



MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Applicants' Response to Examining Authority's Written Questions (ExQ2)

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Glossary

Term	Meaning
Applicants	Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL).
Candidate Special Areas of Conservation	Areas that were submitted to the European Commission as candidates for designation as a Special Area of Conservation before the end of the Transition Period following the UK's exit from the EU, but not yet formally designated. See also Special Areas of Conservation.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
Environmental Impact Assessment	The process of identifying and assessing the significant effects likely to arise from a project. This requires consideration of the likely changes to the environment, where these arise as a consequence of a project, through comparison with the existing and projected future baseline conditions.
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
European Protected Species	Species (such as bats, great crested newts, otters and dormice) which receive full protection under The Conservation of Species and Habitats Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017.
Generation Assets	The generation assets associated with the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm include the offshore wind turbines, inter-array cables, offshore substation platforms and platform link (interconnector) cables to connect offshore substations.
Greenhouse gas	A gas that absorbs and emits radiant energy within the thermal infrared range, causing the greenhouse effect. Examples include carbon dioxide and methane.
Habitats Regulations	The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).
Kyoto Protocol	The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its parties to reducing greenhouse gas emissions by setting internationally binding emission reduction targets, implemented primarily through national measures but also via wider market-based mechanism.
Landfall	The area in which the offshore export cables make landfall (come on shore) and the transitional area between the offshore cabling and the onshore cabling. This term applies to the entire landfall area at Lytham St. Annes between Mean Low Water Springs and the transition joint bay inclusive of all construction works, including the offshore and onshore cable routes, intertidal working area and landfall compound(s).
Local Planning Authority	The local government body (e.g., Borough Council, District Council, etc.) responsible for determining planning applications within a specific area.

Term	Meaning
Marine licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for to apply for 'deemed marine licences' in English waters as part of the development consent process.
Morecambe OWL	Morecambe Offshore Windfarm Limited is owned by Copenhagen Infrastructure Partners' (CIP) fifth flagship fund, Copenhagen Infrastructure V (CI V).
Morgan and Morecambe Offshore Wind Farms: Transmission Assets	<p>The offshore export cables, landfall and onshore infrastructure for the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm. This includes the offshore export cables, landfall site, onshore export cables, onshore substations, 400 kV grid connection cables and associated grid connection infrastructure such as circuit breaker compounds.</p> <p>Also referred to in this report as the Transmission Assets, for ease of reading.</p>
Morgan OWL	Morgan Offshore Wind Limited is a joint venture between JERA Nex bp (JNbp) and Energie Baden-Württemberg AG (EnBW).
National Policy Statement(s)	The current national policy statements published by the Department for Energy Security and Net Zero in 2023.
Planning Inspectorate	The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008.
Protected species	A species of animal or plant which it is forbidden by law to harm or destroy.
Ramsar sites	Wetlands of international importance that have been designated under the criteria of the Ramsar Convention. In combination with Special Protection Areas and Special Areas of Conservation, these sites contribute to the national site network.
Renewable energy	Energy from a source that is not depleted when used, such as wind or solar power.
Special Areas of Conservation	A site designation specified in the Conservation of Habitats and Species Regulations 2017. Each site is designated for one or more of the habitats and species listed in the Regulations. The legislation requires a management plan to be prepared and implemented for each SAC to ensure the favourable conservation status of the habitats or species for which it was designated. In combination with Special Protection Areas and Ramsar sites, these sites contribute to the national site network.
Special Protection Areas	A site designation specified in the Conservation of Habitats and Species Regulations 2017, classified for rare and vulnerable birds, and for regularly occurring migratory species. Special Protection Areas contribute to the national site network.
The Secretary of State for Energy Security and Net Zero	The decision maker with regards to the application for development consent for the Transmission Assets.
Transmission Assets	See Morgan and Morecambe Offshore Wind Farms: Transmission Assets (above).

1 Applicants' response to Examining Authority's Written Questions (ExQ1)

1.1 Introduction

1.1.1.1 Morgan Offshore Wind Limited ('Morgan OWL') and Morecambe Offshore Windfarm Limited ('Morecambe OWL'), (together, 'the Applicants') have taken the opportunity to review each of the Examining Authority's Written Questions (ExQ2).

1.1.1.2 Details of the Applicants' response to each of the Examining Authority's Written Questions (ExQ2) are set out in the subsequent sections of this document and its annexes.

1.1.1.3 Six annexes were produced to support the Applicants' response, as follows:

- Annex 5.1 to Applicants response to ExQ2 1.1.3: Construction Scenarios
- Annex 5.2 to Applicants response to ExQ2 1.1.7: Mitigation Hierarchy
- Annex 5.3 to Applicants response to ExQ2 4.1.14, 4.1.18 and 4.1.20: Technical Note: Bird Strike Policy Note
- Annex 5.4 to Applicants response to ExQ2 5.1.14: Morecambe accounts
- Annex 5.5 to Applicants response to ExQ2 5.1.14: Morgan accounts
- Annex 5.6 to Applicants response to ExA Q2 12.1.3: Land Holding Detail

2 Response to Examining Authority's written questions and requests for information (EXQ2)

2.1 General and cross-topic questions

Table 2.1: General and cross-topic questions

Reference	Question To	ExQ2	Applicants' response
1.1 General and cross-topic matters			
Q2.1.1.1	The applicants and local authorities	<p>Co-ordination and collaboration</p> <p>The applicants response to ExQ1.1.7 [REP3-056] explains that whilst flexibility is required to allow each of the projects to construct independently on each other, opportunities may emerge for further coordination depending on each project achieving Financial Investment Decision and following detailed design. Notwithstanding the measures introduced such as Requirement 25 (Onshore collaboration) in the draft Development Consent Order (dDCO), what further specific drafting can be incorporated into the relevant control and management documents and the dDCO to ensure that full opportunities are taken for co-ordination and collaboration where such opportunities emerge, in the interests of reducing and minimising the potential effects of the proposed development upon communities and the environment?</p>	<p>As alluded to in ExQ2.1.1.1, the Applicants have already set out in considerable detail in response to ExQ1.1.7 and in the Applicants' response to Issue Specific Hearing 1 Action 28 (REP1-039) (specifically section 7.2.3 of REP1-039) how, even without the collaboration requirement, due to alignment of infrastructure inherent in the design of the Transmission Assets, continued cooperation and coordination post consent will be essential. It is not within either Applicant's commercial interests to proceed otherwise. Further, the Applicants refer to their response to ExQ1:1.9(b) of the ExA's commentary and questions on the draft DCO (S_D5_7) which confirms, as previously explained at hearings (see paragraph 33 of REP1-035 and paragraphs 17 and 18 of REP1-036), how they have taken a coordinated approach to agreeing Head of Terms for tripartite voluntary agreements. The tripartite negotiation of voluntary agreements will continue post consent and the projects will, by the very nature of working together on voluntary land agreements, keep each other informed and updated in relation to their plans for development.</p> <p>Even prior to the introduction of Requirement 25 (Onshore collaboration), the Applicants were strongly of the view that continued collaboration post consent was ensured by:</p> <ul style="list-style-type: none"> a) The approach taken to land agreement negotiations for tripartite voluntary agreements; and b) The draft DCO through the alignment of the drafting of the Project A and Project B requirements and deemed marine

Reference	Question To	ExQ2	Applicants' response
			<p>licence (DML) conditions and through the submission of joint outline management plans. This is explained further at paragraph 7.2.3.3 of REP1-039.</p> <p>To both strengthen that position and provide further reassurance to stakeholders, landowners and the local communities, the Applicants introduced Requirement 25 (Onshore Collaboration) at Deadline 3 and the equivalent condition in each DML in Schedules 14 to 17 of the draft DCO (REP3-009). As set out in the Applicants' response to ExQ1.1.7 (REP3-056) and as referred to at Issue Specific Hearing 3 (see paragraphs 23, 112 and 113 of REP4-106), this drafting places an obligation on each of the Applicants (referred to as undertakers) to engage with the other prior to submission of any plans, documents, schemes or other details for approval under the DCO requirements or DML conditions. The drafting of the collaboration requirement and conditions is preceded in and follows the drafting of the collaboration requirement and conditions included during Examination of the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024 (SEP DEP Order) in response to similar concerns raised by stakeholders, landowners and the local communities in respect of sequential and concurrent construction to implement the two projects consented by that Order. The Applicants refer to paragraph 4.9.34 of the Examining Authority's Recommendation Report for the SEP DEP Order where the ExA welcomed the amendments to the draft DCO which introduced the collaboration requirement and DML conditions and considered that they secured co-ordinated working in the event of sequential or concurrent construction. The Secretary of State's Decision Letter for the SEP DEP Order agreed with the Examining Authority's conclusions and retained the collaboration requirement and DML conditions in the made SEP DEP Order.</p> <p>The Applicants consider that, with the minor updates made to the drafting in Requirement 25 (Onshore Collaboration) of Schedule 2A and 2B of the draft DCO (C1/F07) at Deadline 5 in response to ExQ1:3.19 of the ExA's commentary and questions on the draft DCO (S_D5_7) and in response to comments from Fylde Borough Council at Deadline 4 (see S_D5_2.2), no further drafting is required within the draft DCO to secure post consent collaboration. However,</p>

Reference	Question To	ExQ2	Applicants' response
			<p>the Applicants fully recognise the need for and benefits of co-ordination and collaboration during the construction phase of the project and have considered further in response to ExQ2:1.1.1 the best way to facilitate the Applicants' ongoing coordination and collaboration post consent. They have, therefore, provided further detail in the plans listed below regarding the adoption of a Construction Coordination Working Group (CCWG).</p> <ul style="list-style-type: none"> • Outline Code of Construction Practice (Document Ref J1/F04) • Outline Construction Traffic Management Plan (Document Ref J5/F04) • Outline Ecological Management Plan (Document Ref J6/F05) • Outline Landscape Management Plan (Document Ref J2/F04) • Outline Written Scheme of Investigation (Document Ref J9/F04). <p>The CCWG is therefore secured through Requirements 6, 8, 9, 11 and 12 of Schedules 2A and 2B of the draft DCO (C1/F07). The CCWG will provide a forum for post-consent engagement between the Applicants and the local planning authorities, to ensure consideration is given to the potential for coordination (where appropriate) between the projects. This will ensure that the planning authorities are engaged, and can provide input, throughout the Applicants' process of preparing information to discharge requirements of the made Order. In particular, the CCWG will facilitate discussion of detailed management plans and enable feedback on how comments have been addressed between each of the Applicants, specifically in the context of Requirement 25 (onshore collaboration) in Schedules 2A and 2B of the draft DCO. Further details on the CCWG are provided in the above management plans.</p> <p>Overall, when taken together, all these controls ensure that each project remains fully updated and aware of what the other project is doing, and will be required to facilitate opportunities, wherever possible, for post consent collaboration and ensure that both projects can be implemented efficiently and effectively.</p>

Reference	Question To	ExQ2	Applicants' response
Q2:1.1.2	The applicants	<p>Construction scenarios</p> <p>Interested parties have continued to express concerns about the construction scenarios.</p> <p>(a) Taking into account on-going discussions that have taken place with interested parties, what further measures and detail can be incorporated into the application to resolve the concerns [for example expressed in paragraphs 3.2 to 3.3 of Lancashire County Council's REP4-136] that the sequential construction scenario would result in uncertainty about the implementation of restoration works, including where there is a gap in timing between works on each project and land disturbed again after it has been subject to the initial restoration.</p> <p>(b) Noting the applicants responses to ExQ1.1.8 and 1.1.9 [REP3-056] provide further detail of practical examples of the issues that might be faced in this regard and how these would be most effectively resolved.</p>	<p>a) The Applicants note the concerns in relation to the sequential construction scenario. In relation to the implementation of restoration works, the Applicants would emphasise that for the majority of the cable route (with the exception of the landfall area at the beach, and the works at Blackpool Airport, which are shared work areas), there is a separate defined construction corridor for each of Project A and Project B. This means that, whether the projects are built concurrently or sequentially, the same area of land within each project's corridor will not be disturbed twice, as each project only has rights to construct and reinstate within its own corridor.</p> <p>In the sequential construction scenario where both projects have rights to access the same land (known as "overlap areas"); if the second project has not started its works within the 12-month reinstatement period of the first project, the land will be fully reinstated and handed back to the landowner before the second project comes forward.</p> <p>Within the outline Onshore Construction Method Statement (REP4-115), Section 1.13 outlines how the Applicants will liaise with landowners, and when restoration will take place. The land will be restored to its pre-existing use, in accordance with the Outline Soil Management Plan (APP-200), secured by Requirement 8 of the draft DCO Schedules 2A & 2B (REP2- 004). The Applicants also point the ExA to Issue Specific Hearing 2 (ISH2) Action Point ISH2_38 (REP4-111), which provides further detail on post-consent engagement with landowners and how construction will work in practice.</p> <p>Further detail regarding co-ordination and collaboration is provided in ExA2 response Q2:1.1.1, which explains the role of the Construction Coordination Working Group which has been proposed by the Applicants to facilitate discussion of detailed management plans and enable input from local planning authorities on opportunities for the potential for coordination (where appropriate) between projects.</p> <p>The Applicants therefore consider that no further drafting amendments are necessary, as the secured plans ensure there is no long-term uncertainty over restoration and minimises disruption</p>

Reference	Question To	ExQ2	Applicants' response
			<p>as far as practicable to farming and other land users, and ensure that each project remains fully informed of the other's activities.</p> <p>b) The Applicants are unclear what further information the ExA is seeking in response to this question. The Applicants anticipate that this matter will be explored further during the upcoming hearings, and the Applicants will be happy to provide further information in response to a hearing action point if requested.</p>
Q2:1.1.3	Newton with Clifton Parish Council and Freckleton Parish Council (NCFPC) and the applicants	<p>Construction scenarios</p> <p>(a) NCFPC has made representations calling for simultaneous construction [including REP4-167] and states that “many environmental impacts would be more than doubled if the projects were built consecutively rather than concurrently”. Noting that NCFPC intends to provide a fuller justification for requiring simultaneous construction at deadline 5 (D5), could it include within this a fuller justification of why it considers that many impacts would be more than doubled?</p> <p>(b) The applicants are requested to provide a summary of how the effects of the proposed development arising from a concurrent construction scenario would differ from those currently assessed in the Environmental Statement, cross referencing where necessary to the applicants Rule 9 – ES assessment of Construction Scenarios [AS-070]?</p>	This response is addressed in Annex 5.1 to the Applicants response to ExQ2 submitted at Deadline 5 (S_D5_5.1).
Q2:1.1.4	The applicants	<p>Anticipatory investment</p> <p>The applicants' response to ExQ1.1.10 [REP3-056] provided details on progress being made with the anticipatory investment mechanism, including amendments to the Connection and Use of System Code (CUSC) and changes to the current User Commitment provisions. It also notes that the issue is the subject of the separate CUSC Modification Proposal 402 which, it notes, is still be considered by the relevant CUSC</p>	a) & b) In relation to CMP402, no further updates have been issued by the CUSC Working Group since the Applicants' original response. The latest available Workgroup meeting summary (issued 13 February 2025), indicated that a second workgroup consultation was planned to be issued on 28 February 2025, however no further updates have been published on the NESO CMP402 website to date. Accordingly, the Applicants do not have any clarity on when developments are expected to be made which would resolve the regulatory uncertainty described previously.

Reference	Question To	ExQ2	Applicants' response
		<p>working group with a Final Modification Report possible being issued to Ofgem over the coming months for determination.</p> <p>(a) Can the applicants provide an update on the progress being made on these matters and whether this may have a bearing on the opportunities for construction co-ordination of the proposed development? Is it also likely that further progress may be made prior to the anticipated decision by the Secretary of State (SoS) for this application which may also provide opportunities for more co-ordination to be secured?</p> <p>(b) The applicants proposed a construction implementation time-limit of seven years. Given the potentially substantial period of time between a decision by the SoS State and implementation of either or both projects, is it possible that the current obstacles to a more co-ordinated construction approach could be reduced prior to implementation? If so, how could the SoS be assured that every opportunity will be taken post-consent to provide for the best possible co-ordination in the interests of reducing the potential effects upon communities and the environment?</p>	<p>The Applicants have emphasised throughout the examination process that they will endeavour to provide the best possible co-ordination in order to minimise impacts on local communities and the environment, however it is not possible to guarantee whether the obstacles to a more coordinated approach will be reduced prior to implementation or before key investment decisions need to be made. In light of that uncertainty, the Applicants have now committed to establishing a Construction Coordination Working Group (CCWG (F1.5.3/F06) post-consent which will involve meetings between the Applicants and the relevant local planning authorities, to secure the exploration of opportunities for coordination between the projects during the construction phase in order to reduce the potential impacts.</p>
Q2:1.1.5	The applicants, local authorities and parish councils	<p>Outline Communications Plan</p> <p>An updated Outline Communications Plan has been submitted by the applicants at deadline 4 (D4) [REP4-029].</p> <p>(a) Do the local authorities and parish councils have any comments and/or additional suggestions on the drafting of this plan?</p> <p>(b) The updated version of the plan no longer includes reference to a 'local liaison committee, comprising relevant local representatives' that was included in paragraph 1.3.1.1 of the previous version of the plan.</p>	<p>(b) Paragraph 1.3.1.1 of the Outline Communications Plan (document reference J1.1) sets out the broad principles that will be used to prepare the Communications Plan Framework. Reference to the local liaison committee was removed from the Outline Communications Plan at Deadline 4 and replaced with the measure to deliver community-based events, such as drop-in sessions. The Applicants note that the list of principles for the Communications Plan Framework is not exhaustive, however for clarity, the reference to a 'local liaison committee' has been added into the Outline Communications Plan (document reference J1.1) at Deadline 5.</p>

Reference	Question To	ExQ2	Applicants' response
		<p>Can the applicants explain why this has been deleted?</p> <p>(c) Do the local authorities and parish councils consider that the creation of a local liaison committee should be retained in the outline plan?</p>	
Q2:1.1.6	The applicants	<p>Critical national priority</p> <p>Paragraph 4.2.4 of National Policy Statement (NPS) EN-1 (published November 2023) sets out the Government's conclusion that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.7 goes on to explain that the CNP policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy.</p> <p>Paragraph 4.2.11 says that applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated and 4.2.12 says that applicants should set out how residual impacts will be compensated for as far as possible.</p> <p>a) For clarity and the avoidance of doubt, for each topic area the applicants are requested to set out (including any relevant cross-referencing to relevant documents) how they have met the test in paragraph 4.2.11 of NPS EN-1 that applicants must apply the mitigation hierarchy and demonstrate that it has been applied.</p> <p>b) It is assumed that the mitigation hierarchy has to be demonstrated to have been applied for each relevant topic area and that, if it has not been demonstrated to have been applied for just one topic area, then this would mean that the CNP policy would not be applicable for the application as a whole. Do you agree with this interpretation?</p>	<p>a) The Applicants have provided a response as an Annex to this document (S_D5_5.2).</p> <p>b) In response to this question it is important to consider how EN1 sets out the weight that should be afforded to CNP infrastructure (which includes the Transmission Assets) and the operation of the CNP policy in respect of specific policy tests which, as set out in para 4.2.16, 'requires a clear outweighing of harm, exceptionality or very special circumstances'.</p> <p>Para 4.2.6 of EN1 states:</p> <p><i>4.2.6 The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.</i></p> <p>The Transmission Assets are needed to deliver new clean renewable energy generation from the Morgan and Morecambe offshore wind farms. In accordance with paragraphs 3.2.6 – 3.2.8 the urgent need for the project is something the Secretary of State should give substantial weight in his decision. This weight applies regardless of the application of the CNP policy to the project. This approach is confirmed by the subsequent paragraph:</p> <p><i>4.2.7 The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each</i></p>

Reference	Question To	ExQ2	Applicants' response
			<p><i>type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the Examining Authority when it is making its recommendation to the Secretary of State.</i></p> <p>Paragraphs 4.2.10 – 13 set out how an Applicant should undertake their assessment for CNP infrastructure. It is clear from the references to “normal consideration” and “continue to show” in paragraphs 4.2.7 and 4.2.10 of EN-1 that the reference to mitigation hierarchy is a restatement of what is already best practice for nationally significant infrastructure projects, and not a new test. As is demonstrated by the response to (a) above, the Applicants have demonstrably applied the mitigation hierarchy to the development of the Transmission Assets and through the Commitments (CoTs) secured through the DCO and the various management plans. This has been done accordance with EIA best practice and so meets the requirements of paragraph 4.2.11 of EN-1.</p> <p>In accordance with recognised planning practice and decision making, the Secretary of State must weigh the residual adverse impacts of the Transmission Assets against the benefits of the proposal in deciding whether to grant consent. EN1 provides guidance on this for CNP infrastructure in paragraph 4.2.15 which states:</p> <p><i>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk</i></p>

Reference	Question To	ExQ2	Applicants' response
			<p><i>to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.</i></p> <p>In addition to this EN1 directs that:</p> <p><i>4.2.16 As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.</i></p> <p><i>4.2.17 This means that the Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</i></p> <ul style="list-style-type: none"> <i>• where development within a Green Belt requires very special circumstances to justify development;</i> <i>• where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs.</i> <i>• where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and</i>

Reference	Question To	ExQ2	Applicants' response
			<p>• <i>where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.</i></p> <p>Where any of the specific tests referred to in paragraph 4.2.17 are engaged, it follows that the Secretary of State should be satisfied that the mitigation hierarchy has been applied and that residual impacts are those that cannot be avoided, reduced or mitigated (para 4.2.11). In addition that as far as possible residual impacts will be compensated (para 4.2.12).</p> <p>The Applicants consider the purpose of the policy wording is to ensure that CNP status is not used to avoid following established best practice in mitigation of impacts and compensation for residual effects. In which case it would be expected that the Secretary of State is entitled to consider whether, viewed as a whole, the mitigation hierarchy has been appropriately applied, rather than introducing an additional test for CNP projects requiring forensic analysis of the approach to mitigation on every impact (even if not significant in EIA terms). The references to residual impacts do, however, set a clear expectation that the Secretary of State may reasonably expect to see that the mitigation hierarchy has been followed in relation to residual significant effects, especially if (unlike the case for these projects) CNP status is being relied upon as the justification for these impacts.</p>
Q2:1.1.7	The applicants and IPs	<p>Critical national priority</p> <p>Paragraph 4.2.15 of NPS EN-1 says that where residual non-habitats regulations assessment or non-Marine Conservation Zone (MCZ) impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for CNP infrastructure. It goes onto say that the exception to this</p>	<p>a) The Applicants have not identified any issues that present unacceptable risk to, or unacceptable interference with, human health and public safety, defence, replacement habitats or unacceptable risk to the achievement of net zero and note that it is for other IPs to notify the Applicant if that is the case.</p> <p>The Applicants believe that potential bird strike effects on aviation can be fully managed (as they are at present) so as not to cause</p>

Reference	Question To	ExQ2	Applicants' response
		<p>presumption of consent are residual impacts onshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, replacement habitats or unacceptable risk to the achievement of net zero.</p> <p>a) Without prejudice to the position of any party, are there any issues in this case that might potentially fall into this category of the exceptions to this presumption of consent? For example, might the issue of bird strike effects on aviation at BAE Warton aerodrome potentially fall into this category in the event of there being an “unacceptable risk”?</p> <p>b) Are there any further submissions any party wishes to make on the potential application of CNP policy in this case (should it be required)?</p>	<p>unacceptable impacts and therefore it is not necessary to balance residual impacts against the need for CNP infrastructure. This is demonstrated by the outline Wildlife Attractants Risk Assessment (Document Ref S_D5_17) submitted at Deadline 5. The Applicants did not apply the need for the CNP argument in the assessment of potential impacts on aviation and radar within Volume 3, Chapter 11: Aviation and Radar of the Environmental Statement (APP-130), and this remains the Applicants' position.</p> <p>The Applicants refer to the response to Q2:4.1.5 in relation to how bird strike risk is managed by aerodromes. BAE have stated in their Deadline 3 response to ExAQ (REP3-073) that Warton Aerodrome must provide the CAA with a Wildlife and Habitat Hazard Management Plan. The Applicants note that management of wildlife hazards and bird strike risk is a pre-existing and ongoing matter for Warton Aerodrome and that this is undertaken routinely within the 13 km safeguarding zone. The Applicants note that the Preston Western Distributor road scheme was successfully consented and constructed without input or objection from BAE Systems in relation to bird strike and this falls within the 13 km safeguarding zone. This scheme included:</p> <ul style="list-style-type: none"> a. more than 2,000 trees and 122,000 shrubs b. more than twice the length of hedge removed and replaced with newly planted c. 50 bird roost boxes d. Four new breeding ponds supporting toads and great crested newts e. Open viaducts to maintain otter habitats <p>Construction began in October 2016 and the road was opened to the public in July 2023. The Applicant notes that Warton Aerodrome was able to manage the potential new attractants via the existing Wildlife and Habitat Hazard Management Plan and Term Safety Plan with no increased risk to potential bird strike. The Applicants infer that this means that an unacceptable risk under the CNP tests</p>

Reference	Question To	ExQ2	Applicants' response
			<p>would not necessarily be triggered by the potential 'attractants' associated with this development.</p> <p>Following a meeting with BAE and the DIO on 15 September 2025 the Applicants remain confident that with the application of appropriate passive and active mitigation, including the design commitments / management measures (to minimise attraction) of the environmental mitigation and biodiversity benefit areas (including infrastructure, buildings and other elements from energy installations) that are included within Table 1.3 of the outline Wildlife Attractants Habitat Risk Assessment appended to the outline Wildlife Hazard Management Plan (Document Ref S_D3_8/F02), that there will be no increase to bird strike and therefore no unacceptable risks identified that would outweigh the CNP policy test.</p> <p>b) The Applicants refer to the response to Q2:1.1.6</p>
Q2:1.1.8	The applicants	<p>Good design</p> <p>The Planning Act 2008 requires the SoS to have regard, in determining an application for development consent, to the desirability of good design. The criteria for good design for energy infrastructure is set out in section 4.7 of NPS EN-1.</p> <p>The applicants are requested to provide an update on how they consider the proposed development responds to the criteria for good design.</p>	<p>The Applicants have prepared the outline Design Principles (oDP) (document J3/F02) to demonstrate compliance with best practice and policy guidance on good design.</p> <p>The oDP forms part of the certified suite of documents supporting the DCO application (prepared pursuant to Regulation 5(2)(q) of the <i>Infrastructure Planning Regulations 2009</i> and certified under article 42 of the Order) and provides a central, clear, and enforceable framework for post-consent detailed design with the discharging planning authority.</p> <p>The Applicants' design approach has been informed by the National Infrastructure Commission's <i>Design Principles for National Infrastructure</i> (2020), updated during Examination to reflect the <i>Project-Level Design Principles</i> (May 2024), alongside lessons learned from recently consented DCO precedent projects.</p> <p>This structured approach ensures that the Transmission Assets respond directly to the key elements of <i>good design</i> set out in NPS EN-1. The Applicants believe that the Transmission Assets application has strongly responded to the criteria for good design, as illustrated by the following:</p>

Reference	Question To	ExQ2	Applicants' response
			<ul style="list-style-type: none"> • The Transmission Assets have been designed to be fit for purpose and efficient in delivering their operational role of connecting offshore generation to the national electricity transmission system. The Maximum Design Scenario (MDS), prepared in accordance with Advice Note Nine: Rochdale Envelope, establishes clear parameters that provide sufficient certainty for the EIA process while retaining appropriate flexibility, beneath the parameters set in the MDS, to accommodate final procurement, design and technology selection during post-consent detailed design. Functionality has been embedded from the outset of the Projects as part of the iterative site selection and refinement process, ensuring that the substation sites can be delivered safely, efficiently and with resilience. • The design approach incorporates measures to minimise environmental impacts, as set out in the EIA. Embedded mitigation has been integrated, insofar as possible at this stage of the Projects, into the substation sites and their immediate contexts. Both the strategic and project-level design principles, as outlined in the oDP (J3/F02), promote sustainable construction methods and adaptability to technological innovation, thereby supporting the overarching vision for the Transmission Assets and contributing to national decarbonisation objectives. Consideration has also been given to energy efficiency, climate resilience and biodiversity enhancement as part of the iterative design process. • The Applicants are committed to ensuring that the final appearance of the substations is sensitively designed insofar as possible. Through the oDP (J3/F02) and its project-level design principles and codes, discussed and informed by engagement with the local planning authorities, the Applicants are committed to delivering in collaboration with the discharging local authority, designs that reflect and integrate, as far as practicable, the key characteristics of the receiving landscape. Whilst recognising the primarily functional nature of electrical substation infrastructure, the project-level design principles will

Reference	Question To	ExQ2	Applicants' response
			<p>continue to guide the post-consent detailed design process, ensuring consistency with the principles secured through the DCO, while retaining flexibility to respond to technical and environmental considerations. A degree of flexibility in relation to layout will be explored during detailed design, subject to the appointment of technical partners, with the Applicants' Design Champions providing oversight. Appearance and landscape integration are treated as core design considerations. The illustrative landscape proposals, as documented in the oLMP (J2/F04), incorporate embedded landscape mitigation and proportionate design measures that are responsive to their setting, informed by consultation feedback and environmental constraints. As stated above, the oDP establishes central, clear, and enforceable framework for detailed design of the form, scale and landscape treatment (within the Order Limits), with final detailed designs to be reviewed and approved by the relevant planning authority in accordance with the relevant requirements of the DCO.</p> <ul style="list-style-type: none"> • The Applicants' consenting strategy has been developed to provide appropriate flexibility in the design of the Transmission Assets, ensuring that the substations remain resilient and adaptable to future requirements. As stated above, the MDS establishes a robust framework for environmental assessment while accommodating the input of technology providers during the detailed design stage. This flexibility <i>might</i> encompass construction methods, final extent and layout, allowing the Transmission Assets to respond to advances in technology and supply chain input without undermining the principles of good design.
1.2 Site selection and alternatives			
Q2:1.2.1	NGET	Alternative route NCFPC have made further submission at D4 about a possible alternative route utilising the existing Stanah substation and the Hill House Technology Enterprise	The Applicants have provided responses to NCFPC (S_D5_2.6) and Lancashire Association of Local Councils Fylde Area Committee Energy Working Group (S_D5_2) at Deadline 5.

Reference	Question To	ExQ2	Applicants' response
		<p>Zone [REP4-166] including comments on the previous representation from NGET in response to ExQ1.2.1 on this matter [REP3-088]. A further representation has also been received from Lancashire Association of Local Councils Fylde Area Committee Energy Working Group [REP4-160].</p> <p>The applicants and NGET are asked to provide comment on these submissions.</p>	
Q2:1.2.2	The applicants and any IPs	<p>East Irish Sea Transmission Project</p> <p>The East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report was submitted to the Planning Inspectorate in August 2025. This includes two possible grid connection routes options.</p> <p>Are there any matters of relevance arising from the information available in that Scoping Report for the consideration of site selection and alternatives of the Morgan and Morecambe Transmission application?</p>	<p>LANDFALL</p> <p>Paragraphs 4.4.3.1 to 4.4.5.3 of Volume 1 of the Scoping Report state that the existence of the Transmission Assets application was a driver for the EIST project not taking forward a landfall at Blackpool Airport.</p> <p>GRID CONNECTION</p> <p>The EISTP also confirms that, as set out by the Applicants, “The connection point to the National Grid is not substantially within the control of the Applicant” (see Para 4.3.1.1 of Volume 1 of the Scoping Report).</p> <p>The Scoping Report also confirms that Stanah cannot be an alternative connection point, the EIST “enquired specifically about the possibility of grid connection at the Stanah 400 kV substation[and were] informed that there is no possibility of NESO being able to provide a grid connection at Stanah” (Para 4.3.1.3 of Volume 1 of the Scoping Report).</p> <p>As confirmed by Figure 4.1 the Onshore Substation and Energy Balancing Infrastructure Search Area mirrors that of the Transmission Assets by avoiding areas east of the National Grid Substation at Penwortham due to physical constraints. Paragraph 4.4.8 of Volume 1 of the Scoping Report also confirms that a 5km radius was applied to the National Grid Substation at Penwortham to</p>

Reference	Question To	ExQ2	Applicants' response
			define the search area for the onshore substation and energy balancing infrastructure. This was also the approach taken by the Applicants initially, being the use of a 5km radius.
1.3 Cumulative effects, in-combination effects and interactions with other projects/infrastructure			
Q2:1.3.1	The applicants	<p>Effects on occupiers of Marybank Farm, Lower Lane</p> <p>Several oral and written representations have been made by the occupiers of Marybank Farm including with regard to the effects of the proposed Morecambe substation upon residential living conditions as well as the health and well-being of the occupiers.</p> <p>The applicants are requested to provide an overall assessment of the effects of the construction and operation of Morecambe substation upon the living conditions and amenity of the occupiers of Marybank Farm. This should include (though not be limited to) noise, disturbance, visual impacts, traffic and electro-magnetic effects, along with an in-combination assessment of all effects. It should also include clear reference to any relevant mitigation measures as currently proposed, as well as any additional measures to minimise the effects on the occupiers of this property.</p>	<p>The Applicants acknowledge the concerns that have been raised regarding the potential impacts of the Transmission Assets substation infrastructure on the occupiers of Marybank Farm. It is noted that Marybank Farm residential receptor (the farmhouse) is situated approximately 241 m from the Morecambe onshore substation.</p> <p>Volume 1, Annex 5.1: Human health (APP-035) considers the population health and wellbeing implication due to changes from the Transmission Assets during construction and operation, including for the local population of Fylde which includes Marybank Farm (see section 1.5, Study Area). The assessment concludes the Transmission Assets should not result in any significant adverse impact on public health, including for vulnerable groups.</p> <p>The Human Health assessment takes a public health approach, meaning it reaches conclusions on the health outcomes to defined populations, rather than the health outcomes of individuals. The assessment therefore considers the effects to the residents of the local population of Fylde as a group, rather than individual level effects to particular dwellings. The response set out below sets out the consideration of Marybank Farm from a human health perspective which has allowed the Applicants to come to a robust and proportionate conclusion with regard to impacts upon the receptor.</p> <p>With regard to noise, the primary noise and vibration assessment is Volume 3, Chapter 8: Noise and vibration (APP-117). This includes an assessment of operational substation noise and its mitigation, such that there would be no significant effects (section 8.11.9 (APP-117)). Mitigation includes implementing reasonable construction hours (CoT18), best practice measures (CoT88), preparing and implementing an Outline Construction Noise and Vibration Management Plan (CoT79) and an Operational Noise Management</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Plan (CoT80). All trenchless crossing will be undertaken by non-impact methods to minimise construction noise and vibration (CoT19). Mufflers and acoustic barrier will also be used where necessary to reduce noise and vibration (CoT34). It should be noted that Table 8.10 in Volume 3, Chapter 8: Noise and vibration (APP-117) identifies Marybank Farm as a key sensitive receptor location carried through into the assessment.</p> <p>Volume 1, Annex 5.1: Human health (APP-035) uses findings from Volume 3, Chapter 8: Noise and vibration (APP-117) to assess noise and vibration human health impacts. The human health assessment concludes the Transmission Assets, including operational substation noise, would not result in any significant adverse noise and vibration impacts on public health (see section 1.12.8 (APP-035)).</p> <p>Regarding visual amenity of the occupiers of Marybank Farm, Section 10.7.4 of <i>Volume 3, Chapter 10: Landscape and Visual Resources</i> (APP-123), sets out how occupiers of individual properties and groups of residential properties with private views of the proposed development were identified as a type of visual receptor within the Landscape and Visual Assessment (LVIA).</p> <p>As set out in paragraph 10.7.4.3, the Applicants' assessment concluded that views of the proposed onshore substations would neither overwhelm existing properties within the LVIA study area, nor render them so unattractive as places to live that planning permission should be refused. This position is consistent with Inspector Kingaby's findings in the Burnthouse Farm Wind Farm decision (APP/D0515/A/10/2123739, Inspector's Report, paragraph 119), where it was observed that:</p> <p><i>"There needs to be a degree of harm over and above identified substantial effect to take a case into the category of refusal in the public interest. Changing the outlook from a property is not sufficient."</i> (Inspector's Report, paragraph 120; also referenced at paragraph A1.7, Landscape Institute, 2019).</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Similarly, in the Langham Wind Farm decision (APP/D2510/A/10/2130539), the Inspector noted that:</p> <p><i>“The planning system controls development in the public interest, and not in the private interest. The preservation of open views is a private interest.”</i> (Inspector’s Decision; also referenced at paragraph A1.11, Landscape Institute, 2019).</p> <p>In this regard, the Applicants assessed that no occupiers of residential properties within the study area were considered likely to experience a degree of harm beyond that defined as ‘substantial’ to make considering private views a public interest matter. On this basis, an assessment of residential visual amenity was not undertaken. Therefore, with consideration of public health, visual changes are not anticipated to be of a scale that could give rise to significant population health effects.</p> <p>With regard to traffic and disturbance, the primary traffic and transport assessment is Volume 3, Chapter 7: Traffic and transport (APP-108). This includes an assessment of construction traffic and mitigation, such that there would be no significant effects (paragraph 7.16.1.3). The Applicants would reiterate that Lower Lane will not be used as a route for construction traffic. Subject to the grant of the DCO, the Applicants would note that the effects of construction traffic and highway works from Transmission Assets would be managed, monitored and controlled through the development of the detailed Construction Traffic Management Plans (CTMPs). In compliance with Requirement 9 of Schedules 2A and 2B of the draft DCO (REP4-007), the detailed CTMPs <u>must be</u> agreed with the relevant highway authorities.</p> <p>The Applicants <u>are proposing</u> the installation of a new operational access to the Morecambe substation from Lower Lane as well as the use of two existing accesses for operational accesses to the onshore export cable corridor. Section 3.15.6 of Volume 1, Chapter 4: Project Description of the Environmental Statement (REP2-008) notes that the use of the accesses to the onshore export cable corridor would <u>be</u> for annual (<u>i.e. once a year</u>) routine inspections and that accesses would typically be via Light Goods Vehicle or other 4x4 or multi-terrain vehicle. In regard to the Morecambe</p>

