</p> <p>The applicants assert that there would be benefits but have not provided details or evidence of what those benefits would be. Additionally, no commitment to coordination of development in such a</p>	<p>The Applicants note FBC's opinion that there are no benefits of the having two separate substations in terms of visual appearance, landscape character or openness of the Green Belt.</p> <p>In response, the Applicants refer FBC to their explanation in response to Q13.1.10 of the <i>Applicants' Response to Examining Authority's Written Questions (ExQ1)</i> (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</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		the openness of the Green Belt?	<p>way as to co-ordinate phasing, reduce construction periods, share any infrastructure, have been proposed and the applicants have resisted any requests to engage with such strategy.</p> <p>The principle of delivering two separate substations could present opportunities to find alternative sites outside of the Green Belt for one or both substations, the applicants have provided no evidence of this being actively considered or a reasonable justification for not doing so.</p> <p>Siting one or both substations elsewhere could reduce or avoid the significant impacts on the Green Belt and Area of Separation which are presently predicted.</p>	<p>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> <p>The Green Belt Technical Note (REP3-069) provides further explanation and justification of the siting of the substations and decision to locate them within the same search zone (Section 1.4) and the design and landscape considerations put in place to mitigate their impacts.</p>
REP3-082 – 2.35 (Q13.1.11)	The applicants, FBC and LCC	<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 be secured including equipment procurement and layout considerations, taking account of the local context of the respective substation sites?</p>	<p>At a high level, FBC considers that more detail should be provided regarding the scope of works, timing, duration and restoration.</p> <p>The proposed development above ground should take into account the context of its location, minimising the effects on the visual and landscape character and be appropriate in size and location for the working processes which have contributed to that character. For the substations, this notably includes agriculture, recreation and heritage.</p> <p>Indeed, the proposed substations are likely have a very significant impact on the character and appearance of the sites and</p>	<p>The Applicants agree that the appearance and location of above-ground infrastructure, including the substations, should respond to the surrounding landscape character, alongside other relevant environmental considerations.</p> <p>As set out in the oDP (APP-209) document, the design approach for both substations has been informed by an understanding of the natural and cultural influences that shape the receiving landscape. This has included consideration of how the substations will be constructed, operated and ultimately decommissioned.</p> <p>The Applicants have actively sought to avoid or reduce adverse environmental effects arising from the introduction of new infrastructure, with the aim of protecting the character and qualities of the receiving landscape and, where feasible, enhancing them. Through the EIA process, a range of embedded and additional mitigation measures have been identified,</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>surrounding area, in terms of both temporary and permanent effects.</p> <p>Therefore, the applicants' reliance upon planting to provide screening is a rather primitive approach and the design and appearance of the structures themselves should also be considered.</p> <p>Local and national policy a guidance clearly requires that new development should demonstrate a high standard of design, taking into account landform, layout, orientation, massing and landscaping, which all relate well to the surrounding landscape, and which take the opportunity to make a positive contribution to the landscape character and local distinctiveness of the area.</p>	<p>alongside commitments to ongoing monitoring. These are designed to reduce potential effects during both the construction and operational phases and are secured through the draft DCO and supporting documents.</p> <p>The Applicants' consenting strategy, including the role of design parameters and future approvals, has been outlined in the response to ExQ1 Q13.1.6 (REP3-082 – 2.33) above.</p> <p>The Applicants remain committed to delivering a high standard of design that is sensitive to its context and reflective of local distinctiveness. The submitted application documents establish a robust framework for design development post-consent, including governance mechanisms to secure design quality.</p> <p>The Applicants welcome continued engagement with FBC on these matters through the SoCG process. The Applicants will be engaging with Fylde BC on this further to discussions had at ISH2 and further to hearing action points ISH3_18, 19 and 20, which relate to Requirement 4 of Schedules 2A and 2B of the draft DCO (REP3-009).