



**Answers to Examining Authority's Written  
Questions Received 8<sup>th</sup> September 2025**

**Morgan & Morecambe Transmission Cables  
Examination**

**IP Reference-20053931**

**September 2025**

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## **Appendices**

See separate document

## **1. Introduction and Approach**

- 1.1.1 Fylde Council [FBC] is a statutory consultee and Interested Party for the proposed Morgan and Morecambe Offshore Wind Farms Transmission Cables proposal.
- 1.1.2 This "Answers to Questions Report" is prepared in response to the Examining Authority's [ExA] written questions issued to Fylde Borough Council and other parties on 8<sup>th</sup> September 2025.
- 1.1.3 In preparing this report in accordance with Section 60(3) of the Planning Act 2008 (as amended), FBC has shown due regard to relevant guidance, including the 'Nationally Significant Infrastructure Projects: Advice for Local Authorities' published by the Planning Inspectorate on 08 August 2024 (updated 16 December 2024).
- 1.1.4 In providing answers, FBC has been mindful of its role within this Examination. Answers have been provided to all questions directed at FBC, as well as in response to other questions for which FBC considers that voluntary provision of a response is appropriate and relevant.
- 1.1.5 In deciding which other questions to provide answers to, officers have been steered by its Consultative Group of elected members, as well as the Fylde Local Plan to 2032 (incorporating Partial Review) [FLP], National Planning Statements and other material matters and guidance.
- 1.1.6 FBC has consistently raised concerns about the inadequacy of the Environmental Statement [ES] both in terms of its incompleteness and its inconsistencies, as well as the volume of new and updated information still to be provided by the Applicants. FBC notes that a range of documents are due to be submitted at Deadline 5, Deadline 6 and in some case post-examination.
- 1.1.7 FBC reserves its position on these matters and requests the Examining Authority require further information from the applicants to ensure the nature and extent of all impacts can be properly assessed and understood. We also request that appropriate opportunity and reasonable time is given for FBC and other Interested Parties to respond to any further information as and when it is supplied by the Applicants throughout this process.
- 1.1.8 This report has in part been informed by consultation responses from council officers and other advisory bodies and individuals. The consultation requests, reviews of responses and creation of this report is the work of the officers of Fylde Council, and no part of this process has been generated by AI.

## 2. Answers

### 2.1 Q2:1.1.1

FBC supports the principle of agreeing further specific drafting in the relevant control and management documents, and the DCO, to ensure that full opportunities are taken for co-ordination and collaboration, in the interests of reducing and minimising the likely harmful effects of development.

This is particularly important because it is evident that all likely harm has the potential to be exacerbated by repeat and extended periods of construction. For example, harm arising from the 'temporary' loss of agricultural land, ecological harm to protected habitats, noise disturbance and increased HGV activity would all be increased under certain proposed development scenarios. Those same harmful impacts could also be reduced through certain collaborative practices.

Even where specific harms are not known, it should be possible to formulate commitments which provides firm and binding requirements to such an approach. Indeed, Policy EN-1 requires applicants to utilise opportunities for reduction in harm and increases in benefits throughout and for all relevant topic areas. For example, Section 5.14.11 of EN-1 gives specific examples of opportunities for mitigating harm relating to traffic and transport, which includes examples which could be relevant to co-operation and collaboration between the Applicants.

It should also be noted that these examples in EN-1 are not exhaustive and instead the Applicants are required to provide a reasonable response to these opportunities at this stage, rather than the current position which seeks to defer any such commitment to the post-consent stage.

Section 1.1.5 of EN-1 is clear that *"Applicants should therefore ensure that their applications, and any accompanying supporting documents, are consistent with the instructions and guidance in this NPS, any relevant technology specific NPS and any other NPSs that are relevant to the application in question."*

Furthermore, FBC is interested in further detail about a particular aspect of the Applicants' response to Q1.1.7 [REP3-056] where they state that *"Another key consideration is the regulatory framework for offshore transmission infrastructure, as this requires that each project's transmission assets are independently developed (...)"* FBC would appreciate it if the Applicants could provide a specificity so that this requirement can be properly understood, particularly with regard to whether it trumps other requirements, guidance and limitations.

### 2.2 Q2:1.1.5

FBC considers that regular meetings with local liaison committees should be included within the Outline Communications Plan [REP4-029]. Given the scale of the proposed development and the number of settlements and communities which will be affected at different times over an extended period, this should not be one committee but instead should be a number of local committees. Effective engagement with local communities will be vital to properly managing impact on human health, as well as improving the impact of proposed mitigation for all topics.

FBC notes that the Outline Communications Plan has also been updated at Section 1.4.1.2 to include a commitment to providing effective and transparent methods of communication but then has removed specific commitment to provide an email address and phone line for members of the public to make enquiries. FBC notes that the provision of a hotline during construction only has been added but does not consider this to be equivalent.

It is very likely that residents will have enquiries outside of construction periods, particularly given the likely scenario of two separate phases of construction, with up to a year for remediation after construction has ended.

Whilst a minor point, FBC also notes that the logo header on the submitted document has a graphical error.

## **2.3 2:1.1.7**

FBC refers to its answer to Q2:4.1.15 (in this document). In summary, Section 4.2.15 of EN-1 sets out that residual impacts relating to defence could be the basis for refusal where they would create unacceptable risk.