Reference	Question To	ExQ2	Applicants' response
			<p>substation access, Section 3.15.7 of Volume 1, Chapter 4: Project Description of the Environmental Statement (REP2-008) outlines that the onshore substation will be unmanned, however the operational access will be used for routine visits by cars and light goods vehicles only and will facilitate safe access during normal operations. The level of traffic activity outlined would have a negligible effect on local amenity, road safety and access and accordingly, F3.7 Volume 3, Chapter 7: Traffic and transport, Table 7.4 (APP-108) confirms that operational traffic impacts have been scoped out of the assessment with the agreement of the Planning Inspectorate.</p> <p>Volume 1, Annex 5.1: Human health (APP-035) uses findings from Volume 3, Chapter 7: Traffic and transport (APP-108) to assess transport modes, access and connections and concludes the Transmission Assets would not result in any significant adverse impact on public health.</p> <p>With regard to electro-magnetic frequency (EMF) effects, as detailed in Volume 1, Annex 3.4: Electro-Magnetic Fields (EMF) Compliance Statement (APP-029), the Transmission Assets will adopt the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines and Government voluntary Code of Practice on EMF public exposure (Department for Energy and Climate Change, 2012; ICNIRP, 1998, 2010). The electrical infrastructure is therefore not considered to pose safety risks to the public.</p> <p>As there can be community concern around electrical infrastructure, notwithstanding that it would be within health protection standards, Volume 1, Annex 5.1: Human health (APP-035) assessed public understanding of risk in relation to operational EMF and concludes the Transmission Assets would not result in any significant adverse impact on public health, including for vulnerable groups. That assessment includes the local population of Fylde.</p> <p>With regard to an in-combination assessment of all effects, Volume 4, Chapter 3: Inter-relationships (APP-143) provides an assessment of the potential inter-related effects on human health (Table 3.28)</p>

Reference	Question To	ExQ2	Applicants' response
			and concludes that even in combination, there is limited potential for significant public health effects.
Q2:1.3.2	The applicants	East Irish Sea Transmission Project The East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report was submitted to the Planning Inspectorate in August 2025. Update the cumulative and in-combination assessments to reflect the publication of the scoping report.	The Applicants have updated Volume 1, Annex 5.5: Cumulative screening matrix and location plan (D5 REF) and Review of Cumulative Effects Assessment and In-Combination Assessment (D5 REF) at Deadline 5 to take account of the East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report.
Q2:1.3.3	The applicants and Orsted East Irish Sea Transmission Ltd (OEIST)	East Irish Sea Transmission Project <ul style="list-style-type: none"> a) Does the publication of the East Irish Sea Transmission Project scoping report have any implications in relation to the issues raised by OEIST, most recently at deadline 4 (D4) [REP4-169]? b) Can the applicants comment on the suggested development consent order requirements included in Appendix 2 of OEIST's D4 representation. c) What discussions are and will be taking place between the two parties in order to seek resolution of this matter prior to the end of the examination? 	<p>a) The Applicants have reviewed the scoping information provided by the OEIST Project and potential interaction of the respective assets. The two schemes have differing timescales dictated by their grid connection dates. It should be noted that the OEIST Project is at the scoping stage and it is likely there will be a gap between the construction phases of the Morgan and Morecambe transmission assets and the OEIST Project. The Applicants therefore considers the risk of interaction between the two schemes to be low. With OEIST targeting a DCO submission of Q3 2027. If there is a change in timescales for either project the Applicants expect the interaction to be controlled by Protective Provisions, which Orsted East Irish Sea Transmission Ltd (OEIST) will have to agree with the Applicants.</p> <p>b) In response to Orsted (incorporating OEIST and MVOWFL) it is incorrect to perceive that Protective Provisions agreed with National Grid Electricity Transmission ("NGET") would not ensure coordination to allow for the East Irish Sea Transmission Project (the "OEIST" Project) to connect to the National Electricity Transmission System (NETS). A number of developers are seeking a grid connection at the Penwortham substation, who are not seeking to restrict the land rights being sought by the Applicants or requesting a collaboration agreement.</p> <p>There are existing processes to govern how utility infrastructure owners interact over the same area of land, which include private land agreements, protective provisions and crossing agreements.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>OEIST would have to seek sufficient and appropriate land rights and crossing agreements for its electricity export cable(s) from the Applicants. Once the land area is known and has been refined for the OEIST project, discussions can then take place to reach any agreements as required for the OEIST scheme seeking rights over / under land in addition to agreeing appropriate protective provisions to be included in OEIST DCO. If a voluntary land agreement cannot be reached between Orsted and the Applicants, Orsted would seek compulsory acquisition rights as part of its DCO submission.</p> <p>The usual approach for generation projects wishing to connect to NETS is to follow the customer connection process which is coordinated by NGET. The process takes a whole system view rather than considering the needs of individual applicants to maintain NGET's statutory undertaking. The connection process is managed by the National Energy System Operator Ltd (NESO) and not on an ad hoc basis via individual development consent applications. To add NGET has not objected to the Applicants' proposals is impacting on their ability to conduct the undertaking.</p> <p>Orsted has highlighted "mitigation" in proximity to the substation though again this is not yet defined and therefore the land requirements and potential impact on the Applicants scheme are unknown.</p> <p>In other DCOs, most recently the Rampion 2 Offshore Wind Farm multiple generation developers were seeking grid connections to the NGET substation at Bolney, West Sussex. No collaboration agreement was sought by any party wishing to connect at Bolney as the process and was coordinated and managed by NGET and NESO. The number of schemes in addition to the Rampion 2 wind farm seeking a grid connection at Bolney was four.</p> <p>The Applicants consider that there is no benefit to entering into a collaboration agreement over and above that of normal commercial and legal protections made by developers working in close proximity.</p> <p>i) of the draft DCO requirement will be addressed by the Applicants having agreed protective provisions with NGET as well as the respective land agreement. NGET has not expressed any concerns about the Applicants' scheme causing detriment to its ability to carrying</p>

Reference	Question To	ExQ2	Applicants' response
			<p>out its statutory undertaking and providing a connection to Orsted. As such Orsted should seek appropriate land rights and associated agreements as part of its DCO preparation for the OEIST scheme. The ExA cannot grant land rights outside of those sought by the Applicants for the benefit of a third party for land that sits outside of the proposed order limits. It should be noted that NGET will facilitate land rights for third parties across its land for the purposes of a NET connection. This includes easements, interface agreements, leases and licences.</p> <p>To address point ii) of the draft requirement, it would be of limited benefit for the Applicants to have a requirement imposed that would need them to disclose potentially confidential information into the public domain for the purposes of another developer. Orsted will need to undertake its own studies to understand the feasibility of connecting into NETS at the Penwortham substation and seek the appropriate agreements to facilitate their connection which would include seeking protective provisions with both NGET and the Applicants.</p> <p>The Applicants are not against working with other parties collaboratively though it is incongruous to impose a requirement within the dDCO to do so.</p> <p>To note the Applicants will work with Orsted to agree protective provisions as required for both onshore and offshore respective infrastructure at the appropriate time.</p> <p>c) The Applicants have requested a meeting date from Orsted to discuss the OEIST. The Applicants will endeavour to come to a resolution before the end of examination though reiterates the point that the grid connection process is coordinated by NGET.</p>
Q2:1.3.4	The applicants	Moor Vannin Generation Project Update the cumulative and in-combination assessments to reflect the application to the Isle of Man Department of Infrastructure for Marine Infrastructure Consent of the Moor Vannin Generation Project.	The Applicants have updated Volume 1, Annex 5.5: Cumulative screening matrix and location plan (Document Ref F1.5.5/F03) and Review of Cumulative Effects Assessment and In-Combination Assessment (Document Ref S_D2_10/F02) at Deadline 5 to take account of the Moor Vannin Offshore Windfarm infrastructure consent application. The application was made to the Department of

Reference	Question To	ExQ2	Applicants' response
			Infrastructure, Isle of Man Government and was recently accepted for examination.
Q2:1.3.5	The applicants and SABIC UK Ltd	<p>SABIC UK Trans-Pennine Ethylene Pipeline (TPEP)</p> <p>a) Both parties are requested to provide an update on discussions between the two parties concerning the implications of the proposed development for the TPEP?</p> <p>b) In the event that agreement is not reached, the ExA requests that a Statement of Common Ground is submitted between the applicants and SABIC at deadline 6 (22 October 2025). This should set out the parties final positions, making clear any matters that remain in disagreement, each party's preferred protective provisions, any other drafting change that might be required to any document and a full explanation and justification for the positions being taken.</p>	<p>Please refer to the SU Negotiations Tracker regarding updates on progress of protective provisions negotiations with SABIC.</p> <p>The Applicants have made a note of the request that a SOCG should be submitted in the event agreement on these protective provisions is not reached and that each party submits their preferred set of protective provisions. The Applicants are committed to continued engagement and remain confident that agreement can be reached by Deadline 6.</p>
Q2:1.3.6	The applicants	<p>Health and well-being</p> <p>Volume 1, Annex 5.1: Human Health of the Environmental Statement [APP-035] provides the applicants assessment of impacts upon human health</p> <p>Local residents have been representations throughout the examination about the potential effects on the health and well-being of residents and communities, including with regard to the in-combination effects of different impacts.</p> <p>a) In the light of the representations made, could the applicants provide an update on their position in respect of the effects on health and well-being, taking into consideration the combined effects from impacts during both construction and operation.</p> <p>b) Are there are particular locations and/or receptors where the effects on health and well-being might be more pronounced?</p>	<p>a) The Applicants have acknowledged that local residents have made representations throughout the examination process, for example (PDA-044.14 within The Applicants' Response to Procedural Deadline A Submissions by Interested Parties (REP1-061) and REF 219.5 within the Applicants' Response to Written Representations from People with interest in Land (PWILS) (REP1-219)).</p> <p>With regard to the representations made, the effects on health and well-being are the same as those presented in Volume 1, Annex 5.1: Human health (APP-035). The assessment concludes the Transmission Assets should not result in any significant adverse impact on public health, including for vulnerable groups.</p> <p>The in-combination effects on health and well-being are presented in Volume 4, Chapter 3: Inter-relationships (APP-143) and concludes that even in combination, there is limited potential for significant public health effects during construction and operation.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>b) Volume 1, Annex 5.1: Human health (APP-035) has regard for particular locations and/or receptors where effects on health and well-being might be more pronounced. This includes those sensitive receptors set out in Volume 3, Chapter 10: Landscape and visual resources (APP-123), Volume 3, Chapter 8: Noise and vibration (APP-117), and Volume 3, Chapter 6: Land use and recreation (APP-104).</p> <p>Volume 1, Annex 5.1: Human health (APP-035) considers the effects on health and well-being to particularly vulnerable population groups (section 1.11.5) and children and adults with complex health needs (paragraphs 1.11.5.7 – 1.11.5.9). The context of the populations close to the Onshore Order limits have been taken into consideration; this includes the communities listed in paragraph 1.11.5.6.</p> <p>The sensitive receptors that have been highlighted in representations are Blackpool Road Recreation Ground, Century Healthcare Care Home and Wrea Green Equestrian centre. These have been assessed as follows:</p> <ul style="list-style-type: none"> • Volume 1, Annex 5.1: Human health (APP-035) section 1.12.3 specifically discusses the temporary disruption to Blackpool Road Recreation Grounds. Paragraphs 1.12.3.15 to 1.12.3.17 discuss how the health assessment inputted to the refinement of construction techniques, including adoption of a 'trenchless' rather than an 'open-cut trench' approach to reduce the area and duration of disruption to recreational use of the grounds. • Volume 1, Annex 5.1: Human health (APP-035) section 1.12.8 discusses Century Healthcare Care Home which is noted to be a high sensitivity receptor. However, with appropriate mitigation in place during construction including working hours the impacts or concluded to be minor adverse which is not significant. During operation, with noise control measures in place

Reference	Question To	ExQ2	Applicants' response
			<p>the impacts or concluded to be minor adverse which is not significant.</p> <ul style="list-style-type: none"> Volume 3, Chapter 8: Noise and vibration (APP-117) notes that Wrea Green Equestrian is considered to be a medium sensitivity receptor with a low magnitude impact predicted on its users. Therefore, the assessment concludes a minor adverse significance which is not significant. <p>The Applicants note that the Outline Noise and Vibration Management Plan has been updated during examination (J1.3/F03) to give specific consideration regarding to the control of noise and vibration at receptors as having increased sensitivity or requiring receptor specific mitigation such as schools, equestrian facilities and care homes. This is reflected in the update to CoT79 of the Commitments Register (F1.5.3/F05) submitted at Deadline 5. The Applicants will engage with these receptors during the detailed design stage to further understand their use and identify any receptor specific and vibration limits and mitigation measures will be required to minimise construction noise and vibration impacts. These specific limits and mitigation measures will be included in the detailed Construction Noise and Vibration Management Plan for approval by the relevant planning authority in accordance with Requirement 8 of the draft DCO. This will ensure that, if needed, specific mitigation measures that consider any protected characteristics of these receptors are in place.</p> <p>In addition, the Applicants have proposed a construction noise limit at Century Care Home within Table 1.4 of the Outline Noise and Vibration Management Plan to acknowledge the increased sensitivity of the care home. The actual Significant Observed Adverse Effect Level to be applied at this receptor will be confirmed in the Detailed Construction Noise and Vibration Management Plan.</p> <p>Further, the outline Construction Artificial Light Management Emissions Plan (J1.11/F03) has been updated during examination to</p>

Reference	Question To	ExQ2	Applicants' response
			<p>give specific consideration regarding the control of artificial lighting at receptors as having increased sensitivity or requiring receptor specific mitigation such as care. As will be done in relation to noise and vibration tThe Applicants will engage with these receptors during the detailed design stage to further understand their use and identify any receptor specific and mitigation measures that will be required to minimise artificial lighting impacts. These specific mitigation measures will be included in the detailed Construction Artificial Light Management Emissions Plan for approval by the relevant planning authority in accordance with Requirement 8 of the draft DCO. This will ensure that, if needed, specific mitigation measures that consider any protected characteristics of these receptors are in place.</p>

2.2 The draft Development Consent Order (dDCO)

The Applicants' response to The Examining Authority's commentary and questions on the draft development consent order is provided in a separate document (S_D5_7).

2.3 Air Quality

The Applicants note that the Examining Authority has no additional questions on air quality at this time.

2.4 Aviation and radar

Table 2.2: Aviation and radar

Reference	Question To	ExQ2	Applicants' response
Q2:4.1.1	BAE Systems	<p>National Policy Statement (NPS) for energy (EN-1)</p> <p>Paragraph 5.5.5 of NPS EN-1 states that “it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.” Have BAE met this directive bearing in mind the difficulties in sharing the documents requested by the applicants?</p>	<p>The Applicants have prepared a note reviewing aviation-related NPS policy. This note has been submitted at Deadline 5 (S_D5_5.3) to address aviation policy matters raised by the ExA in relation to site selection, biodiversity net gain and bird strike.</p> <p>The Applicants note that BAE Systems have been in ongoing engagement throughout the Examination phase, as detailed in response to Q2:4.1.19.</p>
Q2:4.1.2	BAE Systems	<p>NPS-EN-1 and bird strike risk</p> <p>The applicants have referred regularly during the examination to paragraph 5.5.16 of the NPS which provides that “The CAA (Civil Aviation Authority) makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator.”</p> <p>a) Notwithstanding the lack of a detailed assessment from the applicants, can BAE Systems set out evidence which quantifies the potential risk from the proposed development of bird strike to aviation operations at the aerodrome? From the information currently available to the Examination, what is the level of harm that BAE Systems considers would be likely to arise from the proposed development?</p>	<p>d) The Applicants consider that this matter can be satisfactorily addressed through the approval of a detailed Wildlife Hazard Management Plan secured by a requirement of the draft DCO.</p> <p>In order to separate the approval of the Wildlife Hazard Management plan from the wider-ranging Ecological Management Plan, the Applicants have amended the draft DCO (C1/F07) at Deadline 5 following engagement with aviation stakeholders to include a new Requirement 27. This new Requirement secures the commitment to produce a detailed Wildlife Hazard Management Plan to be approved by the relevant planning authority in accordance with the outline Wildlife Hazard Management Plan prior to undertaking the construction activities set out in Table 1.1 of Appendix A (Wildlife Attractants Risk Assessment) of the outline Wildlife Hazard Management Plan (S_D3_8/F02) following consultation with the aviation stakeholders (Blackpool Airport and BAE Systems in relation to civil aviation licensing, and the Ministry of Defence in relation to military aviation licensing).</p>

Reference	Question To	ExQ2	Applicants' response
		<p>b) At what point does an increased risk arising from potential bird strike become unacceptably harmful. How is this usually quantified by BAE systems?</p> <p>c) Provide further information on how BAE Systems generally approaches bird strike risk, including that which may arise from other proposed developments?</p> <p>d) Subject to on-going discussions, does BAE Systems consider that the outstanding matters would be capable of being dealt with post any consent granted through the Development Consent Order (DCO) requirements and relevant control/ management plans? If so, is any further or amended drafting required in the draft DCO and other documents?</p>	<p>The inclusion of this new Requirement removes the need for the outline Wildlife Hazard Management Plan to be appended to the outline Ecological Management Plan. Therefore, Requirement 12 of the dDCO (C1/F07) has also been amended to remove reference to consultation with aviation stakeholders and the outline Wildlife Hazard Management Plan.</p> <p>These amendments were presented to BAE Systems and the DIO at a SoCG meeting on Monday 15th September and agreed as a suitable approach. As a result, the outline Wildlife Hazard Management Plan is now a certified document under the dDCO (C1/F07).</p>
Q2:4.1.3	BAE Systems	<p>Bird Strike Risk</p> <p>The CAA published CAP772 which addresses wildlife hazard management at aerodromes. This refers to a 13km zone and suggests that safeguarding systems could be put in place which could influence land use and any development surrounding the aerodrome such that the strike risk does not increase and, where practicable, is reduced.</p> <p>a) Provide details of the distances from key parts of the aerodrome including the runways to the environmental areas being proposed by the applicants and how the relationship and distance between each environmental mitigation or benefit area to the aerodrome effects the bird strike risk in each case? Please also explain how these environmental areas relate to the flightpaths to and from the aerodrome and how these may affect the risk of bird strike?</p>	<p>a) The Applicants have provided approximate distances to Warton Aerodrome for the various features, mitigations and biodiversity areas associated with the Transmission Assets that have been assessed within the draft Wildlife Attractants Risk Assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02).). This risk assessment assesses the risk of the features attracting more birds or changing the distribution/ flight paths of birds within the 13km zone.</p>

Reference	Question To	ExQ2	Applicants' response
		b) Please confirm what existing information do BAE Systems have they on previous bird strike instances or situations where take-offs or landings have been delayed or aborted due to bird strike risk.	
Q2:4.1.4	Blackpool Airport Operations Limited (BAOL) and Blackpool Airport Properties Limited (BAPL)	Cooperation agreement It was emphasised at issue specific hearing 2 (ISH2) at the end of July that the cooperation agreement between the applicants and BAOL and BAPL was close to finalisation. This was reiterated in the submission from BAOL and BAPL at deadline 4 (D4) [REP4-129] . Please confirm that this agreement has now been concluded and, if not, the reasons behind the delay?	The Applicants are pleased to confirm the cooperation agreement was executed on 22 September 2025
Q2:4.1.5	The applicants	Comparison with Blackpool airport As mentioned at ISH2, the same sentence “the Applicants note that BAOL have initially agreed to this approach and are proactively working with the applicants in production of the draft outline Wildlife Hazard Management Plan submitted at Deadline 3” appeared multiple times in the applicants’ response [REP3-052] to interested parties. BAE Systems highlighted the differences between Blackpool airport at ISH2 and again in their D4 submission [REP4-126] . Do the applicants now acknowledge the significant differences between the two airports?	The Applicants acknowledge that there are similarities and differences in the nature of the flying operations at Warton Aerodrome and Blackpool Airport. However, the over-riding factor is that both airports are licensed and regulated under the CAA, which publishes extensive regulatory documents to outline the processes and procedures licence holders must undertake to safeguard the flying operation. Those regulations are applicable to all licensed aerodromes irrespective of the nature of the flying operation; airports supporting flying training, airports supporting large passenger aircraft, airports supporting test and evaluation activities, and airports supporting military operation are all subject to the same regulations. CAP 738 Safeguarding of Aerodromes states that the CAA requires aerodrome licence holders to have a system in place to safeguard their aerodrome against activities that may present a hazard to aircraft operations as well as against the growth or expansion of any such activities. Further detail of the system required is provided within CAP 168 Licensing of Aerodromes, which details the need for a Wildlife Management Plan and refers to CAP 772 Wildlife Hazard Management at Aerodromes. CAP 772 provides extensive detail of the process aerodromes should adopt and follow, based on the principles of reducing bird strike risk by (i) identifying hazards, (ii) evaluating management options, and (iii) developing strategies to manage risk.

Reference	Question To	ExQ2	Applicants' response
			<p>The Applicants understand that Warton Aerodrome is also safeguarded by DIO as an operating arm of the MoD, which applies MAA Regulatory Articles (RA). MAA RA 3500 states that CAA publications may be consulted where they supplement the RAs relating to aerodrome design and safeguarding. Additionally, MAA RA 3270 Aerodrome Wildlife Control identifies the Acceptable Means of Compliance as assessing the potential wildlife strike hazard, and defining and implementing appropriate wildlife control measures, i.e. the same process as is outlined in CAP 772.</p> <p>The Applicants have successfully engaged in the regulatory process with Blackpool Airport (i.e. working with Blackpool Airport in drafting a wildlife attractants habitat risk assessment (Appendix A of the oWHMP) and a bird strike risk assessment (Appendix B of the oWHMP) to inform the drafting of the outline Wildlife Habitat Management Plan submitted at Deadline 5 (S_D3_8/F02) and, as it is also applicable to Warton Aerodrome, would welcome further input from BAE.</p>
Q2:4.1.6	The applicants	<p>Bird strike risk</p> <p>Notwithstanding paragraph 5.5.16 of NPS EN-1 referred to above, paragraph 5.5.41 places clear requirements on any applicant. It emphasises that “consideration of developments near aerodromes should take into account” bird strike risk and it stresses the importance that “infrastructure, buildings and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary).”</p> <p>a) The Examining Authority (ExA) notes the detail provided in response to ExQ1 and at D4 but a further and fuller explanation, along with</p>	<p>c) The Applicants have prepared a note reviewing aviation-related NPS policy. This note has been submitted at Deadline 5 (S_D5_5.3) to address aviation policy matters raised by the ExA in relation to site selection, biodiversity net gain and bird strike. The Applicants' response to Q2:4.1.11 below sets out in more detail how the design of the Transmission Assets took into account the potential for bird strike risk.</p> <p>d) The Applicants refer to the response to Q2:4.1.5 in relation to how bird strike risk is managed by aerodromes. BAE have stated in their Deadline 3 response to ExAQ (REP3-073) that Warton Aerodrome must provide the CAA with a Wildlife and Habitat Hazard Management Plan and have confirmed to the Applicants that one will be made available upon agreement of an NDA (see response to Q2:4.1.19 for current status of the NDA). The Applicants note that management of wildlife hazards and bird strike risk is a pre-existing and ongoing matter for Warton Aerodrome and that this is undertaken</p>

Reference	Question To	ExQ2	Applicants' response
		<p>reference to supporting evidence, is requested as to how the policy requirements have been met?</p> <p>b) At what point does an increased risk arising from potential bird strike become unacceptably harmful?</p>	<p>routinely within the 13 km safeguarding zone. The Applicants note that the Preston Western Distributor road scheme was successfully consented and constructed without input or objection from BAE Systems in relation to bird strike and this falls within the 13 km safeguarding zone. This scheme included:</p> <ul style="list-style-type: none"> a. more than 2,000 trees and 122,000 shrubs b. more than twice the length of hedge removed and replaced with newly planted c. 50 bird roost boxes d. Four new breeding ponds supporting toads and great crested newts e. Open viaducts to maintain otter habitats <p>Construction began in October 2016 and the road was opened to the public in July 2023. The Applicant notes that Warton Aerodrome was able to manage the potential new attractants via the existing Wildlife and Habitat Hazard Management Plan and Term Safety Plan with no increased risk to potential bird strike becoming unacceptably harmful.</p> <p>Following a meeting with BAE and the Defence Infrastructure Organisation (DIO) on 15 and 18 September 2025 the Applicants remain confident that with the application of appropriate passive and active mitigation, including the design commitments / management measures (to minimise attraction) of the environmental mitigation and biodiversity benefit areas (including infrastructure, buildings and other elements from energy installations) that are included within Table 1.3 of the outline Wildlife Attractants Habitat Risk Assessment appended to the outline Wildlife Hazard Management Plan (Document Ref S_D3_8/F02), that there will be no increase to bird strike and therefore no unacceptable risks.</p>
Q2:4.1.7	The applicants	Application documents	The Applicants note this and will ensure reference to paragraph 5.5.41 is added to the Planning Statement and NPS tracker submitted at D6.

Reference	Question To	ExQ2	Applicants' response
		The applicants submitted their position concerning aviation and radar when lodging the application. These are contained in volume 3, chapter 11 of the Environmental Statement (ES) [APP-130]. Table 11.1 of this chapter sets out a summary of the NPS EN-1, NPS EN-3 and NPS EN-5 requirements relevant to this chapter. However, there is no reference to paragraph 5.5.41 of NPS EN-1). Please explain why this was omitted? The Planning Statement and NPS tracker will need to be updated to reflect this.	
Q2:4.1.8	BAE Systems	Mitigation areas In their reply [REP3-056] to Q4.1.6 to ExQ1, the applicants state that “the new pond creation areas at Moss Side and the Morgan Onshore Substation are intended as mitigation for the loss of existing ponds; therefore, there will be no net gain in standing water, but rather a redistribution within the 13 km safeguarding radius of the Warton Aerodrome.” Can BAE respond to this?	
Q2:4.1.9	BAE Systems and Defence Infrastructure Organisation	Initial objection This was referred to in Q4.1.16. of ExQ1 [PD-008], as the Defence Infrastructure Organisation (DIO)/ Ministry of Defence (MOD) were initially objecting to the application but was reviewing the later documentation. Please can there be an update as to their position?	Following the BAE submissions at Deadline 4, and a meeting regarding progress on the Wildlife Attractants Habitat Risk Assessment with BAE, the Applicants engaged with the DIO directly on Monday 8 th September. The MoD requested to be engaged more directly with the examination and requested to review the outline Wildlife Attractants Habitat Risk Assessment. The assessment was sent to BAE and the DIO (as an operating arm of the DIO) for review in parallel, with a meeting on Monday 15 th September held to discuss conclusions and receive feedback to inform updates in advance of submission at Deadline 5. MOD confirmed that subject matter experts would need to review the outline Wildlife Attractants Habitat Risk Assessment following it being updated and submitted at Deadline 5, but stated that the information presented was providing more comfort. The management steps proposed for each wildlife attractant were generally aligned with what

Reference	Question To	ExQ2	Applicants' response
			<p>they consider appropriate. A follow up meeting will be arranged to discuss next steps following the MoD's expert's review.</p> <p>The MoD have expressed that they wish to remain engaged throughout the remainder of the examination and the Applicants have committed to provision of further information. The Applicants will enter into a tripartite SoCG with BAE and MOD, using the existing SoCG that the Applicants have in place with BAE as the starting point. This will be submitted at Deadline 6.</p>
Q2:4.1.10	The applicants	<p>Bird strike assessment</p> <p>The applicants say in their response to Q4.1.3 of ExQ1 [REP3-056] that "the applicants understood that they cannot undertake a specific bird strike risk assessment that would satisfy the requirements of BAE Systems." However, it is not BAE Systems that the assessment needs to satisfy but it is the policy requirement in NPS EN-1.</p> <p>The applicants say later in the same reply that "CAA guidance is clear that the aerodrome is the risk holder, not the applicants" but this appears to be of limited relevance in the light of the requirement at paragraph 5.5.41 to design environmental mitigation in a way "not to increase bird strike risk." How can the applicants claim to have met this directive? What is the timetable for the provision of further assessment(s)?</p>	<p>The Applicants have provided a detailed response to how the Transmission Assets application has satisfied the policy requirements in NPS EN-1 in response to Q2:4.1.6 and in their note reviewing aviation-related NPS policy submitted at Deadline 5 (S_D5_5.3) to address aviation policy matters raised by the ExA in relation to site selection, biodiversity net gain and bird strike.</p> <p>The Applicants have provided an outline Wildlife Attractants Habitat Risk Assessment as part of the Deadline 5 submission (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)), based on the process referred to in the CAP 772 and the MAA RA 3270 guidance, and through engagement with Blackpool Airport. The Applicants provided this to BAE and met with BAE on Monday 15 and 18th September to discuss the conclusions and receive feedback to inform updates in advance of submission at Deadline 5. The Applicants note that the DIO also attended the meeting providing additional information in respect to their interests. Both BAE and DIO noted that the information provided in the outline risk assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)) was the level of detail that they would expect to see and they would be better able to confirm their position on the outcome following full review and review from the DIO's subject matter expert. DIO noted that the proposed management, design commitments and monitoring were aligned to similar measures that have been used for other developments.</p> <p>The Applicants have requested that BAE on behalf of Warton Aerodrome confirm the conclusions of the assessment or provide the Term Safety Plan and Strike Rate Probability Index referred to in REP3-073 so that the Applicants may undertake the bird strike risk assessment on behalf of</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Warton Aerodrome to confirm that there is no increased bird strike risk. The Applicants require the DIO to provide confirmation that their interests can also be appropriately managed.</p> <p>The Applicants remain confident that with the application of appropriate passive and active mitigation, as outlined in the Wildlife Attractants Habitat Risk Assessment appended to the outline Wildlife Hazard Management Plan (S_D3_8/F02), that there will be no increase to bird strike risk and that no provision of further assessment(s) is required or that the confirmation or assessment of bird strike risk to be undertaken by BAE and DIO can be deferred to the post-consent process as part of the discharge of Requirement 27 of the dDCO (C1/F07).</p>
Q2:4.1.11	The applicants	<p>Strategy for Wildlife Hazard Management Plan</p> <p>The applicants 'Strategy for Wildlife Hazard Management Plan (WHMP) [REP2-047] refers to various site specific bird surveys previously undertaken by the applicants and submitted with the application documents. These were Breeding birds technical report [APP-091], Wintering and migratory birds – Part 1 and Part 2 [APP-092] and [APP-093] and Intertidal birds technical report [APP-094].</p> <p>Paragraph 1.3.1.1 of the WHMP then refers to the provision of a technical note at deadline 2 (D2) that “clarifies the site selection process that was followed to identify the Transmission Assets’ environmental mitigation and biodiversity benefit areas.” This note was duly provided [REP2-046] and table 1.1 refers to the consultation response received from BAE in November 2023.</p> <p>The applicants explain at paragraph 1.2.1.9. that they “could not locate environmental mitigation and benefit areas outside of the wildlife hazard zones whilst also meeting their site selection guiding principles (as set out in paragraphs 1.2.1.2 and 1.2.1.3 [REP2-046]) and ultimately delivering effective mitigation. However, the applicants say that</p>	<p>The Applicants note the design of the environmental mitigation and biodiversity benefit areas begins with the location siting. This is detailed in the Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas note (REP2-046).</p> <p>The response to Q2:4.1.10 explains the design commitments / management measures (to minimise attraction) for the environmental mitigation and biodiversity benefit areas (including infrastructure, buildings and other elements from energy installations) that are included within Table 1.3 of the Wildlife Attractants Habitat Risk Assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)). These areas will all be monitored in line with existing airport and aerodrome monitoring plans, and agreed thresholds, to ensure consistency between approaches and to ensure bird strike risk does not increase to unacceptable levels.</p> <p>These include, but are not limited to:</p> <ul style="list-style-type: none"> • Management of scrapes and ditches to ensure unintended bird numbers or species are not attracted; Species used for gapping up of hedgerows will avoid fruit bearing species thus reducing attraction; • Habitat management e.g. pruning of hedgerows and trees to ensure they do not exceed 4.5m and 5.5m in height; • Reduction in size of ponds (< 300 m²) and planting around the pond margins would be designed to discourage birds;

Reference	Question To	ExQ2	Applicants' response
		<p>they have considered the proximity of both Blackpool Airport and Warton Aerodrome in the refinement process. They submitted Figure 1.5 to illustrate that many of the environmental mitigation and biodiversity benefit areas closest to the Airport and Aerodrome were discounted following the statutory consultation process.</p> <p>This still does not fully explain how the environmental mitigation is designed so as not to increase the bird strike risk at Warton aerodrome. Please comment?</p>	<ul style="list-style-type: none"> • Agreement of cropping patterns with the landowner during the construction period; • Seed mixes and tree species will be carefully chosen to limit attraction; • Design of the onshore substation to avoid flat roofs, valleys or protruding features, anti-roosting features, allow safe access for checks; • The design of the attenuation ponds will principally reflect its function to manage surface water run off (i.e. temporarily store to allow discharge at an agreed rate). Therefore the ponds will not hold water in the long term and will be netted (if appropriate); • Soil management (e.g. covering soils, selection of seed type), bird management during seeding; • Management of surface water runoff to avoid accumulation of water; • Secure storage of waste at construction compounds, regular collection of waste, good housekeeping policies. <p>In addition, the draft Wildlife Attractants Habitat Risk Assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)) identifies that targets/ thresholds will be set for the monitoring protocol that would trigger the enactment of additional active mitigation measures such as reduction / removal of supplementary feeding (where applicable) or modification design / infill of scrapes.</p>
Q2:4.1.12	The applicants	<p>Outline Wildlife Hazard Management Plan (oWHMP)</p> <p>This is referred to in the applicants' response [REP4-095] to the submissions from BAE Systems. The applicants say that whilst they "appreciate BAE's concern, the applicants' believe that the applicants' mitigation and biodiversity areas can be delivered within the 13km wildlife hazard management zone</p>	<p>The Applicants have prepared a note reviewing aviation-related NPS policy which has been submitted at Deadline 5 (S_D5_5.3) to address aviation policy matters raised by the ExA in relation to site selection, biodiversity net gain and bird strike.</p> <p>The Applicants acknowledge the policy requirements within NPS EN-1. However, the Applicants note :</p>