</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>FBC considers the following enhancements essential to demonstrate good design in this context:</p> <p><u>Equipment Procurement and Appearance</u></p> <p>Colour, finish, and material selection for any above-ground infrastructure (e.g. kiosks, cabinets) should reflect the semi-rural and/or recreational setting as appropriate (e.g. use of subdued tones and matt finishes).</p> <p>Equipment should be selected with an emphasis on compactness and low visual massing, especially near public footpaths, parks or open space.</p> <p><u>Site Layout Considerations</u></p> <p>The positioning of any above-ground structures must avoid key sightlines across the playing fields and should be located away from areas of high recreational use (e.g. pitch perimeters or playground).</p> <p>Temporary construction compounds or fencing should avoid fragmenting the site in ways that restrict movement or visibility for park users.</p> <p>Provision of clear desire lines and safe pedestrian routes during works, with advance consultation with the Council.</p> <p><u>Landscape Integration and Reinstatement</u></p> <p>A clear plan is needed for reinstatement of landform, planting, and access, with</p>	<p>The Applicants welcome FBC's proposals regarding the onshore substation sites and its design.</p> <p>As outlined above in response to FBC's response to Q13.1.5 (c) Outline Design Principles, the Applicants are committed to proactively engaging with FBC (and Lancashire County Council) to develop and refine, where appropriate, the Design Principles and Design 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 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>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>native planting that aligns with local biodiversity goals and aesthetic context.</p> <p>Long-term landscape mitigation should include robust tree planting, use of wildflower margins, and reinstated hedgerows or boundary features where appropriate.</p> <p><u>Community Impact Minimisation</u></p> <p>Design should support the continued use of unaffected areas of the site wherever possible during works.</p> <p>FBC recommends a commitment to engage with local users and sports clubs on design layout and timing to reduce impact on seasonal pitch use.</p> <p><u>Enhanced Detail in the ODP</u></p> <p>Location-specific design parameters for Blackpool Road Recreation Ground.</p> <p><u>Visual examples (e.g. photomontages or design codes).</u></p> <p>A commitment to submit final design details for local authority approval prior to commencement.</p> <p>Without clearer and more site-sensitive design commitments, FBC are concerned that the temporary and potentially permanent infrastructure will detract from the quality, appearance and function of the surroundings. Good design should not be confined to the substation site but applied holistically across all areas affected by the project.</p>	

Reference	Question To	ExA Question	IP submission	Applicants' response
REP3-082 – 2.36 (Q13.1.13)	The applicants, FBC and LCC	Independent design review process 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? b. How could this be secured through the dDCO?	<p>The use of an independent design review process is a tool which can be helpful under certain circumstances. Given the level of information currently available, with uncertainty around exactly what is proposed and when, FBC considers it ineffective for officers to commit to a position on this issue at this time. Such a decision should ideally be made with the benefit of a greater level of information, in conjunction with discussions between all relevant parties.</p>	<p>The Applicants agree that an independent design review process is a tool which can be helpful under certain circumstances, as set out in their response to Q13.1.10 of the <i>Applicants' Response to Examining Authority's Written Questions (ExQ1)</i> (REP03-056).</p> <p>The Applicants reaffirms its position, as set out in part (b) of Q13.1.10 (REP03-056), which recommend that “...good design is secured and implemented by an agreed process between relevant local authorities and the Applicants via the development of the Transmission Assets oDP (APP209). The Applicant suggests that the enhancement of Design Principles and Design Codes are explored during SoCG drafting to enhance confidence in the Applicant's commitment to delivery of good design.</p> <p><i>The Applicants' Design Champion (already committed) and design consultants would support design governance, and as may be required, by PPA agreement regarding specific design resource within the local authorities to support post consent design development, pre requirement discharge discussion and requirement submission. This approach is supported by guidance provided by the NIC and embedded in EN1/EN5 policy. The status of the Design Principles and Code should be agreed to provide sufficient confidence in the commitment to good design. The Applicants consider this strategy to be preferable to design review and would amongst other things:</i></p> <ul style="list-style-type: none"> – support smooth programme delivery for requirement discharge and delivery on the ground, including necessary design gateways and specialist delivery partner input

Reference	Question To	ExA Question	IP submission	Applicants' response
				<ul style="list-style-type: none"> – deliver good design underpinned by early commitment by way of agreed design principles and codes – reflect project delivery, including the separate project substation delivery programmes.”