The relevant test is whether the potential or risk of adverse impacts exist. FBC is of the opinion that based on the existing information within the Examination, which includes consideration of written and oral submission made by BAe and the Applicants, that at this stage the potential for adverse impacts to Warton Aerodrome still exists.

## **2.4 2:1.2.2**

FBC submitted its formal response to the East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report.

Whilst the level of information at this stage is naturally relatively high-level and indicative, FBC notes with interest that for those proposals, the promoter has indicated that the substation could be located to the south of the Ribble River, closer to Penwortham.

FBC maintains its position with regards to the approach taken by the Applicants for their site search and co-location of substations. FBC remains unconvinced by the Applicants' assertion that location of one or both substations to the south of the River Ribble would not be possible.

## **2.5 2:4.1.15**

Strategic Policy T2 of the Fylde Local Plan to 2032 (incorporating Partial Review) [FLP] states that permission will be refused for any development either within the defined safeguarding area, or the wider area, which would have adverse impacts on aviation operations, or on defence navigation systems and communications at Warton Aerodrome.

FBC continues to monitor the submissions relating to these impacts and notably the dialogue between BAe and the Applicants. FBC is also in dialogue with BAe planning agent direct.

FBC understands that some progress has been made since Deadline 4. However, based upon currently available information, FBC must conclude that there is still uncertainty and therefore the potential for harmful impacts.

Policy T2 requires the applicant to demonstrate that there would not be any potential for adverse effects. FBC notes that the requirement is with the Applicants and that the test is sensitive to the possibility of effects.

FBC considers that this is not onerous and refers to Section 4.2.15 of EN-1 which sets out that residual impacts relating to defence could be the basis for refusal where they would create unacceptable risk.

In both Policy T2 and EN-1, the test is whether the potential or risk of adverse impacts exist. FBC is of the opinion that based on the existing information within the Examination, which includes

consideration of written and oral submission made by BAe and the Applicants, that at this stage the potential for adverse impacts to Warton Aerodrome still exists.

On this basis, neither policy requirement is satisfied and in the case of FLP Policy T2, the result is that the proposals as they stand cannot be supported.

## 2.6 2:6.1.3

Sand lizards are protected in the UK under the Wildlife and Countryside Act, 1981, they are a Priority Species under the UK Post-2010 Biodiversity Framework and are listed as a European Protected Species under Annex IV of the European Habitats Directive.

Their distribution is limited to only a small number of sites in the UK. As set out in FLP Strategic Policy ENV2, FBC is committed to ensuring the protection and enhancement of biodiversity and provides specific control for development which would have an adverse impact on protected priority species.

FBC has continued to liaise with the Applicants and their consultees on a range of topic specific meetings, which has included discussion of potential impacts on sand lizards. FBC has provided comments to the Applicants on the Sand Lizard Mitigation Plan [REP4-117] through these meetings but sets out those comments and additional comments in the response below.

- **Incorrect reliance on “outside the SSSI” as a protective measure for a mobile species.** The plan repeatedly leans on the fact that elements (access road/compound/exit pit) are beyond the mapped SSSI boundary (e.g. *“The compound and beach road is outside the boundary of the SSSI.”* and *“Transition Joint Bays will be located within Blackpool Airport which is at minimum 600m from the SSSI boundary”*). However, sand lizard’s range across suitable connected dune habitat; SSSI lines/lines on a map do not constrain them. Distance-from-SSSI is not an ecological safeguard for a mobile reptile population using the dune system.

- **Unsupported claim of “no direct impacts” to the dunes.** The plan states: *“There will be no direct impacts to the dunes during the construction phase because the Lytham St Anne’s Dunes SSSI will be crossed utilising trenchless techniques... exit pit... 100 m seaward of the western boundary of Lytham St Annes SSSI.”* This ignores indirect impacts (e.g. noise, vibration, lighting, human presence, heavy vehicle movements) that affect dune wildlife and nearby sand banks used for both sand lizard hibernation and basking.

- **Inadequate and inappropriate noise/vibration reasoning for reptiles.** The plan cites human receptor predictions (*“predicted noise levels... do not exceed 59 dB at the nearest sensitive residential receptors”*) and generalised lizard auditory ranges, then concludes disturbance is unlikely because dunes are already publicly accessible. This relies on human thresholds ( $\leq 59$  dB at nearby homes) and broad statements about reptile hearing to claim low risk and then assumes the dunes’ public access means extra disturbance is insignificant. This is not an appropriate assessment for sand lizards. It mixes human comfort criteria with reptile ecology, ignores ground-borne vibration that travels through sand, and sets no reptile-relevant trigger levels or stop-work actions at sensitive features such as hibernation banks, basking edges, or egg-laying sand and public access with occasional light vehicles is not comparable to repeated heavy plant and HGV movements.

- **Underestimation of vehicle-related risk and disturbance footprint.** The plan claims: *“additional footfall... would not result in any significant increase,”* and leans on existing public access to minimise significance. It provides no quantified construction traffic profile (vehicle type/axle load, frequency, speed, timing) and does not assess heavy-duty vehicle vibration on sand banks likely

used for hibernation/basking. This is especially problematic given the plan's own identification of *"increased vehicle movements on the beach and beach access road"* as a potential impact.