Reference	Question To	ExQ2	Applicants' response
		<p>without increasing bird strike risk to Warton. The oWHMP [REP3-065] is being developed with input from Blackpool Airport and BAE Systems, this will demonstrate how the two can be mutually compatible. Therefore, allowing BAE to manage bird strike effectively and the applicants to deliver their mitigation and biodiversity benefits as close to the source of impact as possible." The difficulty with this statement is that it seems to contradict the requirement in paragraph 5.5.41 of NPS EN-1 since it acknowledges the infringement to the 13km safeguarding zone but it is being assessed at some future stage as opposed to being set out in the Environmental Statement as envisaged by paragraph 5.5.37 of NPS EN-1. Please can the applicants respond?</p>	<ul style="list-style-type: none"> • The initial MOD Defence Infrastructure Organisation (DIO) response (REP1-075) stated "the MOD has no statutory safeguarding objection to the proposal for the EIA Morgan and Morecambe Offshore Wind Farms: Transmission Assets"; • The initial responses received from BAE and the MOD / DIO at the PEIR stage did not identify a potential material bird strike risk. This was only fully identified in representations at the examination stage; • The Bird Strike risk assessment (within overall aerodrome safeguarding procedures) and Wildlife Habitat Attractants Risk assessment process, in accordance with CAP772 guidance, does not fit within the EIA significance assessment matrices as the assessment metrics are different; <ul style="list-style-type: none"> – The Bird Strike risk assessment is a safeguarding process, in many cases iterative as the external ornithological environment changes, identifying how an element (birds) within the surrounding aerodrome environment affects flight operations, the outcome of a bird strike (loss of life, loss of aircraft, severe damage, moderate damage, partial damage, no damage) versus the probability of the strike. The Bird Strike Risk assessment process would be considered 'mitigation' if a potential bird strike risk is identified. <p>The Applicants have asserted throughout the process that the Transmission Assets application will be compliant with NPS –EN-1 and the Deadline 5 submission of the updated outline WHMP (S_D3_8/F02) and draft Wildlife Attractants Habitat Risk Assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)) illustrates how the requirement to design infrastructure, buildings and other elements from energy installations, as well as environmental mitigation in such a way so as not to increase the bird strike risk.</p> <p>Responses to ExQ2:4.1.11 and ExQ2:4.1.12 detail those commitments and requirements, and both BAE and DIO noted during the meeting on Monday 15th September that the information provided in the risk assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)) was the level of detail that they would expect to see and they would be in a better position to confirm their position on the outcome following full review and review from the DIO's subject matter</p>

Reference	Question To	ExQ2	Applicants' response
			<p>expert. DIO noted that the proposed management, design commitments and monitoring were aligned to similar measures that have been used for other developments.</p> <p>The Applicants remain confident that with the application of appropriate passive and active mitigation, as outlined in the draft Wildlife Attractants Habitat Risk Assessment appended to the outline Wildlife Hazard Management Plan (S_D3_8/F02), that there will be no increase to bird strike risk and the confirmation or assessment of bird strike risk to be undertaken by BAE and DIO can be deferred to the post-consent process as part of the discharge of Requirement 27 of the dDCO (C1/F07).</p>
Q2:4.1.13	BAE Systems	<p>Emerging OWHMP</p> <p>The applicants submitted an oWHMP [REP3-065]. This seeks to explain how the mitigation measures within the outline Ecological Management Plan [REP4-059] and the Onshore Biodiversity Benefit Statement [REP-067] would manage the risk of bird strike. BAE indicated in their D4 submission [REP4-127] that the oWHMP was being reviewed by the DIO, which represents the MOD in the examination. BAE confirmed that it will provide more detailed comments on the oWHMP once the DIO has concluded its review. The ExA awaits these comments?</p>	
Q2:4.1.14	The applicants	<p>Secretary of State's (SoS) assessment</p> <p>Paragraph 5.5.49 of the NPS EN-1 confirms that the SoS should be satisfied that "any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out." Paragraph 5.5.50 expands further on the importance of minimising "adverse impacts on the operation and safety of aerodromes." The difficulty for this application is that not only has the assessment not been carried out but the effects of the proposed development on the Warton aerodrome were</p>	<p>The Applicants' note on aviation policy (S_D5_5.3) submitted at Deadline 5 addresses aviation policy matters raised by the ExA in relation to site selection, biodiversity net gain and bird strike.</p> <p>The Applicants maintain that the approach of scoping out Warton Aerodrome from assessment remains satisfactory and compliant with policy – that is, the approach complies with the EIA Regulations. The matters being discussed at examination, and the need for the attractants assessment, relate to mitigation.</p> <p>The Applicants will review and update the Aviation Chapter of the ES to bring in all relevant requirements and submit this at Deadline 6.</p>

Reference	Question To	ExQ2	Applicants' response
		specifically scoped out of the environmental chapter. This would appear to be in breach of the policy directive and requires some explanation. Please provide this?	
Q2:4.1.15	Fylde Borough Council (FBC)	Fylde Local Plan This states at policy T2 that "Development proposals within the defined safeguarded area at Warton Aerodrome will not be permitted, unless the applicants can demonstrate that there would not be any potential for adverse impacts on aviation operations, or on defence navigation systems and communications." Provide the Council's latest position on compliance with this policy. Has there been any discussion concerning this potential breach of policy?	
Q2:4.1.16	The applicants	Fylde Local Plan The applicants say at paragraph 5.21.1.8 of the Planning Statement that "the Transmission Assets also comply with ... Fylde Local Plan (FLP) to 2032 Policies T2, T3 and CL3." This is repeated in the Local Planning Policy Tracker [APP-236] . However, the effects have been scoped out of the ES and therefore not previously assessed. At paragraph 7.1.6. of its local impact report [REP1-078] , FBC concludes that "the likely impact is that there is the potential for harm to aviation activities at both sites and therefore conflict with FLP Strategic Policies EC4 and T2. In their response to FBC's LIR [REP2-038] , the applicants state that their position "is that the Transmission Assets will not lead to potential harm to aviation activities and consequently, there is no conflict with FLP Strategic Policies EC4 and T2." Why have the applicants taken this approach when, based on the current position of BAE Systems, there is clearly a concern that there might be a breach of	<p>The Applicants have provided a draft Wildlife Attractants Habitat Risk Assessment as part of the Deadline 5 submission (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)), based on the process referred to in the CAP 772 and the MAA RA 3270 guidance, and through engagement with Blackpool Airport, BAE and DIO. The Applicants remain confident that with the application of appropriate passive and active mitigation, as outlined in this Wildlife Attractants Habitat Risk Assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)) appended to the outline Wildlife Hazard Management Plan, that there will be no increase to bird strike risk and that no provision of further assessment(s) is required and that the confirmation or assessment of bird strike risk to be undertaken by BAE and DIO can be deferred to the post-consent process as part of the discharge of Requirement 27 of the dDCO (C1/F07).</p> <p>The Applicants' note on aviation policy (S_D5_5.3) submitted at Deadline 5 addresses aviation policy matters raised by the ExA in relation to site selection, biodiversity net gain and bird strike.</p> <p>The Applicants will discuss updates to the Statement of Common Ground with FBC ahead of Deadline 6 and provide an update at ISH4, noting that feedback on the Applicants' updates to the outline Wildlife Attractants</p>

Reference	Question To	ExQ2	Applicants' response
		<p>relevant development plan policies as well as the NPS? Please help the ExA understand how the applicants can possibly be so confident that the proposed development “will not lead to potential harm” when this is such a wide and open-ended criteria?</p> <p>Please also ensure the Statement of Common Ground with FBC is updated on this matter.</p>	Habitat Risk Assessment is expected from BAE, DIO and Blackpool Airport following Deadline 5.
Q2:4.1.17	The applicants	<p>Planning assessment</p> <p>The applicants have assessed the effects of the proposed development on aviation and radar receptors as “not considered to be significant” at paragraph 5.21.1.7. of the Planning Statement [REP1-032]. It is difficult to see that this position is sustainable in the light of the policy position and the decision to scope the Warton aerodrome out of the ES. Please review this conclusion?</p>	<p>The Applicants believe the position of “not considered to be significant” at paragraph 5.21.1.7. of the Planning Statement (REP1-032) is sustainable, particularly in light of the MOD DIO representation (REP1-075)) stating that after reviewing the plans and documentation provided in the application that the MOD has no technical safeguarding objections (Obstacle Limitation Surfaces (OLS) or Communication, Navigation & Surveillance (CNS)) to the application development. The Applicants are committed to collaborative working and providing the appropriate information to ensure the Transmission Assets do not affect the safe operation of BAE Systems Warton Aerodrome in relation to OLS or CNS. The Applicants will proactively assist in the provision of information for the aerodrome’s own assessment and consider that this can be undertaken following the agreement of the NDA. The Applicants have committed to funding the necessary safeguarding assessments and will progress a Commercial Agreement with BAE Systems to facilitate this arrangement.</p> <p>The Applicants have prepared a note reviewing aviation-related NPS policy which has been submitted at Deadline 5 (S_D5_5.3) to address aviation policy matters raised by the ExA. This sets out how the Applicants have complied with NPS policy on aviation and, at section 1.2.4, the basis upon which the Secretary of State can be satisfied that the issue of bird strike has been sufficiently addressed</p>
Q2:4.1.18	The applicants	<p>Related DCO decisions</p> <p>The ExA has considered the recent decisions from the SoS in relation to the Mona and Morgan wind</p>	The Applicants refer the ExA to the above answer to Q2:4.1.14 and Q2:4.1.17 and add that the SoS decisions in relation to the Mona and Morgan wind farms as they relate to aviation and radar are specific to tall, moving Wind Turbine Generator (WTG) sails/blades obstacles. Critically,

Reference	Question To	ExQ2	Applicants' response
		<p>farms so far as they relate to aviation and radar. However, the ExA notes at paragraph 4.40 of the Morgan decision, the sentence "The applicant pointed out that the DIO had not, in its pre-application consultation response, anticipated impacts on either of its radars at RAF Valley and Warton aerodrome, which was why it had been scoped out of the ES." In such circumstances, it is understandable that the Warton aerodrome had been scoped out – in the case of this application, the converse position applies as impacts had been recognised in the consultation which, following the proposition argued on the Morgan wind farm application, ought to have led to a consideration of the effects on the Warton aerodrome. Please explain this apparent inconsistency?</p>	<p>for the offshore array infrastructures, it is primarily the velocity of the WTG blade tips that potentially detrimentally affect aviation radar. On the other hand, the sub-stations obstacles created, associated with the Morgan and Morecambe Transmission Assets are, by comparison to the Morgan and Mona offshore WTGs, much shorter and also stationary.</p>
Q2:4.1.19	The applicants and BAE Systems	<p>Collaborative working</p> <p>Paragraph 5.5.5. of NPS EN-1 expects the parties to work collaboratively. The applicants have regularly stated that are committed to working with BAE. However, it would appear from submissions made from both parties at issue specific hearing 1 and issue specific hearing 2 and in the written representations that both parties have taken entrenched positions with little chance of agreement during the remaining weeks of this examination. This issue has taken up considerable time since the examination opened and both parties are encouraged to do all they can to move this discussion forward so that matters of disagreement are overcome or narrowed as far as possible during the examination. Please consider and comment?</p>	<p>The Applicants have met with BAE regularly and have managed to make some progress in a collaborative manner. However, the Applicants have noted in previous submissions that the provision of information to inform collaborative working is required to fully understand and address concerns related to bird strike. This is the approach taken with Blackpool Airport following Deadline 1 and the Applicants have been able to provide a Wildlife Attractants Habitat Risk Assessment and relevant bird strike risk assessment (within the outline Wildlife Hazard Management Plan submitted at Deadline 5 (S_D3_8/F02)) to demonstrate that there is no increased bird strike risk associated with Blackpool Airport.</p> <p>The Applicants have proposed to follow the same process for BAE Systems, noting that Warton Aerodrome operates different aircraft under civil and military licences, in accordance with CAP 772 and the MAA RA 3270 guidance. The Applicants' responses to Q2:4.1.10 and Q2:4.1.11 set out the Wildlife Attractants Habitat Risk Assessment work that has been undertaken by the Applicants and the commitments to the design of the environmental mitigation and biodiversity benefit areas (including infrastructure, buildings and other elements from energy installations). These have been presented to BAE Systems and feedback incorporated into the Deadline 5 submission.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>The Applicants have requested that BAE on behalf of Warton Aerodrome confirm the conclusions of the assessment or provide the Term Safety Plan and Strike Rate Probability Index referred to in REP3-073 so that the Applicants may undertake the bird strike risk assessment on behalf of Warton Aerodrome to confirm that there is no increased bird strike risk.</p> <p>The Applicants understand that the Term Safety Plan and Strike Rate Probability Index will not be supplied until an NDA is place and have been proactively managing this. The Applicants reissued the NDA, adopting an approach that limited proposed amendments to essential comments only (to be collaborative and speed up the finalisation of the NDA), to BAE on 20th August. Comments were not provided to the Applicants for 2 weeks, with receipt of the updated NDA on 10th September. The comments received by BAE regarding the NDA are unusual and draws multiple additional parties into the NDA which has inevitably extended negotiation of the NDA. The Applicants provided response to BAE Systems' additional comments on the NDA September 18th with what is considered a compromise position which avoids drawing multiple additional parties into the NDA but seeks to address what the Applicants understand as BAE Systems' concerns. The Applicants are highly motivated to resolve these final points with BAE Systems and to execute the NDA.</p> <p>In order to continue progressing matters, the Applicants have also engaged directly with the DIO to demonstrate that the process outlined by the Applicants is appropriate to comply with the MAA RA 3270 guidance in relation to wildlife hazard management and bird strike risk. The DIO were also sent the Wildlife Attractants Habitat Risk Assessment work and the updated outline Wildlife Hazard Management Plan, and the DIO attending a meeting on 15th September (with BAE) to discuss the workstreams. As with BAE, feedback was incorporated into the Deadline 5 submission. Following this meeting the Applicants are confident that an agreeable approach to managing bird strike risk will be possible and will await comments and any further discussions following Deadline 5.</p>
Q2:4.1.20	The applicants	Consideration of bird strike risk by ExA and SoS At Q4.1.3 of ExQ1 [PD-008] , the ExA asked "how would the applicants suggest that the ExA address	The Applicants have prepared a note reviewing aviation-related NPS policy which has been submitted at Deadline 5 (S_D5_5.3) to address aviation policy matters raised by the ExA. This sets out, in section 1.2.4, the basis upon which the Secretary of State can be satisfied that the

Reference	Question To	ExQ2	Applicants' response
		<p>this outstanding issue in its recommendation to the Secretary of State" The applicants did not respond to this and therefore the question is asked again – if the question of bird strike remains unresolved between the applicants and BAE at the close of the examination, how is it suggested that the ExA treat this issue in the report bearing in mind the objections that remain in the context of the relevant national and local planning policy.</p>	<p>issue of bird strike has been sufficiently addressed and that the Applicants have complied with NPS policy on aviation.</p> <p>The Applicants note that the response to Q4.1.3 of ExQ1 (PD-008) identified the Applicants' Strategy for Wildlife Hazard Management Plan (REP2-04&). The Applicants note that this provided the approach for providing information to demonstrate potential aviation impacts, including bird strike risk during the Transmission Assets construction phase, and to manage potential bird strike changes through the operational phase of the Transmission Assets.</p> <p>The Applicants note that the Deadline 5 submission of the updated Wildlife Hazard Management Plan (S_D3_8/F02) and the outline Wildlife Attractants Habitat Risk Assessment demonstrates that associated bird numbers, species and locations can be monitored and managed, and numbers and movement can be mitigated through design and management of the environmental mitigation and biodiversity benefit areas (including infrastructure, buildings and other elements from energy installations).</p> <p>Following the meeting on 15 and 18 September 2025 the Applicants are confident that, as with Blackpool Airport, an agreed approach will be achievable with BAE and the DIO. A follow up meeting has already been scheduled for 3rd October 2025, to allow time for DIO's subject matter expert to review the Wildlife Attractants Habitat Risk Assessment (Appendix A of the outline Wildlife Hazard Management Plan (S_D3_8/F02)) , and BAE to provide feedback. This has been scheduled in before the next Issue Specific Hearings to ensure that positions are understood ahead of these.</p> <p>Specific details on management will remain outstanding at the end of Examination, but as indicated by DIO, this is not uncommon and they are content to deal with details with a post- consent condition, so long as they are a named consultee. Therefore it would be appropriate for any unresolved matters between the Applicants, BAE and DIO to be dealt with in the post-consent process related to safeguarding assessments and discharge of Requirement 27 of the draft DCO (C1/F07), as the process is appropriate for all other aviation stakeholders (that are managing identical risks to those of Warton Aerodrome).</p>

Reference	Question To	ExQ2	Applicants' response
			The Applicants have demonstrated in responses to Q2:4.1.2, Q2:4.1.6, Q2:4.1.10, Q2:4.1.11, Q2:4.1.12 and Q2:4.1.19 that the work undertaken in relation to the outline Wildlife Hazard Management Plan is compliant in the context of the relevant national and local planning policy.

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

Table 2.3: Compulsory acquisition, temporary possession and other land and rights considerations

Reference	Question To	ExQ2	Applicants' response
Q2:5.1.1	The applicants	<p>Statement of Reasons</p> <p>The latest version of the Statement of Reasons (SoR) [REP4-016] does not appear to contain any reference to land which is subject to freehold acquisition. Please explain this omission?</p>	<p>The Statement of Reasons (REP4-016) does set out the plots which are subject to freehold acquisition as set out in the following paragraphs:</p> <ul style="list-style-type: none"> - Paragraph 1.3.8.22, which sets out the plots over which freehold acquisition is required in relation to the Morgan OWL (Project A) permanent substation area; - Paragraph 1.3.8.28, which sets out the plots over which freehold acquisition is required in relation to the Morecambe OWL (Project B) permanent substation area; - Paragraph 1.3.8.52, which sets out the plots over which freehold acquisition is required in relation to permanent environmental mitigation areas; and - Paragraph 1.3.8.55, which sets out the plots over which freehold acquisition is required in relation to delivery of the biodiversity benefit works. <p>These summaries align with the plots identified for freehold acquisition on the Land Plan (REP1-004).</p> <p>The plots subject to freehold acquisition are also identified within the Book of Reference (REP1-014), and the appropriate notices were served on all relevant land interests as part of the DCO process.</p> <p>For ease of reference and clarity the Applicants have updated Section 1.10 of the Statement of Reasons at Deadline 5 (D2/F05) to list out all plots for which freehold acquisition is sought.</p>
Q2:5.1.2	The applicants	<p>Book of Reference</p> <p>Similarly, the last version of the Book of Reference (BoR) [REP1-014] whilst containing reference to</p>	<p>The Book of Reference (REP1-014) sets out every plot number, along with a description of the plot, relevant land interests and the extent of acquisition or use which is intended by each of Morgan and/or</p>

Reference	Question To	ExQ2	Applicants' response
		many plots at Tables 2A and 2B follows the same headings as in the SoR and therefore does not appear to include in these Tables the land for which permanent acquisition is intended. The plots are referred to in the main body of the BoR but they should surely be referred to in the Tables as well. Please clarify?	<p>Morecambe. This identifies each plot of land being subject to either (i) Temporary Possession; (ii) Permanent Rights; or (iii) Freehold Acquisition.</p> <p>However, to provide further clarity and to aid the examination process the Applicants refer to the Statement of Reasons (D2/F05) submitted at Deadline 5, which sets out a list at Section 1.10 all plots over which freehold acquisition is sought. The Applicants will update the front-end sections of the Book of Reference (REP1-014) to include this information at Deadline 6.</p>
Q2:5.1.3	The applicants	<p>Equalities Impact Assessment</p> <p>The updated equalities impact assessment needs to be submitted at deadline 5 (D5) and updated further at deadline 6. Reference was made at compulsory acquisition hearing 2 (CAH2) to the impacts on the Wrea Green equitation centre. The Examining Authority (ExA) need to have regard to those with a protected characteristic in the recommendation report and therefore please provide at D5?</p>	The Applicants have updated the Public Sector Equality Statement for Deadline 5, see S_D1_8/F02.
Q2:5.1.4	Blackpool Borough Council (BBC)	<p>Airport agreement</p> <p>The cooperation agreement with the applicants relating to Blackpool Airport did not extend to land rights [REP4-129] but was limited to operational impacts. What is the current position concerning the negotiation with BBC for the cable rights and restrictive covenants at Blackpool airport as set out in section 1.10.1.5. of the SoR [REP4-016]?</p>	The Applicants refer to the Land Rights Tracker (S_D1_15/F04) submitted at Deadline 5, which provides an update on the current progress of all land negotiations including with Blackpool Borough Council,
Q2:5.1.5	The applicants	<p>Progress with negotiations</p> <p>There were a number of representations at compulsory acquisition hearing 2 (CAH2) to the delays in negotiations. This was summarised in the submission from Savills on behalf of the Duchy of Lancaster. This hearing took place less than three months from the close of the examination and</p>	<p>Initial Engagement with Land Interests</p> <p>On 8 November 2024 populated Heads of Terms to all land interests along the proposed corridor and substation sites were issued. Following this, a Land Agent Group (LAG) was formed, including a representative from the National Farmers Union (NFU). This group met with the Applicants and their appointed land agents on five occasions to discuss the proposed Heads of Terms and associated matters. For those affected</p>

Reference	Question To	ExQ2	Applicants' response
		<p>accordingly how can the ExA be satisfied that the applicants have proceeded with negotiations as required by paragraph 25 of the Planning Act 2008 (PA2008) Guidance relating to procedures for the compulsory acquisition of land.</p> <p>Have the applicants complied with this requirement which will require evidence that negotiations have taken place, that these were continuing and that a genuine attempt to reach agreement between the parties has been made?</p>	<p>parties not represented by the LAG, the Applicants have been in ongoing dialogue regarding the rights sought, These affected parties have also been invited to all landowner engagement events.</p> <p>Landowner Engagement Events</p> <p>To support wider engagement, the Applicants held an open forum session on 4 December 2024 in Ballam, specifically for landowners and their agents. This session was attended by the wider project lands team and project engineers, providing an opportunity for attendees to ask questions and discuss the submitted application in detail.</p> <p>The Applicants have held 2 further landowner engagement events with a third planned on the 24th September for landowners and agents to attend and meet with the project team to discuss concerns and raise questions.</p> <p>Alongside these events, the Applicants have continued individual landowner engagement through meetings relating to the scheme development, surveys, the subsequent intrusive works to aid design and latterly through voluntary negotiations for the rights to be acquired.</p> <p>One to One in Person Meetings</p> <p>On the 8 of January 2025 the Applicants wrote to all landowners advising they would like to meet with landowners and their agents to discuss the project in more detail and listen to any concerns they may have. The offer to meet was taken up by some landowners and was attended by the project's lands team, supported by Dalcour Maclaren and the Project's drainage consultants (LDC). These meetings where extremely useful and allowed both the landowners to better understand the project and ask questions, and the Applicants to better understand the landowner concerns and consider feedback.</p> <p>Progression with Discussions</p> <p>Following the fifth and final LAG meeting with the agents and NFU, version 4 of the Heads of Terms were populated and issued on 19 May 2025. It was agreed that from that point forward, discussions would move</p>

Reference	Question To	ExQ2	Applicants' response
			<p>to a landowner specific basis rather than through the LAG, in order that more focus could be given to outstanding individual landowner concerns..</p> <p>Negotiation Status and Approach</p> <p>In the Applicants (and their advisors') experience of other linear projects good progress is being made in the voluntary negotiations (including now having signed terms with both project substation landowners) and the Applicants are committed to continuing to seek to reach voluntary agreements on reasonable terms wherever possible. It is the Applicants firm belief that it is in all parties' best interests to secure and work under voluntary agreements and in the Applicants' engagement will continue to take place post examination, prior to the Secretary of State's decision and beyond, to agree reasonable terms.</p> <p>The Applicants have previously provided details of progress with negotiations, and these are summarised and updated below. In addition to this summary, the Applicants updated Land Rights Tracker (S_D1_15/F04) and response to Q2.5.1.6 provide an up-to-date position.</p> <p>Duchy of Lancaster</p> <p>In relation to the Duchy of Lancaster, an in-person meeting took place with the Duchy's agent and appointed representatives on the 27 August 2025 in London. This was a productive meeting; however, the projects are still awaiting clarity from the Duchy on the issues raised on ownership and title. A parcel of land which the Duchy claims to own is unregistered and the Duchy has not been forthcoming with proof of title. The Applicant's first sought clarity from the Duchy on 10 February 2025 in relation to their ownership and title over this land and are still waiting for this information. While some correspondence has been exchanged on the topic, without the ownership and title information, commercial agreements and terms cannot meaningfully proceed. The Applicants have politely requested on a number of occasions, further information on ownership and proof of title, with the most recent request issued to the Duchy's agent on the 11 September 2025. No response has been forthcoming to the recent request and ambiguity still exists on ownership and title.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>In the spirit of maintaining momentum towards securing an agreement, the Applicant's issued a proposed valuation structure and draft HoT's for consideration on the 05 September 2025. This was issued with assumptions being made regarding ownership and title, and on the basis that the requested clarity sought from the Duchy on same would be forthcoming. The Duchy responded on the 17 September 2025 with a response to the HoT's issued by the Applicants however, they did not provide any clarity on the ownership and title issue. The Applicants are actively considering the response received from the Duchy on the draft HoT's issued to them, however some differences remain on the financial consideration being proposed by the Duchy.</p> <p>The projects are committed and motivated to securing a fair and reasonable agreement with the Duchy. However, this is dependent on receiving the necessary evidence regarding ownership and title from the Duchy..</p> <p>Compliance with Planning Act Guidance</p> <p>The efforts made by the Applicants are in accordance with the requirement of paragraph 25 of the Planning Act 2008 guidance on procedures for the compulsory acquisition of land and will continue to be demonstrated transparently through the updates provided in the Land Rights Tracker. However, in order to give the Applicants and the Secretary of State certainty that all of the necessary land will be secured within a reasonable timeframe, powers of compulsory acquisition are also sought to ensure that the Applicants have all land rights required to deliver the Transmission Assets in the event that voluntary negotiations are not successful over any parcel of land. This approach is endorsed by paragraph 25 of the Guidance.</p> <p>.</p> <p>.</p>

Reference	Question To	ExQ2	Applicants' response
Q2:5.1.6	The applicants	<p>Progress with negotiations</p> <p>The delays in progressing negotiations may be a consequence of the complication of there being two applicants and also that both of them have been the subject of corporate sales as explained in the latest funding statement [REP4011]. However, this position is emphasised further in the latest version of the Land Rights Tracker (LRT) [REP4-087]. It is noted that meetings were planned for the 11 August 2025 and it is expected that negotiations have been progressed as there is a very limited number of landowners who have so far signed heads of terms. What is the present position?</p>	<p>The Applicants disagree that there has been any delay in progressing negotiations and would emphasise that having two joint applicant entities has not resulted in any complication in relation to progressing land negotiations, nor has any of the corporate sales in relation to the Applicant entities. Dalcour Maclaren have been appointed as a joint land agent on behalf of both Applicants, and this appointment has not at any point been interrupted, meaning that consistent negotiations have progressed with landowners regardless of any other factor. The alignment of the projects and cooperation on tripartite Heads of Terms has reduced the overall burden on the affected parties and reduced the overall time commitments that would have been levied on affected parties and agents should the Applicants have negotiated separately and at different times with (in all likelihood) different terms.</p> <p>There are, as with any complex business structure, sign off procedures that have to be undertaken and due to several clauses within the heads of terms that had previously been agreed now being reopened by the agents acting for affected parties, this has meant amendments to those clauses needing to be taken back through the relevant sign off procedures and reflected in the suite of draft Option Agreements.</p> <p>Notwithstanding the above, the Applicants continue to seek voluntary agreements (the detail of which is set out in the response to Q2:5.1.5 and progress on individual agreements set out in the Land Rights Tracker (S_D1_15/F04) and hold meetings with affected parties and their agents. At the date of drafting (17th September 2025) this response the current status is shown below on a per agent basis. The update below includes the HoTs that have recently been completed for the freehold interests for both project's substation sites.</p> <div> <div>AGENT PROGRESS</div> <div>As of Wednesday 17th September 2025</div> </div>

Reference	Question To	ExQ2	Applicants' response				
				Per landowner			
			Cable Easement	Total	Agreed	Negotiating	Refused
			Adam Pickervance	9	6	3	0
			Andrew Coney	5	0	5	0
			Andrew Taylorson	1	0	1	0
			Chris Cowey	2	1	1	0
			Colin Whittaker	1	1	0	0
			Edward Gammell	7	0	7	0
			Fiona Patterson	2	0	2	0
			Gary Jones	1	0	1	0
			Henry Mawhood	1	1	0	0
			In House	5	0	5	0
			James Bramley	1	0	1	0
			Jonathan Sinclair	1	0	1	0
			Luke Banks	3	3	0	0
			Paul Dennis	10	0	10	0
			Richard Furnival	28	8	14	6
			Richard Thompson	2	0	2	0
			Richard Turner	2	0	2	0
			Rob MacKenzie	3	0	3	0
			Robert Harrison	7	0	7	0
			No Agent	6	0	5	1
				97	20	70	7
					21%	72%	7%
Q2:5.1.7	The applicants	Progress with negotiations An example of slow negotiation is the proposed freehold acquisition which is sought for in excess of	As set out in the Applicants response to Q2:5.1.5, the Applicants have been in ongoing negotiations with all parties regarding the terms sought for voluntary agreements since 2024. With regards to this individual case, the Applicants through their appointed agent Dalcour Maclaren				

Reference	Question To	ExQ2	Applicants' response
		<p>120,000 square metres (more than 30 acres) of land between plot numbers 16-038 and 16-069 in the BoR. The freehold interest is held by Tallentine Limited and the applicants state in the LRT that "the Applicant is hopeful that the necessary land rights can be secured through a voluntary agreement."</p> <p>Details of the tenant farmer of the same land have now been included in the updated LRT [REP4-087] as requested by the ExA at CAH2. This affected person (AP) lodged an objection [RR-0790]. The information provided is that "The applicant is awaiting the finalisation of the Heads of Terms with the Landlord before progressing negotiations regarding the Occupiers' Consent."</p> <p>This delayed approach is inconsistent with the best practice set out in paragraphs 24 and 25 of the CA Guidance. Please explain the lack of any engagement with this affected person?</p>	<p>understand from the agent for the freeholder Tallentine Limited that the only outstanding point is in relation to the access. The agent for Tallentine Limited had requested rationale as to why alternative access cannot be provided from Blackpool Road. This was provided and is accepted by the agent. Negotiations on the heads of terms are advanced with only a number of clauses outstanding including planning, reinstatement and contamination. The Applicants have liaised with the tenant regarding survey access and met with the tenant on site to discuss this. The agent for the tenant is Mr Paul Dennis who has engaged with Dalcour Maclaren regarding the impact on the tenant.</p> <p>With regards to the best practice guidance in paragraphs 24 and 25 of the CA guidance, the Applicants are seeking to acquire the land rights required from the freeholder and are at an advanced stage of negotiations. As voluntary discussions and engagement with Tallentine Ltd as freeholder of the land have not yet reached a final position, in line with standard practice it was not considered appropriate to discuss this matter in detail with the tenant (because as set out below any agreement with the tenant would be conditional upon and need to align with the landowner position). Following recent dialogue with the appointed agent for the tenant, Dalcour Maclaren are setting up a meeting. It would be the intention of the Applicants to discuss impacts on the tenant and any potential mitigation or strategies required to minimise the impact the loss of land may have on their farming business. It would have been inappropriate to do this any sooner as the rights for the agreement being sought are being provided for by the freeholder of the land. The Occupiers Consent must therefore follow on from the freeholder's agreement and not differ from that agreement.</p>
Q2:5.1.8	The applicants	<p>Distribution of landholdings</p> <p>The plans provided in response to action point ISH1-46 show the distribution of land holdings [REP1-044]. Landholdings numbered 43 (nearly 57 acres) and 44 (over 30 acres) are shown separately coloured suggesting separate ownership but on checking the details in the Book of Reference (BoR)</p>	<p>The Applicants have separated the two holdings 43 and 44 due to the occupation. Landholding 43 is owned by Tallentine Limited and occupied by Graham and Susan Bartlett. Landholding 44 is owned and occupied by Jim Clark Limited. The Book of Reference contains what the Applicants understand to be the correct split in ownership.</p> <p>Tallentine Limited:</p>

Reference	Question To	ExQ2	Applicants' response
		<p>[REP1-014], it would appear that the freehold and leasehold interests are the same for both landholdings. As this is the case, why has a distinction been made between them?</p>	<p>Permanent Rights: 15-064, 15-066, 15-067, 15-068, 15-069, 15-070, 15-071A, 15-072A, 15-073B, 16-021, 16-025, 16-029, 16-034, 16-035A, 16-036, 16-037A, 16-039, 16-042, 16-043B, 16-044, 16-045B, 16-046, 16-047, 16-047B, 16-048B, 16-049, 16-050, 16-054, 16-057, 16-064B, 16-066, 16-070A, 16-071, and 16-072A</p> <p>Temporary Possession: 15-063, 15-064, 15-066, 15-067, 15-068, 15-069, 15-070, 16-003, 16-011, 16-012, 16-015, 16-017, 16-020, 16-026, 16-027, 16-028, 16-030, 16-031, 16-032, 16-033, 16-041, 16-046, 16-051, 16-052, 16-053, 16-055, and 16-059</p> <p>Freehold Acquisition: 16-033, 16-038A, 16-039, 16-040A, 16-041, 16-056A, 16-057, 16-058A, 16-059, 16-060A, 16-061B, 16-062, 16-063B, 16-065A, 16-066, 16-067A, 16-069A</p> <p>Jim Clark Ltd:</p> <p>Permanent Rights 16-073A, 16-075A, 16-076A, 16-077B, 16-078, 16-079, 16-080A, 16-081, 16-085, 16-086, 16-087, 16-088, 16-090, 16-091, 16-092, 16-093A, 16-094B, 16-095, 16-096B, 16-097B, and 16-098A.</p> <p>Temporary possession: 16-078, 16-079 16-089, 16-090, 16-091, 16-099, 16-102, 16-103</p>
Q2:5.1.9	The applicants	<p>Leaseholder interests</p> <p>The LRT [REP4-087] now lists five persons having interests which are significantly affected by permanent acquisition. Two of these are referred to as "Leaseholders" and 3 as "Tenants". It is assumed that all these interests are registered with the Land Registry and therefore is there any reason for this distinction?</p>	<p>The interests differ in their occupation status of the land. Where referred to as "leaseholders" their interest is registered on the title at the Land Registry. The remaining parties hold differing qualifying interests being x2 Agricultural Holdings Act Tenancies and x1 Farm Business Tenancy, neither of which are registered on the title with His Majesties Land Registry and therefore these are referred to as 'tenants'.</p>
Q2:5.1.10	The applicants	<p>Section 57, Planning Act 2008</p> <p>All five of the APs referred to above are shown in the LRT as being "category 2" in the BoR. However, section 57, PA2008 provides that "A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee,</p>	<p>The Applicants acknowledges that the CAT 2 reference is an error within the LRT that will be rectified in the D5 submission.</p> <p>As set out in the Applicants response to Q2:5.1.5, the Applicants have been liaising generally with all affected parties about the Project. As set out in the Applicants response to Q2:5.1.7, where an occupier's consent is being sought, the negotiations with the freeholder must first reach a</p>

Reference	Question To	ExQ2	Applicants' response
		tenant (whatever the tenancy period) or occupier of the land." Not only have the applicants incorrectly categorised these 5 persons whether they be lessees, tenants or occupiers, but there would appear to have been, with one exception, very limited contact with the APs and therefore minimal progress with the negotiations. Please explain?	<p>final form stage to allow the Occupiers Consent to follow on from that document as that consent must align with the terms being granted by the freeholder. The 5 affected parties were invited to the landowner engagement event on 12th August and have also been invited to the event being held on 24th September where they have the opportunity to engage with the Applicants.</p> <p>Where a registered lease is present, the Applicants are seeking to progress Heads of Terms with those 2 leaseholders, but the appointed agent is thus far refusing to engage over a fee dispute.</p> <p>Of the x2 Agricultural Holding Act tenants, negotiations have been ongoing with the Fare Partnership and Mr Stackhouse. Mr Stackhouse is only impacted by temporary possession rights and as such, the Applicants will be seeking an Occupiers Consent aligned to their landlord's (freeholders) terms. We have recently received the landlord's Heads of Terms and will now progress the Occupiers Consent documents.</p> <p>The final affected party holds a Farm Business Tenancy and the Applicants will be seeking a Occupiers Consent on conclusion of the landlord's (freeholders) Heads of Terms.</p>
Q2:5.1.11	The applicants	<p>Lea Marsh</p> <p>Reverting to the permanent acquisition proposed for the 30 acres between 16-038 and 16-089 which is owned by Tallentine Limited. This AP queried the proposed use of the land [RR-2162], and this was echoed by their tenant farmers in their submission [RR-0790]. The response given by the applicants [PDA-007] explains that "the Applicants have proposed to make a voluntary commitment to achieve an overall biodiversity benefit for areas of permanent habitat loss associated with the permanent above-ground infrastructure of the Transmission Assets." However, the test in section 122 PA2008 is that the land in question is needed for the development for which consent is sought. A "voluntary commitment" would appear to fall some</p>	<p>Although the biodiversity benefit proposals which form part of the scheme are 'voluntary', in that they are not mandated by statute at this time, the Applicants would emphasise that this has been included as part of the scheme in order to ensure further compliance with the National Policy Statements (NPS). NPS EN-1, at paragraph 4.6.6, states that NSIP proposals should "<i>seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible</i>".</p> <p>The Applicants have made it clear throughout the examination process that the biodiversity benefit areas will only be delivered if the relevant compulsory acquisition powers are granted by the Secretary of State as part of the Development Consent Order for the Transmission Assets. As the biodiversity benefit areas form part of the proposed development for the Transmission Assets, the Applicants would maintain that the land in question is needed in order to deliver this aspect of the development, therefore satisfying the test pursuant to Section 122 of the Planning Act</p>

Reference	Question To	ExQ2	Applicants' response
		way short from land being “required”. Can the applicants review their position for this land?	<p>2008. Further detail is set out in the Biodiversity Benefit Supporting Statement (S_D5_11).</p> <p>The Applicants would refer the Examining Authority to the examples included in the Biodiversity Benefit Supporting Statement (S_D5_11) and the recent decision on the Bramford to Twinstead project (The National Grid (Bramford to Twinstead Reinforcement) Order 2024), as well as The National Grid Electricity Transmission plc (Scotland to England Green Link 2) Compulsory Purchase Order 2023, both of which included scope for compulsory acquisition of land for delivery of voluntary biodiversity benefit measures.</p>
Q2:5.1.12	The applicants	<p>Lea Marsh</p> <p>BAE take a similar approach [REP4-127] and emphasise that “the Biodiversity Benefit Site at Lea Marsh is not mitigating any impact and therefore there should not be any locational requirements from an ecological perspective.” They continue in their submission “Given that there is no requirement for BNG, or indeed any need for the biodiversity benefit sites to be provided at all, there is no reason why the biodiversity benefit site could not be located outside of Warton Aerodrome’s 13 km wildlife hazard safeguarding zone, where potential harm to aviation operations from an increased bird strike risk is likely to be lower”. Why have the applicants not looked for a site outside the 13km safeguarding zone?</p>	<p>Please see the Biodiversity Benefit Supporting Statement (S_D5_11) document, which details in Section 6.2 the Applicants position. This should also be read in conjunction with the Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas - Rev F01 (REP2-046)</p>
Q2:5.1.13	The applicants	<p>Local benefits</p> <p>The local benefits of the project appear to be very limited although the ExA notes the overall advantages arising from the urgency of energy infrastructure and the single application for two projects as summarised in action point 26 from issue</p>	<p>The Applicants note that paragraph 1.5.1.23 of the Statement of Reasons (D2/F05) states that the community benefit fund will be provided pursuant to the <i>UK Government Guidance: Community funds for transmission infrastructure</i>. This is distinguished from broader project benefits (both national and local), on the basis that this Guidance specifically states that the community benefit funds delivered pursuant to the guidance “<i>will not</i></p>

Reference	Question To	ExQ2	Applicants' response
		specific hearing 1 (ISH1) [REP3-041] . However, the SoR [REP4-016] still refers (at paragraph 1.5.1.7) to the local benefits not being a material planning consideration. This would not seem to be relevant when addressing compulsory acquisition and should be removed although the overriding argument is acknowledged.	<p><i>be a consideration in the planning process or in the decision to approve or reject a proposed project</i>" - the Applicants therefore agree this is not specifically relevant to the Secretary of State when considering the scope of the compulsory acquisition powers.</p> <p>However, the Applicants considered that, as this guidance is relatively new (published in April 2025), it may be something the Secretary of State would like to have regard to and which would be helpful to set out in the Statement of Reasons in order to provide the broadest picture of benefits which the Transmission Assets will bring.</p> <p>The Applicants wish to emphasise that details of the project benefits more broadly are relevant to the compulsory acquisition position, and have been specifically set out at Section 1.5 of the Statement of Reasons (D2/F05), on the basis that one of the key tests for compulsory acquisition pursuant to Section 122 of the Planning Act 2008 is to demonstrate that there is a compelling case in the public interest for the land to be acquired as part of the proposed scheme. The Statement of Reasons sets out in detail why the Transmission Assets have satisfied this test and therefore maintains that no updates to the Statement of Reasons are required.</p>
Q2:5.1.14	The applicants	Company accounts Please provide the last accounts submitted to companies' registry for the two applicant companies?	These are provided in Annex 5.4 to Applicants response to ExQ2 5.1.14: Morecambe accounts (S_D5_5.4) and Annex 5.5 to Applicants response to ExQ2 5.1.14: Morgan accounts (S_D5_5.5).
Q2:5.1.15	The applicants	Negotiations with Council The statement of common ground (SoCG) with BBC [REP4-130] suggests progress with negotiations whilst the LRT [REP4-087] at AP reference 9 records that there are a number of issues in dispute. Why is this not reflected in the SoCG?	The Applicants are in ongoing dialogue with BBC regarding the land rights, the Land Rights Tracker provides an update on the progress of the heads of terms, the outstanding points of difference relate to items covered within the SoCG such as BBC.AR.2 and BBC.AR.5 regarding the future development of the land which is identified as an ongoing point of discussion.