REP3-082 – 2.37 (Q13.1.14)	FBC and LCC	<p>Residential visual amenity</p> <p>Section 10.7.4 of the ES [APP-123] considers ‘Views from Residential Properties’. Paragraph 10.7.4.4 concludes that no occupiers of residential properties within the study area have the potential to experience a degree of harm over and above substantial to make considering private views a public interest matter.</p> <p>Therefore, an assessment of residential visual amenity has not been provided by the applicants.</p> <p>Does FBC agree with the applicant's approach of not providing an assessment of residential visual amenity in relation to the proposed substations?</p>	<p>The proposed substations would have distinct and permanent impact on the character and appearance of their sites and surrounding area. FBC notes the many submissions made by local residents, raising concerns about the cause of those visual impacts. Notably, these include comments that as usable, informative visualisations have not been provided that the impacts cannot be properly understood and regardless, that the overall size means that harmful impacts are inevitable.</p> <p>FBC considers that in order for the Secretary of State to accurately judge whether those visual effects on sensitive receptors, such as local residents and visitors to the local area, outweigh the benefits of the project (as required by NPS EN-1), the effects have to be assessed fully. The assessment presented is not a full assessment, as it draws a conclusion which preclude further detailed assessment, based on high-level parameters only.</p> <p>For this reason, an assessment of the effects on the visual amenity of residents and visitors should be undertaken and their significance considered.</p>	<p>The Applicants reiterate their first response to Q13.1.14 of the <i>Applicants' Response to Examining Authority's Written Questions (ExQ1)</i> (REP03-056); standing by the assessment within the ES and its conclusions.</p> <p>The LVIA was prepared in accordance with best practice EIA and Landscape Institute guidance, specifically the ‘Landscape Institute Technical Guidance Note 2/19 Residential Visual Amenity Assessment’ concerning potential effects on residents. The LVIA was prepared by chartered and experienced practitioners appointed to deliver this part of the DCO submission.</p> <p>The Applicants refer to the assessment of effects on visual receptors associated with the onshore substation sites, the landfall and onshore export cable corridor and the 400kV grid connection cable corridor, as presented <i>Volume 3, Chapter 10 Landscape and visual resources</i> (APP-123) and the following sections:</p> <ul style="list-style-type: none"> • Sections 10.12.5 Visual impacts: substations (page 104), including: <ul style="list-style-type: none"> – Impact experienced by occupiers of residential properties within settlements • Impacts on local residents within individual properties <ul style="list-style-type: none"> – Sequential Visual Amenity: Impacts experienced by people using local footpaths and bridleways within 1 km of the onshore substations

Reference	Question To	ExA Question	IP submission	Applicants' response
				<ul style="list-style-type: none"> Section 10.12.6 Visual impacts – landfall and onshore export cable corridor, including: <ul style="list-style-type: none"> Impacts on local residents Section 10.12.7 Visual impacts – 400 kV grid connection cable corridor, including: <ul style="list-style-type: none"> Impacts on local residents <p>The Applicants also reiterates that the supporting photomontages provided in <i>Volume 3, Figures – Part 6 of 7 (F3.12/F02)</i>, illustrate the assessed realistic 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. 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 (REP3-009). Moreover, the final detailed 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 (REP3-009).</p> <p>In addition, the Applicants submitted further topographic information at Deadline 3, as set out in the <i>Technical Note: Landscape and Design Matters</i> (REP3-064), to support stakeholders' understanding of the relationship between the proposed substation site levels and the surrounding landform. <i>Section 1.2.5 Topographic Information</i> of the <i>Technical Note</i> (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</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