- **Trenchless method risk pathways downplayed.** The plan says the direct-pipe trenchless method *"reduces risks associated with frack out of drilling fluids or the collapse of the drill hole"* but it gives no site-specific geotechnical evidence, drilling-fluid management plan, monitoring with trigger-action levels, or clear contingency tailored to dune geomorphology and the shallow water table. It also relies on depth rather than a worked method statement and incident response. Reducing risk is not the same as eliminating it; without these details, potential effects on dune hydrology and subsurface voids used by sand lizards are not properly assessed.

- **Timing constraints benefit people/logistics more than lizards.** The only seasonal control offered is *"no works on the beach between November and March inclusive"* (i.e. hibernation). That still allows works from April–September, when sand lizards are most active. They are not only at risk in winter (during hibernation). Disturbance during basking, mating and egg-laying directly harms survival and breeding success, yet the plan gives no measures to avoid those peak-sensitivity windows. Such sensitivity relates to:

- **Basking (daily spring-autumn):** Sand lizards must bask to reach a workable body temperature. If vehicles/people keep flushing them from sunny banks, they can't warm up, can't feed or digest properly, and condition drops, ultimately increasing starvation and mortality risk.
- **Mating (spring/early summer):** Courtship and mating need time, warmth and calm. Repeated disturbance reduces encounters and interrupts mating, leading to fewer clutches and weaker recruitment.
- **Oviposition (late spring-summer):** Females need warm, loose, undisturbed sand to bury eggs. Vibration, compaction, stockpiles or machinery near those patches can cause nest abandonment, force poor site choice, or damage/compact the sand so eggs fail.
- **Hatchlings (late summer/early autumn):** Newly emerged lizards are small and highly sensitive to disturbance and ground compaction; track traffic and compound edges raise direct mortality and dispersal failure risks.
- **Avoidance and/or mitigation measures.** Deferral of essential detail is not an implementable mitigation plan. The document repeatedly defers key measures to future plans and even states *"final avoidance and/or mitigation measures... will be agreed... through discharge of the final sand lizard mitigation plan(s)."* This is not adequate at DCO stage for a European Protected Species risk. Robust, specific, and enforceable measures should be fixed now.
- **No site-specific protection along the access track or at the compound.** The Plan acknowledges *"increased vehicle movements on the beach and beach access road"* but does not commit to practical safeguards. There is no reptile fencing along the track, no mapped buffers around winter sleeping sites or egg-laying areas, no seasonal speed limits or escorted movements, no refuge checks or phased clearance, and no daily pre-works checks by a licensed ecologist. Instead, the Plan relies on a generic toolbox talk.
- **Reliance on chestnut paling is misplaced.** The Plan states: *"The seaward boundary of the accreting dunes is already fenced with chestnut paling fencing ... to discourage pedestrian access from the most sensitive areas of dunes."* In practice, chestnut paling is installed primarily to trap wind-blown sand and build wider, higher dunes as a soft sea defence. Any reduction in trampling of planted areas is a secondary benefit. Chestnut paling is not an exclusion fence for reptiles and does not manage construction access, vehicle movements or vibration. It should not be relied upon as mitigation for sand lizards.
- **Handling and licensing are not set up correctly.** The Plan states: *"Any lizards encountered will be recorded and re-located to a place of safety... by the ECoW"* and that the ECoW *"will hold a Natural England survey licence."* A survey licence does not authorise capture and relocation

during construction. Moving lizards during works requires an EPS mitigation licence that explicitly covers these activities. To say an EPS licence is “disproportionate” is not supported by evidence.

- **Vehicle disturbance is played down without data.** The Plan states construction traffic will not add to disturbance because the area is publicly accessible. Sporadic use by light vehicles is not the same as frequent heavy construction traffic. There are no traffic counts, no swept-path analysis, and no vibration modelling near the dunes. There is also no comment or commitment in relation to speed limits, driver briefings, or seasonal working-hour controls that reflect lizard activity. FBC provided details of the current type and frequency of vehicle use in Section 7.3 of its ‘Response to matters raised at the Specific Hearings for Deadline 4’ [REP4-134].
- **Noise and vibration controls are not tied to reptiles.** The Plan cites “*PPV below 1.0 mm/s and 59 dB at human receptors*” to conclude there will be no significant disturbance. It sets no reptile-focused trigger levels, no stop-work criteria, no exclusion distances to winter sleeping sites, and no on-site monitoring of ground vibration during piling or cofferdam works. There is also no commitment to switch to lower-vibration methods if needed.
- **Lighting, dust, and pollution risks omitted for reptile receptors.** The Plan lacks specific controls for temporary lighting (glare/spill to dune margins), dust suppression (sand egg-laying sites; basking banks), and pollution (fuel/chemical storage, spill response) with receptor-based buffers and monitoring. These are standard in sensitive habitats and should be explicit, not deferred.
- **No quantitative monitoring, no success criteria, no adaptive management.** There is no commitment to a reptile monitoring programme with pre, during, and post construction surveys, no measurable success criteria, and no adaptive measures if monitoring shows displacement or mortality. Saying “*requirement for an EPS licence will remain under review*” is not a substitute for a monitoring and response framework.
- **Reptile exclusion fencing dismissed without options analysis.** The Plan labels temporary reptile exclusion fencing and targeted translocation as disproportionate but provides no receptor mapping, no risk ranking, and no trials of short, targeted fencing at likely hotspots such as along the track edge near basking banks. Proportionality should be shown through a site-specific options appraisal, not simply stated.
- **Toolbox talk-only approach is inadequate.** The reliance on “*a toolbox talk*” to avoid staff straying into dunes is weak. There’s no commitment to supervised access routes, physical barriers, spotters during peak activity hours, mandatory sign-off for new starters, or lizard ID training covering juveniles and egg clutches.
- **“All areas equally suitable” leads to blunt, non-targeted mitigation.** By assuming uniform suitability, the plan justifies not surveying and not targeting mitigation where it matters (e.g. sunny south-facing banks, embryonic dune ridges). This produces generic measures that won’t manage risk at hotspots along the track/compound interface.
- **No commitment to constrain works during peak daily activity windows.** There is no proposal to avoid early to mid-morning and late afternoon (peak basking) movements on the track, or to introduce seasonal working-hour controls on high-vibration activities during warm, still days.
- **No measured buffers.** The Plan provides distances to the SSSI boundary (100m and 600m) instead of setting simple exclusion distances from real lizard hotspots. The Plan should map the hibernacula, oviposition sands and basking corridors, then set firm exclusion zones around them and lower speed limits nearby.
- **Compounds and access not reptile safe.** The Plan does not include basic design features to keep lizards safe (e.g. to stop lizards getting in or being harmed). There is no smooth vertical skirting to prevent ingress, no plan to manage pits and trenches, no staged sand removal with ecologist supervision, and no refuge management inside compounds. Mitigation should include smooth solid edging at the base of site fencing and cabins, cover or ramp any pits and