Reference	Question To	ExQ2	Applicants' response
Q2:5.1.16	BBC	Negotiations with Council Please provide an update on and an outline of the "number of issues in dispute". Is it expected that these will be resolved during the examination?	The Applicants not this response is directed to BBC.
Q2:5.1.17	The applicants	Renesola Hercules Energy This company has confirmed [REP3-127] that it expects to lodge a planning application in mid-2026. it says that it has provided detailed information about its project to the applicants and how it is impacted by the applicants' proposal. Apparently, there has been no meaningful engagement from the applicants and an attempt to find a solution that works for both projects. Has there been any further discussion of this matter?	The Applicants are in ongoing dialogue with the landowner Linda Rigby and Thomas Adam Flack regarding the land rights sought over plots 08-083B, 08-084A, 08-085, 08-086A, 08-088, 08-091, 08-098A, 08-101A, 08-102, 08-0103, 08-107B, 08-110B, 08-111B, 08-0112, 08-113A, 08-115, 08-166, 08-120A, 08-121, 08-124, 08-125, 08-126, 09-001, 09-002B, 09-003, 09-006, 09-007, 09-008A, 09-009A, 09-011, 09-012A and 09-018B. It is usual for Applicants to discuss the land rights sought directly with the landowner rather than a rights holder. The Applicants understand that Renesola have not submitted an application for planning permission and that this is intended to be submitted in mid-2026, therefore the Applicants would maintain that the design for their development will be at an early stage and could be amended to accommodate interactions with the Transmission Assets. The Applicants have updated article 47 of the draft DCO (REP3-009) and specifically included reference to Renesola in their updated Explanatory Memorandum from Deadline 2 (REP2-006) which acknowledges their existence and their commitment to ensuring that both projects can coexist where at all possible (see section 1.6.7.28).
Q2:5.1.18	The applicants	Section 135 consent This was raised at Q5.1.20 of ExQ1 and the response given at [REP3-056] was that "The Applicants have written to all affected parties and are in ongoing dialogue regarding the required s.135 consents required from each department listed. It is envisaged that such consents will be secured during the examination as discussions are progressing in respect of all rights and interactions. Please advise on the latest position as any post-examination consultation from the Secretary of State (SoS) to	The Applicants are providing a comprehensive update on the negotiations with each Crown interest through the Section 135 tracker which is provided at each deadline following the second compulsory acquisition hearing. In the majority of cases, the Applicants have been in discussion with the Crown interest regarding their interest and to confirm that these have been correctly identified due to the nature and age of the rights contained. In the event that there are still section 135 consents outstanding by the close of examination, the Applicants will continue negotiations on the matter to ensure they are closed out and will provide updates to the examining authority once matters are concluded, however the Applicants will endeavour to ensure the relevant consents are obtained in advance of the close of examination where possible.

Reference	Question To	ExQ2	Applicants' response
		check for these consents should be kept to the minimum.	
Q2:5.1.19	The applicants	<p>Possible change to application</p> <p>The applicants are not pursuing negotiations with the AP reference 34 in the LRT [REP4-087] on the basis that the plot may no longer be used as an alternative operational access as being considered. The APs submitted representations [RR-0794] and [RR-0806] and [REP1-177] indicating that the proposed route would affect the direct access to a residential property. However, the relevant plots are not included in the change request application which has been received. When is it proposed to make a decision concerning this access and what position should the ExA take if a resolution has not been achieved by the close of the examination and this objection is still outstanding? In the light of the failure to negotiate, would it not be difficult for the ExA to include the plots within the application for permanent rights?</p>	<p>The Applicants are at an advanced stage of negotiation with the affected party and hope to conclude the voluntary agreement soon. Through this negotiation the Applicants and the affected party have agreed an alternative access that, subject to the completion of the voluntary agreement, would allow for the removal of those plots sought for permanent access rights. This has been communicated to the affected party and their appointed agent. However, in order to protect the delivery and operation of the Applicants' project, until such time as the Option agreement is concluded the Applicants require the Compulsory Acquisition powers to remain over these plots.</p>
Q2:5.1.20	The applicants	<p>Possible claims for blight</p> <p>As shown in paragraph 1.1.1.3. of the updated blight note, there have been a number of assertions from the applicants about blight which have now been corrected. Paragraph 1.2.4.1. now recognises the effect of section 150, Town and Country Planning Act 1990 as far as agricultural units are concerned. Paragraph 1.3.1.2 indicates that no farming unit has as yet indicated that they wish to give up farming. However, at both compulsory acquisition hearing 1 (CAH1) and CAH2 at least two farming businesses indicated that they would face closure if the Development Consent Order (DCO) was granted. Do the applicants now accept that this position (which has been consistent throughout the examination) at</p>	<p><i>Recognition of the Prospect of Blight Claims for Agricultural Units</i></p> <p>The Applicants updated position, as set out in the Blight Note (REP4-123), reflects a more accurate understanding of the statutory framework for Blight under the Town and Country Planning Act 1990, particularly as it applies to agricultural units. Paragraph 1.2.4.1 of the Blight Note now expressly recognises that, under section 150 of the 1990 Act, owner-occupiers of agricultural units within the Order Limits may, in principle, have a qualifying interest to serve a blight notice if the relevant statutory conditions are met.</p> <p><i>Acknowledgement of Evidence from Hearings</i></p>

Reference	Question To	ExQ2	Applicants' response
		the very least gives rise to the prospect of blight claims?	<p>While the Applicants state in paragraph 1.3.1.2 that no farming unit has, as yet, indicated a wish to give up farming, it is clear from the record of both Compulsory Acquisition Hearing 1 (CAH1) and Compulsory Acquisition Hearing 2 (CAH2) that at least two farming businesses have consistently indicated that they believe they would face closure if the DCO is granted. This position has been before the Examination throughout and is not disputed in the Blight Note.</p> <p><i>Implications for the Prospect of Blight Claims</i></p> <p><i>Given the Applicants' acceptance that the statutory regime for blight applies to agricultural units, it follows that the prospect of blight claims cannot be discounted. The Applicants' Blight Note now acknowledges that:</i></p> <ul style="list-style-type: none"> <i>The power to acquire rights or land within the Order limits by the Applicants in the DCO is capable, in principle, of rendering any farm blighted land justifying the service of a blight notice (paragraph 1.2.3.2).</i> <i>For a blight notice to be accepted and compensation to be payable, it must be supported by evidence that the claimant would be unable to sell the land or could only do so at a reduced price substantially lower than that which it might reasonably have been expected to sell if not for the Transmission Assets (paragraph 1.2.4.5).</i> <p><i>The Applicants have also acknowledged that, while they have not been made aware of any current attempts to sell land or any intention to serve a blight notice, the position may change during and after the examination and decision period (paragraph 1.3.1.2).</i></p> <p><i>Blight Claims compared to CA Compensation for Business Loss</i></p>

Reference	Question To	ExQ2	Applicants' response
			<p>It is important to reiterate that Blight Claims are a very specific protection available to owner-occupiers and in certain circumstances, AHA tenants, before compulsory acquisition powers are exercised – the protection recognises that an open market sale may not be possible because land can be 'blighted' by the prospect of compulsory acquisition in a DCO Application (but until compulsory acquisition powers are exercised no compulsory acquisition (CA) compensation is payable). Blight Claims bridge this gap for qualifying interests who may wish to sell during this interim period. If a Blight Claim is not pursued and CA powers are exercised then CA compensation is payable under the statutory compensation rules (in relation to closure of a business, this would be under the established head of business disturbance also referred to as Business Loss claims).</p> <p>The Applicants understand and are committed to fully compensating all persons with an interest in land (PILs) impacted by the projects (it is assumed this principle is not in doubt), but there is a question of how likely it is that this compensation could be payable as a Blight Claim. The Applicants are seeking in the first instance to reach agreement on a voluntary basis and avoid the exercise of CA powers. If reliance on CA were necessary for any plot then the impacted person(s) would be entitled to compensation. However, it remains the case that although there may be impacted farm businesses to whom compensation is properly payable (which the Applicants have consistently accepted) it is considered that this compensation being payable following a Blight Claim (as opposed to reaching a voluntary agreement, or CA Business Loss compensation) remains highly unlikely.</p> <p><i>Impacted farming Businesses</i></p> <p>The Applicants fully recognise the position stated at CAHs of at least two farming businesses which have submitted they face closure (and note the reference in Q5.1.26 to a third). The Applicants emphasise the measures being proposed to ensure that does not need to happen (see response Q2: 5.1.21 below and previous D4 submission Ref 4-111 setting out the</p>

Reference	Question To	ExQ2	Applicants' response
			<p>indicative mitigation measures proposed) and their approach to consideration of business impacts on agricultural holdings (REP4-108) submitted at Deadline 4 and update provided at Deadline 5.</p> <p>The Applicant also reiterates that it is not aware that any of the farming businesses which submitted they face closure are seeking to force a purchase by the Applicants which would be the outcome of a successful Blight Claim.</p> <p>Conclusion</p> <p>The statutory framework, the evidence presented at the hearings, and the Applicants' own position all point to the conclusion that the possibility of a blight claim cannot be excluded and has not been excluded. The Applicants' Funding Statement and Property Cost Estimates have been updated to fully reflect this risk, and the existence of the risk itself is clearly acknowledged. However, for the reasons set out above, the Applicant respectfully reiterates that while it will fully compensate these businesses (and it is hoped through voluntary agreement, failing which Business Loss compensation), a Blight Claim remains unlikely.</p>
Q2:5.1.21	The applicants	<p>Farms' ability to continue</p> <p>Paragraph 1.4.1.4 of the blight note states that the applicants take the view that all farming businesses would be able to continue. This is contrary to the view the farm agent, expressed at CAH2 by Andrew Coney when he outlined the impacts on one of the affected businesses. Reference was made to landholding 26 as shown on the distribution of landholdings submission in response to action point ISH1 46. Can the applicants respond to this</p>	<p>The Applicants acknowledge through the exercise of rights and temporary possession that the farming business on landholding 26 will face substantial disturbance. The Applicants have been in dialogue with the farming business for some time and commissioned a joint, independent, confidential report to assist in identifying the extent of that impact. The Applicants' engineering team have drafted initial mitigation plans and the Applicants remain committed to discussing mitigation with the farming business but as of yet the tenant has refused to progress these discussions, a meeting took place with Mr Fare and his agent on the 10th September 2025 and a further meeting took place between the Applicants appointed agent and Mr Fares agent on the 16th September</p>

Reference	Question To	ExQ2	Applicants' response
		evidence as the plans referred to appear to show a significant impact on this farming business?	<p>2025. During CAH2 Mr Coney made several points as outlined below and the Applicants have included a response where appropriate.</p> <p>Mr Coney raised concerns regarding unknown detail for construction programme, compounds and working widths – The Applicants acknowledge that the specific detail of this information is not yet available but have committed to working with affected parties beyond the examination and Heads of Terms phase to build mitigation into the final detailed design so as to alleviate as much of the impact as is reasonably possible. It is also normal and industry standard for this detailed design to follow on at a later stage.</p> <p>Mr Coney explained that the cattle grazing system is not set and can be sporadic depending on grass growth and so it would be hard to plan for where and when movements would interact with working widths. Mr Coney also stated that 75% of the farm would be ungrazeable once works commenced. – The Applicants are grateful for this explanation and have proposed the realignment of the internal access track used by livestock within the holding, therefore offering a safe and continuous passage at all times to the full extent of the retained grazing area. Whilst it is acknowledged that a percentage of the grazing area will be lost permanently to the substation platform and access road, the Applicants will work with the Fares to maximise the retained land and reduce the occupation timeframes for the land subject to temporary works so as to mitigate the impact on the business. As Mr Coney stated at the end of his statement however, the Fare Partnership are not wanting to enter dialogue regarding mitigation at this time.</p> <p>Mr Coney explained that the current business and breeding model employed by the Fares requires a 2 or 3 year lead in time for the business due to breeding plans. It was suggested that the project is making that planning unviable at this time. The Applicants are aware of the planning considerations and timeframes the business faces. As set out above, the Applicants wish to work with the Fares to aid in this planning and have committed to ongoing work to help mitigate the</p>

Reference	Question To	ExQ2	Applicants' response
			<p>impact, including how normal farming and business operations can continue as far as possible pending the Secretary of State's decision and the start of works on site.</p> <p>The Applicants remain committed to working with the Fares to reach a voluntary outcome.</p>
Q2:5.1.22	The applicants	<p>Landholding 26</p> <p>This holding was raised at Q5.1.14 and Q5.1.15 of ExQ1 [PD-008]. From the discussion at CAH2 [EV9-004], there seems to have been limited progress. The LRT submitted at deadline 4 (D4) [REP4-087] provides a background to the negotiations between the applicants and the occupiers of landholding 26. The chronology includes the following:</p> <p>“08.04.24 - Applicants agent requested a suite of document regarding the business, the tenancy and other pertinent matters.</p> <p>09.07.24 - Suite of documents supplied by the occupier and agent and puts forward an un-temised initial claim.</p> <p>26.09.24 - Occupier and agent informed that the applicants will be instructing an independent dairy expert to provide a report.</p> <p>17.04.25 - The applicants shared with the occupiers' agent the Business Impact Assessment & Mitigation Report that was completed by an impartial 3rd party.</p> <p>09.05.25 - Correspondence received from the applicants' agent regarding Business Impact Assessment & Mitigation Report. The agent agrees with some parts of the report but disagree with other aspects. The agent again reiterates that the dairy business will have to cease. A</p>	<p>The Applicants will not be submitting the Business Examination & Mitigation Report to the examination as this document is confidential to the parties and subject to Non Disclosure Agreements between the parties.</p> <p>Dalcour Maclaren on behalf of the Applicants are in ongoing dialogue with the tenant and their appointed agent. The Applicants are willing to progress voluntary negotiations for the occupiers consent now that the freeholder (landlord) has agreed the heads of terms. It would have been inappropriate to progress the detail of this any sooner as the rights for the agreement being sought are being provided for by the freeholder of the land. The Occupier's Consent must therefore follow on from the freeholders agreement and not differ from that agreement.</p>

Reference	Question To	ExQ2	Applicants' response
		<p>value of £7m is put on a settlement figure to reflect full and final settlement."</p> <p>The timeline indicates that the farm agent has consistently maintained that the business will have to cease. Having viewed this farm during the accompanied site inspection [EV1-003] and hearing Mr Coney's evidence at CAH2, this position is acknowledged by the ExA. It is requested that that applicants submit their Business Examination & Mitigation Report to the examination and justify their current position and also the delay in progressing this negotiation since they received the documents submitted on behalf of the APs more than a year ago.</p>	
Q2:5.1.23	The applicants	<p><i>Allowance for blight claims</i></p> <p><i>It is noted from the latest blight note that the applicants are reassessing the property costs estimates for blight. The sums of £100,000 for each part of the project seem significantly underfunded and if no increase is made, the applicants are asked to justify these amounts? Whatever the amounts, there are still doubts as to whether the applicants have satisfied the requirement in paragraph 18 of the CA Guidance as to date they have not shown an awareness of the possibility of a blight claim in the context of this proposed development.</i></p>	<p><i>The Property Cost Estimate for both Morecambe and Morgan has been revised (D1.4/F03 and D1.3/F03) and clarified that funds which the Applicants had allocated for Business Loss claims also incorporates Blight. As noted in response to Q2: 5.1.20 above (and in the Blight Note (REP4-123)), based on extensive experience over multiple DCO applications for underground cables and electricity infrastructure the Applicants considered Business Loss rather than Blight to be the source of claims from any agricultural units (if voluntary agreements are not reached) and their original allocation of costs reflected that.</i></p> <p><i>As to whether the Applicants have satisfied the Requirements of Paragraph 18 of the CA Guidance, the Applicants are fully cognisant of the need for provision to be made for a blight claim, as reflected in the revised Funding Statement (D1/F03) and Property Cost Estimates (D1.3/F03 and D1.4/F04) alongside the Blight Note and responses to these written questions. The Applicants accept the possibility of a blight claim (and have budgeted accordingly) but question the likelihood of a blight claim based on their experience of discussions with the relevant landowners over the preceding two years (as explained in response to Q2: 5.1.20 above). Notwithstanding the level of attention that Blight has received in both sets of Compulsory Acquisition Hearings, Written</i></p>

Reference	Question To	ExQ2	Applicants' response
			<i>Questions and that landholders are being professionally represented (and with the NFU also active) it remains a fact that no party has indicated to the Applicants that they have been unable to sell their properties or that a Blight claim will be made. The Applicants are actively seeking to secure the necessary land and rights voluntarily and avoid the need for Blight or Business Loss claims as a result of the Order being made or Compulsory Acquisition powers being exercised.</i>
Q2:5.1.24	The applicants	Assets of applicants These concerns are only compounded by the fact that both the applicants appear to be shell companies with very limited assets. Please explain how an affected person with a valid blight claim can hope to recover the compensation costs from a company with no assets? Please explain why it would not be appropriate for a guarantee from a parent company with significant assets to be provided?	<p><i>The Funding Statement (D1/F03) clearly demonstrates that the Applicants have access to resources to bring forward the Transmission Assets. The special purpose vehicle company structures that the Applicants have set up to develop the Morgan and Morecambe offshore wind projects are extremely common in this type of project, and are the same approach taken for the Mona offshore wind project which secured consent from the Secretary of State in July 2025.</i></p> <p><i>To demonstrate the financial soundness of the Applicants it is relevant that they have funded three DCO Applications (for the Morgan Generation Assets, the Morecambe Generation Assets and for this Transmission Assets application) and they have engaged firms of professional consultants for over 5 years. They and their owners have been through the Crown Estate's extensive due diligence process (which includes rigorous consideration of their financial standing) and been awarded rights to take forward these projects. They have funded the professional costs of statutory undertakers impacted by the Application, they have contributed to the costs of landholders impacted by the Application, entered into Planning Performance Agreements to fund the provision of staff in relevant planning authorities. The Applicants also have access to sufficient resources to be engaging in negotiations with landholders for the voluntary acquisition of rights and interests in land.</i></p> <p><i>In the unlikely event of a blight claim being made before the Secretary of State gives either Morgan or Morecambe authority to exercise powers of compulsory acquisition pursuant to Article 33 (Funding) of the draft Development Consent Order, by approval of guarantee or security that</i></p>

Reference	Question To	ExQ2	Applicants' response
			<p><i>compensation can be funded, the Applicants' parent companies would fund compensation.</i></p> <p><i>The consequences of failure of the Applicants to comply with an award of the Upper Tribunal in respect of the Blight claim could in theory lead to a claimant enforcing judgement and putting the continued operation of the Applicant companies and development of the Transmission Assets at risk.</i></p>
Q2:5.1.25	The applicants	<p>Human Rights</p> <p>The discussion at CAH2 also acknowledged that this position could affect the human rights of the landowners. This would appear to be the case as a blight claim would enable the landowner to purchase the entire landholding (following section 158, Town and Country Planning Act 1990) whilst the claim under the Land Compensation Act would be more limited to the land actually acquired. The discounting of blight claims effectively reduces the rights of landowners to compensation which appears contrary to the claim made at section 1.11 of the latest SoR. [REP4-016]. Please consider?</p>	<p>The Applicants do not consider they have discounted blight claims, but have undertaken their assessment based on the extensive experience of the Applicants (and their consultant team) and direct discussions with landholders impacted by the Application. The Applicants' approach to blight relates only to how <u>likely</u> the Applicants consider such a claim is, and has no impact whatsoever on the rights of those with a qualifying interest to compensation nor does it restrict their ability to bring forward a Blight claim. The Applicants are not aware that the compensation position is more favourable under a Blight Claim as opposed to a CA Business Loss claim and would reiterate that all statutory rights to compensation remain wholly unrestricted, although that the Applicants strong preference remains voluntary agreements.</p>
Q2:5.1.26	The applicants	<p>Reassessment of blight risk</p> <p>The section T 1.4 headed "Blight in Practice" and the reference to there only being 7 contested blight notice cases made at paragraph 1.4.1.1. is of limited relevance to the circumstances of this particular DCO. As prefaced by the ExA at both compulsory acquisition hearing 1 and CAH2 and also in EXQ1, blight is not usually an issue in DCO cases. It has only become one here as there are certainly three farm businesses significantly affected by permanent acquisition, two of whom have objected to the scheme from the outset and throughout the examination culminating in their submissions at</p>	<p><i>See Response to Q2 5.1.20 above.</i></p>

Reference	Question To	ExQ2	Applicants' response
		CAH2 emphasising the major effects to their businesses. As a result, the possibility of a blight claim is very much an issue in this application. Do the applicants now recognise this?	
Q2:5.1.27	The applicants	<p>Time limit for start of works</p> <p>On the Morgan DCO application, the ExA recommended a five year period for commencement of works and set out in detail the reasons for this. The SoS did not agree with this reduction and accepted the seven year period. However, that application involved no requirement for compulsory acquisition and temporary possession and therefore that aspect was not considered. In addition, the Morgan decision is likely to be at least 8 months before the decision on the Morgan and Morecambe DCO is taken by the Secretary of State. Requirement 1 in the draft DCO [REP4-007] sets a time limit for commencement of works at seven years from the date of the Order. Taking into account that the works on the two projects are unlikely to be undertaken at the same time, this only extends the impacts on landowners and particularly on the farming businesses affected. Can the applicants reconsider their position concerning this seven year time limit?</p>	<p>The Applicants maintain their position, as has previously been set out, in relation to the need for a seven-year time limit. This seven year period for the commencement of works is well preceded where Development Consent Orders have sought consent for two projects within one joint consent, for example within Dogger Bank Teesside A&B, Hornsea Three, Hornsea Four and most recently Sheringham and Dudgeon, as explained in the Explanatory Memorandum (REP 2-006).</p> <p>As the Applicants had set out within their response to ExA Written Question 1.1.4, this level of flexibility is required due to external dependencies and inherent uncertainties associated with the projects including supply chain, project financing and the Contracts for Difference (CfD) process. The Applicants would reiterate that this seven-year period has been considered throughout the assessment process as part of the environmental impact assessment, and through more recent assessment of impacts to landholdings and businesses.</p> <p>Further to the Applicants' previous position, this is now particularly important on the basis that the Morgan Offshore Wind Farm DCO has now been consented with an implementation period of seven years, and consistency across the consents is important. The Morecambe Offshore Windfarm Generation Assets DCO has also sought an implementation period of seven years.</p> <p>Morgan Generation – ExA Report and SoS decision</p> <p>The ExA for Morgan Generation gave careful consideration to the submission made regarding a five or seven year implementation period (see paras 6.4.11 - 14 of their Report) and recommended that five years was appropriate.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>The SoS disagreed with the ExA and at para 8.1 of his decision letter states:</p> <p>In requirement 1 the Secretary of State has allowed the Applicant the requested 7 years to commence the Proposed Development, undoing the change made by the ExA, stating (at paragraph 8.1):</p> <p><i>The Secretary of State accepts that there is an urgent need to deliver this project, however, notes that the project is exclusively offshore and is reliant on a separate connection DCO, shared with the Morecambe OWF, which is still in examination. The Secretary of State has not allowed the Applicant an additional year to deal with any judicial review. The Secretary of State considers that any delay caused by a judicial review will not have a significant impact set against this 7-year overall period.</i></p> <p>Implications for Joint Transmission</p> <p>The Secretary of State specifically considered that seven years was appropriate for the Morgan Generation authorised development to commence. This means works must start under the DCO by 22 September 2032 (seven years from the date the Order comes into force)</p> <p>The Morecambe Generation decision is due on 23 October 2025. Assuming the SoS takes the same approach as he did on Morgan Generation (ie seven years and with around the same period between grant of the order and it coming into force) works would need to be commenced by 17 November 2032.</p> <p>The decision on Joint Transmission is expected on 30 April 2026, again, using the same timings the Order would come into force on or around 25 May 2026. Five years to implement would be 25 May 2031 and seven years would be 25 May 2033.</p> <p>The Applicants consider that awarding five years for implementation of the joint Transmission DCO effectively 'erodes' 16 months from the Morgan Generation implementation date and 18 months from Morecambe</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Generation which almost completely removes the additional two years the SoS considered to be justified because of the separate connection DCO. Notwithstanding that the decision for the Transmission Assets will be after the decisions for the Generation Assets this does not negate the fact that the consent for the Transmission Assets is for two separate projects, and for the reasons set out previously the Applicants maintain a seven year period is both necessary and justified.</p>

2.6 Ecology, biodiversity and nature conservation (onshore)

Table 2.4: Ecology, biodiversity and nature conservation (onshore)

Reference	Question To	ExQ2	Applicants' response
6.1 Ecology and nature conservation			
Q2:6.1.1	The applicants (a), Natural England (NE) (b)	<p>Fairhaven Saltmarsh</p> <p>At deadline 4 (D4) a clarification note on the current position with NE (regarding Adverse Effect on Integrity) and the Fairhaven Saltmarsh mitigation area [REP4-109] has been submitted. Paragraph 2.3.1.1 states that "(...) the reliance on the Fairhaven saltmarsh as part of the mitigation package is also substantially reduced" and "Natural England stated at D3 [Q6.1.2, in REP3-095] that if disturbance effects at the landfall during the passage season can be reduced to acceptable levels through mitigation, the measures at Fairhaven saltmarsh could be considered as an enhancement measure"</p> <p>Fairhaven Saltmarsh is still clearly marked a permanent mitigation area in the outline ecological management plan [REP4-059].</p> <p>a) Can you clearly state what is the status and purpose of Fairhaven Saltmarsh area and update all relevant documents if it is no longer needed as a permanent mitigation area.</p> <p>b) Noting updated NE's Risk and Issues Log [REP4-139] point NE19, can you clearly state if you consider that Fairhaven Saltmarsh is still required as a mitigation area to satisfy habitats regulations assessment requirements? Is this position likely going to change by the end of this examination?</p>	<p>The Applicants and Natural England have agreed a joint statement with regards to the progress of agreeing that there are no Adverse Effects on Integrity of the Ribble and Alt Estuaries SPA and Ramsar site:</p> <p><i>The Applicants and Natural England can confirm that the parties met on 16 September to discuss the potential impacts on the passage features of the Ribble and Alt Estuaries SPA/Ramsar site. Following on from the meeting, the Applicants and Natural England have agreed that subject to the Applicants submitting further information into Examination at Deadline 5, which were discussed during the meeting and over email, Adverse Effect on Integrity on the Ribble and Alt Estuaries SPA and Ramsar sites can be ruled out, due to the adoption of mitigation measures at the landfall location for the passage periods. The mitigation measures included for the passage period include screening around the compounds on Lytham St Annes beach and employment of an Ecological Clerks of Work who will be on site during landfall construction operations. It is agreed that the Fairhaven Saltmarsh scheme is an alleviation measure which aims to address the residual impacts from the development and reduce existing pressures on ornithological features of the SPA and Ramsar sites, including those species which may be affected by the works in the intertidal.</i></p>

Reference	Question To	ExQ2	Applicants' response
Q2:6.1.2	NE	Habitat management strategy Please comment on the proposed Strategy for Wildlife Hazard Management Plan [REP2-047] and the outline Wildlife Hazard Management Plan [REP3-065] that is now an appendix to the outline Ecological Management Plan [REP4-059] . Please advise if there are any apparent conflicts between those and the overall mitigation strategy the applicants are proposing for habitat management.	
Q2:6.1.3	Fylde Borough Council (FBC) and any other interested parties (IPs) (a), NE (b)	Sand lizards outline Sand Lizard Mitigation Plan [REP4-117] has been submitted as D4. a) Can you comment on the appropriateness of the plan. b) Please comment on the proposal and EPS licencing strategy outlined.	Although this question is not directed to the Applicants, they can confirm that they are now in agreement with FBC that an EPS mitigation licence would be obtained for the landfall construction activities. The Outline Sand Lizard Mitigation Strategy has therefore been updated to reflect this, as well as further comments received from FBC on the document submitted at Deadline 4. An updated Outline Sand Lizard Mitigation Strategy has been submitted at Deadline 5 (S_D4_14/F02), as well as a draft EPS mitigation licence document (S_D5_16), and a technical note summarising the baseline survey data provided to the Applicants by FBC after Deadline 4 (S_D5_15).
Q2:6.1.4	The applicants, NE	Natural England's Risk and Issues Log [REP4-139] In relation to onshore ecology and nature conservation provide an update on points where no apparent progress has been made. PADSS – NE14, NE16, NE17 and G- Onshore Ecology RI_G3, RI_G4, RI_G5, RI_G6, RI_G7, RI_G8, RI_G9, RI_G10, RI_G11, RI_G12, RI_G13, RI_G17-22, RI_G24-26, RI_G28, RI_G30-32 and Appendix G1 Additional comments. (a) Are those issues being discussed and progressed, is it likely that they are going to be resolved by the end of this examination	PADSS-NE14 – no further information is available on the direct pipe trenchless technique at this stage and will not be available until contractors have been appointed. This PAD therefore cannot be resolved by the end of this examination. Post-consent this concern would be addressed through the provision of detailed Code of Construction Practice(s) for these activities secured via DCO Schedules 2A & 2B Requirement 8 (REP4-007) (Codes of Construction Practice) (CoT94). A detailed Hydrogeological Risk Assessment would also be undertaken (CoT119). PADSS-NE16 –the Applicants maintain that their assessment is in accordance with best practice and follows a precautionary approach with regards to the total area of BMV that would be affected. The same approach was used in the Mona Offshore Wind Project that was recently granted its DCO. The Applicants have committed to undertaking further soil surveys post consent. These surveys will include areas not previously subject to detailed surveys within the Onshore Order Limits

Reference	Question To	ExQ2	Applicants' response
		(b) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.	<p>required for temporary and permanent use as part of the Transmission Assets. These surveys would provide soil information (as set out in the Outline Soil Management Plan (REP4-040)) with the purpose of informing the detailed Soil Management Plans. The detailed Soil Management Plans will be specific to the location of any stage of works within the Onshore Order Limits and the measures will reflect the specific characteristics of the soils and the infrastructure elements proposed in that location (temporary or permanent land requirements). Results from the soil surveys will be shared with Natural England.</p> <p>The Applicants note that the Outline Soil Management Plan (REP4-040) has been drafted in accordance with best practice and includes the recognised soil handling and restoration guidance. The detailed Soil Management Plans will be based on the Outline Soil Management Plan (REP4-040) and will be agreed with the relevant planning authority in consultation with Natural England, prior to the commencement of construction. The Applicants have committed to implement the detailed Soil Management Plan as agreed with the relevant planning authority. The Soil Management Plan forms part of the Code of Construction Practice and is secured in the draft DCO (Rep4-007). With the commitments in place to undertake the further soil surveys at detailed design stage, the Applicants are unclear why Natural England require the surveys to be undertaken at this stage.</p> <p>The Applicants have requested a meeting with Natural England to try and understand why they have a different approach to other projects when compared to Transmission Assets. In addition, the Applicants would have used the meeting to note that they align with relevant standards and other project approaches. As Natural England have declined a meeting and not given a justification on their approach the Applicants conclude that this is a point where the parties will 'agree to disagree' Post-consent this concern would be addressed through the provision of detailed soil management plan(s) for secured via DCO Schedules 2A & 2B Requirement 8 (REP4-007).</p> <p>PADSS-NE17 – with regard to developing on peat, the Applicants response to Hearing Action Point 14 (REP4-118) identifies all of the evidence collated in relation to peat within the ES. This includes the locations identified by the archaeological trenching where peat or peaty</p>