				<p>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 <i>Volume 1, Chapter 3 Project Description</i> (REP2-008) and the <i>outline Landscape Management Plan</i> (oLMP) (AS-050). Finalised levels will remain subject to approval under Requirement 4 of the draft DCO (REP3-009).</p> <p>The Applicants therefore considers that <i>Volume 3, Chapter 10: Landscape and Visual Resources</i> (APP-123) provides a complete and robust basis for the assessment in which no details are absent or insufficient to adequately validate it conclusions.</p> <p>The Applicants remain committed to constructive engagement with FBC through the SoCG process and welcome continued dialogue on this matter.</p>
Noise and Vibration				
REP3-082 – 2.38 (Q14.1.5)	The applicants (b and c), Fylde Borough Council (FBC) (a and c), Lancashire County Council (LCC)	Operational noise limits The proposed operational noise limit to control operational noise impacts at the nearest noise-sensitive receptors is $L_{Ar,T} < LA_{90,T} + 5$. (Table 1.9, Operational Noise [APP-120]) <ul style="list-style-type: none"> a. Are you satisfied with the limit and methodology and assumptions made to derive it? 	<p>FBC accepts the proposed limit of $L_{Ar,T} < LA_{90,T} + 5$ dB as per BS 4142:2014, but emphasizes that this level reflects an adverse impact.</p> <p>Therefore, proper and continuous monitoring at agreed sensitive receptors is essential. Mitigation measures should be agreed in advance with the Local Planning Authority. Additionally, Best Available Techniques must be used and submitted for review prior to construction.</p> <p>Operational noise limits must be explicitly secured under Requirement 18 of the</p>	<p>The Applicants note this acceptance of the proposed limits to control operational noise impacts from the Morgan Onshore Substation and Morecambe Onshore Substation.</p> <p>The Applicants have updated the draft DCO at Deadline 4 to provide specific operational noise limits in requirement 18 of Schedules 2A and 2B for the Morgan and Morecambe substations based upon the agreed proposed limits. The relevant details are set out below:</p> <p>Morgan:</p> <p>18.—(1) The noise rating level for the operational lifetime of Work No. 21A must not exceed 34db at Freshfield</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>b. How are the noise limits going to be enforced and monitored.</p> <p>c. Should operational noise limit be included and secured by Requirement 18 (Schedules 2A and 2B) of the draft Development Consent Order (dDCO)?</p>	<p>draft DCO to allow for monitoring and enforceability.</p>	<p>Farm (343215, 431180) at a position representative of the façade, in free-field conditions, of any building authorised or lawfully occupied for residential or accommodation purposes at the date of the granting of this Order.</p> <p>(2) The noise levels set out in sub-paragraph (1) are to be measured—</p> <p>(a) in accordance with British Standard BS4142:2014+A1:2019, methods for rating and assessing industrial and commercial sound; and</p> <p>(b) with a microphone placed 1.5 metres above the ground in free-field conditions (being at least 3.5 metres from the nearest vertical reflecting surface).</p> <p>Morecambe:</p> <p>18.—(1) The noise rating level for the operational lifetime of Work No. 21B must not exceed 36db at Marybank Farm (343592, 429757) at a position representative of the façade, in free-field conditions, of any building authorised or lawfully occupied for residential or accommodation purposes at the date of the granting of this Order.</p> <p>(2) The noise levels set out in sub-paragraph (1) are to be measured—</p> <p>(a) in accordance with British Standard BS4142:2014+A1:2019, methods for rating and assessing industrial and commercial sound; and</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
				(b) with a microphone placed 1.5 metres above the ground in free-field conditions (being at least 3.5 metres from the nearest vertical reflecting surface).