trenches, remove sand in stages with an ecologist on site, and sort any places inside the compound where lizards could hide and get trapped. As the Plan expects to encounter lizards and to relocate them, prevention by design should come first, not relocation.

More generally, FBC is concerned about the apparent over-reliance on future, non-specified plans. At DCO stage, this should be a workable and enforceable reptile mitigation plan with maps, buffers, counts, triggers, and method statements, rather than a placeholder. As well as responding to the above specific issues, FBC considers that a fit-for-purpose plan should be prepared in accordance with the following characteristics:

- Fine-scale mapping showing buffers and seasonal constraints.
- Quantified construction traffic profile and reptile-specific vibration/noise trigger levels with stop-work criteria and ecological monitoring.
- A clear licensing strategy which state when an EPS mitigation licence is required, for example capture, handling, relocation, disturbance, or risk to breeding or resting places. It should confirm no capture or relocation without it. It should include method statements and programmes, name the licence holder and accredited agents, and set a 'stop work and call the ecologist' procedure. It should make it clear that a survey licence is not sufficient for construction, give a simple decision tree so unlicensed staff do not handle reptiles, and should explain how compliance will be checked and recorded.
- Include a trenchless installation Drilling Fluid and Ground Risk Plan with monitoring and contingency specific to dune systems.
- Include lighting, dust, pollution controls tailored to dune reptiles (with measurable standards).
- Include a monitoring and adaptive management plan (pre/during/post) with success criteria and reporting.

In light of the Above comments, FBC considers that the proposed Sand Lizard Mitigation Plan and EPS licensing strategy following discussion with the Applicants and Officers remains inadequate and inappropriately high-level lacking specificity and control. Furthermore, FBC considers that these issues must be resolved prior to any consent being granted, in order to ensure that appropriate and effective mitigation can be secured in a way which is compatible with the commitments, management plans and DCO.

## **2.7      2:6.1.7**

FBC remains concerned about the vague wording of this and other commitments. The caveats "where practically possible" and "if necessary", without qualification, render the commitment ineffective. Commitments should reference management plans and other commitments in order to provide a greater level of detail, confidence and certainty.

CoT101 should also be reworded to fully respond to the likely consequences of impacts on peat. Works both directly and in-directly (via impacts on ground water) impacting peat deposits may cause drying and shrinkage, which in turn cause localised ground stability issues and could also limit groundwater abstraction and re-use.

CoT101 should also properly qualify what is meant by "high concentrations" or otherwise be reworded. The potential for smaller areas of peat lenses within and close to the Work Order limits has been identified and there is no justification for excluding these from the commitment.

## **2.8      2:6.1.8**

FBC has continued to liaise with the Applicants and their consultees on a range of topic specific meetings, which has included discussion of potential impacts on peat. FBC has provided comments to

the Applicants through these meetings and has confirmation in these meetings from the Applicants that updates will be made specifically with regards to peat.

FBC expects these updates to include a Peat Management Plan with a detailed hierarchy for decision making, setting out how peat will be avoided where possible as well as measures to store, protect and reinstate peat if peat is encountered during works. Any such plan should be made a Requirement of the DCO.

Whilst FBC notes the Natural England position [RR-1601] that this information should be provided in advance and agrees that this would be preferable, FBC considers that if the scheme were to be consented then this should only be done with the benefit of a suitably detailed and secured avoidance hierarchy and defined through the DCO.

## **2.9      2:6.2.4**

FBC echoes the repeated request from the ExA in Q2:6.2.1 for the full biodiversity metric spreadsheet to be provided. This aligns with the repeated requests the written submissions by FBC, most recently in Sections 6.2, 6.3 and 6.6 of its 'Response to matters raised at the Specific Hearings for Deadline 4' [REP4-134], for further assessment and associated evidence relating to the ability of the development to deliver and secure the proposed measurable net gains for biodiversity.