Reference	Question To	ExQ2	Applicants' response
			<p>horizons are identified and a description of the high level of correlation between these findings and those of the separate detailed soil survey work that has been undertaken and reported in Volume 3 Annex 6.1 of the ES (APP-105).</p> <p>The Applicants have committed to carrying out further peat survey work prior to construction as part of the development of the detailed Soil Management Plan. This is identified in the Outline SMP (REP4-040) at Section 1.8.6.3. Post-consent this concern would be addressed through the provision of detailed soil management plan(s) for secured via DCO Schedules 2A & 2B Requirement 8 (REP4-007).</p> <p>R1-G3 – The Applicants note temporary construction compound 2 will not be located on the beach between MHWS and MLWS in front of the Thursby Care Home to maintain access for lifeboat recovery by the RNLI. This update is captured within the Landfall CMS at Deadline 6. No further information is available on the TJBs, exit pits, location of compound 2 and the cable alignment/ depth beneath the sand dunes at this stage and will not be available until contractors have been appointed and the detailed design work post consent has been undertaken. This issue therefore cannot be resolved by the end of this examination. Post-consent this concern would be addressed through the provision of a detailed Code of Construction Practice for these activities secured via DCO Schedules 2A & 2B Requirement 8 (Codes of Construction Practice) (CoT94). The Applicants note that it is unlikely this will be resolved before the close of Examination.</p> <p>R1-G4 – Direct pipe impacts on Lytham St Annes Dunes SSSI, see response to PADSS-NE14</p> <p>R1-G5 – the existing management of the dunes can continue as planned because there will be no above ground works within the dunes. The Applicants have also committed to avoiding works over winter between November and March (CoT110 and CoT129) and will therefore not be working on the beach or near the dunes when the majority of the habitat management works (e.g. Christmas tree planting) will be undertaken. The Applicants therefore expect this issue to be resolved by the end of this examination.</p> <p>R1-G6 – ALC survey coverage, see response to PADSS-NE16</p>

Reference	Question To	ExQ2	Applicants' response
			<p>R1-G7 – Peat surveys, see response to PADSS-NE17</p> <p>R1-G8 – The Applicants have no additional comment to make further to previous responses within RR-1601 1601.G.8 (PDA-021) and Annex 5.2 to the Applicants response to Hearing Action Points: ISH1 6, 8, 9, 19, 26 & 28 (REP1-039). The Applicants note that it is unlikely this will be resolved before the close of Examination.</p> <p>RI_G9 – with regard to minimum distance between cables underneath Lytham St Annes Dunes SSSI, the Applicants submitted an Outline Hydrogeological Risk Assessment (REP3-061) at Deadline 3. This includes the assessment of the impact on groundwater temperature through operational cable heating. It was concluded that the initial risk rating is low risk which would be reduced to very low risk if secondary mitigation options were implemented. Noting, that the implementation of secondary mitigation options if required will be determined at detailed design stage and detailed within the Detailed Hydrogeological Risk Assessments secured by requirement 8(2)(o) of Schedules 2A and 2B of the draft DCO (REP4-007). Natural England provided their comments at Deadline 4 (REP4-140). In response to this the Applicants have updated and resubmitted the outline hydrogeological risk assessment (S_D3_6/F02). The Applicants anticipate that the issue can be resolved by the close of this examination.</p> <p>RI_G10 – with regard to heat transmission from operational cables as set out above the Applicants submitted an Outline Hydrogeological Risk Assessment (REP3-061) at Deadline 3. This includes the assessment of the impact on groundwater temperature through operational cable heating. It was concluded that the initial risk rating is low risk which would be reduced to very low risk if secondary mitigation options were implemented. Noting, that the implementation of secondary mitigation options if required will be determined at detailed design stage and detailed within the Detailed Hydrogeological Risk Assessments secured by requirement 8(2)(o) of Schedules 2A and 2B of the draft DCO (REP4-007). Natural England provided their comments at Deadline 4 (REP4-140). In response to this the Applicants have updated and resubmitted the outline hydrogeological risk assessment (S_D3_6/F02). The Applicants anticipate that the issue can be resolved by the close of this examination.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>RI_G11 – With regard to ALC survey information, the Applicants highlight that Table 6.9 in Volume, Chapter 6: Land use and recreation (APP-104) which outlines the agricultural land quality distribution within the study area according to soil surveys and Table 6.10 which sets out the agricultural land quality distribution within the onshore substation sites (permanent land take) according to soil surveys. The Applicants feel this can be resolved before the close of Examination.</p> <p>RI_G12 – Natural England note that there is no proposed timeline with regard topsoil removal, back filling of topsoil level and replacement of topsoil suggest this is included in the outline soil management plan. The Applicants note that section 1.7.5 of the outline soil management plan (REP4-040) states that the assessment of whether soils are in a suitable condition to be handled will be applied in accordance with Construction Code of Practice (Defra, 2009) and Supplementary Note 4 - Soil Wetness of the Good Practice Guide for Handling Soils in Mineral Workings (IQ, 2021), where appropriate. The assessment will be based on ground and weather conditions and appropriate soil moisture and consistency tests. The most appropriate methodology for handling and storage of the soils will then be determined and agreed via the detailed Soil Management Plan(s) (secured by Requirement 8 of Schedules 2A & 2B of the draft DCO (REP4-007) based on the plasticity and the moisture content of the soils. In addition, with regard to soil storage, the Applicants note that Paragraph 1.7.3.5 of the Outline Soil Management Plan (REP4-040) stipulates that the method of soil storage mound construction will be in accordance with the DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Defra, 2009). This plan is secured via Requirement 8 of Schedules 2A & 2B of the draft DCO (REP4-007). In addition, The Applicants highlight that Requirement 16, Schedules 2A and 2B of the draft DCO (REP4-007) notes that reinstatement of land that is used temporarily for construction must be reinstated within 12 months following the completion of the relevant stage of works. Given Natural England's unmoved position on this point, the Applicants do not consider that this will be resolved before the close of Examination.</p> <p>RI_G13 – The Project Description (REP2-008) outlines that the indicative target trench depth to the top of the protective tile will be 1.2m. However, the precise burial depth of the onshore export cable and the 400kV grid</p>

Reference	Question To	ExQ2	Applicants' response
			<p>connection cable will be confirmed during detail design. The Applicants have no additional comment to make further to previous response within RR-1601 1601.G.15 (PDA-021). In addition, in response to CAH2, the Applicants have produced a note to confirm whether minimum cable burial depth can be secured within the outline management documents (CAH2.8). The Applicants note that it is unlikely this will be resolved before the close of Examination.</p> <p>RI_G17 – Detailed ALC results, see response to PADSS-NE16</p> <p>R1_G18 – Adequacy of archaeological trenches for soil data, see response to PADSS-NE16</p> <p>R1_G19 – With regard to land restoration, the Applicants' position remains unchanged. Requirement 16, Schedules 2A&2B of the draft DCO (REP4-007) notes that land would be reinstated within 12 months of the completion of the relevant stage of works. It is unlikely this will be resolved before the close of Examination.</p> <p>R1_G20 – The Applicants maintain that all potential air quality impacts on ecological features including internationally and nationally designated features have been adequately assessed in Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) and Volume 3 Chapter 9: Noise and Air Quality (APP-121) and therefore have nothing further to add. The Applicants assume that this issue can be closed out given that no further consultation responses have been provided by Natural England in respect of this outstanding issue</p> <p>R1_G21- the Applicants submitted an Outline Sand Lizard Mitigation Plan (REP4-117) at Deadline 4 and have subsequently revised this document following comments received from FBC at Deadline 4 and submitted at Deadline 5 (S_D4_14/F02). The Applicants have agreed with FBC and Natural England that an EPS mitigation licence would now be obtained from Natural England for construction activities at the landfall site, and a draft method statement that would form part of the application has been submitted at Deadline 5. The Applicants anticipate that this issue can be resolved by the close of this examination. However, if this is not the case there is a commitment to updating the Outline Ecological Mitigation Plan post-consent once further detail on the construction activities is known (e.g. timing, duration, depth of trenches for the direct-pipe installation, exact location of exit pits) secured by DCO Schedules 2A & 2B</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Requirement 12 (Ecological Management Plan) (CoT104); this would include the sand lizard mitigation plan that forms an annex to the OEMP. An EPS mitigation licence for the construction activities at the landfall would need to be obtained post-consent (this would not be able to be obtained prior to the DCO being granted, although the Applicant is seeking agreement in principle from Natural England before the close of the examination that the proposed mitigation would be acceptable as part of a future licence application).</p> <p>R1_G22 – The Applicants have provided an update to the outline Landfall Construction Method Statement at Deadline 6 to include an Outline Trenchless Crossing Mitigation Plan, which sets out the risk and control measures should UXO be found within Lytham St. Annes Dunes SSSI. Further will be provided in the detailed Landfall Construction Method Statement (s) post consent. The Applicants anticipate that this issue can be resolved by the close of this examination.</p> <p>R1_G24 – see response to R1_G21. The Applicants will not be undertaking any works between November and March and this will avoid the sensitive sand lizard hibernation period. The Applicants anticipate that this issue can be resolved by the close of this examination; however, if not the approach set out in response to R1_G21 would enable this issue to be dealt with post-consent.</p> <p>RI_G25 – the Applicants have undertaken additional NVC surveys of the dunes and adjacent BHS on the golf course in the 2025 survey season; this data can therefore be used as a baseline to inform future ongoing monitoring and the Applicants anticipate that this issue can be resolved by the close of this examination.</p> <p>R1_G26 – with regard to ground investigation works associated with landfall installation, the Applicants prepared and submitted an outline hydrogeological risk assessment of the Lytham St Annes Dunes SSSI (REP3-061) at Deadline 3. Natural England provided their comments at Deadline 4 (REP4-140). In response to this the Applicants have updated and resubmitted the outline hydrogeological risk assessment (S_D3_6/F02). It is not anticipated that this will be resolved before the close of examination. Post-consent this issue would be addressed through the provision of a detailed Hydrogeological Risk Assessment</p>

Reference	Question To	ExQ2	Applicants' response
			<p>would also be undertaken (CoT128), secured by Schedules 2A&2B, Requirement 8 of the draft DCO (REP4-007).</p> <p>RI_G28 – see response to R1_G25. The Applicants have undertaken further NVC surveys and have prepared an Outline Hydrogeological Risk Assessment (S_D3_6/F02) to bring together hydrology and ecological assessment work undertaken to date. This issue is therefore unlikely to be resolved by the end of this examination. Post-consent this issue would be addressed through the provision of a detailed Code of Construction Practice for these activities secured via DCO Schedules 2A & 2B Requirement 8 (Codes of Construction Practice) (CoT94). This commitment includes the undertaking of appropriate studies e.g. site investigations during the detailed design stage to confirm ground conditions. A revised Hydrogeological Risk Assessment would also be undertaken (CoT119).</p> <p>RI_G30 – Regarding impact pathways, see response to R1_G20.</p> <p>R1_G31 – The Applicants maintain that all potential impact pathways to relevant European sites, specifically air quality impacts (see section 3.11 if Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075), have been adequately assessed and therefore have nothing further to add. The Applicants assume that this issue can be closed out given that no further consultation responses have been provided by Natural England in respect of this outstanding issue. The Applicants anticipate that this issue can be resolved by the close of this examination.</p> <p>R1_G32 – with regard to the breakdown of coastal saltmarsh loss, the Applicants have provided clarity as to the location of coastal saltmarsh loss and have nothing further to add to this point. The Applicants anticipate that the issue can be resolved by the close of this examination.</p>
Q2:6.1.5	The applicants	Ecology Concerns about habitat fragmentation and long-term ecological impacts have been raised. How will the applicants ensure long-term ecological monitoring and habitat restoration?	<p>The Applicants have committed to post-construction reinstatement of land taken temporarily to its pre-existing condition as far as reasonably practicable and this is secured by DCO Schedules 2A & 2B Requirement 16 (restoration of land used temporarily for construction) and Requirement 8 (Code of Construction Practice) (CoT28, CoT108).</p>

Reference	Question To	ExQ2	Applicants' response
			<p>There would be a requirement for long-term monitoring of habitats delivered for biodiversity benefit at the onshore substations and Lea Marsh fields for a 30-year period as is standard for habitats created for that purpose. This is set out in Appendix J of the Outline Biodiversity Benefit Statement (S_D5_11).</p> <p>The impact assessment (in section 3.11 of Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) did not identify any significant habitat fragmentation effects as a result of the construction period, and therefore long-term habitat monitoring is proposed (other than for the BNG habitats as stated above).</p>
Q2:6.1.6	The applicants	<p>Mitigation areas</p> <p>In relation to Fairhaven Saltmarsh, Lytham Mosses, and Newton-with-Scales taking into account objections centred around potential impacts on Warton aerodrome have the applicants considered revising or relocating mitigation areas.</p>	<p>The Applicants produced a site selection note for Deadline 2 (S_D2_13 Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas - Rev F01 (REP2-047)), that outlines the reasons for choosing the specific sites. The Applicants stress that these areas were chosen in part based upon current bird usage and therefore likely success (as it is easier to mitigate impacts on birds that are currently using an area rather than trying to attract birds to new areas) and in part due to their proximity to the location of the construction impacts.</p> <p>The Applicants also draw the ExA's attention to Natural England's comment about siting mitigation further away (response to Q6.1.15 in REP3-095). In that Natural England are clear that for mitigation measures to be effective for bird populations, they must not increase travel time, and thus energy costs, for birds. The Applicants consider this necessitates the siting of mitigation areas close to the location of the effect.</p> <p>The Applicants have followed this principle in siting their bird mitigations in areas already used by large numbers of birds (thereby not increasing the number of birds in the area) and close to the area of impact (also where the birds are currently located). Whilst there might be some displacement of birds as can be seen from the outline Wildlife Attractants Risk Assessment, these are not assessed as being material and The Applicants have proposed trigger and additional management should monitoring show an increase in numbers or material change that could result in bird strike risk, . The proposed mitigation measures are not predicted to increase the risk to aircraft safety as the area is already used</p>

Reference	Question To	ExQ2	Applicants' response
			<p>by large numbers of birds (the Ribble Estuary and surrounding area is of international importance) and it is not predicted that the mitigation measures will be of the magnitude to increase Ribble populations, which also fluctuate on an annual basis by tens of thousands of birds (e.g., there were approx. 182,000 birds in 2017/18, then 247,000 by 2020/21 and back to approx. 168,000 in 2023/24 BTO WeBS Reports).</p> <p>Overall, based on the details set out above, the Applicants are not considering revising or relocating mitigation areas.</p>
Q2:6.1.7	NE, FBC, Lancashire County Council (LCC) and any other IPs	<p>Peat</p> <p>CoT101 states that 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. and the results will be used to inform detailed design of the permanent infrastructure as appropriate</p> <p>Is this commitment adequate to ensure appropriate management and mitigation? If, not, can you propose alternative wording/ mechanism?</p>	
Q2:6.1.8	The applicants (a), NE, FBC, LCC and any other IPs (b)	<p>Peat</p> <p>NE state "We note the surveys undertaken in the outline Interim Trial Trenching Report [REP3-017]. This report identified that peat was present within the trial pits. In light of the confirmed peat occurrences, a detailed peat survey should be carried out to establish peat depth, condition, and extent within the onshore order limits, ensuring that appropriate management and mitigation measures can be developed.</p> <p>These surveys are necessary to understand if any of the peat is restorable and to inform a Peat</p>	<p>The Applicants response to Hearing Action Point 14 (REP4-118) identifies all of the evidence collated in relation to peat within the ES. This includes the locations identified by the archaeological trenching where peat or peaty horizons are identified and a description of the high level of correlation between these findings and those of the separate detailed soil survey work that has been undertaken and reported in Volume 3 Annex 6.1 of the ES (APP-105).</p>

Reference	Question To	ExQ2	Applicants' response
		<p>Management Plan (which we previously advised in our Relevant Representations, RR-1601)."</p> <p>a) Please comment on the above statement and provide an update.</p> <p>b) If resolution can't be reached before the end of the examination what mechanism would be appropriate to ensure no peat disturbance and appropriate management, and mitigation is ensured post consent.</p>	
Q2:6.1.9	The applicants	<p>Peat/Climate change</p> <p>How does potential for peat disturbance align with the project's climate commitments and national net zero targets?</p>	<p>As detailed within the baseline section (section 6.7) of Chapter 6: Land use and recreation (APP-104) of the ES, there was potential for peat to the east and west of Huck Lane, however, surveys conducted in 2024 conclude that the potential peaty land is categorised as organic carbon and not peat. Furthermore, the Volume 3, Annex 5.4: Geoarchaeological desk based assessment report (APP-101) of the ES has stipulated that any buried peat would be below 2 m and as such, would not be disturbed by construction activity. A peat technical note (S_D4_15 The Applicants' submission at Deadline 4 on 8 August 2025 : Hearing Action Point 14 (REP4-118)) which identifies all the different elements of peat soils and peat land habitats that have been considered through the Environmental Statement was submitted by the Applicants at Deadline 4.</p> <p>As such, all efforts have been made by the project not to disturb carbon stores wherever feasible, and the release of potential greenhouse gas emissions. This aligns with the national commitments around net zero targets. The Applicants confirm that the impact would likely be negligible from a carbon perspective from the context of the Transmission Assets.</p>
6.2 Biodiversity net gain (BNG)			
Q2:6.2.1	The applicants	<p>Biodiversity calculations</p> <p>NPS EN-1 4.6.7 states that "in England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain</p>	<p>The Applicants note this response and have submitted a further version of the spreadsheet at Deadline 5 (J11/F05).</p>

Reference	Question To	ExQ2	Applicants' response
		<p>outcomes. This calculation data should be presented in full as part of their application"</p> <p>Noting updates to the onshore biodiversity benefit statement [REP4-067], the Examining Authority (ExA) is, once again, requesting that the full metric spreadsheet used for the calculations is submitted into the examination. Why has it not been submitted already?</p>	
Q2:6.2.2	The applicants	<p>Biodiversity and bird strike risks</p> <p>If the Secretary of State (SoS) was minded to agree with BAE Systems position as set out in their most recent submission [REP4-127] Table 2 Q6.2.3, "BAE Systems considers that it is not necessary for BNG to be provided because BNG is not a mandatory requirement for development consented through The Planning Act 2008. Consideration therefore needs to be given as part of the planning balance to whether avoiding the potential harm to aviation interests arising from the Applicants' BNG proposals (including the biodiversity benefit areas) would outweigh the biodiversity benefits of these sites, particularly in the context that paragraph 5.5.41 of NPS-EN1 requires development to avoid increased risk to aviation operations, whereas there is no statutory or policy requirement to provide BNG."</p> <p>Can the applicants suggest an alternative approach that would satisfy local policies outlined by Fylde Borough Council (FBC) in sections 6.2.5-6.2.7 of their submission [REP4-134] and section 4.6, with additional focus on 4.6.1, of the NPS-EN1.</p>	<p>The Applicants have prepared a Biodiversity Benefit Supporting Statement (S_D5_11), which covers a number of different, but related, questions on BNG that have been asked in the Examining Authority's Written Questions 2. This supporting statement provides an overarching response to the questions on BNG and answers this question</p>
Q2:6.2.3	The applicants	<p>Biodiversity and bird strike risks</p> <p>NPS EN-1, 4.6.11 states that "Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of</p>	<p>The Applicants have prepared a Biodiversity Benefit Supporting Statement (S_D5_11), which covers a number of different, but related, questions on BNG that have been asked in the Examining Authority's</p>

Reference	Question To	ExQ2	Applicants' response
		biodiversity net gain to be set out within the application for development consent.". If SoS was minded to agree with BAE Systems position [REP4-127], can the applicant comment on the quoted paragraph 4.6.11 of NPS EN-1?	Written Questions 2. This supporting statement provides an overarching response to the questions on BNG and answers this question
Q2:6.2.4	The applicants (a-c), Fylde Borough Council (FBC), Blackpool Borough Council (BBC), Lancashire County Council (LCC) and any other interested parties (IPs) (b)	<p>Biodiversity and bird strike risks</p> <p>NPS EN-1 4.6.12 says that when delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use.</p> <p>a) If SoS was minded to agree with BAE Systems position, can the applicant comment on the quoted paragraph 4.6.12 of NPS EN-1?</p> <p>b) If SoS was minded to agree with BAE Systems position and on-site delivery of BNG was therefore not possible, could the councils and the applicants reach an agreement on alternatives that would align with the NPS EN-1?</p> <p>c) If SoS was minded to agree with BAE Systems position, will the applicants consider submitting a without prejudice strategy for off-site delivery of BNG to satisfy the NPS EN-1, section 4.6 with additional focus on 4.6.1?</p>	The Applicants have prepared a Biodiversity Benefit Supporting Statement (S_D5_11), which covers a number of different, but related, questions on BNG that have been asked in the Examining Authority's Written Questions 2. This supporting statement provides an overarching response to the questions on BNG and answers these questions.

Reference	Question To	ExQ2	Applicants' response
Q2:6.2.5	The applicants	Biodiversity and bird strike risks If any of the BNG areas were removed from the order limits what would the implications be on all the submitted application documents and any issues arising therein?	The Applicants have prepared a Biodiversity Benefit Supporting Statement (S_D5_11), which covers a number of different, but related, questions on BNG that have been asked in the Examining Authority's Written Questions 2. This supporting statement provides an overarching response to the questions on BNG and answers this question
Q2:6.2.6	The applicants	Calculation methodology [REP4-167] from Newton with Clifton Parish Council and Freckleton Parish Council under item 4c states: "The parish councils ask the ExA to require the Applicants to calculate the before and after BNG figures using the correct metric, as encouraged by the National Policy Statement (EN-1 paragraph 4.6.7) so it can at least be properly considered as to whether the project will be over or under the 10% gain target. Given the pressure on other Development Consent Orders to provide 10% BNG and the imposition of requirements for high figures in recent decision letters, this is essential even though the 10% gain is not yet a legal obligation. Any requirement added for BNG should require the correct metric to be used, not a custom-made one created by the Applicants as at present. Not only is the BNG being offered much lower than is claimed if the metric is used correctly, but the measures to reduce bird hazards set out in the recently produced Outline Wildlife Hazard Management Plan (REP3-065) are only described as 'potential' and if implemented will serve to worsen the habitats being provided on which the existing calculations are based. The BNG scores should be recalculated for the habitats being offered with these downgrades, and an ecologist's opinion should be sought to confirm that with the downgrades they still fall under the definitions of the habitats claimed."	<p>The Applicants have prepared a Biodiversity Benefit Supporting Statement (S_D5_11), which covers a number of different, but related, questions on BNG that have been asked in the Examining Authority's Written Questions 2. This supporting statement provides an overarching response to the questions on BNG and answers these questions.</p> <p>The statutory DEFRA metric calculation spreadsheets have been provided as part of the Applicants' response to part (b) of this question. It should be noted that the calculations are drafts with a number of caveats/assumptions (as explained in section 4.1 of the Biodiversity Benefit Supporting Statement). There are errors showing in the spreadsheets because post-development offsetting habitat creation/ enhancement has not been added. However, this does not affect the baseline calculations which have been undertaken to demonstrate the change in biodiversity units (for habitats, hedgerows and watercourses) for the order limits for the Morgan project alone, the Morecambe project alone and the combined Transmission Assets.</p>

Reference	Question To	ExQ2	Applicants' response
		<p>Additionally, paragraph 6.3.4 of the [REP4-134] by FBC states “FBC therefore requested that BNG calculations be carried out for the entire Order Limits and the findings be submitted to the Examination”.</p> <p>a) Please respond to all points quoted above.</p> <p>b) Without prejudice, to better aid the decision-making process the ExA requests that the applicants provide an alternative revised BNG calculations that include temporary land affected (Where the land will be affected for more than 2 years covering the entire Order Limits area).</p>	
Q2:6.2.7	The applicants	<p>Strategy for delivery</p> <p>Explain how will biodiversity strategy delivery be monitored and what mechanisms will be used to enforce the delivery over the 30-year period?</p>	The Applicants have prepared a Biodiversity Benefit Supporting Statement (S_D5_11), which covers a number of different, but related, questions on BNG that have been asked in the Examining Authority's Written Questions 2. This supporting statement provides an overarching response to the questions on BNG and answers this question.

2.7 Environmental matters (offshore)

Table 2.5: Environmental matters (offshore)

Reference	Question To	ExQ2	Applicants' response
7.1 Physical processes			
Q2:7.1.1	The applicants (a-c), Fylde Borough Council (FBC), Natural England (NE) (b-c)	<p>Additional information and assessment</p> <p>In [REP4-134] FBC quote Section 5.6.10 of NPS EN-1 that sets out a clear requirement for applicants to undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures. Concerns are raised that this requirement has not been met and that “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. Major disruption would result in sediment gain being reversed and coastal erosion occurring and accelerating”.</p> <p>a) Please comment in full on the concerns that are being highlighted.</p> <p>b) Is it likely that a resolution will be found during this examination?</p> <p>c) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.</p>	<p>a)</p> <p>The Applicants emphasise that it was noted in Volume 2, Chapter 1: Physical Process, Table 1.1, that NPS EN-1 Section 5.6, paragraph 5.6.10. states “<i>Where relevant</i>, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures” and therefore there is not a requirement for modelling to be undertaken under all circumstances. It is also highlighted that the conceptual approach was agreed with MMO, Cefas, Environment Agency and Natural England though the consultation processes via the Benthic Ecology, Fish and Shellfish and Physical Processes Expert Working Group Meetings (APP-190).</p> <p>The Fylde Borough Council written response (7.4.2, REP4-134) stems from Natural England’s request for further information pertaining to cable protection parameters in the nearshore. With particular reference to details of the location, volumes, orientation and type of cable protection between Lowest Astronomical Tide (LAT) and the Depth of Closure (DoC) to enable understanding of the impact on nearshore sediment transport processes. It is also noted that the advice to undertake numerical modelling from Natural England was on the condition that the Applicants were unable to provide this further information. The Applicants provided the additional information requested by Natural England in their response to ExA Q7.1.6 in the Applicants’ Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP4-100) submitted at Deadline 4. Furthermore, an updated Volume 2, Chapter 1: Physical Process has been submitted at Deadline 5 (F2.1/F02) which includes this data and provides detail on the location and design of the cables and associated protection to support the determination that impacts for sediment transport pathways, including the</p>

Reference	Question To	ExQ2	Applicants' response
			<p>pathway into the Ribble Estuary, are of negligible to minor significance which is not significant in EIA terms (F2.1/F02).</p> <p>The Outline CBRA (APP-219) and the Outline CSIP (REP2-022) confirm that due to the sediment type and depth found in the nearshore area extending to the DoC and the Fylde MCZ (i.e. predominantly sand and mud), traditional burial techniques are suitable to achieve the target burial depths and commitment CoT54 (REP4-018) identifies that cable burial is the preferred option for cable protection where practicable. It is therefore not anticipated that external cable protection would be required in the nearshore and this is to be confirmed by pre-construction surveys.</p> <p>However, in the unlikely event that burial to the target depth is not achievable, commitment CoT45 (REP4-018) states that cable protection will be tailored to the specific location and installed to limit change in water depth to no more than 5% (referenced to Chart Datum).</p> <p>Additionally, the Outline CSIP (REP2-022) states that, should cable protection be required in shallow water, protection will be sufficiently low profile/tapped to cause minimal changes to wave, tide and sediment transport. In practice this is likely to entail the use of tapered cable protection, such as mattress units, typically 0.3 m in height, which are specifically designed to allow sediment transport to continue unhindered and at water depths of less than 5 m the potential for any cable protection, given the '5%' limitation, is effectively none. Additionally, the Applicants have made the commitment that no cable/scour protection shall be permanently deployed in the intertidal area between MLWS and MHWS, CoT133 (REP4-018) and infrastructure will be buried to a target depth of 3 m with reinstatement of the beach following trenching.</p> <p>Therefore, sediment sources and sediment transport into the Ribble Estuary would not be impacted and there would be no disruption to the dune system.</p> <p>The Applicants also note that the conceptual approach, agreed with Stakeholders through the consultation processes (APP-190), as discussed above, was supported by a number of appropriate studies and modelling campaigns including a detailed project specific morphological seabed study which incorporated both assessment of historical datasets and modelling (ABPmer 2023). The Applicants have submitted the ABPmer report (Assessment of Seabed Level Vertical Variability for</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Morgan Offshore Wind Farm - Appendix C) regarding the beach levels that underpin the assessment of the intertidal bed level trends (REP4-122) to support the information provided in the Outline CBRA (APP -219) and the Outline CSIP (REP2 - 022).</p> <p>b)</p> <p>The Applicants consider that information provided on the detail around location and design of cable protection is appropriate to support the conclusions of the environmental assessment and, in this case, detailed numerical modelling would not be required. The Applicants and Natural England met on 22 July 2025 to review the PADSS and Risks and Issues log with respect to offshore matters and it was noted that matters may be resolved with the inclusion of the relevant information within updated documents/plans submitted into Examination (rather than through written response dialogue) to ensure the detail is captured within the ES and associated documents and/or plans. The updated Volume 2, Chapter 1: Physical Process has been submitted at Deadline 5 (F2.1/F02) and covers all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments including those related to nearshore sediment transport processes. The Applicants are therefore confident that this issue may be resolved during the course of the Examination but will require feedback from Natural England following their review of the Applicants' Deadline 5 submissions to determine if the matter is closed.</p> <p>c)</p> <p>As set out under the Applicants' response to part (b) above, the Applicants anticipate that any outstanding matters have been addressed in the Deadline 5 submissions. However, should outstanding matters remain, these may be addressed post consent following further pre-construction surveys and associated with the development of detailed CSIP(s) and CBRA(s). The detailed CSIP and CBRA will ensure that the conclusions of the assessment remain sound and aligned with the commitments set out in the Commitments Register (REP4-018), namely;</p>

Reference	Question To	ExQ2	Applicants' response
			<ul style="list-style-type: none"> CoT45: Detailed CSIP(s) and CBRA(s) will be prepared by the Applicants covering the full extent of their respective offshore export cable corridors. Detailed CSIPs will be developed in accordance with the Outline CSIP. CoT47: The requirements for cable protection and sandwave clearance will be informed through the undertaking of survey works pre-construction. Detailed CSIP(s) will be developed in accordance with the Outline CSIP. CoT114: All permanent infrastructure located between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS) will be buried to a target depth of 3 metres, subject to further pre-construction surveys to be reported within Detailed Cable Burial Risk Assessments (CBRAs).
7.2 Benthic ecology			
Q2:7.2.1	NE	Assessment of all potential impacts At issue specific hearing 2 (ISH2) the Examining Authority (ExA) raised the following issues previously highlighted by NE with the applicants: <ul style="list-style-type: none"> Clarity on the likely impact of the direct pipe technique The provision of an outline Landfall Management Plan Assessment of the feasibility of cable installation tools in shallow waters Assessment of the maximum design scenario for the pre-lay grapnel run and unexploded ordnance and boulder clearance An update of maximum design scenario parameters for sand wave clearance 	The Applicants note Q2:7.2.1 is directed towards NE and shall not be responding.

Reference	Question To	ExQ2	Applicants' response
		<ul style="list-style-type: none"> Consideration of the worst construction scenario – a gap between cable installations including implications for scour protection <p>A summary of the discussion is contained in [REP4-104] at 5(a)(i). NE's comments are requested on:</p> <ol style="list-style-type: none"> The applicants' response to each of these issues highlighting where there is still disagreement. Commitment CoT 134 of the latest commitments register [REP4-018] – “No cable/scour protection shall be permanently deployed in the intertidal area between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS)”. The Outline Landfall Construction Method Statement [AS-081]. 	
Q2:7.2.2	NE	<p>Removal of infrastructure at decommissioning</p> <p>At ISH2 the ExA raised the issue of the applicants committing to remove all infrastructure associated with the proposed development at the decommissioning stage.</p> <p>A summary of the discussion is contained in [REP4-104] at 5(a)(ii). Comment on the applicants' response on this issue highlighting where there is still disagreement.</p>	The Applicants note Q2:7.2.2 is directed towards NE and shall not be responding.
Q2:7.2.3	NE	<p>Design detail</p> <p>At ISH2 the ExA raised the following issues previously highlighted by NE with the applicants:</p> <ul style="list-style-type: none"> Cable protection in the nearshore Location and protection of cables and the use of numerical modelling 	The Applicants note Q2:7.2.3 is directed towards NE and shall not be responding.

Reference	Question To	ExQ2	Applicants' response
		<ul style="list-style-type: none"> Minimising/ mitigating the impact of cable protection on nearshore sediment transport Including the monitoring of sand wave recovery and dune/ intertidal/ beach morphology in the Offshore In-Principle Monitoring Plan <p>A summary of the discussion is contained in [REP4-104] at 5(a)(iii). Comment on the applicants' response to each of these issues highlighting where there is still disagreement.</p>	
Q2:7.2.4	NE	<p>Natural Environment and Rural Communities (NERC) Act 2006 priority habitats</p> <p>At ISH2 the ExA raised the issue of the applicants committing to avoid the most sensitive and/or Priority NERC habitats.</p> <p>A summary of the discussion is contained in [REP4-104] at 5(a)(iv). Comment on the applicants' response on this issue highlighting where there is still disagreement.</p>	The Applicants note Q2:7.2.4 is directed towards NE and shall not be responding.
Q2:7.2.5	NE	<p>Stage 2 Marine Conservation Zone (MCZ) Assessment</p> <p>Given the discussions at ISH2 and your recent meetings, has NE's position regarding the need for the Stage 2 MCZ assessment and Measures of Equivalent Environmental Benefit (MEEB) changed?</p> <p>If there has been no change, provide the rationale for maintaining that position.</p>	The Applicants note Q2:7.2.5 is directed towards NE and shall not be responding.
Q2:7.2.6	NE	Compensation	Further to comments made by Natural England at Deadline 4, the Applicants have updated the drafting in the Without prejudice benthic

Reference	Question To	ExQ2	Applicants' response
		<p>Regarding the without prejudice Stage 2 MCZ assessment and MEEB [REP1-059] is it NE's position that strategic compensation with a payment to a Marine Recovery Fund (MRF) rather than project-based compensation should be progressed if the Secretary of State decides the Stage 2 assessment and MEEB are required?</p> <p>Are you content with new commitment CoT 136 in the latest version of the commitments register [REP4-018] – "Should benthic compensation be required, the MRF will be the preferred and prioritised option, and the project-led options would only be considered where the MRF option is not made available to the Applicants"?</p>	<p>compensation DCO schedule (S_D3_9/F02) to refer to Measures of Equivalent Environmental Benefit (MEEB) to avoid any ambiguity.</p> <p>The Applicants highlight Natural England's Deadline 4 submission (Comments on any further information/submissions received by deadline 3 - Appendix K4 - Natural England's Risk and Issues Log; REP4-139) in which Natural England welcome the addition of this new commitment which the Applicants have made to the commitments register submitted at Deadline 4 (REP4-018).</p>
Q2:7.2.7	The applicants (a & b) and NE (b)	<p>Benthic Compensation Development Consent Order (DCO) Schedule</p> <p>a) Provide comments on NE's response to the applicants' without prejudice Benthic Compensation DCO Schedule [REP3-066] contained in [REP4-141].</p> <p>b) What progress is being made in discussions with NE to reach agreement on the drafting of this schedule?</p>	<p>Further to the response to Q2:7.2.6, and regarding point (a), the Applicants have provided a full response to the comments made by Natural England at Deadline 4 on the without prejudice schedule. Please refer to [REP4-141].</p> <p>Regarding point (b), the Applicants will seek to continue further engagement with Natural England on the schedule between deadlines 5 and 6 to allow for consideration of any updates to the schedule at Deadline 6. However, this will depend on Natural England's availability and timescales for review of the Applicants' submission at Deadline 5. Therefore, it may be necessary to review Natural England's comments on the schedule at Deadline 6 and consider any changes for submission at Deadline 7.</p>
7.3 Fish and shellfish ecology			
Q2:7.3.1	NE	<p>Electro-Magnetic Fields (EMF)</p> <p>At ISH2 the ExA raised the issue of the potential barrier effects of EMF from the cable under the Ribble Estuary on smelt and NE's suggestion that</p>	The Applicants note Q2:7.3.1 is directed towards NE and shall not be responding.