The Applicant REP3-082 – 2.39 (Q14.1.10)	The applicants (b), FBC, SRBC, Preston City Council (PCC), LCC, Blackpool Borough Council (BBC) (a)	Commitments CoT18 [REP2-010] states "Core working hours for the construction of the intertidal and onshore works will be as follows: • Monday to Saturday: 07:00 - 19:00 hours; and • up to one hour before and after core working hours for mobilisation ("mobilisation period") i.e. 06:00 to 20:00. Activities carried out during the mobilisation period will not generate significant noise levels (such as piling, or other such noisy activities). In circumstances outside of core working practices, specific works may have to be undertaken outside the core working hours. This will include, but is not limited to, works being undertaken within and/or adjacent to Blackpool Airport and cable installation at landfall and at the River	FBC would not consider it acceptable for the applicants to only provides advance notice for works outside core hours. Instead, FBC recommends the DCO be amended to require that: all works outside core hours be agreed in writing, in advance, with the Local Planning Authority; and, a formal sign-off process be included, particularly for activities likely to cause nuisance. FBC also considers that the applicants to include notification for residents and other people likely to be affected through the relevant community liaison officers, with updates to the Management Plans to that effect.	The Applicants refer FBC to their response to this question in REP3-056 which confirms the Applicants have updated Requirement 14 of Schedules 2A and 2B of the draft DCO (REP3-009). Further, the Applicants note that they will produce detailed iterations of the outline communications plan, which is secured under Requirement 8 as an appendix to the outline COCP, which will secure communications to the public surrounding work outside of core working hours. Further, the Applicants confirm that that methodology within 'BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Noise' will be used to predict noise levels from construction activities, including mitigation where this may be required. As noted in paragraph 1.2.2.2 of APP-196, appropriate barrier locations will be agreed with the relevant authority. The Applicants also confirm that information on notification of construction works, including out of hours working, will be provided in the Communications Plan, an outline of which is provided in the Outline Communications Plan (APP-194). Detailed Communication Plan(s) will be developed from the Outline Communication Plan (APP-194) and will form part of the CoCP(s). The detailed CoCP(s) are secured

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>Ribble. Advance notice of such works will be given to the relevant planning authority." In relation to the statement "Advance notice of such works will be given to the relevant planning authority."</p> <p>a. Is it sufficient for the local authorities that advance notice will be given or should this be changed so that works, outside of the core hours secured by Requirement 14 (Schedules 2A and 2B) in the dDCO, are to be agreed with the relevant planning authority in writing in advance and must be carried out within the agreed times?</p> <p>b. What would be the expected frequency and duration of such works and over what period might they be expected to continue in any specific location?</p>		<p>by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP3-009). Detailed Communication Plan(s) will be implemented by the Applicants as approved by the relevant planning authorities in consultation with the relevant statutory stakeholders, as appropriate.</p>
REP3-082 – 2.40 (Q14.1.13)	FBC, SRBC, PCC, LCC, BBC	<p>Construction noise</p> <p>Paragraph 1.2.2 of the Outline construction noise and vibration management plan [APP-196] covers the erection of physical barriers:</p>	<p>FBC considers that whilst the principle of the use of soil bunds and barriers is broadly acceptable, the applicants should be required to provide a demonstration of their effectiveness using BS 4142 methodology; and, evidence of the</p>	<p>Please see the Applicants response to Q14.1.10 above.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		<p>a. Are you satisfied with the proposed process?</p> <p>b. Should timings be specified in relation to advance notification where consultation is required?</p>	<p>expected level of noise attenuation to be achieved.</p> <p>Timings for advance notification and consultation on noise-generating works must be defined, and approvals should be secured from the Local Planning Authority.</p>	