With regards to a scenario where on-site delivery of some or all BNG was not possible, FBC would refer to the relevant policy and guidance, which notably includes the Lancashire Country Council 'Local Nature Recovery Strategy' (2025).

However, a specific response would depend upon the details of the site and characteristics of the desired BNG. There are a number of different important habitats and species, and it is likely that any strategy would need to respond to site-specific conditions.

FBC remains concerned that the proposed bird mitigation or compensation areas for birds may be too small to be used as effective mitigation. This creates the potential that birds displaced by construction activities may be subject to further movement pressures which could in turn increase bird strike risk. FBC does not consider that it has been conclusively demonstrated that the proposed areas will provide sufficient mitigation for the numbers of birds which may be displaced during construction.

FBC notes that mitigation areas will be less likely to be used, the further they are from any impacts.

FBC maintain its position that the mitigation hierarchy should be followed and that on-site BNG should be prioritised.

## **2.10      2:7.1.1**

Whilst this question refers to the previous relevant FBC representation on this matter [REP4-134], FBC wish to note that related concerns and requests have also been made by Natural England throughout the examination process and notes with concern the lack of any progress being made with regards to this particular matter, as outlined in the Natural England Risk and Issues Log [REP4-139].

FBC wishes to emphasise the importance of sediment transfer processes in this area. Any changes to the sediment transfer system could potentially impact on the Fylde Dunes project. One of the key objectives for the Fylde Dune Project is to improve the efficiency of the dunes as a soft sea defence, essential for the delivery of the Environment Agency Shoreline Management Plan (Unit 11B1.21). The applicants have indicated they would be prepared to support the Fylde Dune Project through Community Benefits which is welcomed. However, FBC regards these matters to be directly and

proportionally linked to the development and commitments should be secured through a Section 106 Agreement.

This is completed through active management realignment techniques to accrete the dune system seawards. This work is only possible due to the sediment gains that are seen from Starr Gate to the mouth of the Ribble Estuary. If sediment transport systems are interrupted this could impact accretion rates and the effectiveness of the management techniques leading to weakening of the dune system for coastal defence.

In terms of managing these issues post-consent, FBC relies primarily upon the submissions made by Natural England in terms of what information is needed to potentially reach an acceptable position.

## **2.11 2:12.1.11**

Specifically in relation to the St Annes FC/Blackpool Road, Section 106 agreement in principle and final drafting of the Section 106 is well advanced.

On other matters FBC requested that ExA recommends that matters relating to: Fairhaven Saltmarsh mitigation and its enhancement; Sand Dune mitigation/protection; BNG; and, localised habitat protection, are also dealt with via Section 106 agreement as these matters are directly related to development, rather than by voluntary community benefits as offered by the Applicants.

FBC welcomes the Applicants commitment to enter into agreements across a number of community, economic, energy and environmental projects for Kirkham, East Fylde villages and South Ribble.

### **3. DCO Answers**

#### **3.1 Q1:3.1**

FBC maintains its position that because the proposal is for two separate developments, with no commitments around cooperation or collaboration to minimise or reduce the likely impacts arising, then the likely harmful impacts will inevitably be amplified when compared to one scheme coming forward.

FBC concluded that a greater quantum of development will naturally give rise to greater impacts, and that given the limited commitments around the timing, duration, work programme, design content and frequency of works will without doubt exacerbate issues and also introduces additional risks and the possibility for new types of harm.

For example, a repeat period of construction in a localised area after a short delay may cause harm to the environment, economy and human health in a manner which exceeds the harm of either instance in isolation. Conversely, a greater lapse between phases of construction may also undermine remediation works.

At a broader level, the longer the overall period of construction, the greater the potential for some types of harm. For example, reputational harm to the tourism industry and operational limitations to agricultural land will likely worsen as the overall period extends.

The issue is complex and multi-faceted. FBC has continued to advocate for a greater level of detail and commitment with regards to the phasing, design duration and frequency of construction and remediation activities, so that each of the issues can be appropriately assessed and controlled.

The requested extended seven-year commencement period has the potential to exacerbate some issues, particularly with regards to human health, and it is likely that an overall reduction in the total commencement would therefore be beneficial in this regard.

#### **3.2 Q1:3.3**

FBC have had a series of topic-specific meetings with the Applicants, including with regards to design principles. FBC understands that the Applicant is updating documents for submission at Deadlines 5 and 6.

FBC has provided detailed verbal and written comments to the Applicants with regards to this matter since Deadline 4.

FBC will review and comment upon documents as they are formally submitted to the examination.

At a high level, FBC still has significant concerns with regards to the approach taken by the Applicants. The Applicants state that the overarching National Infrastructure Commission's Strategic Design Principles have guided the design process up to the DCO submission, ensuring that the substations are integrated sensitively, mitigated as far as practical, respectful of the local communities' interests and deliver enhancements where feasible. However, the location, duality, scale and type of the development proposed makes it very difficult to understand how this has been effectively achieved.

FBC will continue to advocate for circumstances which would require the Applicants to ensure that if and when consent is granted, the Design Principles and Codes form the cornerstone of real

commitments to good design and are bound into the procurement process through a Statement of Compliance.