Reference	Question To	ExQ2	Applicants' response
		<p>monitoring of EMF levels should be conducted to provide direct evidence of effects on fish?</p> <p>A summary of the discussion is contained in [REP4-104] at 5(b)(i). Comment on the applicants' response on this issue highlighting where there is still disagreement.</p>	
7.4 Marine mammals			
Q2:7.4.1	NE	<p>Clearance of Unexploded Ordnance (UXO)</p> <p>The ExA notes that the applicants have removed high order UXO clearance from the deemed marine licences (DML), but NE's position has been that all UXO clearance including low order should be removed.</p> <p>Following recent meetings with the applicants and the discussion on this issue at ISH2 summarised in [REP4-104] at 5(c)(i) has NE's position on this issue changed? If there has been no change, provide the rationale for maintaining that position.</p>	<p>The Applicants note Q2:7.4.1 is directed towards NE, but would highlight that in addition to the made Order for Mona Offshore Wind Project, the Secretary of State retained low order UXO clearance in the made Order for Morgan Offshore Wind Project: Generation Assets. In paragraph 4.85 of his conclusion¹(with regard to the inclusion of low order UXO clearance within deemed Marine Licences) the NSIP regime provides for a streamlined licensing process, which should be utilised when appropriate.</p>
Q2:7.4.2	The applicants	<p>Deemed Marine Licences</p> <p>What is the basis for the maximum number of low order UXO clearances stated in the latest version of the draft deemed marine licences (22 for Morgan and 3 for Morecombe), paragraph 20(7) of Schedules 14 and 15, [REP4-007]?</p>	<p>As set out under section 3.12.3 of Volume 1, Chapter 3: Project description (REP2-008) up to 25 UXO are assumed to require clearance (22 for Morgan Offshore Wind Limited (OWL) and 3 for Morecambe OWL), based on pre-application surveys and desk top studies, The Applicants commissioned Ordtek Limited, a specialist contractor in UXO risk management services to prepare an analysis of potential maximum UXO clearance requirements. The analysis was underpinned by previous UXO hazard and risk assessments undertaken by Ordtek Limited in connection with pre-application geotechnical sampling, in addition to the</p>

¹ Secretary of State Decision Letter, Morgan Offshore Wind Project Generation Assets (2025). Available at: [EN010136-001169-Morgan Offshore Wind Project Generation Assets Secretary of State for Energy Security and Net Zero Decision Letter.pdf](#)

Reference	Question To	ExQ2	Applicants' response
			Transmission Assets maximum design scenario (e.g. maximum numbers and total length of export cables).
Q2:7.4.3	NE, MMO	Deemed Marine Licences Without prejudice to your position on the inclusion of UXO clearance in DMLs comment on the maximum number of low order UXO clearances proposed by the applicants in the latest version of the draft deemed marine licences (22 for Morgan and 3 for Morecombe), paragraph 20(7) of Schedules 14 and 15, [REP4-007] .	The Applicants note Q2:7.4.3 is directed towards NE and the MMO and shall not be responding.

2.8 Geology, hydrogeology and ground conditions

Table 2.6: Geology, hydrogeology and ground conditions

Reference	Question To	ExQ2	Applicants' response
Q2:8.1.1	The applicants (a,b,c), NE (b,c)	<p>Outline Hydrogeological Risk Assessment</p> <p>In relation to outstanding issues and actions highlighted in Appendix G4 of NE's comments on the Outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI [REP4-140]:</p> <p>a) Please comment on the points raised by the NE and provide a realistic timeline for producing the additional data and information that is being asked for.</p> <p>b) Is it likely that a resolution will be found during the examination?</p> <p>c) Noting point 6 in Table 1: "Natural England advises that the Applicant should ensure the cable burial depth is sufficient to be located in the low permeability glacial clays. This should be secured in the project commitment log. "If other gaps in data/information and issues raised remain as outstanding by the end of this examination, please suggest a mechanism/wording that will ensure appropriate actions can be taken post consent.</p>	<p>a) The Applicants have responded to the Written Reps received from Natural England (S_D5_2.5) and have provided an updated Outline Hydrogeological Risk Assessment (S_D3_6/F02) taking into account the comments raised by Natural England. As requested by Natural England, the updated Outline Hydrogeological Risk Assessment includes the findings of the NVC survey for the Lytham St Annes Dunes SSSI/LNR and the Old Links Golf Club undertaken in July and September 2025 respectively.</p> <p>A number of points will require the gathering of further hydrogeological evidence to produce the detailed Hydrogeological Risk Assessment. This includes the inclusion of the St Annes Old Links Golf Club abstraction data (where available) to the assessment and undertaking further ground investigation and groundwater monitoring post consent where necessary, which will inform the detailed Hydrogeological Risk Assessment and the cable burial depth. Information has been requested from the St Annes Old Links Golf Club regarding the groundwater abstractions to inform the refinement of the hydrogeological conceptual model. The scope of the ground investigation and location of boreholes will be determined by the engineering design undertaken at detailed design post consent and agreed with the Environment Agency and Natural England.</p> <p>b) This additional hydrogeological data gathering including the groundwater abstractions information from the St Annes Old Links Golf Course and any further ground investigation and groundwater monitoring will be used to inform the detailed Hydrogeological Risk Assessment at detailed design, which will inform final cable positioning and depths. Therefore, it is considered unlikely that all the matters raised by the Natural England will be fully addressed prior to the production of the detailed Hydrogeological Risk Assessment following the examination.</p>

Reference	Question To	ExQ2	Applicants' response
			c) No further information is available on the cable alignment/ depth beneath the sand dunes at this stage and will not be available until contractors have been appointed and the detailed design stage completed. However, this information will be presented within the detailed Hydrogeological Risk Assessment and the detailed Landfall Construction Method Statement(s). Both of these are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP4-007).
Q2:8.1.2	The applicants (a,b,c), EA (b,c)	<p>Outline Hydrogeological Risk Assessment</p> <p>EA in their deadline 4 submission [REP4-132] raise a number of points in relation to the information in the outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI [REP3-061]. Some of the comments relate to similar issues to those being raise by Natural England.</p> <p>a) Please comment on the points raised by the EA and provide a realistic timeline for producing the additional data and information that is being asked for.</p> <p>b) Is it likely that a resolution will be found during this examination?</p> <p>c) Noting the gaps in the groundwater monitoring data that are being highlighted, that make validation of the groundwater conceptual model challenging, if the issues raised remain as outstanding by the end of this examination, please suggest a mechanism or a specific wording that would ensure appropriate actions will be taken post consent.</p>	<p>a) The Applicants have responded to the Written Reps received from the Environment Agency (S_D5_2) and have provided an updated Outline Hydrogeological Risk Assessment (S_D3_6/F02) which incorporates the comments raised by the Environment Agency. The Applicants held a meeting with the Environment Agency on 17 September 2025, discussing the comments and how the Outline Hydrogeological Risk Assessment would be updated accordingly. The Environment Agency confirmed their satisfaction with the proposed updates to the Outline Hydrogeological Risk Assessment.</p> <p>The Environment Agency agree with the Applicants that a number of points will require the gathering of further hydrogeological evidence at detailed design post consent to produce the detailed Hydrogeological Risk Assessment. This includes the inclusion of the St Annes Old Links Golf Club abstraction data (where available) to the assessment and undertaking further ground investigation and groundwater monitoring post consent where necessary, which will inform the detailed Hydrogeological Risk Assessment and the cable burial depth. Information has been requested from the St Annes Old Links Golf Club regarding the groundwater abstractions to inform the refinement of the hydrogeological conceptual model. The scope of the ground investigation and location of boreholes will be determined by the engineering design undertaken at detailed design post consent and agreed with the Environment Agency and Natural England.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>b) The Outline Hydrogeological Risk Assessment has been updated for Deadline 5 (S_D3_6/F02) to include as much available information as possible to agree a scope of additional works acceptable to the Environment Agency.</p> <p>The Applicants held a meeting with the Environment Agency on 17 September 2025 to discuss this scope further and agree the outstanding information to be contained within the Outline Hydrogeological Risk Assessment for the Environment Agency to agree to the provision of the Detailed Hydrogeological Risk Assessment following detailed engineering design post consent. These comments have now been incorporated into the document, and the Applicants believe this now represents a point of agreement with the Environment Agency on the hydrogeological matters before the close of examination.</p> <p>c) No further information is available on the ground water data at this stage and will not be available until contractors have been appointed and the detailed design stage completed. However, this information will be presented within the detailed Hydrological Risk Assessment(s) and the detailed Landfall Construction Method Statement(s). Both of these are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP4-007).</p>

2.9 Habitat Regulations Assessment

Table 2.7: Habitats Regulations Assessment

Reference	Question To	ExQ2	Applicants' response
9.1 General			
Q2.9.1.1	The applicants	High tide restriction Provide an update on the high tide restriction on construction activities, which was left at deadline 3 as still to be agreed with NE (paragraph 1.6.3.15 of [REP4-058].	<p>After discussion between the Applicants and Natural England on 16 September 2025, it was agreed that there is no need for a high tide restriction during the passage period (October and April).</p> <p>The reason behind this is that, although higher numbers of birds were present at high tide, these birds infrequently use the area for roosting and therefore the potential impacts to foraging birds at low tide were deemed of greater importance.</p>
Q2.9.1.2	Natural England (NE)	Fairhaven Saltmarsh Noting that a high tide restriction on construction activities is being discussed, are the measures proposed at deadline 4 to mitigate effects on passage features (set out in paragraphs 1.6.3.15 and 1.6.3.16 of [REP4-058] sufficient to rule out no Adverse Effect on Integrity (AEoI) to the Ribble and Alt Estuary Special Protection Area (SPA) and Ramsar (passage features)? If not, what further measures could be implemented to reduce the disturbance at landfall? If so, are the measures proposed at Fairhaven Saltmarsh necessary to conclude no AEoI to the Ribble and Alt Estuary SPA and Ramsar sites?	<p>The Applicants and Natural England have agreed a joint statement with regards to the progress of agreeing that there are no Adverse Effects on Integrity of the Ribble and Alt Estuaries SPA and Ramsar site:</p> <p><i>The Applicants and Natural England can confirm that the parties met on 16 September to discuss the potential impacts on the passage features of the Ribble and Alt Estuaries SPA/Ramsar site. Following on from the meeting, the Applicants and Natural England have agreed that subject to the Applicants submitting further information into Examination at Deadline 5, which were discussed during the meeting and over email, Adverse Effect on Integrity on the Ribble and Alt Estuaries SPA and Ramsar sites can be ruled out, due to the adoption of mitigation measures at the landfall location for the passage periods. The mitigation measures included for the passage period include screening around the compounds on Lytham St Annes beach and employment of an Ecological Clerks of Work who will be on site during landfall construction operations. It is agreed that the Fairhaven Saltmarsh scheme is an alleviation</i></p>

Reference	Question To	ExQ2	Applicants' response
			<i>measure which aims to address the residual impacts from the development and reduce existing pressures on ornithological features of the SPA and Ramsar sites, including those species which may be affected by the works in the intertidal.</i>
Q2.9.1.3	The applicants (a), NE	Fairhaven Saltmarsh Is there the potential for an indirect likely significant effect to the Ribble and Alt Estuaries sites to arise from the proposed construction works at the landfall area displacing recreational users from the beach to other areas of importance to SPA and Ramsar features (eg Fairhaven Saltmarsh)? a) If so, provide an assessment of this impact pathway.	<p>The Applicants would like to highlight that the beach will remain open at all times and the proposed construction activities will not alter people's ability to access the beach, with people free to move along the upper beach at all times. Therefore, recreational users will not be displaced from this location, nor is there any evidence that beach users would instead access sensitive bird areas in the estuary mouth as an alternative to using Lytham St Annes Beach.</p> <p>Therefore, there is no need for an assessment, and if an assessment were to be made, it would not be evidentially-based and therefore would not be proportionate or robust.</p>
Q2.9.1.4	The applicants	Further information NE (H31 [RR-1601]) requested further information on the recovery time of the disturbed sediments in the intertidal zone, noting that in the Information to Support Appropriate Assessment (ISAA) there is minimal mention of recovery time beyond completion of works. How long would the habitats be expected to take to return to their previous condition? Does this alter the period of temporary habitat loss assessed?	<p>Recovery times will be dependent upon the species but for most species recolonisation will start immediately upon completion of works. Many authors quote recovery times of weeks to months for sandy sediments covered by shallow water such as those found at the landfall (e.g., Kaiser, <i>et al.</i>, 2003) (see F2.2 Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) for further detail). These are based upon subtidal habitats with a lack of studies for comparable intertidal impacts. The mobile amphipods and polychaetes that are of highest value to the wading bird assemblage are likely to recover fastest, with bivalves being slower. However, recovery times are of low importance to the passage bird assemblage present at the landfall.</p> <p>Out of the four passage features for which there is potential for impact, three (ringed plover, dunlin and redshank) were recorded using the beach mostly for non-foraging purposes (i.e., loafing and/or roosting). As birds do not require benthic communities to recover in order to roost or loaf, the habitats will be available immediately upon the completion of works. Additionally, Natural England have agreed with the Applicants assessment that there are No AEoI for these features (ref item RI G27 in</p>

Reference	Question To	ExQ2	Applicants' response
			<p>document REP4-139) as they are only occasionally using the area for non-foraging activities.</p> <p>This leaves only foraging sanderling. However, sanderling, unlike many other intertidal waders, are not reliant upon benthic invertebrates in the intertidal but instead largely feed upon invertebrates washed ashore in the surf. Therefore, sanderling are also not reliant upon full recovery of the benthic habitats and these habitats will be available for sanderling to use immediately upon completion of works.</p> <p>This information has helped Natural England and the Applicants to come to the agreement that there are no Adverse Effects on Integrity of the Ribble and Alt Estuaries SPA and Ramsar site caused by the proposed works at the landfall (see joint statement in Q2.9.1.2).</p>
Q2.9.1.5	NE	<p>Assessments</p> <p>The applicants have assessed the effects of temporary habitat loss and construction phase visual and noise disturbance as separate pathways. You raised concerns about this approach in H31 [RR-1601]. Does this issue still stand, if so, what can the applicants do to resolve this matter?</p>	<p>Noting this is a question for Natural England, the Applicants would like to highlight that they have been clear in their response to Natural England (Annex 3.2.16 to Response to RR - Natural England (RR-1601) - Appendix H (Onshore and Intertidal Ornithology) PDA-023) that the assessment of disturbance has already fulfilled Natural England's requirement that the disturbance buffer plus the area of works is to be fully assessed (for further details see section 1.6.3.194 and Table 1.93 in E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments. APP-017). Therefore the Applicants question the reasoning as to why they would assess the area of physical habitat loss as being greater than is actually the case.</p>
Q2.9.1.6	NE	<p>The Onshore Terrestrial Waterbird Note</p> <p>Following submission of the Onshore Terrestrial Waterbird Note [REP4-120],</p> <p>a) Are you content that the full suite of species and or SPA/ Ramsar features that might be affected by loss of functionally linked land have been identified (RI_H6)?</p> <p>b) Are you content based on the additional information provided that there will be no</p>	<p>The Applicants note Q2:9.1.6 is directed towards NE and shall not be responding.</p>

Reference	Question To	ExQ2	Applicants' response
		<p>LSE to the 25 assemblage species not assessed in the ISAA (brent goose, Canada goose, barnacle goose, greylag goose, mute swan, shoveler, gadwall, mallard, goosander, water rail, moorhen, coot, avocet, woodcock, jack snipe, green sandpiper, black-headed gull, common gull, great black-backed gull, herring gull, lesser black-backed gull, cattle egret, grey heron, great white egret and little egret) (RI_H46).</p> <p>c) Are you content that the applicant has provided sufficient information about the Lytham Moss and Newton-with-Scales mitigation areas (RI_H7)? If not, what further information is required? If so, do you agree with the applicants' conclusions of no AEOL to the following terrestrial waterbird features: pink-footed goose, whooper swan, teal, lapwing, golden plover, curlew, black-tailed godwit?</p>	
Q2.9.1.7	The applicants	<p>The Onshore Terrestrial Waterbird Note</p> <p>Clarify whether the information provided on the 25 assemblage species listed in section 3.1.4 of the Onshore Terrestrial Waterbird Note [REP4-120] is concluding that there are no LSE, or no AEOL, as the HRA terminology has not been used. Update the HRA screening report and ISAA to clarify the assessment of the components of the assemblage.</p>	<p>The Applicants can confirm that there are no AEOL for any of the non-named waterbird assemblage that were not specifically named within E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017). This is due to these being either naturalised species, common and widespread species, or present in low numbers. In addition, the Applicants are clear that the proposed mitigation measures are suitable to support the more sensitive wader assemblage features.</p> <p>The Applicants are clear that, although these species were not specifically named within the ISAA, assessments were made for the assemblage as a whole and these concluded No AEOL (for further detail see sections 1.6.3.135 and 1.6.3.270 in APP-017).</p>
Q2.9.1.8	The applicants	<p>The Onshore Terrestrial Waterbird Note</p> <p>The Onshore Terrestrial Waterbird Note [REP4-120] indicates that there are specific areas of the onshore cable route that are favoured by certain bird species. Has the applicant considered a seasonal restriction</p>	<p>The Applicants have carefully considered their mitigation measures to avoid any AEOL or any significant (in EIA terms) residual impacts on any species. Therefore, there is no need for any seasonal restrictions outside of the marine and intertidal areas.</p>

Reference	Question To	ExQ2	Applicants' response
		to construction works during sensitive periods limited to the areas most favoured by overwintering birds?	The Applicants note that the worst-case scenario assessed assumes that construction will take place throughout the corridor over a 114 month period (including a gap of up to 48 months between completion of Morgan Offshore Wind Project: Transmission Assets and commencement of Morecambe Offshore Windfarm: Transmission Assets construction works). However, in reality works will be more localised and of shorter duration in each work area as demonstrated in the Applicants' response to ExA Q1.1.3 (S_D3_3 Applicants' Response to Examining Authority's Written Questions (ExQ1) - Rev F01 (REP3-056)).
Q2.9.1.9	NE	Mitigation vs compensation In your relevant representation (NE19, H5 [RR-1601]) and in response to ExQ.6.1.2 [REP3-095] you made the case for Fairhaven Saltmarsh mitigation area to be considered as a compensation site. A similar argument has not been made for the Lytham Moss and Newton-with-Scales mitigation areas. Please explain why this is the case and the difference in your rationale.	<p>The Applicants and Natural England have agreed a joint statement with regards to the progress of agreeing that there are no Adverse Effects on Integrity of the Ribble and Alt Estuaries SPA and Ramsar site</p> <p><i>The Applicants and Natural England can confirm that the parties met on 16 September to discuss the potential impacts on the passage features of the Ribble and Alt Estuaries SPA/Ramsar site. Following on from the meeting, the Applicants and Natural England have agreed that subject to the Applicants submitting further information into Examination at Deadline 5, which were discussed during the meeting and over email, Adverse Effect on Integrity on the Ribble and Alt Estuaries SPA and Ramsar sites can be ruled out, due to the adoption of mitigation measures at the landfall location for the passage periods. The mitigation measures included for the passage period include screening around the compounds on Lytham St Annes beach and employment of an Ecological Clerks of Work who will be on site during landfall construction operations. It is agreed that the Fairhaven Saltmarsh scheme is an alleviation measure which aims to address the residual impacts from the development and reduce existing pressures on ornithological features of the SPA and Ramsar sites, including those species which may be affected by the works in the intertidal.</i></p>

Reference	Question To	ExQ2	Applicants' response
9.2 Screening			
Q2:9.2.1	NE	<p>Shad species</p> <p>Based on the information provided in the HRA screening, the Examining Authority (ExA) previously sought NE's position on the screening of impacts to Shad species as qualifying features (ExQ1 Q9.2.1) [PD-008]. Can NE confirm:</p> <p>a) Whether you consider that the HRA screening should be updated to include an assessment of potential likely significant effects (LSE) to shad species as a qualifying feature?</p> <p>b) Why you consider there is the potential for LSE, given the applicants' assessment presented to date and additional responses [REP3-056 and REP4-100] and the distance of the proposed development from special areas of conservation (SACs) designated for shad?</p>	<p>The Applicants note Q2:9.2.1 is directed towards NE, but would like to direct the ExA to previous engagement with NE, with NE being in broad agreement to the approach to screening out the nearest SAC with shad as a qualifying feature. Specifically, this was the Pembrokeshire Marine/Sir Benfro Forol SAC located 239 km from the Transmission Assets (paragraph 1.4.3.8 of the HRA Stage 1 Screening Report, APP-018). This was outside of the 100 km ZOI used to identify SACs and was therefore screened out (PD-008, ExQ1 Q9.2.1). NE also did not raise any concerns about shad during the Expert Working Groups (refer to E5.1 Technical Engagement Plan Appendices Part 1 of 3 (APP-190)), and in RR-1601.D (Annex 3.2.11 to Response to RR – RR-1601 – Appendix D; PDA-018), Natural England agreed that relevant sites and features screened in within the HRA Screening was appropriate, as follows:</p> <p>RR-1601.D.13: Relevant sites and features have been screened in appropriately. Natural England agree with proposed potential LSE impacts of UXO and EMF on Annex II diadromous fish species being taken forward to Appropriate Assessment.</p> <p>RR-1601.D.14: Natural England agree with reasoning and welcome the clear justification as to why potential impacts resulting from UXO clearance to Annex II diadromous fish species and associated Special Areas of Conservation will not result in an adverse effect on integrity.</p> <p>Therefore, the Applicants reiterate that this SAC should be screened out and there is no potential for LSE due to the distance from the Transmission Assets.</p>
9.3 ISAA			
Q2:9.3.1	NE	<p>Winter Vessel Movements and Offshore Ornithology</p> <p>The applicants have added a new commitment CoT135 to the latest commitments register [REP4-018] - "The Applicants will not plan routine O&M</p>	<p>The Applicants note Q2:9.3.1 is directed towards NE and shall not be responding.</p>

Reference	Question To	ExQ2	Applicants' response
		<p>activities in the original Liverpool Bay special protection area (SPA) (as designated in 2010), including a 2 km buffer between November and March (inclusive) unless in urgent circumstances".</p> <p>a) Are your concerns about adverse effects in the operation and maintenance phase resolved? If not, why not?</p> <p>b) Are you now in agreement that there will be no adverse effect on the integrity of Liverpool Bay SPA arising from impacts to offshore ornithology features? If not, what concerns remain and how can the applicants address them?</p>	
Q2:9.3.2	NE	<p>Marine Mammals Adverse Effects on Integrity (AEol) conclusions</p> <p>Within your relevant representation [RR-1601], you raised the matter of the inclusion of high and low order unexploded ordnance (UXO) clearance (entries NE10, E1, E17, A6 and A11). Noting the applicants' submissions since the relevant representation where they confirm that high order clearance has been removed from the dDCO and DMLs:</p> <p>a) Do you consider that the inclusion of low order UXO clearance has the potential to result in AEol to any marine mammals qualifying features of the SACs assessed within the HRA ISAA?</p> <p>b) If so,</p> <p>(i) outline the relevant sites and qualifying features.</p> <p>(ii) confirm why you consider that the applicants' assessment does not provide the evidence to rule out AEol (given the applicants position that low order UXO clearance is assessed</p>	<p>In line with the Applicants' response (REP3-056) to the Examining Authority's written questions (ExAQ1) (PD-008), although this question is directed at Natural England, the Applicants would note that the HRA Stage 2 ISAA Part 2 predicted that effects of UXO clearance would not result in adverse effects on integrity of any SAC with Annex II marine mammal features, either alone or in-combination with other plans and projects (see section 1.8.4 and 1.8.5 of APP-016). This assessment was based on UXO clearance for the maximum design scenario of high order UXO clearance for a 907 kg UXO. The removal of high order UXO clearance from the draft DCO at Deadline 1 (REP1-008) will result in considerably reduced effects on marine mammal receptors as demonstrated by Table 4.22 and Table 4.20 of Volume 2, Chapter 4: Marine mammals (APP-050), which show modelled Potential Threshold Shift (PTS) (in hearing) ranges of up to 15,370 m for high order UXO clearance and reduced modelled PTS ranges associated with low order UXO clearance (i.e. up to 2,290 m for PTS for low order UXO clearance). Further, the assessment showed that even for the MDS of high order UXO clearance of 907 kg, there was no potential overlap with the nearest SAC (North Anglesey Marine/Gogledd Môn Forol SAC, located 28.5 km from the Transmission Assets Order Limits) for either predicted absolute maximum PTS ranges, or for the Effective Deterrence Range (EDR) of 26 km (as recommended in "Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs" (JNCC, Natural England, DAERA, 2020)). In considering the latest published JNCC</p>

Reference	Question To	ExQ2	Applicants' response
		and mitigated for) and what further evidence you consider is required?	<p>guidance on EDRs ("Updated Effective Deterrent Ranges (EDRs) for assessing the significance of noise disturbance in harbour porpoise Special Areas of Conservation (SACs)") there is still no overlap with the nearest SAC (North Anglesey Marine/Gogledd Môn Forol SAC, located 28.5 km from the Transmission Assets Order Limits) (JNCC, 2025). The JNCC (2025) guidance states that "a 20 km EDR should be applied to UXO weighing 263 kg or less (compared to the 26 km EDR advised in 2020). For UXOs larger than 263 kg, noise modelling should be undertaken to derive the distance to the TTS-onset thresholds (SPL_{pk} and frequency-weighted SEL). If noise modelling results in a distance greater than 20 km, the modelled distance should be used as the EDR, subject to agreement by the regulator". For the Transmission Assets, the greatest modelled TTS range for harbour porpoise for 907 kg UXO (SPL_{pk}) is 28.32 km. Again, the removal of high order UXO clearance from the draft DCO at Deadline 1 (REP1-008) will result in considerably reduced effects on marine mammal receptors. Furthermore, the Applicants highlight that the JNCC recommends a 5 km EDR for low order UXO clearance (JNCC, 2025), therefore the potential for overlap with the nearest SAC with this recommendation is further reduced. Given that PTS ranges have reduced significantly with the secured commitment to low order UXO clearance, the distance between the impact and the nearest SACs would also be significantly increased. As such, the overall conclusions of the HRA Stage 2 ISAA Part 2 (APP-016) (i.e. no adverse effects on integrity) are not affected by the removal of high order UXO clearance, other than to reduce any residual risk of adverse effects substantially.</p> <p>Furthermore, the Applicants confirm that an updated version of Volume 2, Chapter 4: Marine Mammals (F2.4/F02) has been submitted at Deadline 5, to reflect that high order has been removed from the DCO and to align with the changes related to the impact of Injury and disturbance from elevated underwater sound during UXO clearance made at Deadline 6 for the Morgan Offshore Wind Farm: Generation Assets (Morgan Generation Assets examination Library REP6-031), as requested by Natural England at Deadline 2 for the Transmission Assets (REP-062).</p> <p>Finally, with respect to Natural England's position on UXO clearance inclusion as a licenced activity in the DCO (RI-E1; REP4-139) it is the Applicants' position that it is appropriate and justified to include UXO</p>

Reference	Question To	ExQ2	Applicants' response
			clearance (limited to low order clearance) activities within the draft DCO (REP3-009). The Applicants note that the Secretary of State retained clearance of UXO by low order methods in the recently made Order for Morgan Generation Assets.
Q2:9.3.3	Applicants	<p>Passage dunlin for the O&M phase</p> <p>ISAA Part 3 Paragraph 1.6.3.184 (O&M impacts at landfall) states that for the Ribble and Alt Estuaries Ramsar site, the features that may be impacted by the temporary loss of supporting habitats and/or resource availability are the same as for the Ribble and Alt Estuaries SPA (Special Protection Area), and no additional impacts are predicted to occur for the Ramsar site. However paragraph 1.6.3.142 notes that passage dunlin are an intertidal feature of the Ramsar site that differs from the SPA citation. Provide an assessment of impacts to passage dunlin for the O&M phase.</p>	Natural England have agreed with the Applicants' assessment that there are no AEol for passage dunlin during the construction period. As the impacts during construction are predicted to be of a much higher magnitude than during O&M there will therefore be no impacts on passage dunlin during the O&M phase.

2.10 Hydrology and flood risk

The Applicants note that the Examining Authority refers to section 8 (Geology, hydrogeology and ground conditions) for relevant questions and provide responses in Section 2.8

2.11 Historic Environment

Table 2.8: Historic Environment

Reference	Question To	ExQ2	Applicants' response
Q2:11.1.1	Lancashire County Council (LCC) and the applicants	<p>On-shore archaeological evaluation</p> <p>At deadline 4 (D4) and further to discussion at issue specific hearing 3, the applicants submitted a summary of trial trenching approaches in other Development Consent Order applications [REP4-114] in addition to a timetable of trial trenching [Action Point ISH2.49 of REP4-108].</p> <p>Taking account of these submissions and any further discussions that have taken place between the two parties, please provide a summary update on the positions of the two parties and any remaining disagreements regarding onshore archaeology. These should include whether LCC is satisfied that the remaining evaluation through trial trenching can take place post any development consent being granted.</p>	<p>The Applicants' position remains as set out in their response to Hearing Action Point ISH2.49 in the Applicants' Response to Hearing Action Points of ISH2, ISH3 and CA2 due at Deadline 4 (REP4-108). The remaining trial trenching can be undertaken post-consent and pre-commencement. This is allowed for in the Outline Onshore and Intertidal Written Scheme of Investigation (Rev F03) (REP4-062) which has been agreed as appropriate with LCC through the Statement of Common Ground (REP4-079), reference no. LCC.HE.13). The implementation of the works set out in the Outline Onshore and Intertidal Written Scheme of Investigation are secured under Schedules 2A&2B, Requirement 11 of the draft DCO (REP4-007).</p> <p>However, the Applicants intend to recommence the programme of trial trenching in the spring and summer of 2026 as soon as ground conditions are suitable, rather than waiting for a consent decision to be issued. This would enable decisions to be made at the earliest opportunity with regard to any further archaeological work that may be required ahead of commencement. Any part of the programme of trial trenching that cannot be undertaken in the spring and summer of 2026 would be carried out post-consent.</p> <p>By means of an update with regard to this C14 dating, the Applicants note that all environmental samples from the completed trenches have now been processed, and a list of samples suitable for scientific dating was issued to the county archaeologist and Historic England for comment with a response received on 17 September 2025. The next step is to undertake the scientific dating of this material which could be undertaken within a couple of months, subject to laboratory availability. Again, this could enable decisions to be made at the earliest opportunity with regard</p>

Reference	Question To	ExQ2	Applicants' response
			to any further archaeological work that may be required ahead of commencement.
Q2:11.1.2	Historic England	<p>Draft Statement of Common Ground</p> <p>The draft Statement of Common Ground [REP4-082] submitted at D4 includes green “agreed” status for each issue being considered.</p> <p>Can Historic England confirm its position, including with regard to onshore and offshore archaeology? For any matters that are disagreed please set out your explanation of and justification for the position being taken and indicated how it might be resolved.</p>	<p>The Applicants note Q2:11.1.2 is directed towards Historic England but would highlight the final signed SoCG with all matters agreed between the Applicants and Historic England has been submitted at Deadline 5 (S_D1_6.7/F04).</p>

2.12 Land use and recreation

Table 2.9: Land use and recreation

Reference	Question To	ExQ2	Applicants' response
Q2:12.1.1	The applicants	Freckleton bridleway Temporary possession rights for the diversion of bridleway on the Greenway (Freckleton bridleway 15) have now been included. Has the proposed diversion of the bridleway been discussed with the relevant landowner and, assuming so, what is the current position?	The Applicants are in ongoing dialogue with the landowners and their appointed agent regarding the diversion of the Greenway bridleway. The diversion is accounted for within the Public Rights of Way Management Plan (REP4-036), discussions with the landowner on the practicalities of the use of the bridleway will be part of the accommodation work discussions through the ALO provisions secured within the Outline Code of Construction Practice (REP4-026). No agreement is required from the landowner on the diversion however the Applicants have committed to minimise disturbance where practicable through Commitment 32 and 102 (REP4-018).
Q2:12.1.2	The applicants	Freckleton bridleway The updated Public Rights of Way (PRoW) plan [REP4-006] does not show the proposed diversion of the Freckleton bridleway 15 and it is only showing the PRoW being "closed or restricted." Please update with detail of the extent of land being sought, the likely duration of the diversion and confirmation that at all times the bridleway will remain open for pedestrians, cyclists and horses?	The Applicants can confirm that Bridleway 15 does not intersect with the Order Limits, however, the Applicants have assumed that the question was in relation to Bridleway reference: 5-5-BW-16. They can confirm that the Public Rights of Way Plan (REP4-036) has been updated to include the proposed temporary bridleway diversion of 5-5-BW16. A maximum period of PRoW diversion of 36 months has been assessed with Volume 3, Chapter 6: Land Use and Recreation to reflect the construction duration of the Onshore Export Cable Corridor for Morgan OWL. However, as outlined in the Response to Examining Authority's written questions and requests for information (EXQ1) (REP3-057) Q1.1.3 there would not be 36 months of continuous construction activity at this location for the full duration. In reality the bridleway is anticipated to be diverted for 1 month, subject to detailed design. In addition, the Applicants can confirm that it is anticipated that the bridleway will remain open for pedestrian, cyclists and horses during construction and the operation and maintenance phases of the Project.
Q2:12.1.3	The applicants	Land holding details For each of the agricultural landholdings affected by permanent acquisition, please provide the following in tabular format:	The response to this question has been provided within document S_D5_5.6. The information provided represents the extent of the holdings based on information obtained from HM Land Registry (HMLR) that has formed the extent of the land referencing undertaken by the Applicants

Reference	Question To	ExQ2	Applicants' response
		<ul style="list-style-type: none"> - Name and address of holding - Relevant plot number - Total size of holding - Holding use - Breakdown of land classification by hectare and percentage of holding - Summary of proposed activity on holding - Loss of land – by reference to the loss to both temporary and permanent use by both hectare and percentage of holding. 	and has been supplemented with information from the Applicants' diligent inquiries with landowners. It is therefore possible that there is additional land under different titles outside the Applicants' land referencing boundary which the Applicants are not aware of but forms part of these landholdings.
Q2:12.1.4	The applicants	<p>Agricultural Land Classification (ALC)</p> <p>Paragraph 5.11.12 of NPS EN-1 requires applicants to “seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the ALC) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).”</p> <p>This is still an outstanding matter and according to NE16 in the issues log with Natural England (NE) [REP4-100] appears unlikely to be resolved. The applicants' position remains that they have responded previously including in their response to hearing action points due at deadline 1 (D1) [REP1-037]. The applicants in their response [REP3-056] to Q12.1.1 of ExQ1 provide figures from their limited survey which are markedly different from the figures expressed in the Fylde Local Plan.</p> <p>In section 10.4 of their latest submission [REP4-134], Fylde Borough Council (FBC) refer to the conclusion in the Land Use chapter [APP-104] which concludes that the sensitivity of agricultural land as a receptor is high and that temporary effects would</p>	<p>As explained in REP3-056, the Applicants' assessment considered the available published provisional ALC mapping does not differentiate between Grade 3a and 3b in the definition of Grade 3. As such, with respect to the Onshore Substation Search Zones and Substation Options, a precautionary approach was adopted, whereby areas of Grade 2 and 3 agricultural land were assigned an amber rating, as the Grade 3 areas and the soil types on which they were located could contain a significant proportion of the best and most versatile Subgrade 3a land (see Tables 4.7 and 4.10 (APP-033)). However, with respect to the onshore export cable corridor and the 400 kV grid connection cable corridor, Grade 3 agricultural land was assigned a green rating on the basis that land would be reinstated post-construction (see Tables 4.14 and 4.18 (APP-033)). The Applicants were mindful of the potential presence of more sensitive peaty soils in terms of requirements for restoration within areas of Grade 2 land, particularly towards the western end of the onshore cable corridor. Therefore, the outline soil management plan (REP4-040) has incorporated additional measures for soil handling of peat soils (see section 1.8.6). In terms of the location of the onshore cable corridor, the published soils and ALC data shows that a movement of the cable route either to the north or south of its proposed location would not be likely to have any notable effect on the type of distribution of ALC or soil types affected.</p> <p>The figures stated within the Fylde Borough Local Plan are based only on the provisional ALC mapping, which is not based on any detailed survey</p>

Reference	Question To	ExQ2	Applicants' response
		<p>result in medium moderate adverse impacts, and permanent effects in low minor adverse impacts. However, FBC believe that the applicants have not given proper consideration to alternatives which would lower impacts on higher quality land, as a result of the deficiencies in their baseline assessment. FBC considers that the applicants' assessment is flawed in this regard and that the assessment of harm arising from the subsequent site and route selection is therefore also flawed. Please respond?</p>	<p>work and is not based on the current ALC guidelines. As noted in section 6.6.1 of Volume 3: Chapter 6 of the ES (APP-104), to establish the quality of agricultural land in the study area, the Applicants used a combination of provisional ALC mapping and soil survey data.</p> <p>The detailed assessment of the effects of Transmission Assets on ALC, is assessed within section 6.11.2 of Volume 3: Chapter 6 of the ES (APP-104) (which is different to the initial work undertaken for site selection) is based on the assessment of the ALC grading of the different soil types, applying detailed site survey data collected within the main soil types to provide a precautionary assessment of the likely significant effects on agricultural land quality. The permanent effect of Transmission Assets on Agricultural Land Quality has been assessed using detailed survey within the areas of the onshore substation sites (see section 6.11.2 of Volume 3: Chapter 6 of the ES (APP-104)).</p> <p>Although the provisional mapping that is quoted for the Fylde Borough Local Plan is helpful in providing an indication of the relative grading of land within an area and for the desk top consideration of potential alternatives. However, it would not be expected that the more detailed survey work, such as that undertaken for Transmission Assets, would show exactly the same distribution of Grade 2 and Grade 3 land as the provisional mapping. This can also be seen in the survey work undertaken by Defra in surrounding sites, where areas of Grade 2 land on the provisional mapping, commonly contain mainly Grade 3a land.</p>
Q2:12.1.5	The applicants	<p>Agricultural Land Classification</p> <p>The conclusion the applicants' provide in their response [REP3-056] to Q12.1.3 of ExQ1 is that "The siting of the onshore substations, where virtually all of the permanent loss of agricultural land would take place, are located on Grade 3 (subgrade 3a) land." The two substations are taking significant areas of agricultural land. How is this compliant with policy 5.11.12 of NPS EN-1?</p>	<p>Volume 1, Chapter 4: Site selection and consideration of alternatives (AS-026) includes a description of the design and/or environmental constraints considered as part of the iterative design process. Volume 1, Annex 4.3 sets out the stages of siting and design iterations for Transmission Assets. In relation to the permanent loss of the best and most versatile land, Table 4.7 (AS-026) contains the BRAG assessment of the Onshore Substations zones. All zones were identified to have intermediate potential to constrain development meaning that the impact to Best and Most Versatile Land could not be avoided. However, the highest quality Grade 1 and Grade 2 land within the definition of best and most versatile land was avoided and</p>