REP3-082 – 2.41 (Q14.1.14)	FBC, LCC	<p>Construction noise Outline construction noise and vibration management plan [APP-196], paragraph 1.2.2.4 states that “In particular, the applicants will erect a topsoil bund along the western boundary of the Morecambe Temporary Construction Compound to minimise noise impacts during the construction phase at Quaker Wood Stables.” Do you have any comments in relation on this approach?</p>	<p>FBC understands that the bund would reduce some noise impacts. However, with regards to the burial ground at Quakers Wood, whilst reduced noise impacts would relate well to the significance of this area, the creation of the bund and carrying out of development and associated activity, would have the potential to have a harmful effect.</p> <p>The burial ground was chosen by the Quakers in late 17th century outside of the village to be a quiet and peaceful place both for eternal rest and for the living family members and the change from peaceful rural atmosphere will impact the heritage asset.</p> <p>The answer to Q12.1.7 in this document provides further explanation.</p>	<p>The Applicants acknowledge that predicted construction noise levels presented in ES Annex 8.2: Construction noise and vibration (APP-119) identified levels above the SOAEL from some construction activities at the nearby receptor of Quaker Wood Stables, which is immediately opposite Quaker’s Wood on the other side of Lower Road.</p> <p>The means of controlling noise from all construction works to below SOAEL will be set out in Construction Noise and Vibration Management Plan(s) developed from the APP-196 which forms part of the Outline Code of Construction Practice (OCocP). The detailed CoCP(s) are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP3-009).</p> <p>The Applicants confirm that barriers will only be considered where other measures, such as reducing the noise at source, are not sufficient to reduce levels below the SOAEL. Also, as noted in its response to Q14.1.10 above, the Applicants confirm that appropriate barrier locations will be agreed with the relevant authority, before their inclusion in the Detailed Construction Noise and Vibration Management Plan(s).</p>
REP3-082 – 2.42 (Q14.1.15)	The applicants (b), FBC, SRBC, PCC,	<p>Construction noise Outline construction noise and vibration management plan [APP-196], paragraph 1.2.1.1 states that “In certain</p>	<p>FBC considers that the proposed 48-hour minimum notice is acceptable. However, the community liaison function must be adequately resourced and responsive.</p>	<p>The Applicants refer FBC to their response in Q14.1.5 contained within Applicants’ Response to Examining Authority’s Written Questions (ExQ1) (REP3-056). The Applicants’ position remains unchanged.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
	LCC, BBC (a)	<p>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."</p> <p>a. Is a minimum of 48-hours' notice of advance of the works sufficient?</p> <p>b. Are affected residents going to be notified in advance of the works?</p>	Contact details must be clearly communicated to the public to facilitate complaint handling and resolution.	
Socio-economic Effects				
REP3-082 – 2.43 (Q15.1.2)	The applicants	<p>Community benefits</p> <p>Fylde Borough Council (FBC) also raise the possibility of a section 106 agreement and at paragraph 17.1.2 [REP1-078] set out a number of community benefits which could benefit from financial assistance.</p> <p>a. Can the applicants consider whether these or other local benefits might be considered in the light of the limited local benefits as contained in the updated Planning Statement [REP1-032]?</p>	FBC would like to reassert the request for a specific hearing session on matters relating to community benefits.	The Applicants have made a commitment to deliver community benefits as set out within the Statement of Reasons (REP1-012). Given community benefit matters are not considered to be material in planning terms the Applicants do not think it is appropriate for a specific hearing to be held on the topic.

Reference	Question To	ExA Question	IP submission	Applicants' response
		b. In addition, the applicants are asked to explain whether the proposals are in accordance with paragraph 4.2.12 of EN-1 taking into account the limited local benefits.		
REP3-082 – 2.44 (Q15.1.4)	Fylde Borough Council and Blackpool Borough Council	<p>Tourism</p> <p>The applicants have sought to justify their approach to tourism in their response at deadline 1 [REP1-046] and in particular refer to a number of recent Development Consent Order (DCO) decisions where a similar approach has been taken. At paragraph 1.3.1.14 the applicants refer to the earlier representation from FBC [RR-0705] which indicated that 1 in 10 jobs were involved in tourism which is apparently a lower percentage than in most coastal communities. Are the Councils satisfied with the applicants' response on this matter?</p>	<p>FBC considers that the applicants have not justified their approach to tourism. In their answer [REP1-046] the applicants have sought to summarise the approach taken for other similar DCOs.</p> <p>FBC considers that their summary of these other assessments is too simplistic and misleading.</p> <p>For example, turning to the first of the five examples presented, the applicants provide a summary of the Rampion 2 DCO at sections 1.2.1.6 and 1.3.1.8, concluding that their approach is similar, relying on the fact that the assessment in this other case identifies a study area of ~3,800km². No further assessment is provided.</p> <p>However, section 17.4.2 of the Rampion socio-economics assessment [Rampion Rep6-135] distinguishes between zones of influence for different types of impacts arising, notably stating that "In comparison, the tourism and recreation effects related to onshore infrastructure and offshore/inshore based recreational activities potentially impacted by offshore</p>	<p>The Applicants recognise the submissions on this topic, and in response a local tourism assessment is being prepared. The intention was to submit the assessment at Deadline 4, however this has not been possible in the time available. It has been concluded that it would be better to submit a completed assessment at Deadline 5 and take the opportunity to consult with the relevant local authorities on the scope of the assessment. It may be possible to submit the assessment before Deadline 5, however this will be at the discretion of the Examining Authority.