### **3.3 Q1:3.4**

FBC raises no objection to the Applicants' position as set out in their response to Action Point ISH3.22 [REP4-108].

FBC routinely consults BAe on relevant applications and there are no proposals to change this approach. However, FBC expects the Applicants would consult BAe and the DIO in advance on any aviation and defence matters as part of a preapplication process before formal submission, and that any consultation response from BAe would be given appropriate consideration when determining any relevant applications. FBC operates a series of agreed processes with BAe and other sensitive industries that complies with NSPA major infrastructure" classification.

FBC notes the significant interest that BAe and the DIO have in this matter and will take any further responses and advice into consideration.

### **3.4 Q1:3.7**

FBC recommends that Requirement 6 should include details of existing trees and hedgerows to be retained and those to be removed.

Including a clear schedule of retained and removed trees and hedgerows is essential for assessing the acceptability of the landscaping scheme. It would enable FBC and other stakeholders to understand the impact of the proposal on landscape character, biodiversity, and amenity.

FBC considers that Requirement 6(2) should be amended to include: a retention and removal schedule, identifying all existing trees and hedgerows affected; integration with the TPO and Hedgerow Plan, ensuring consistency and transparency; and a commitment to species-specific replacement planting, with native and locally appropriate species.

Any such schedule should be submitted prior to commencement, and form part of the final landscaping scheme. It should also be supported by a site-based survey to confirm actual conditions and inform planting design.

FBC notes with concern that at present, the relevant outline plans caveat the retention of trees and hedgerows with "where practicable" and "except where temporary construction, access or enabling works are required". This is very open ended and does not enable a clear understanding of where and how impacts may be experienced, or how and if there would be sufficient provision for them be mitigated.

FBC remain concerned that the level of mitigation which may be required once this information becomes available post-consent may be insufficient to adequately offset the visual effects and integrate the proposed scheme and the two proposed substations into their landscape setting.

FBC remains concerned that the trenchless techniques proposed in order to retain many of the mature trees around the proposed substation sites may have long lasting consequences which affect their survival and the number of trees which would be subjected to this process should be identified.

FBC has received verbal confirmation from the Applicants that some updated information will be submitted at Deadline 5 and we will review and comment on this information once received.

### 3.5 Q1:3.8

FBC considers that Landscape Management and Ecological Management have different objectives. Whilst one management plan may be used to secure the ongoing maintenance regime of landscape features, it is essential that the goals and objectives of both topics are agreed and monitored.

A separate Site Management Plan developed and overseen by a working group which consists of both Landscape and Ecology professionals, would help to ensure the delivery of soft landscaping achieves both objectives in the long term.

FBC recommends that the management plans should be updated with consideration of the following Operating Principles:

- **Minimum 10-Year Management Period Works Completion:** Trees and hedgerows should be managed for at least 10 years after planting to ensure proper establishment and ecological function.
- **Annual Monitoring and Reporting:** Monitoring should begin in Year 1 and continue annually. Reports should be submitted to the Council by 31 March each year, including survival rates, species counts, photographic evidence, and any remedial actions taken.
- **Rolling Replanting Obligation:** Any failed planting should be replaced in the next available planting season, not deferred to the end of the 10-year period. The management period should reset for any replacement planting to ensure full establishment.
- **Responsibility and Enforcement:** The applicant or their appointed contractor should be responsible for monitoring and reporting. The Council must retain the right to inspect and enforce compliance if failures are not addressed.
- **Integration with the DEMP:** The Detailed Ecological Management Plan (DEMP) should complement, not duplicate, the landscaping obligations. It must include species-specific maintenance regimes and hedgerow connectivity measures.

### 3.6 Q1:3.11

FBC notes the request made by Lancashire County Council [REP4-136] with regards to Requirement 12 of the dDCO and will review the Applicants' response when it is made available.

### 3.7 Q1:3.12a

Clarity and clear restrictions on out-of-hours works would be welcome by FBC.

### 3.8 Q1:3.12b

FBC considers that the inclusion of preparation and maintenance work would only be acceptable as part of the mobilisation activities if they are unlikely to generate any significant noise levels at neighbouring properties, so clarity would be welcomed.

FBC suggests that this could be clarified in clause 14(6)a, to make it clear that preparation and maintenance activities would exclude for example noisy repairs, movement of heavy equipment or plant, running pumps, or other noise sources.

### 3.9 Q1:3.12c

FBC considers that a reference to the noise criteria for significant noise levels defined in the outline Noise Management Plan would provide an appropriate fall-back for this level.

### 3.10 Q1:3.12e

FBC supports and welcomes the amendments of Saturday morning hours beginning at 08:00 rather than 07:00. This would align more closely with the general preferred working hours set out in the previous FBC response to ExQ1 Q1.1.5b [REP3-082], which were 08:00–18:00 (Monday–Friday) and 08:00–13:00 (Saturday), with no works on Sundays or Bank Holidays. The requirement for start-up and set down periods should be included within these operating hours for sensitive human and environmental receptors. Locations for holding areas outside the zone of sensitive receptors for delivery/machinery/plant should also be identified.

### 3.11 Q1:3.12f

FBC considers that as drafted, clauses c) to f) in 14(2) is ambiguous as they could suggest that out-of-hours work may be allowed for all of the landfall works, Blackpool Airport works, etc. The wording needs to be clarified to relate more closely to the activities specified in clause 14(2)a) only.