Reference	Question To	ExQ2	Applicants' response
			the detailed survey work undertaken at the onshore substation sites (see Volume 3, Annex 6.2: Agricultural land classification survey results (APP-106)) has identified them to comprise only areas of Subgrade 3a land, which comprises the lowest quality land within the definition of best and most versatile land.
Q2:12.1.6	The applicants	Link boxes The positioning of link boxes was raised at both issue specific hearing 1 and 2 and again by the National Farmers Union. The project is already impacting significantly on farming businesses and the applicants are urged to do more to ensure that these boxes are placed in positions which cause less disruption when farming can resume. Why can the applicants not agree to place them in the edge of fields or, if this is not possible, in a position satisfactory to the landowner?	<p>The Applicants recognise the concerns raised at ISH1 and ISH2, and by the NFU. The Applicants reiterate that it is in their best interest that joint bays and associated link boxes are as close to field boundaries and public roads as practical to facilitate maintenance access and they will be sited in this way wherever possible. However, a commitment is not possible at this stage as siting of the link boxes is subject to technical and safety constraints. This includes consideration of pull-force limits on steep gradients or tight bends, electrical safety calculations for the sheath voltages, and conflicts with existing utilities, drains and other third-party assets. In some sections on the onshore cable corridor, placing a link box on the field edge may result in either technical non-compliance or may introduce further disturbance, rather than reducing impacts.</p> <p>Final design and location of the link boxes will be determined during the detailed design stage post-consent, and where possible, in consultation with landowners. As mentioned in ISH2 (Note 75 of agenda Item 9(c), REP4-104) options such as flush or recess installation, as well as market posts can be considered to minimise disruption to agricultural and business activities.</p>
Q2:12.1.7	The applicants	Open space The imposition of the restrictive covenants means that FBC would be limited in any future plans for the recreation ground. For example, they would not be able to build any changing rooms or amenities or even a playground on the land burdened by the covenant. At present, the proposal appears to infringe both section 132, Planning Act 2008 and also paragraph 96 of the NPPF. Please comment?	<p>The Applicants would refer to S_D5_5.6 which sets out proposed amendments to the restrictive covenants in relation to the Blackpool Road Recreation Ground, in order to ensure that the restrictions are not inconsistent with the use of the land as public open space. These amendments provide that erection of buildings or other works can be undertaken with the consent of the undertaker, insofar as they are reasonably required for recreation purposes.</p>

Reference	Question To	ExQ2	Applicants' response
			As is set out in the aforementioned document, the Applicants maintain that the rights and restrictive covenants sought over plots 04-013, 04-014, 04-015 and 04-016 are capable of satisfying the Section 132(3) test. Paragraph 96 of the NPPF relates to achieving healthy, inclusive and safe spaces – the Transmission Assets do not in any way infringe this policy.
Q2:12.1.8	The applicants	Mona Development Consent Order (DCO) In the discussion over the application of section 132, reference was made to the recent Mona DCO decision, but it is not clear from the recommendation report that this point was actively considered. Please comment?	As part of the decision for the Mona DCO, paragraph 9.6.32 of the Examining Authority's Recommendation Report explicitly noted that that <i>"the restrictive covenants would be entirely compatible with the use of the 4 plots as open space"</i> , when considering these restrictive covenants in light of the Section 132(3) test, and ultimately concluded that <i>"the exemption under s132(3) of PA2008 would be engaged"</i> . The Secretary of State's Decision Letter (paragraph 6.11) for the Mona DCO clearly noted that <i>"In respect of open space, the Secretary of State agrees with the ExA's conclusions that an exemption to special parliamentary procedure is merited in respect of the proposed CA of rights over this land."</i> The Applicants refer to S_D5_5.6 for more detail on this point.
Q2:12.1.9	The applicants	Section 106 Agreement with FBC Details of the proposed section 106 Agreement between the applicants and FBC have been provided [REP4-119]. Paragraph 5.1.1.5. refers to the provisions in the proposed clause 7 which includes a clause that if "the relevant Generation consent is quashed or revoked" then the agreement will be terminated. Building on this, the corollary is there should be a requirement to the same effect in the draft DCO. Please comment?	The Applicants consider that the drafting already included in the draft DCO (REP4-007) at Article 3 is sufficient and robust. It provides that consent for the Transmission Assets is subject to the related Generation Assets DCOs being granted. If a Generation Asset DCO were quashed or revoked after initially being granted, the case would be that it can no longer be considered a granted consent for the purposes of Article 3 and the consent for the related transmission assets would fall away as well. The Applicants note a separate question has been asked regarding updates to this article on the basis of the Morgan Offshore Project Generation Assets Order (the Morgan Generation Order) now being granted. Please refer to the response to DCO Question 1:1.1 which confirms that the wording in Article 3(2) should be retained given the Morgan Generation Order remains subject to the judicial review period. Further, the Applicants and Councils confirmed in their response to the Examining Authority's written question 2.1.6 (REP3-056) that the drafting

Reference	Question To	ExQ2	Applicants' response
			<p>in Article 3 is suitably robust for its purpose. The Applicants therefore do not consider any further amendments are required to Article 3 a.</p> <p>In any event and as previously stated, it would be inconceivable from a commercial perspective for either of the Applicants to proceed with construction of any part of the Transmission Assets without having the ability to construct the respective generation assets, on the basis that the purpose of the transmission assets is to supply the associated generated electricity to the grid.</p>
Q2:12.1.10	The applicants	<p>Section 106 agreement</p> <p>Schedule 4 of the proposed section 106 Agreement [REP4-119] seeks to impose a number of covenants on FBC. The obligations at sub-paragraphs 1, and 3 are understandable but those in 2,4, 5 and 6 require explanation. The proposed construction works result in the possibility of some of these pitches possibly being unavailable for a time. Seeking to impose obligations on the Council to find other pitches (paragraphs 4 and 6) which are the cheapest (paragraph 2) in this context are difficult to understand. The requirement at g(iii) is similarly questionable. Please provide a justification for these clauses?</p>	<p>The Applicants submitted a high level explanatory memorandum to aid the Examining Authority's understanding of the principles that will be covered by the section 106 agreement. The Council has since begun to engage with the Applicants in order to progress negotiation of the specific terms of the section 106 agreement. The Applicants continue to have regard to the timeframes of the examination process and will endeavour to reach agreement with the Council.</p> <p>Please see further clarification on the covenants noted by the Examining Authority:</p> <p>Paragraphs 2 and 6</p> <p>To clarify, there is no covenant that the Council should seek to hire the cheapest or cheaper pitches. Under the Agreement, the Developer would provide funds directly to the Council in advance, for the Council to be able to make block bookings for pitches at available venues which are appropriate for the needs of the football club. It is therefore possible, that the Council would be provided with a higher sum than is needed to mitigate the specific impact of there not being pitches available. It is therefore entirely reasonable that the agreement contains a repayment provision for any unspent sums, as the Council should only use the funds received under the agreement for their specified purpose on the basis that this is specifically provided in order to mitigate impacts of the development. It is not unusual or onerous (and in fact is generally standard practice) for a section 106 agreement to contain such a repayment provision, as set out under paragraph 6.</p> <p>Paragraphs 4, 5 and section 5.1.1.3(g)(iii)</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Paragraph 4 sets out a notification process for ensuring payment can be made to the Council within an appropriate timescale in order to ensure the Council can book pitches for hire within a timeframe that any impact from the Transmission Assets can be appropriately mitigated.</p> <p>The explanatory memorandum to the section 106 agreement (REP4-119) has explained that the laying out of pitches is included as a secondary mechanism to ensure the impact on Blackpool Road Recreation Ground can be mitigated in the event that pitches are unavailable for hire. In response to the Examining Authority's concerns around the wording at 5.1.1.3(g)(iii), it is reasonable that the Applicants would require some evidence that the Councils had sought to hire pitches prior to the triggering of this secondary mechanism, given the increased time and effort that laying out of pitches could take, in comparison to simply booking pitches for hire.</p> <p>The Applicants have submitted the Blackpool Road Recreation Ground – Summary of Provision of Alternative Facilities (S_D5_9) at Deadline 5 to highlight the alternative pitches that may be available to Fylde Borough Council and St Annes Junior Football Club. The Applicants consider the choice of alternative pitch should remain with Fylde Borough Council and the football club, especially since many of the alternative locations are within Fylde Borough Council's control. As noted above, the Applicants and Fylde Borough Council are engaging on the terms of the s106 and will continue to negotiate the precise drafting for alternative provision. Further to the response at Q2:12.1.12, the Applicants are hopeful that progress can be made in the final weeks of examination.</p>
Q2:12.1.11	FBC	Section 106 agreement Please provide your comments on the proposed section 106 Agreement?	<p>The Applicants note this question is for Fylde Borough Council, however, the Applicants would clarify that they are seeking the Council's views with regards to the draft section 106 agreement relating to Blackpool Road Recreation Ground only. The Applicants have received comments from the Council regarding wider community benefits and are engaging on these separately, however it is not the Applicants' intention (nor do the Applicants consider it appropriate in planning terms) that these wider community benefits would be secured by a section 106 agreement.</p>
Q2:12.1.12	The applicants	Timescale for completion	<p>Further to the response to question 12.1.10 above, the Applicants confirm that Fylde Borough Council have now begun engaging with the</p>

Reference	Question To	ExQ2	Applicants' response
		Will this section 106 Agreement be completed during the examination? The relevant commitment 124 [REP4-018] is very limited in effect so provides no comfort. If the agreement is not finalised by the end of October, how is it suggested that the ExA should address this issue in the recommendation report especially as the possible disruption to the use of these pitches has been raised in many representations?	<p>Applicants on the content of the section 106 agreement. The Applicants shared a timetable with the Council which sets out proposed meeting dates, which is aimed at securing swift engagement from all parties. The Applicants are committed to proactively engaging on this matter in order to ensure this can be finalised prior to the close of the examination process.</p> <p>In the event that the section 106 agreement cannot be secured by the end of examination, the Applicants would continue to engage with the Council and Lytham Town Trust with the aim of reaching agreement in the period between close of examination and the Secretary of State's decision. Should agreement be reached, or significant progress made, an update could be submitted and accepted by the Secretary of State as part of any further consultation, in advance of a decision..</p> <p>In the event agreement could not be reached, the Applicants have two routes available to ensure the appropriate mitigation is secured:</p> <ol style="list-style-type: none"> 1. Submit a unilateral undertaking pursuant to section 106 of the Town and Country Planning Act 1990 to the examination; or 2. Provide a without prejudice requirement (following a similar format to that used on the Mona Offshore Wind Farm Order 2025, which used requirement wording to secure a landscape enhancement scheme). Paragraph 4.40 in the Mona Secretary of State's decision letter stated that they were satisfied that the requirement would ensure delivery of the scheme. <p>The Examining Authority can therefore be assured for the purposes of the recommendation report that there are alternative routes forward that can be taken to appropriately secure this mitigation.</p>

2.13 Landscape and visual

Table 2.10: Landscape and visual

Reference	Question To	ExQ2	Applicants' response
Q2:13.1.1	The applicants, Fylde Borough Council and Lancashire County Council	<p>Engagement and statements of common ground</p> <p>The ExA notes the schedule of meetings on landscape and visual matters, as well as green belt matters, set out in [REP4-110]. Subsequently, the ExA looks forward to the receipt of the applicants updated Outline Design Principles and relevant Statements of Common Ground (SoCG by deadline 5 (22 September 2025) as set out in the schedule.</p> <p>The SoCGs should include (as well as matters of agreement) any matters that remain in disagreement between the parties, along with explanation and justification for the positions taken. It should include matters concerning the Landscape and Visual Impact Assessment, outline Landscape Management Plan [REP4-054] and the applicants Green Belt Technical Note [REP4-092].</p>	<p><u><i>Statement of Common Ground</i></u></p> <p>The Applicants acknowledge the ExA's request for updated SoCG documents and confirm that revised versions with Fylde Borough Council (FBC) and Preston City Council (PCC) have been submitted at Deadline 5.</p> <p>As expected by the ExA, the updated SoCGs set out the matters agreed and those that remain in disagreement, supported by appropriate explanation and justification. They address key topics including the Landscape and Visual Impact Assessment (LVIA), Outline Design Principles (oDP), and the Outline Landscape Management Plan (oLMP) and the Green Belt.</p> <p>Between ISH3, Deadline 4 and Deadline 5, the Applicants and local planning authorities have engaged constructively to seek resolution of matters, wherever possible. Where differences remain, the SoCGs clearly identify the specific areas of disagreement, ensuring transparency for the Examination.</p> <p><u><i>Progress on the Outline Design Principles Document</i></u></p> <p>Since Deadline 4, the Applicants and the local planning authorities have met to discuss and develop the oDP (J3/F02) content to support post consent design and design governance, which will be a certified document, should consent be granted.</p> <p>The interim update submitted at Deadline 5 for FBC provides greater clarity on the pre-consent design position and sets out governance arrangements for design post-consent, consistent with the oDP document's role in the discharge of Schedules 2A and 2B of Requirement 4 of the draft Development Consent Order (dDCO) (C1/F07) in relation to substation design.</p> <p>Constructive engagement with face-to-face meetings with FBC – as the authority with responsibility for administering the discharge of</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Requirement 4 – and with LCC between Deadlines 4 and 5 has progressed several issues previously identified by the Councils.</p> <p>While principal areas of disagreement remain under discussion, as recorded within the draft SoCGs submitted at Deadline 5 (S_D1_6.3/F02), the progress achieved demonstrates a shared commitment to narrowing areas of difference and ensuring that the framework for the discharge of Requirement 4 is robust, transparent, and fit for purpose.</p> <p>The Applicants and the Councils are continuing to work towards a finalised version of the oDP, for submission at Deadline 6.</p>
Q2:13.1.2	The applicants	<p>Proposed substations – finished ground levels</p> <p>Paragraph 1.2.5.2 of the applicants' Technical Note: Landscape and Design Matters [REP3-064] includes matters relating to site levels and explains that cut and fill will be necessary to create level platforms, particularly at the sloping Morgan site. Paragraph 1.2.5.3 goes on to explain that the submitted visualisations represent the assessed worst-case scenario and are based on accurately modelled 3D representations and assumed site levels, prepared in accordance with industry best practice.</p> <p>a) On what basis has the assessment of landscape and visual effects been considered in terms of the proposed finished ground levels/substation platforms and explain further what assumptions have made in this regard in the assessments including how these assumptions have been reached?</p> <p>b) Clarify further how the photomontages provided reflect existing and proposed ground levels?</p>	<p>a. The assessment of landscape and visual effects has been undertaken using an understanding of the <i>indicative</i> substation platforms derived from a cut-and-fill exercise, as described in the Applicants' <i>Technical Note: Landscape and Design Matters</i> (REP3-064).</p> <p>For each site, finished ground levels have been calculated to reflect the most likely engineering solution for achieving a level platforms. This is based on an engineering-led exercise to lower the platform height as much as possible to minimise landscape effects, whilst simultaneously seeking to minimise generation of excess spoil from the cut and fill exercise to reduce potential construction traffic movements. The LVIA's supporting visualisations are therefore based on these assumed finished ground levels, which represent a realistic worst-case scenario of the change likely to occur. This approach ensures that the assessment reflects a robust and precautionary scenario, consistent with best practices for Environmental Impact Assessment (EIA) process and the visual presentation of development proposal, as prescribed by the Landscape Institute's <i>Technical Guidance Note: 06/19 Visual Representation of development proposals</i>.</p> <p>b. The cut-and-fill exercise, which sets out the indicative levels for each substation, is included within the updated oDP (J3/F02). This material has been presented at a greater scale in response to the actions arising from ISH3, appended to S_D5_6/F01. The Applicants can confirm that all submitted visualisations are based on accurately modelled three-dimensional terrain and development parameters.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>Existing ground levels were derived from topographic survey data, while proposed finished ground levels have been incorporated in line with the engineering assumptions above. This ensures that the photomontages provide a realistic representation of both the baseline and the post-construction situation, consistent with the Landscape Institute's Technical Guidance Note: 06/19 Visual Representation of development proposals.</p> <p>Additionally, it should be noted that the type of visualisation presented in support of the Applicants' assessment represents the "...<i>design, form and context to a reasonable degree of objectivity and accuracy, one which can be understood and relied on by competent authorities and others.</i>" [emphasis added by the Applicants], as noted in Landscape Institute's Technical Guidance Note: 06/19 Visual Representation of development proposals, paragraph 4.4.3.</p> <p>The Applicants further acknowledge the inherent limitations of visual representations in Section A.1.5 of Volume 3, Annex 10.4: Landscape and Visual Impact Assessment Methodology (APP-127).</p>
Q2:13.1.3	The applicants	<p>Proposed substations – layout and design</p> <p>a) Explain in further detail, how the indicative layout and design of each proposed substation responds to the challenges posed by the existing landscape character and visual baseline?</p> <p>b) What particular design measures, principles and coding can be secured for each substation (for example in terms of the layout and design of each substation) in order to minimise the landscape and visual effects?</p>	<p>a. The Applicants refer the ExA to its response to ExQ2 13.1.4, which outlines how the landscape strategy has been designed to provide a setting that manages the effects of the onshore elements – particularly the substations – by responding to adjacent land uses and the wider landscape character.</p> <p>The Applicants' response provides clarification on how its mitigation strategy is contextually appropriate in scale, form and character, consistent with the established principles of landscape design and in response to the landscape and visual assessment. Further detail beyond that outlined in ExQ2 13.1.4 is not possible at this stage. The DCO application has been submitted on a parameter basis and does not fix the detailed design or final layout of the substations. The parameters set out in the DCO and expressed in the order descriptions and plan (C1/F07) represent the worst-case scenario and it is anticipated that the post consent design process should secure betterment over and above that worst case.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>In discussions with the Councils for the SoCG and refinement of the oDP, the extent of flexibility in the design has been explored in relation to the layout of the operational platform, site levels and siting of equipment/ structures for each substation and the role of the applicants' delivery partners is developing the design. The level of agreement is set out in the SoCG, and updated oDP, including proposed Project Level Design Principles, updated Design Codes and a commitment to submission of a Compliance Report to accompany the Requirements submission. FBC, as the relevant post consent authority, are content that the post consent process will support an appropriate design outcome. The Applicants and their landscape architects consider the Project parameters provide sufficient flexibility to enable appropriate integration, drawing on previous project experience and supported by a structured post-consent design development programme previous experiences with projects of a similar nature. This programme will engage the Council directly and will be overseen by each Applicant's Design Champion. The updated oDP (J3/F02) strengthens this approach by incorporating enhanced wording within the Project-Level Design Principles and Design Codes that directly relate to the wording of Requirement 4 aligned with Requirement 4, thereby establishing a strong foundation for subsequent design development. The flexibility inherent in the project parameters also accommodates technological advances, supply chain considerations, and the expertise of the appointed delivery partner, while ensuring the project remains within the parameters of the MDS. The controlling mechanisms that secure this process, and guide the discharge of requirements by the relevant local planning authority, are detailed in the Applicants' response to part (b) of this question.</p> <p>b. The Applicants confirm that measures to secure the Project Level Design Principles and Design Codes for each substation are secured in the oDP (J3/F02).</p> <p>This document – which will be certified by the Secretary of State under article 42 for the purposes of the DCO – provides a central, clear, and enforceable framework to guide the evolution of detailed design post-consent, in support of the DCO and its requirements.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>The oDP documents the suite of Project Level Design Principles and Design Codes that will guide the detailed design post-consent, ensuring consistency with the parameters, embedded mitigation and commitments assessed in the ES. The principles and codes have been reviewed and updated with the Councils to support the specific aspects of Requirement 4.</p> <p>Specific measures secured through the oDP include the Project Level Design Principles and Design Codes will cover Layout principles, Form and massing, Materials and finishes and Landscape integration. Governance will also be covered, with a commitment (by the Applicants) to ongoing engagement with local planning authorities based on an indicative approach to engagement and programme provided in the oDP will support the design approval process, ensuring that detailed proposals remain consistent with the secured Project Level Design Principles and Design Codes.</p> <p>Through this framework of secured measures, the detailed design process for each substation will seek to integrate with, and minimise effects on, their surroundings context, in so far as reasonably possible acknowledging that, by their nature, the substations represent a form of development that cannot be entirely mitigated within the receiving landscape.</p>
Q2:13.1.4	The applicants	<p>Outline landscape strategy</p> <p>With regard to the areas around the proposed substations (and noting paragraph 2.8 of the submission of Lancashire County Council [AS-082]), can the applicants provide detailed justification of how the proposed landscape strategy reflects existing landscape character? This should include specific examples of how landscaping proposals would reflect existing landscape characteristics.</p>	<p>The Applicants do not agree with LCC's comments made at paragraph 2.8 of AS-082 that the proposed mitigation does not respond appropriately to the existing landscape context.</p> <p>The Applicants acknowledge that, by their nature, the substations represent a form of development that cannot be entirely mitigated within the receiving landscape, however, the Applicants consider that the proposals can be integrated to an appropriate level.</p> <p>The landscape strategy has been guided by the defined objectives of the oLMP (J2/F04), which identifies the integration of new development with existing landscape character. These objectives cascades through Project Level Design Principles and Design Codes (of the oDP, J3/F02) to support of their delivery. The Principles and Codes are then reflected in proposed Compliance Report, prepared by the Applicants which would accompany the Requirement submission.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>The Applicants consider that the reference to 'reflecting existing landscape character' requires the proposed design and embedded mitigation to be contextually responsive. This entails ensuring that the scale, form and materiality of built elements appropriately respond to their setting, while recognising that these will introduce new features into the landscape. In addition, the selection of planting species and the arrangement of planting layouts should be characteristic of the local context and consistent with recognised landscape character guidance.</p> <p>With specific reference to recommendations in the 'Landscape Strategy for Lancashire' (published by LCC in 2000), the Applicants have sought to provide a direct response to guidance, in acknowledgment that the substations will inevitably result in the loss of landscape assets within their extents.</p> <p>The following is identified for the Coastal Plain character area, which encompasses the Fylde Coastal Plain Landscape character area 15d within which the substation sites lie. These elements of guidance are embedded in the updated Design Principles and Code (of the oDP, J3/F02) to support appropriate landscape character response:</p> <ul style="list-style-type: none"> • Conserve distinctive field patterns and related landscape features and landforms: <ul style="list-style-type: none"> – <i>'encourage retention and enhancement of hedgerows and hedgerow trees'</i> – 'initiate programmes of tree planting, particularly on the fringes of settlements and in locations where trees will help to screen infrastructure and other developments' • Conserve remnants of former agricultural habitat mosaics: <ul style="list-style-type: none"> – 'protect and conserve wet and other semi-natural agricultural grasslands' • Enhance the distinctive character and landscape setting of rural settlements <ul style="list-style-type: none"> – 'retain existing field boundaries and use as a framework for new development'

Reference	Question To	ExQ2	Applicants' response
			<ul style="list-style-type: none"> Enhance landscapes associated with major infrastructure developments....: <ul style="list-style-type: none"> 'consider tree planting in areas where it can integrate new development or infrastructure, but take care to avoid mass tree planting in characteristic open landscapes and avoid screening key views' <p>In addition to seeking to reflect guidance, at a detailed level, the Applicants have committed to the use of appropriate native species of local provenance, secured through the oLMP (J2/F04) and the oEMP (J6/F05). This will support the appropriate delivery of ecological and biodiversity enhancements in parallel with visual mitigation, including measures that promote habitat connectivity, support species diversity, and provide a net biodiversity benefit.</p>
Q2:13.1.5	The applicants (a, b, c) Fylde Borough Council and Lancashire County Council (a & c)	Design review process, consultation and engagement <ol style="list-style-type: none"> What is the latest position of the parties regarding the possibility of an independent design review process for the proposed onshore substations? Can the applicants provide suggested dDCO drafting for this in the event that the Secretary of State considers it to be necessary? Bearing in mind the National Infrastructure Commission Design Group's "Design principles guide for national infrastructure" (with specific reference to "people" and "places", detail the measures that would be taken and secured to ensure that there would be meaningful community and interest group engagement and involvement in the ongoing substation and substation landscaping design process? Is additional drafting needed to secure this? 	<p>c. The Applicants are committed to continued engagement with FBC as part of the post-consent design process. The interim oDP (J3/F02) updated at Deadline 5, prepared in consultation with FBC and LCC, establishes governance protocols and processes to support FBC in discharging Requirement 4 of Schedules 2A and 2B (of the dDCO, C1/F07) in relation to substation design with an indicative approach to a design development programme, enhanced Project Level Design Principles and Design Codes – see Section 6 of the oDP. Furthermore, the oDP will be a certified document secured through requirement 4 of the draft DCO.</p> <p>On this basis, and reflecting FBC's position recorded in its Deadline 4 submission, a formal independent design review (IDR) has not been considered necessary by FBC or the Applicants. FBC maintain their position that should an IDR be considered appropriate, this will be agreed with the Applicants following the grant of consent and subject to further discussions, and should not be imposed on the Council. FBC consider the commitment of the Applicants to Design Champions to be material to their approach and to permit the approach with engagement with stakeholders to be determined by the council in consultation with the Applicants.</p> <p>d. If the Secretary of State (SoS) considers it necessary to secure an IDR through a specific requirement in the dDCO, there is a</p>

Reference	Question To	ExQ2	Applicants' response
			<p>reasonable precedent in requirement 10(5)(b) of the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024, in relation to onshore substation works.</p> <p>e. The Applicants confirm that their design governance framework (via the oDP (J3/F02), oLMP (J2/F04), and other secured mechanisms) is consistent with the National Infrastructure Commission's <i>Design Principles for National Infrastructure</i>.</p> <p>Engagement with FBC, as the host authority for the substations, will continue through the post-consent design process, with FBC acting as the discharging authority. FBC have yet to define the nature and extent of any community and stakeholder engagement post consent and in support of Requirement discharge process which is outlined in Section 6.0 of the oDP. FBC are considering how any stakeholder engagement will be structured and what elements of the proposals, will be subject to consultation in agreement with the Applicants, which will not be defined prior to DCO consent. The Applicants note that such consultation should be properly founded on the acknowledgement that the principal of development and the role of the Project Level Design Principles and Design Codes, along with the proposed approach to compliance reporting detailed in the updated oDP, is defined in the DCO.</p>
Q2:13.1.6	The applicants	<p>Proposed substations – layout and landscaping</p> <p>The proposed Morecambe substation may use either air insulated switchgear (AIS) or gas insulated switchgear (GIS) designs. At ISH2 the applicants explained that an AIS substation footprint is generally larger than a GIS substation footprint.</p> <p>a) Therefore, it is assumed that there would be a difference between the substation platform area needed for the Morecambe substation works, dependent on which design option is taken forward. Is this correct?</p>	<p>f. It is correct that generally, but not always, an AIS option would require a larger footprint than a GIS option at the Morecambe substation site. However, consistent with the Rochdale Envelope approach, the Works Plans accommodate both scenarios without the need to allow for the extension of the defined footprint.</p> <p>g. The oLMP (J2/F04) has been prepared based on the MDS, ensuring a precautionary approach. Should the GIS option be selected, or as may be relevant the final AIS option develops, the development platform area may be reduced / plan shape alter and would be confirmed post-consent once the Applicants' delivery partner/s are appointed. The proposed planting and earthworks strategy would remain consistent regardless of the technology employed with further optimisation/enhancement secured in the light of any development</p>

Reference	Question To	ExQ2	Applicants' response
		<p>b) If the substation platform areas differ between the two design options, what implications would this have for the proposed landscape design for this substation, bearing in mind the landscape strategy plan in Figure 1.3 of the Outline Landscape Management Plan [REP4-054].</p> <p>c) How would this relate to the proposed works plans which differentiate between Work No. 21B (Morecambe onshore substation works) and Work No. 20B (Morecambe onshore substation environmental mitigation works)?</p>	<p>platform alterations. The spatial extents of the proposed development platform are shown on the Works Plans (B12/F03).</p> <p>h. The works for each substation are reflected in the Works Plans, with Work No. 21B defining operational substation works and Work No. 20B securing associated environmental mitigation works. This ensures that, irrespective of the technology option progressed, appropriate landscape mitigation will be implemented. The works description for No.21B includes provision for environmental mitigation, and as a result, should additional landscape planting be required post consent, it can be included within that works plan area.</p>
Q2:13.1.7	The applicants	<p>Existing hedgerows</p> <p>The Tree Preservation Order and Hedgerow Plan [APP-165, APP-166 and APP-167] shows those hedgerows and important hedgerows affected by the proposed works. Article 35 of the draft DCO [REP4-007] allows for the removal of any hedgerow within the Order limits including those specified in Schedules 11A and 11B.</p> <p>a) Explain the rational for the identification of those hedgerows and important hedgerows shown within the Tree Preservation Order and Hedgerow Plan. Does it simply show all existing hedgerows within the Order limits?</p> <p>b) Explain what measures would be in place through the draft DCO to ensure that the removal of and works to hedgerows is/are minimised.</p> <p>c) For example, in the case of the hedgerows shown on northwest boundary of Blackpool Road Recreation Ground (MGMC_2, 3, 4 and 5), given their location at the boundary of the recreation ground, presumably the proposed construction works should be able to be designed and carried out in such a way to</p>	<p>A) As noted in section 1.9.3 of Volume 3, Annex 10.5: Tree survey and arboricultural impact assessment Parts 1 and 2 (APP-128 and APP-129), important hedgerows have been defined in line with the Hedgerows Regulations 1997. Specifically, Schedule 1 'Additional criteria for determining important hedgerows. The plans in APP-128 and APP-129 as well as those presented in B18 Tree Preservation Order and Hedgerow Plan parts 1 to 3 (APP-165, APP-166 and APP-167) do distinguish between hedgerows and important hedgerows as set out in the legend of each plan. The trees and hedgerows which have been identified are situated within construction accesses or within the cable corridors and therefore not all existing hedgerows within the Order Limits.</p> <p>B) Section 1.6.3 of the Outline Ecological Management Plan has been updated at Deadline 5 (J6/F05) to provide further clarity of the measures that would be in place to ensure the removal of and works to hedgerows are minimised. The measures include but are not limited to:</p> <ul style="list-style-type: none"> All hedgerows and trees retained within, or on the boundary of, the construction work areas will be appropriately protected from damage during the construction works. A theoretical root protection area (RPA) is to be calculated, to ensure hedgerows and associated trees are not harmed by development activities

Reference	Question To	ExQ2	Applicants' response
		protect these hedgerows? If so, why are they shown for potential removal?	<ul style="list-style-type: none"> Ensuring that all hedgerow removal works will comply with 'BS 5937:2012 Trees in relation to design, demolition and construction – Recommendations' Where hedgerow removal is proposed, works will be undertaken under ecological supervision. <p>C. The Tree Preservation Order and Hedgerow Plan (B18/F02) identifies all the trees and hedgerows which may need to be removed in order to construct the onshore elements of the Project. MGMC_2 has been identified as potentially needing removal due to the access required from Leach Lane to Works No 51A51B. MGMC_3, 4 and 5 have also been identified as it is not yet known the extent of the root protection zone of the hedgerows. During the detailed design phase, post consent, the Applicants will endeavour to avoid trees and hedgerows through micro-siting of the onshore export cable corridor and 400 kV grid connection cable corridor where reasonably practicable.</p>
Q2:13.1.8	The applicants	<p>Early planting of landscape works</p> <p>At Deadline (D) 4 the applicants committed to updating the outline Landscape Management Plan at D5 following engagement with FBC and LCC, including with regard to opportunities for early planting of landscape works.</p> <p>Can the applicants explain why it is not necessary to commit to the undertaking of any early landscape works given the apparent advantages that might be secured by the early establishment of planting? Could this be reconsidered in instances where early planting is feasible and advantageous, particularly in relation to mitigating the visual and landscape character effects of the proposed substations?</p>	<p>The Applicants acknowledge the ExA's query regarding early planting and its potential benefits.</p> <p>It is important to note that the assessment of landscape and visual impacts does not depend upon advanced planting. At this stage, commitments to early planting have not been made due to uncertainties in land availability, construction sequencing, and timing of access prior to commencement of works. However, the Applicants remain open to exploring opportunities for early planting where feasible and as part of pre-consent and post-consent discussions with the appropriate local planning authorities where those opportunities are identified.</p>

2.14 Noise and Vibration

Table 2.11: Noise and Vibration

Reference	Question To	ExQ2	Applicants' response
Q2:14.1.1	Fylde Borough Council (FBC)	<p>Operational Noise Management</p> <p>Paragraph 1.8.7.7 of the Outline Code of Construction Practice [REP4-027] has been updated. It is noted that Operational Noise Management Plan(s) for the substation(s) are no longer proposed. CoT80 has also been updated, and limits and monitoring are now secured via the Requirement 18 (Control of noise during operational stage) of the DCO Schedules 2A & 2B.</p> <p>Please comment on this change. Do you consider that Operational Noise Management Plan(s) for the substation(s) might still be required.</p>	<p>The Applicants have agreed to incorporate proactive noise management at the onshore substations and proposed a further update to Requirement 18 within the Deadline 5 submission of the dDCO (C1/F07)) that includes the requirement to produce a scheme for the management and monitoring of noise during operation, that must be submitted to and approved by the relevant planning authority.</p> <p>This update was presented to FBC's noise consultant on Monday 15th September at a SoCG meeting and was confirmed verbally to be acceptable.</p>
Q2:14.1.2	The applicants	<p>Notice periods</p> <p>Paragraph 1.4 of the Outline Communications Plan [REP4-029] outlines the communications plan framework, however no specific defined notice periods are described. Can the applicants clarify what mechanisms will be used to notify residents of noisy works, especially outside of the normal working hours. How is this going to be enforced? How are minimum notice periods going to be defined?</p>	<p>In line with the dDCO Requirements – Project A – Requirement 8, the Applicants cannot commence works until a Code of Construction Practice (CoCP) has been submitted to and approved by the relevant local planning authority following consultation with appropriate stakeholders. Integral to the approval of the CoCP a Communications Plan must also be produced following the commitments made in the Outline Communications Plan [REP4-029].</p> <p>The period to notify local residents of upcoming works will be defined during this approval process as a post DCO activity. It is anticipated that local residents will be contacted in writing to inform them about the extent and duration of the works and any works being proposed outside of normal working hours. The Applicants state in the Outline Communications Plan how the Communications plan annexed to the CoCP will be produced <i>“The above is a minimum expectation, and the projects will draw upon best practice and engagement with relevant stakeholders to provide a robust detailed communications plan, that satisfies local community and business needs in addition to wider relevant stakeholder requirements.”</i></p>

Reference	Question To	ExQ2	Applicants' response
			<p>The CoCP will be a certified document that must be adhered to as part of the DCO approval, the process being that the outline document is approved and certified through the DCO with final CoCP being produced in conjunction with the local planning authority and other stakeholders prior to the commencement of the authorised development. The CoCP if approved by the LPA is a controlling document with measures that the Applicants and their contractors are required to follow as they affect the environment, amenity, residents, businesses and the general public in the vicinity of the application. The controls and provisions contained in the CoCP are then included within the Applicants' works contracts making them enforceable as the works have to be delivered in compliance with terms of the contract and CoCP, which will have the Communications Plan and its requirements included as an appendix.</p>
Q2:14.1.3	The applicants (a), FBC (b)	<p>Complaints procedure</p> <p>Noting the updates to the Outline construction noise and vibration management plan [REP4-033].</p> <p>a) Please describe the complaints procedure for noise issues during construction, including response times and escalation protocols.</p> <p>b) Do you consider proposed mitigation and control measures in the plan to be adequately defined?</p>	<p>a) The Applicants confirm that the detailed procedures for addressing noise and vibration issues during the construction phase will be developed post consent . These detailed procedures will be incorporated into the Detailed Construction Noise and Vibration Management Plan, which is based on the outline construction noise and vibration management plan (REP4-032) (see CoT79 in Environmental Statement Volume 1 Annex 5.3: Commitments Register (REP4-018) this will be secured by Schedules 2A&2b, Requirement 8 of the draft DCO (REP4-007) and will require approval by the relevant planning authority following consultation with relevant stakeholders.</p> <p>These procedures will be informed by best practice guidance, including the Association of Noise Consultants 'Construction Noise - A good practice guide to the preparation, submission and management of Section 61 consents - Technical Note' (March 2021). These procedures will include the following:</p> <ol style="list-style-type: none"> 1. Chain of command for complaints received 2. Response times to initial complaints.