</p> <p>As well as responding to this submission from Fylde BC, the local tourism assessment will respond specifically to:</p> <ul style="list-style-type: none"> • Issue Specific Hearing 1: Action Point 52 • ExQ1 Written Question 15.1.3 (see REP3-056) • Blackpool Borough Council Local Impact Report • Fylde Borough Council Local Impact Report <p>The most notable update from the assessment in ES Volume 4, Chapter 2: Socio-economics (APP-141) will be a more localised study area for the assessment of tourism effects.</p> <p>The local study area under consideration in the draft assessment is "The Fylde and South Ribble". Assessment at The Fylde (Fylde, Blackpool, Preston, and Wyre) level captures the feedback received</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>infrastructure are assessed at a much more local level." (emphasis added).</p> <p>Rampion assessment, section 17.9.29 [Rampion Rep6-135] explains that "At a more localised level tourism assets within 500m of the onshore cable, substation and connection to the national grid (identified in Appendix 17.3: Socioeconomics technical baseline, Volume 4 of the ES (Document Reference: 6.4.17.3)) have potential to be negatively impacted. The impact on these tourism assets is considered below. RED has committed to several embedded environmental measures aimed at reducing the disruption caused by construction activity (and therefore the impact on the volume and value of the tourism economy). This includes the environmental measures outlined in Table 17-19 (including C-19, C-22, C-26, C-32 and C-66)."</p> <p>Similarly, at sections 17.9.40 – 17.9.59 contain part of the type of assessment which FBC expects to see, in this case including assessment of impacts upon onshore recreation, including consideration of specific PRowS and concluding that impacts will arise, requiring mitigation.</p> <p>Notably, section 17.9.40 advises that "At a more localised level, construction and installation activity along the onshore cable corridor may have a negative impact on walking and cycling routes, coastal</p>	<p>throughout the examination of a desire to see a coherent local geography assessed, and the inclusion of South Ribble accommodates the reality that order limits extend into that local authority as well.</p> <p>The draft assessment includes a detailed consideration of the asset categories which underpin the local tourism industry i.e. natural capital, culture and entertainment, heritage, recreation, accommodation, and hospitality.</p> <p>The draft assessment firstly considers potential direct impacts on tourism activities by establishing a 1 km buffer from the order limits to consider those activities which may be directly impacted. This is conservative in comparison to the example cited by Fylde BC, which applies a 500m buffer. The draft assessment then considers potential indirect impacts across the study area.</p> <p>To accommodate instances where the assessment at study area level differs from what might be observed at the individual local authority level, the draft assessment highlights such instances to ensure that localised tourism sensitivities are captured within the assessment.</p> <p>The draft assessment also considers whether the effects assessed for each asset category act in combination to generate significant effects on tourism.</p> <p>With respect to tourism's local economic contribution to Fylde, the draft assessment presents updated tourism statistics compared to previous submissions.</p> <p>As above, the draft assessment considers the sensitivity of a number of tourism assets on their own merits, and in the context of Fylde local authority to reflect any local differences.</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>paths, holiday parks and other tourism-related assets that are located in close proximity to onshore construction works.”</p> <p>Additionally, FBC firmly rejects the applicants' assertion in section 1.3.1.15 [REP1-046], that as a result of roughly 10% of the Fylde population being employed in tourism compared to a national average of 15-20%, “The sensitivity of Fylde’s visitor economy can therefore be considered lower than many rural and coastal locations in England.” This is a grossly oversimplified and inaccurate methodology when considering such matters.</p> <p>Firstly, the claim that the sensitivity of Fylde’s economy is lower is completely unfounded. At a superficial level, this may appear to be a reasonable claim. However, the sensitivity of the economy is not equivalent to the characteristics of any response arising from development. Whilst the two are linked, economically speaking they are different considerations.</p> <p>Instead, what the applicant is actually claiming is that magnitude of harm arising would be lower and/or the significance of the type of harm would be less. However, this is once again unqualified. The applicants have made no attempt to explain what the difference between impacts on visitor economies of different proportions of an area’s economy actually</p>	