FBC has discussed this matter with the Applicants and understands that they will amend the drafting to improve the preciseness of these clauses.

### 3.12 Q1:3.14

With regards to Requirement 16, FBC does not consider that the revised wording fully addresses the concerns raised.

The current drafting lacks clarity on timing, standards, and enforcement. FBC recommends updates are made with regards to the following:

- **Restoration Timeframe:** Restoration of temporarily used land should be completed within 6 months of the cessation of construction activities, unless otherwise agreed in writing with the Local Planning Authority.
- **Two schemes:** The Applicants should provide a greater level of detail within their current submissions regarding the proposed and anticipated timing of the two schemes and whether the works would be concurrent or sequential. Only with this information can informed decisions on the timing of and requirements of restoration be made.
- **Pre-Commencement Restoration Management Plan:** A Restoration Management Plan should be submitted and approved prior to commencement. This plan should set out soil handling and reinstatement methods, hedgerow and vegetation reinstatement specifications, drainage reinstatement measures, and monitoring and reporting arrangements.
- **Monitoring and Reporting:** The applicant should carry out post-restoration surveys and submit a restoration completion report to the Council within 3 months of restoration works. This should include photographic evidence, soil condition assessments, and confirmation of hedgerow and vegetation reinstatement.
- **Rolling Reinstatement and Species Matching:** Where hedgerows or trees are reinstated, the species mix should match the original composition as closely as possible. Any failed planting should be replaced in the next available planting season, with a rolling 10-year management period applied to ensure establishment.
- **Council Oversight and Enforcement:** FBC should retain the right to inspect restored areas and require remedial works if standards are not met. This ensures that restoration is not only completed but also maintained to an acceptable standard.

### 3.13 Q1:3.15

FBC has made recommendations with regards to the redrafting of Schedules 2A and 2B in the response to Q2:14.1.1 (also submitted in this response).

FBC requires that the requirement to agree an Operational Noise Management Plan is reinstated to clarify the monitoring procedures. If this monitoring determines that the noise limit represents a breach of the noise limit set out in the requirement, this will constitute a breach of the requirement which would need to be remedied and therefore it is not considered necessary to specify provisions for further mitigation.

**3.14 Q1:3.17**

FBC considers that the Outline Operational Drainage Management [REP4-065] is lacking in details of the flood mitigation measures of the substantial detention basins and the extensive potential BNG opportunities.

FBC notes that Lancashire County Council as the Lead Local Flood Authority would be responsible for approving details relating to this matter but requests that FBC and Parish Councils are secured as a consultee within the outline plan.

**3.15 Q1:3.19**

Whilst FBC has engaged with a proactive and busy programme of meetings and exchanges of information with the Applicants since Deadline 4, matters relating to Onshore Collaboration and Requirements 25 have not been discussed any further.

FBC is not aware that the Applicants are planning any updates to both Requirements 25. FBC therefore maintains the position set out in Section 2.1 of its 'Response to matters raised at the Specific Hearings for Deadline 4' [REP4-134].

**3.16 Q1:3.20**

FBC considers that the proposed wording for Requirements 26 would not be effective in ensuring that the relevant biodiversity benefit is delivered. As worded, it only requires written evidence to be submitted to the relevant planning authority prior to commencement. There is no control over content or approval.

FBC also notes that neither the draft requirements nor the Biodiversity Benefit Statement [REP4-066] include information with regards to the availability of land and any assumptions or commitments made with regards to Compulsory Acquisition.

FBC is of the opinion that the requirements should be updated to require approval and to restrict commencement of operation until approval is confirmed. Similarly, FBC considers that appropriate updates should be made to set out the approach with regards to Compulsory Acquisition.

**3.17 Q1:3.21**

FBC requested that an assurance protocol is secured through the DCO with regards to surface water and groundwater management, as well as hydrogeological risk assessment, specifically with regards to the Sand Dunes within the Order Limits.

FBC notes the inclusion of relevant management plans in points (i) and (o) of the dDCO. The principle of this approach is supported but FBC refers to its previous and new submission relating to these matters, including the specific content of the management plans. FBC also notes outstanding



concerns from Natural England relating to these same topics, notably summarised in the Natural England Risk and Issues Log [REP4-139].

**3.18 Q1:5.2**

FBC maintains its position that fees should be 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].

FBC is open to considering alternative suggestions from the Applicants with regards to a more detailed breakdown of fee amounts for subsequent applications relating to the same requirements.

However, FBC wishes to clarify that other mechanisms, whether through a PPA, s106 or otherwise, will be necessary to secure funding for officer time. FBC is in ongoing discussions with the Applicants with regards to specific contributions for operational and monitoring purposes across countryside/ costal /planning functions for 4 PPO level post for day-to-day monitoring and management requirements. With specific requirements for PPA related funding for discharge (Development Management) functions.

**3.19 Q1:5.3**

FBC has no further comments to make with regards to Schedule 12 at this time, with the exception of those made in response to Q1:5.2 above.

**3.20 Q2:13.1.1**

FBC has been working proactively with the Applicants, officers and consultees to progress matters relating to the preparation of the draft Statement of Common Ground. This work has included a significant number of topic-specific meetings with the Applicants' team, as well as regular meetings with its Consultative Group of Councillors.