Reference	Question To	ExQ2	Applicants' response
			<ol style="list-style-type: none"> Recording of complaints and details (e.g. name, address, contact phone number, date and time of complaint, method of notification, type of complaint, details of complaint, summary of any previous or related complaints) Investigation of complaints and any resulting actions (e.g. mitigation measures, monitoring, modified work practices) Method of keeping complainant informed of progress of resolving complaint. Process for escalation should complainant not be satisfied on outcome of investigation. Any regular reporting of complaints received to relevant local authority.
Q2:14.1.4	The applicants	<p>Construction working hours</p> <p>Noting the updated Outline construction noise and vibration management plan [REP4-033] a gap remains with a request made by Fylde Borough Council for standard hours of 08:00–18:00 weekdays and 08:00–13:00 Saturdays, with no work on Sundays or Bank Holidays.</p> <p>Provide justification for not fully aligning with Fylde Borough Council's standard construction hours, particularly in residential areas.</p> <p>Have you considered receptor specific working hour restrictions?</p>	<p>The Applicants do not propose to fully align with Fylde Borough Council's requested hours. The Applicants considered feedback from the relevant planning authorities and greatly reduced Saturday working hours at Deadline 4. Further shortening of the working hours disproportionately reduces the productive on-site working time once CDM-required mobilisation, health and safety briefings, mandated breaks and demobilisation are accounted for. Retaining 07:00 – 19:00 core working hours allows for efficient delivery and shortens the active construction period at any one location, thereby limiting the duration of local disturbance. These hours are consistent with comparable DCO decisions, including Awel y Môr and Hornsea 4.</p> <p>To protect residential amenity, the Outline Construction Noise and Vibration Management Plan (REP4-033) was updated at Deadline 4 to secure noise control mitigation measures and noise limits on mobilisation activities undertaken during the start-up (06:00 to 07:00) and during the shutdown (19:00 to 20:00). Noise monitoring will also be undertaken during the construction works at noise sensitive receptors (including mobilisation) in accordance with the final Construction Noise and Vibration Management Plan. The Applicants have also committed to Best Practicable Means (as defined in Section 72 of the Control of Pollution Act 1974 and Section 79 of the Environmental Protection Act 1990,</p>

Reference	Question To	ExQ2	Applicants' response
			<p>CoT88) to ensure that noise levels are minimised within all reasonably foreseeable circumstances. For the construction phase, these have been detailed out in the Outline Code of Construction Practice (REP4-026).</p> <p>Given the secured controls, the Applicants do not consider receptor-specific working hour restrictions necessary, as such restrictions would risk prolonging works and increasing overall disturbance without delivering additional substantive benefit.</p>
Q2:14.1.5	The applicants	<p>Impact on animals during construction</p> <p>How has impact of construction noise on wildlife, livestock (cattle and sheep), and horses been assessed? What specific measures are going to be implemented to mitigate impact on animals during construction?</p>	<p>The Applicants confirm that the assessment of construction noise impacts on ecological receptors have been reported in Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075).</p> <p>The Applicants have also assessed construction noise impacts at Wrea Green Equitation Centre and Quaker Wood Stables (see section 8.11.4 of Volume 3, Chapter 8: Noise and vibration (APP-117), which were identified as locations where horse riding would take place during the daytime. These impacts were derived using the same noise level criteria applied to all other receptors considered in the ES, set out in Table 8.16 of ES Volume 3, Chapter 8 Noise and Vibration (APP-117), and applying an increased sensitivity due to the 'fight and flight' nature of horses.</p> <p>However, further to the impact assessment reported in APP-117 and based on representations made during the Examination to date, the Applicants have commenced a study in which the risk of noise impacts from the Transmission Assets on equestrian receptors will be identified, which will be used to inform specific noise mitigation at these receptors during construction. The Applicants will submit the outcome of this study at Deadline 6 and provide any further necessary updates to the relevant outline management plans.</p> <p>Livestock were not identified as receptors sensitive to construction noise and vibration at the pre-application or scoping stage and therefore impacts on these were not assessed or reported in the ES. The Applicants refer to their response to REP3-101.8 (REP4-094), which includes reference to available research on noise and livestock, how this relates to construction noise levels limits proposed for the Transmission Assets and the range of mitigation measures which may be considered to reduce noise impacts on both livestock and horses.</p>

Reference	Question To	ExQ2	Applicants' response

2.15 Socio-economic Effects

Table 2.12: Socio- economic effects

Reference	Question To	ExQ2	Applicants' response
Q2.15.1.1	The applicants	Outline Employment and Skills Plan (OESP) The latest Statement of Reasons [REP4-017] still refers to the Employment and Skills Plan (OESP) [REP4-076] merely being consulted with the Councils at paragraph 1.5.1.21. Please update as it is suggested that it needs to be consulted with "the relevant authorities" as defined and then approved by whoever they determine (Lancashire as currently drafted in Requirement 19 of the draft Development Consent Order [REP4-007]).	The Applicants note that there is a hearing action point on the Councils to inform the Applicants who will be the discharging authority. The Applicants will consider the proposal from the councils and update the Statement of Reasons once the Councils have provided this information. The Applicants will update the draft Development Consent Order accordingly .
Q2.15.1.2	Blackpool Borough Council (BBC) and Fylde Borough Council (FBC)	Approving authority Please provide an update on discussions between the Councils as to which one will be the single approving authority for the OESP under Requirement 19 of the dDCO [REP4-007].	The Applicants note Q2.15.1.2 is directed towards Blackpool Borough Council (BBC) and Fylde Borough Council (FBC) and shall not be responding.
Q2.15.1.3	The applicants	Number of jobs The OESP [REP4-076] only provides 250 jobs. By comparison, it was estimated that the Mona windfarm project would deliver 2500 posts. Why is there such a significant difference?	The OESP (REP-076) does not provide a jobs figure. The Applicants consider the ExA may be referring to the following: <ul style="list-style-type: none"> Volume 4, Chapter 2: Socio-economics (APP-141) and Volume 4, Annex 2.1: Socio-economics technical report (APP-141) set out a local figure of 260 FTE jobs during construction associated with onshore works only. The Applicants understand this to be the '250 jobs' figure quoted by the ExA in this question. Volume 8, Annex 3.1: Socio-economics technical impact report of the Mona Offshore Wind Farm ES set out a series of figures for both offshore and onshore impacts at the national level (UK) during both the construction and operation and maintenance phase. These 'whole project' figures collectively sum to 2,515 FTE jobs per annum – the Applicants understand this to be the source of the '2,500 posts' figure quoted by the ExA in this question.

Reference	Question To	ExQ2	Applicants' response
			<p>There are a series of points to make on comparing the Transmission Assets with the Mona Offshore Wind Farm:</p> <ol style="list-style-type: none"> For the avoidance of doubt, the Mona Offshore Wind Farm assessment considers multiple offshore generation assets (turbines, blades, towers, foundations, offshore substations). These are not considered within the Transmission Assets assessment, because they are generation assets. This will inherently lead to a difference in the job estimates assessed between the two projects when compared directly. The figures compared here seem to relate to two different geographies – one local (Transmission Assets), the other national (Mona). The Mona figures compared here seem to apply to both onshore and offshore impacts, whereas the Transmission Assets figures seem to apply to onshore impacts only. The Mona figures therefore include offshore impacts associated with construction of turbines, blades, towers, foundations, offshore substations, offshore export cables etc, which are not included in the Transmission Assets figures quoted. The Mona figures compared here seem to apply to both construction and operation phase impacts, whereas the Transmission Assets figures seem to apply to construction phase impacts only. <p>The equivalent local figure for comparison with Mona is 70 FTE total jobs (Table 1.6, Volume 8, Annex 3.1: Socio-economics technical impact report of the Mona Offshore Wind Farm ES) during onshore construction works. This demonstrates that the offshore wind supply chain profile of North West England is expected to retain higher levels of economic benefits associated with the Transmission Assets' onshore works (260 FTE jobs) compared to North Wales and the Mona project (70 FTE jobs).</p> <p>Due to the combined nature of the Transmission Assets project, a comparable UK impact estimate would require the addition of both the Morgan Generation and Morecambe Generation projects. On a technical basis, this would not be a sound approach given the likely differences between technical impact methodologies applied within the separate Morgan Generation and Morecambe Generation assessments.</p>

Reference	Question To	ExQ2	Applicants' response
			The final detailed Employment and Skills Plans that will be prepared post-consent for each of the Morgan Offshore Wind Farm and Morecambe Offshore Wind Farms and will cover both offshore and onshore assets, and construction and operation and maintenance phases, ensuring the local beneficial economic impacts of each project will be enhanced.
Q2.15.1.4	The applicants	Tourism The local tourism report was expected at deadline 4 (D4) as discussed at ISH2 and mentioned at Action Point 41 [EV7-018] but this is yet to be available as explained in the applicants' response to action points [REP4-108]. The suggestion is that it will be produced by deadline 5 (22 September 2025) and therefore just 5 weeks before the close of the examination. This has been an issue from the outset of the examination and mentioned at issue specific hearing 1 and question 5.1.13 from ExQ1. In the reply from the applicants [REP3-056] it was confirmed that "in response to the request for a more localised consideration of potential tourism effects, the Applicants will prepare a note on this for submission at Deadline 4". Why has this not been possible?	<p>The Applicants recognise the benefits of submitting new or updated information into the Examination at the earliest opportunity. The Applicants considered in this case it would be better to consult with the relevant local authorities on the proposed approach to the local tourism assessment before it was submitted such that any comments could be taken into account and minimise the need for these to be submitted at a later examination deadline.</p> <p>The Applicants have since spent time preparing and consulting on the proposed approach to the assessment, with the final assessment (including a summary of the consultation undertaken) now submitted at D5 (S_D5_8).</p> <p>The Applicants consider there remains adequate time in the Examination for the assessment to be considered by the ExA, either at the upcoming issue specific hearings on 7/8 October 2025 or to request comments from relevant interested parties by Deadline 6.</p>
Q2.15.1.5	The applicants	NPS-EN1 In their reply [REP3-056] to Q5.1.13 from ExQ1 the applicants referred to paragraph 5.13.2 of NPS-EN1 which provides that "Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES'. The applicants responded to this by saying "In line with this requirement, it is appropriate to undertake either a local or regional visitor economy assessment. Since the anticipated effects are diffuse and not solely concentrated within a	<p>The Applicants have set out in detail within the D4 submission Response to Examining Authority's Written Questions (ExQ1) (REP3-056) why they are confident the assessment of potential tourism effects as presented in Volume 4, Chapter 2: Socio-economics (APP-141) should be considered appropriate within the context of NPS-EN1.</p> <p>In preparation of Volume 4, Chapter 2: Socio-economics (APP-141), the Applicants have concluded that the anticipated effects on tourism are diffused and not concentrated within a confined local area. Tourism is not typically confined to local administrative boundaries. Rather, it operates across a wider geographical area. Visitors are likely to travel between multiple destinations spread across regions, use transport infrastructure that serves a regional population, and contribute to a broad economy.</p>

Reference	Question To	ExQ2	Applicants' response
		<p>single local authority, a regional assessment has been undertaken within section 2.11 and 2.12 of APP-141.”</p> <p>It is difficult to understand how the applicants have drawn this conclusion in the context of NPS EN-1 paragraph 5.13.2. It is not clear that the applicants have complied with this policy requirement as there is no suggestion in the wording of policy 5.13.2 that it is open for an applicant to choose either a local or regional analysis. Please explain and justify this approach?</p>	<p>Visitors are able to choose accommodation, attractions, and services that are distributed across areas, and the economic benefits – including employment and supply chain activity – are similarly dispersed.</p> <p>Given this spatial pattern, the Applicants are confident in maintaining that a regional assessment is both proportionate and methodologically appropriate.</p> <p>In preparation of Annex 5.10 to the Applicants response to Hearing Action Points: ISH1 52 (REP1-046), the Applicants included a literature review of evidence regarding the interactions previously observed between offshore wind projects and tourism. This literature review found no evidence to suggest a material relationship between offshore wind projects (including associated onshore infrastructure) and tourism. It has previously been noted via submission <i>Applicants' Response to Examining Authority's Written Questions (ExQ1)</i> (REP3-056) that Fylde Borough Council and Blackpool Borough Council were requested to “Provide evidence of where projects of this kind have had an impact on the tourism economy” via Hearing Action Point 53 under Agenda Item 6(i) of the Issue Specific Hearing 1. It is the Applicants' understanding that no such evidence has yet been provided.</p> <p>Moreover, the approach adopted within the Transmission Assets application is supported by the recent Examining Authority's Report of Findings and Conclusions with respect to the Mona Offshore Wind Farm. That assessment followed comparable approach to assessing socio-economic (and tourism) effects, and the ExA concluded (6.3.33):</p> <p><i>“Overall, the ExA considers that the Applicant's assessment considered all relevant socio-economic impacts, including on jobs, training, local services, tourism and local population dynamics. In doing so, the Applicant has demonstrated how it engaged with relevant local authorities and other stakeholders during the Pre-Application stage to inform the assessment of local and regional effects. The assessment has considered existing socio-economic conditions, local planning policies and linkages with other potential impacts. The ExA is therefore satisfied that the Applicant has adequately assessed the socio-economic impacts of the Proposed Development, both on its own and cumulatively, as required by paras 5.13.2 to 5.13.6 of NPS EN-1.”</i></p>

Reference	Question To	ExQ2	Applicants' response
			<p>The Mona Offshore Wind Farm recommendation and decision is relevant to the Transmission Assets application in the following ways:</p> <ul style="list-style-type: none"> • Mona recommendation report was issued in July 2025 i.e. during the course of the Transmission Assets examination. • Mona application included assessment of onshore matters, including tourism. • Mona onshore transmission assets have a grid connection point approximately 80 miles from the Transmission Assets grid connection point at Penwortham, which makes it the closest (geographically) available comparator project. <p>During the examination process, Interested Parties have expressed concerns regarding the approach taken. To ensure these concerns are accommodated within the Transmission Assets application, the Applicants have prepared a Local Tourism Assessment for submission at Deadline 5 (S_D5_8).</p>
Q2.15.1.6	The applicants	<p>Position of Councils</p> <p>Fylde emphasised their concerns in their reply to question 15.1.4 of ExQ1 [REP3-082] and as mentioned at issue specific hearing 2, there has still been no detailed assessment on the effects of tourism in the local area. The applicants' response at D4 [REP4-097] to the submission from FBC referred to above highlights the emphasis that the updated report will have. It does appear to be close to an acknowledgement that the initial submission [APP-141] was deficient in this respect.</p> <p>Do the applicants now accept that it was extremely difficult for the Councils to provide a considered comment to the original report which provided such a broad analysis?</p>	<p>No stakeholder representations at scoping or PEIR stage were provided which expressed disagreement with the Applicants' preparation of an assessment based on regional impacts on tourism.</p> <p>During the examination process, Interested Parties have expressed concerns regarding the regional approach taken. To ensure these concerns are accommodated within the Transmission Assets application, the Applicants have prepared a Local Tourism Assessment for submission at Deadline 5 (S_D5_8).</p> <p>This should not be taken as an acknowledgement that the initial submission was deficient – it is a positive response by the Applicants in response to concerns expressed by Interested Parties.</p>
Q2.15.1.7	The applicants	<p>Planning assessment</p> <p>This omission of a local analysis does cast doubt on the assessment made in the socio-economic chapter</p>	<p>The Applicants has prepared a Local Tourism Assessment for submission at Deadline 5 (S_D5_8). This submission supports the original conclusion that effects on tourism are negligible.</p>

Reference	Question To	ExQ2	Applicants' response
		at paragraph 2.12.6. [APP-141] that the effects on tourism are “negligible” since the assessment has been taken across such a wide area which has influenced the findings. Please comment?	
Q2.15.1.8	FBC and BBC	Councils' further comments Both Councils made further representations at D4 but at that stage, there was an expectation that a detailed report on the impacts at a local level on the tourist trade would be provided. This has not occurred. Do the councils wish to add anything further notwithstanding that no further evidence has been provided by the applicants?	The Applicants note Q2.15.1.8 is directed towards FBC and BBC and shall not be responding.

2.16 Transport and traffic

Table 2.13: Transport and traffic

Reference	Question To	ExQ2	Applicants' response
Q2.16.1.1	The applicants, BBC, FBC	<p>Draft Development Consent Order (dDCO), Article 14 Access to Works and Schedules 6A and 6B</p> <p>Given the proposed limited use of the Starr Gate access as set out in paragraphs 1.12.6.1 to 1.12.6.5 of [REP4-056] should the full provisions of Article 14 of [REP4-007] apply? Is Starr Gate the responsibility of BBC as highway authority or FBC as indicated by Schedules 6A and 6B of [REP4-007]?</p>	<p>The Applicants have removed Starr Gate from Schedules 6A and 6B to clarify that the powers at Article 14(1)(a) and 14(2)(a) do not apply in that location. The Applicants note that the powers under Article 14(1)(b) and 14(2)(b) could only be exercised with the consent of the highway authority which is Blackpool Borough Council with regards to the Starr Gate access.</p> <p>To clarify, column 1 of Schedules 6A and 6B does not identify the highway authority but the local authority area within which each access is located as is standard drafting practice for DCOs.</p>
Q2.16.1.2	The applicants, LCC, BBC, NE	<p>dDCO, Requirement 10 Highway accesses</p> <p>Should the Highway Access Management Plan (HAMP) be approved directly by the relevant highway authority in the same way as the Construction Traffic Management Plan (CTMP) (Requirement 9) rather than by “the relevant planning authority in consultation with the relevant highway authority” as stated in the latest version of the dDCO [REP4-007]?</p>	<p>The Applicants confirm that this was the original intention of the drafting and have updated the draft DCO (C1/F07) at Deadline 5 to reflect that approval of the Highway Access Management Plan will be subject to the approval of the relevant highway authority.</p>
Q2.16.1.3	The applicants	<p>Construction Traffic Management Co-ordinator (CTMCo)</p> <p>The ExA notes the more proactive responsibilities assigned to the CTMCo role in the latest version of the Outline Construction Traffic Management Plan (OCTMP), paragraph 1.2.3.1 [REP4-056]. However:</p> <p>a) Should the list of responsibilities also include the setting up (and charring?) of the Transport Working Group?</p>	<p>The Applicants respond as follows:</p> <p>a) The Applicants agree that establishment of the Transport Working Group (TWG) would be a responsibility of the CTMPCo as outlined in section 1.14 of the outline Construction Traffic Management Plan (oCTMP) (REP4-056). The Applicants agree that this role can also be explicitly listed at paragraph 1.2.3.1 of the oCTMP and have updated the oCTMP (J5/F04) at Deadline 5. In regard to the chairing of the TWG the Applicants would not generally expect that this is a role that would be undertaken by the CTMPCo but would suggest that the role would be better chaired by the relevant highway authorities who would be better placed to</p>

Reference	Question To	ExQ2	Applicants' response
		b) Why is there no reference to the CTMCo role in the latest versions of the Outline Communications Plan [REP4-028], Outline Dust Management Plan [REP4-030] and Outline Construction Noise and Vibration Management Plan [REP4-032] where in each case it would seem to have a crucial part to play?	<p>edict engagement from other developers. The CTMPCo could however provide any necessary support as required, e.g. secretariat support.</p> <p>b) The Applicants have updated (at Deadline 5) the Outline Communications Plan (J1.1/F04), Outline Dust Management Plan (J1.2/F03) and Outline Construction Noise and Vibration Management Plan (J1.3/F03) to include a reference to the CTMPCo.</p>
Q2.16.1.4	The applicants	<p>Timing of Heavy Goods Vehicle (HGV) movements</p> <p>Will the change in core working hours from 07.00 to 19.00 to 07.00 to 13.00 on Saturdays (paragraph 1.4.3.1, OCTMP [REP4-056]) increase project duration or increase daily traffic movements beyond the maximum at accesses?</p>	Volume 3, Annex 7.5: Construction trip generation assumptions (APP-115) contains the traffic derivation that has informed the traffic and transport maximum design scenario which in turn, has informed the environmental impact assessment contained in Volume 3, Chapter 7: Traffic and transport (APP-108). With reference to APP-115, PDF page 45 to page 76 (Morgan monthly vehicle movements) and page 115 to page 146 (Morecambe monthly vehicle movements) it can be noted that the basis for the daily traffic derivation was a 22 day month (equating to a 5.5 day week). Therefore, it is noted there would be no change to the intensity or duration of daily traffic as a result of the proposed changes to Saturday working and therefore, the conclusions of the traffic and transport impact assessment remain valid.
Q2.16.1.5	LCC	<p>Timing of Heavy Goods Vehicle (HGV) movements</p> <p>Is LCC content:</p> <p>a) That the revised wording of the OCTMP paragraphs 1.4.3.1 to 1.4.3.4 of [REP4-056] provides adequate control over the timing of HGVs travelling to site and prevents parking/ queuing on the public highway?</p> <p>b) With the list of potential HGV parking locations in table 1.1 of [REP4-056]?</p>	n/a
Q2.16.1.6	LCC	Links requiring HGV mitigation	n/a

Reference	Question To	ExQ2	Applicants' response
		Is LCC content that the applicants have identified all the proposed links that potentially require mitigation measures for the safe passage of HGVs in section 1.10 of the OCTMP [REP4-056]? If not, which links have been omitted?	
Q2.16.1.7	The applicants	HGV Mitigation Measures Should paragraph 1.10.1.2 of the latest OCTMP [REP4-056] refer to section 1.10.2 not paragraph 1.10.1.4?	The Applicants confirm that paragraph 1.10.1.2 of the oCTMP (REP4-056) should have referred to section 1.10.2 not paragraph 1.10.1.4 and have made this minor correct to the oCTMP (J5/F04) at Deadline 5.
Q2.16.1.8	LCC	HGV Mitigation Measures Is LCC content that the issues on all links can be addressed in principle by the measures proposed by the applicants in paragraphs 1.10.2.1 and 1.10.2.2 and section 1.11 of the OCTMP [REP4-056]? If not, what further measures are required?	The Applicants note these two questions are directed to LCC but consider it is useful to provide an update upon recent discussions for the benefit of the ExA. The Applicants response to Q2.16.1.10 below outlines that a detailed technical note and supporting plans were submitted to LCC following Deadline 4. The note contains documented details of a site survey of the width of the carriageway measured at regular intervals and the width of the highway envelope has been captured, i.e. carriageway + verges (within which widening or oversail can be accommodated).
Q2.16.1.9	LCC	HGV Mitigation Measures Is LCC satisfied with the proposed process for agreeing, implementing and monitoring measures to address issues on the links set out in table 3-1 of [REP4-113] and paragraphs 1.10.2.3 to 1.10.2.8 of the OCTMP [REP4-056]?	<p>A meeting was held on the 18 September 2025 to discuss this note and agree a series of bi-weekly workshops with LCC with the aim of trying to agree link by link specific mitigation strategies. The Applicants are hopeful that this level of dialog will allow the parties to work collaboratively to agree where mitigation is required and the acceptability of mitigation proposals. The Applicants anticipate that an update to the outline Construction Traffic Management Plan will be submitted at Deadline 6 that will encompass any agreements with LCC.</p> <p>The Applicants propose to provide an update on dialog at the Issue Specific Hearing in October, with final positions to be set out within the Statement of Common Ground at Deadline 6.</p>
Q2.16.1.10	The applicants, LCC	HGV Mitigation Measures Confirm that all the proposed mitigation measures (including the provision of localised passing places and the widening of pinch points) can be	The Applicants have included a suite of mitigation measures within the outline Construction Traffic Management Plan (oCTMP) (REP4-056). It is the Applicants position that these measures are appropriate and industry proved (across multiple DCO projects for offshore windfarms and other

Reference	Question To	ExQ2	Applicants' response
		accommodated within the order limits or highway land.	<p>linear projects) and can be developed into detailed link specific mitigation strategies as part of the final detailed CTMPs in agreement with LCC. The commitment to producing final detailed CTMP(s) is secured by Requirement 9 of Schedules 2A and 2B of the draft DCO (REP4-007).</p> <p>To provide further assurance, the Applicants have submitted a detailed technical note and supporting plans to LCC following Deadline 4 (submitted for record to the examination within Annex 2.3 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Lancashire County Council (REP4-136, AS-082), (S_D5_2.3).</p> <p>The note contains documented details of a site survey of the width of the carriageway measured at regular intervals and the width of the highway envelope has been captured, i.e. carriageway + verges (within which widening or oversail can be accommodated). Based on this site survey, the Applicants' are confident that link mitigation can be delivered within the highway boundary (subject to micro-siting during detailed design).</p> <p>The Applicants response to Q2.16.1.8 and 9 above outlines the proposed approach and timeline for agreeing mitigation measures with LCC.</p>
Q2.16.1.11	LCC	<p>Crossing points</p> <p>The applicants provided data on daily heavy vehicle movements to construction accesses including crossing points in table 2-1 of [REP4-113]. Given this data, is LCC content with the crossing points proposed?</p>	n/a
Q2.16.1.12	The applicants, LCC	<p>Final form of agreement for highway works</p> <p>Confirm your understanding of the powers under which works to the highway will be undertaken (including mitigation measures for the safe passage of HGVs, the construction of accesses and any works associated with the movement of Abnormal Indivisible Loads).</p>	<p>Abnormal Loads</p> <p>The movement of abnormal loads is consented by National Highways on behalf of the Secretary of State for Transport through the ESDAL (Electronic Service Delivery for Abnormal Loads) process whereby hauliers are required to apply for permissions from the relevant authorities prior to the movement of the load.</p>

Reference	Question To	ExQ2	Applicants' response
			<p>The Abnormal Indivisible Load Study: Transformers (REP2-047) identifies the requirement for minor works to relocate street furniture (e.g. signs, traffic signal poles, lamp columns, bollards, etc.) These types of work are common for the movement of abnormal loads and many items of street furniture are installed in 'sockets' allowing for quick removal and reinstallation. The works are typically completed by the hauliers contractor or the highway authority on behalf of the haulier.</p> <p>Whether the works are undertaken by the haulier or by the highway authority, the typical means of agreeing the works is via a Section 278 (of the Highways Act, 1980) agreement. Alternatively, Article 9 of the draft DCO (REP4-007) provides powers to undertake street works within scheduled streets and Article 10 provides powers to alter scheduled streets and Article 15 provides a mechanism to enter into agreements with street authorities in relation to street works.</p> <p>Access and Mitigation for the passage of HGVs</p> <p>To facilitate safe access from and along the public highway works could be delivered via the powers within Section 278 (of the Highways Act 1980).</p> <p>Alternatively, Article 9 of the draft DCO (REP4-007) provides powers to undertake street works within scheduled streets and Article 10 provides powers to alter scheduled streets to make passing places. Article 14 also provides powers to form accesses and Article 15 provides a mechanism to enter into agreements with street authorities in relation to street works.</p> <p>The Applicants would advise that based upon experience of similar projects the final form of agreement would likely be via a S278 or similar form of agreement utilising the aforementioned DCO powers. However, a decision to determine which is the most appropriate method are typically discussed with the local highway authority post-consent as part of the discharge of requirements.</p>
Q2.16.1.13	LCC	<p>Preston Guild Wheel Cycle Route</p> <p>Is LCC content with the proposed usage of the A583 overbridge on the Preston Guild Wheel Cycle Route</p>	<p>The Applicants have expressed a willingness to work with LCC to find proportionate solutions to traffic concerns/clarifications. Noting that LCC continue to express concerns with the use of the Guild Wheel (with</p>

Reference	Question To	ExQ2	Applicants' response
		set out in paragraph 1.12.5.1 of the OCTMP [REP4-056] (i.e. approximately 12 movements a day six in and six out) and the associated safety measures proposed set out in paragraphs 1.12.5.2 to 1.12.5.5?	detailed mitigation measures) the Applicants have engaged with the internal engineering team and developed an alternative access strategy, allowing the removal the access over the Guild Wheel. The removal of this access is reflected in an update to the outline Construction Traffic Management Plan (J5/F04) and the outline Public Rights of Way Management Plan (J1.5.F04) at Deadline 5. There are ongoing discussions with LCC in regard to minor amendments to a small number of accesses, as such the Applicants propose that the outline Highway Access Management Plan will be updated to Deadline 6 to reflect these changes as well as including the removal of the Guild Wheel access.
Q2.16.1.14	The applicants	Preston Guild Wheel Cycle Route Why is TAT_MGMC_57 required when TAT_ECO_MGMC_6 is in close proximity and could potentially be used to access the same areas of the proposed works?	<p>To access the section on onshore export cable corridor south of the A583 toward the River Ribble, two points of construction accesses were proposed within the outline Highway Access Management Plan, accesses 57 and 58. The Applicants propose that access 57 (over the Guild Wheel) will be removed with access 58 providing the main point of access to this section of onshore export cable corridor. It is proposed that traffic will travel to access 58 and then travel north along the temporary haul road to access the section of onshore export cable corridor south of the A583 that would have been served by access 57.</p>
Q2.16.1.15	BBC	Starr Gate Is BBC content with the proposed usage of Starr Gate Access by the applicants to launch vessels from the existing boat ramp to facilitate construction activities at landfall and the associated safety measures proposed, set out in paragraphs 1.12.6.1 to 1.12.6.5 of [REP4-056]?	n/a
Q2.16.1.16	LCC	Preliminary access design Is LCC content with the preliminary access design information contained in table 1.1 of the Outline Highway Access Management Plan (OHAMP) [REP4-060]?	n/a
Q2.16.1.17	LCC	Treatment of accesses no longer required	n/a

Reference	Question To	ExQ2	Applicants' response
		Is LCC content with proposals to address accesses that are no longer required for the construction of one of the proposed projects set out in paragraph 1.4.3.4 of the OHAMP [REP4-060]?	

2.17 Other matters

Table 2.14: Other matters

Reference	Question To	ExQ2	Applicants' response
17.1 Green Belt			
Q2:17.1.1	The applicants	<p>Morecambe substation design</p> <p>The proposed Morecambe substation may use either air insulated switchgear (AIS) or gas insulated switchgear (GIS) designs. At ISH2 the applicants explained that an AIS substation footprint is generally larger than a GIS substation footprint.</p> <p>Taking into consideration the potential difference in substation footprint and design between the two options, would there be any differences between an AIS design or GIS design in terms of impacts on the openness of the Green Belt and any other Green Belt impacts?</p>	<p>It is considered that the impacts on Green Belt, by reason of 'inappropriateness and any other harms', would be largely comparable whether an AIS or GIS design is selected by the Applicant, following consent award.</p> <p>The Applicants have already commented on these matters at Q13.1.10 in the Applicants' Response to ExA's Written Questions (ExQ1) (REP3-056).</p> <p>The Applicants can clarify that while the overall footprint for an AIS design may be larger than that for a GIS design, the equipment in an AIS option would be predominantly housed in an 'open yard' style, and not located within buildings. As such, whilst an AIS design may have a greater impact on the spatial openness of the Green Belt, resulting from a more extensive footprint, it is likely characterised by fewer buildings with the overall height of the equipment lower than GIS and visibility through the site possibly greater. For a GIS design, some of the equipment would be housed within buildings and as a result likely impact on visual openness to a greater extent than AIS and, as a result, the overall height of the equipment may be higher and visibility through the substation site may be lower, albeit the footprint and equipment of the substation site might be more compact.</p> <p>As explained in REP4-092 (paragraph 1.5.3.4), the final design solution for each substation (Morecambe and Morgan) will be subject to further design refinement, post consent, and approval granted via the relevant requirements of the DCO, which would be discharged by the discharging local planning authority.</p>
Q2:17.1.2	The applicants	<p>Green Belt Technical Note</p> <p>Further to discussions at ISH2 the applicants have submitted an updated Green Belt Technical Note [REP4-092].</p>	<p>The Applicants acknowledge that paragraph 1.8.2.1, bullet point 3 of the <i>Green Belt Technical Note</i> (REP4-092) should have included reference to "any other harm" to the Green Belt, in addition to harm arising from inappropriateness. This omission is a typographical error.</p>

Reference	Question To	ExQ2	Applicants' response
		The third bullet point of the overall conclusion in paragraph 1.8.2.1 does not appear to correctly reflect Green Belt policy in paragraph 153 of the National Planning Policy Framework as it does not specifically refer to “and any other harm resulting from the proposal”. Instead, it refers to “harm arising from the proposals by reason of inappropriate development”. Should this refer to any other harm arising from the proposed development as a whole in order to correctly reflect the NPP?	The Applicants reassure the ExA that both harm by reason of inappropriateness and ‘any other harm’ have been fully considered within the assessment. Section 1.6.4 of REP4-092 sets out in detail the potential impacts on the Green Belt, addressing both the extent of harm to its functions and purposes by reason of inappropriateness, and relevant ‘other harms’. For the purposes of this assessment, ‘any other harm’ has been taken to reasonably include landscape and visual harm, as well as harm to amenity, biodiversity, and highways.
17.2 Commercial fisheries			
Q2:17.2.1	National Federation of Fishermen's Organisations (NFFO) Northwest Inshore Fisheries and Conservation Authority (NWIFCA)	Outline Fisheries Liaison and Co-existence Plan (OFLCP) Are you content with the OFLCP [APP-218] ? Are there any amendments/ additions that you would recommend?	The Applicants note Q2:17.2.1 is directed towards NFFO and NWIFCA and shall not be responding.
Q2:17.2.2	Marine Management Organisation (MMO)	Underwater Sound Management Strategy (USMS) In response to Q17.2.3 of the ExA's first written questions [PD-008] MMO noted that the applicants were in the process of developing an USMS that might use Noise Abatement Systems such as bubble curtains and piling dampeners. In [REP4-099] the applicants have highlighted that they have not committed to the preparation of a USMS because no pile driving is required for the transmission assets.	The Applicants note Q2:17.2.2 is directed towards MMO and shall not be responding.

Reference	Question To	ExQ2	Applicants' response
		Do you have any comments given this clarification?	
17.3 Climate change			
Q2:17.3.1	The applicants	<p>Greenhouse Gas Assessment</p> <p>Could the applicants provide comment in light of the recent cases of R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council [2024] UKSC 20 and Friends of the Earth Ltd and South Lakeland Action on Climate Change v SSLUHC [2024] EWHC 2349 (Admin), and whether these cases have any implications for the assessments of greenhouse gas emissions.</p>	<p>In relation to Finch (on behalf of the Weald Action Group) v Surrey County Council [2024] UKSC 20, the decision to grant planning permission by Surrey County Council was held to be unlawful as the supporting environmental statement failed to consider the downstream GHG emissions (i.e. indirect effects in line with the EIA Regulations) of an oil production project, with the environmental statement issued by the developer only assessing the Project's direct GHG emissions and not the emissions that would have occurred when the oil was burned as fuel.</p> <p>In relation to Friends of the Earth Ltd and South Lakeland Action on Climate Change v SSLUHC [2024] EWHC 2349, it was held that the decision was to grant planning permission for a new coal mine was unlawful due to the lack of assessment of the impact of greenhouse gas emissions from burning that coal and there being a lack of appropriate consideration of the substitution of US Coal for coal that would be mined (the developer claimed substitution of one for the other would take place).</p> <p>The above cases relate to the failure to assess indirect GHG emissions and as set out within Volume 4, Chapter 1: Climate Change (APP-138), the Applicants' approach assesses both the direct and indirect GHG emissions associated with the Transmission Assets. The 2017 EIA Regulations stipulate that an EIA must identify, describe, and assess the development's potential "direct and indirect significant effects" on the environment, including its impact on climate change. Both beneficial and adverse effects can be deemed 'significant' in EIA terms and as such should be assessed. Additionally, the Applicants' assessment has been conducted in line with IEMA's (2022) EIA guide on Assessing Greenhouse Gas Emissions and Evaluating their Significance.</p> <p>The Applicants have presented an assessment of likely significant direct and indirect effects associated with the Transmission Assets following a whole life project approach (paragraph 1.10.2.15 of ES Volume 4, Chapter 1 - Climate Change (APP-138)) including impacts of the construction,</p>

Reference	Question To	ExQ2	Applicants' response
			operation and maintenance, and decommissioning phases of the Transmission Assets. The assessment has taken a cradle-to-grave (accounting for in use and decommissioning) approach. As such, all associated direct effects (on site activity) and indirect effects such as manufacturing and transportation of substation infrastructure, and associated reduction in grid carbon intensity through Project renewable energy have been considered and assessed.