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>are, both in terms of type and magnitude of impacts.</p> <p>Additionally, returning once again to the Rampion socio-economics assessment example [Rampion Rep6-135], the visitor economy in that area was assessed to be 12% of the overall economy which is much close in size to Fylde's economy and also below the national average.</p> <p>FBC is frustrated that the applicants continue to downplay the significance of this issue and is alarmed that references to other DCOs are being made, alleging support for their approach when FBC considers the opposite to be true.</p>	
Other Matters Green Belt				
REP3-082 – 2.45 (Q17.1.1)	The applicants and Fylde Borough Council	<p>It is agreed between the parties that the proposed substations represent inappropriate development in the Green Belt.</p> <p>Notwithstanding that substantial harm should be given to any harm to the Green Belt (paragraph 153 of the National Planning Policy Framework), both parties are asked to quantify the degree of any harm that would be likely to result from the proposed substations to the openness of the Green Belt</p>	<p>The applicant sets out in their Planning Statement [APP-233] that assessment around openness and any justification regarding the impact on the purposes of the Green Belt are not required, and on the basis that the development fall under the 'critical national priority' definition set out in EN-1. The applicants' position in best summarised in section 5.24.1.12 of the Planning Statement.</p> <p>The applicant does go on to explain in section 5.24.1.15 that regardless, they consider Very Special Circumstances to exist. However, the Planning Statement presents a circular argument, where in section 6.4.1.3 and 6.4.1.4, it explains that</p>	<p>The harm to be caused to the Green Belt by the substations, by reason of inappropriateness or any other harm, has been examined in detail in the Green Belt Technical Report (REP3-069). As discussed at ISH2, the Applicants have updated this Report at Deadline 4 to address 'other' harms and provide the Applicants' conclusions as to the degree of harm that would arise from the Transmission Assets (S_D3_12/F02).</p> <p>Section 1.6 of this Technical Note presents an analysis of the harm resulting from the Transmission Assets (including the substations), on the openness and purposes of the Green Belt.</p> <p>With regard to the measuring of negative impact through the Landscape and Visual Impact Assessment, the Applicants would remind the Council that Green Belt</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
		and the purposes of including land in the Green Belt.	<p>Very Special Circumstances exist because the development is of the critical national priority type, referring back to section 5.24.</p> <p>Interestingly, the Planning Statement does acknowledge in section 6.4.1.4 that the applicants must “demonstrate that all residual effects are those that cannot be avoided, reduced or mitigated, setting out how any mitigation or compensatory measures will be monitored and reporting agreed to ensure success” but with regards to Green Belt impacts, this approach does not appear to have been taken.</p> <p>FBC notes that the applicants indicate in part of their response to representations made by Freckleton Parish Town Council [page 36 of APP-123] that “The potential landscape and visual effects of the Transmission Assets are identified in section 10.7 and assessed in section 10.12. This includes consideration of the impacts of the Transmission Assets on openness of the Green Belt and its policy objectives). It is also discussed in Volume 1, Chapter 4: Site selection and alternatives of the ES.” FBC cannot identify such consideration of impacts upon openness in or around Freckleton and the substation locations, within the referenced parts of the submission, nor elsewhere.</p> <p>FBC considers that the measuring of negative impact should be assessed</p>	<p>is a land use policy rather than one which indicates a landscape designated for its quality and character. Effects on Green Belt should not fall under the remit of the LVIA.</p> <p>However, it is recognised that landscape and visual matters, such as effects on openness, inform Green Belt considerations. As elements of the Transmission Assets fall within areas of Green Belt, the assessors undertaking the LVIA have therefore contributed to the consideration, and the relevant finding of effects on Green Belt (APP-123).</p>

Reference	Question To	ExA Question	IP submission	Applicants' response
			<p>through the Landscape and Visual Impact Assessment process, quantifying the degree of harm which may be generated by a proposed development by identifying the sensitivity of the landscape area and its ability to respond to change.</p> <p>Whilst the Landscape and Visual Assessment undertaken by the applicant [APP-123] includes some assessment of Green Belt impacts, it does not fully assess the importance of the landscape characteristics within the area between Kirkham and Newton with Scales to the different stakeholders (local residents, tourists, ecologists, etc.) and for this reason, does not accurately predict the level of harm.</p>	