FBC understands that the Applicants will submit a copy of the agreed draft SoCG at Deadline 5. This will include areas of agreement and disagreement, in addition to comments on anticipated further progress up until Deadline 6.

As a general comment, FBC officers and advisors has noted a change in the approach and emphasis from the Applicants in the latest round of discussions which is welcomed.

**3.21 Q2:13.1.5a**

FBC recognises the value that an independent design review process can add and noted national advice and guidance on this matter.

The design of the substations and associated landscaping is certain to raise a significant amount of local interest and engagement.

A significant level of local engagement is needed, this will also be influenced by wider social, environmental and economic matters at such a time when the proposals for either substation come forward.

However, the principle to independent design and review processes is noted as is the output of an independent design review process which has material weight and sets an important precedent.

**3.22 Q2:13.1.5c**

FBC considers that additional drafting is required. There is a requirement in the guide to developing a truly inclusive and accessible design that is sympathetic to the social and community context in which it will operate and to serve as an active steward for the local landscape, prioritising nature-based solutions and boosting a local sense of identity.

FBC retains its position as amplified in our relevant representations that this project has been guided by NESO/HDR into solution very early in the process, which has limited its ability to demonstrate the comparison of alternative sites robustly, and/or different delivery scenarios which could have anchored the preferred proposal within its landscape context and support a design narrative which is relevant to the local environment and truly reflects and addresses the concerns of the communities which would be affected.

It must be demonstrated by the Applicants that the design principles being developed are more than just the iteration of earlier guidelines burdened by excessive commercial considerations and that the Applicants can guarantee the provision of tangible benefits to people and places affected by the proposal.

The removal of certain caveats and the establishment of a working group of key stakeholders, landscape design and ecological professionals and the Applicants' Design Champion would be instrumental in ensuring this is achieved from the earliest stages of design, through to the establishment of the ongoing maintenance regimes.

**3.23 Q2:15.1.2**

A report by the Director of Planning and Building Control at FBC is to be taken to the Fylde wide Joint Economic Prosperity Board on 25<sup>th</sup> September 2025. This report references progress with the Morgan & Morecambe Transmission Cable NSIP application and recommending EPBs ongoing involvement in the monitoring and management of Section 106 and Outline Employment and Skills Plan.

The report also notes FBC's continued role, as the LPA, in taking the lead on negotiations and agreements as the Relevant Planning Authority for the Fylde in respect to the DCO Requirements 19 and other requirements/agreements. Confirmation will be provided after the meeting on 25<sup>th</sup> September 2025, either at Deadline 6 or beforehand as appropriate.

**3.24 Q2:15.1.8**

FBC have had a series of topic-specific meetings with the Applicants, including with regards to tourism. FBC have provided verbal and written comments to the Applicants with regards to this matter since Deadline 4.

FBC understands that the Applicants will be submitting an updated detailed report including details of local impacts. FBC will review and comment on any such information once it is submitted.

Until then, FBC maintains its position as set out in its most recent formal submissions to the examination.

**3.25 Q2:14.1.1**

The previous wording of Requirement 18, requiring a noise management plan to be submitted and approved prior to operation of either substation, has been replaced by a commitment to achieve a certain noise limit at a representative location closest to each of the substations.

FBC accepts that the noise limits specified in the revised wording of Requirement 18 of the DCO Schedules 2A & 2B are in line with the limit of less than 5 dB above background which was confirmed as acceptable in FBC's response to ExQ1 Q14.1.5 [REP3-082], and represents an explicit noise limit as requested in the same response.

However, the Operational Noise Management Plan provided a way to specify and agree a post-construction operational noise monitoring plan and complaints response procedure. In contrast, the current requirement wording specifies that noise levels "are to be measured", using a standard procedure, but it is not clear when and where these measurements should be undertaken. For example, this could be interpreted to suggest that operational noise should be measured continuously or on an ongoing basis, which may not be feasible in practice.

It would therefore be beneficial for all parties to reinstate, within Requirement 18, the need to agree an Operational Noise Management Plan which would clearly set out the monitoring scheme and complaints procedure response.

The Operational Noise Management Plan could also set out the noise attenuation and mitigation measures to be taken to achieve the specified noise limit, to provide more reassurance and clarity of the measures that have been employed.

Commitment CoT80 should be clarified accordingly.

### **3.26 Q2:14.1.3**

The wording of the Outline Construction Noise and Vibration Management Plan [REP4-033], with regard to the investigation of complaints and noise monitoring appears generally consistent with the level of detail expected for an outline document.

However, FBC has considered additional aspects that should be developed further:

- Consideration of specific mitigation, engagement/communication measures and/or noise criteria applicable for the Century Care Home due to its acknowledged higher sensitivity.
- The SOAEL criteria set out in Table 1.4 of the Outline Construction Noise and Vibration Management Plan could be further specified as set out in the Applicant's response to ExQ1 Question 14.1.12 [REP3-056], but with consideration of more stringent criteria for the Century Care Home as noted above.
- Consideration of the need for vibration monitoring for specific activities (such as piling), should they be undertaken in such proximity to sensitive receptors as to be a potential source of complaint, as set out in section 1.5 of the Outline Construction Noise and Vibration Management Plan. However, FBC acknowledges that this is unlikely based on the current assessment.

**END.**



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Review Date: N/A

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