



Marine
Management
Organisation

Marine Licensing
Tyneside House
Skinnerburn Road
Newcastle upon Tyne
NE4 7AR

T +44 (0)300 123 1032
www.gov.uk/mmo

David Cliff
Lead Member of the Examining Authority
Planning Inspectorate
MorganandMorecambeOWFTA@planninginspectorate.gov.uk

(Email only)

MMO Reference: DCO/2022/00010
Planning Inspectorate Reference: EN020028
Identification Number: 20051136

22 October 2025

Dear Mr Cliff,

Planning Act 2008, Morgan Offshore Wind Ltd, Proposed Morgan and Morecambe Offshore Windfarm Transmission Assets Order

Deadline 6 Submission

On 12 December 2024, the Marine Management Organisation (the MMO) received notice under section 55 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited (the Applicants) for determination of a development consent order for the construction, maintenance and operation of the proposed Morgan and Morecambe Offshore Windfarm Transmission Assets Order (the Application) (MMO ref: DCO/2022/00010; PINS ref: EN020028).

The Applicants seeks authorisation for the construction, operation and maintenance of Morgan and Morecambe Offshore Windfarm Transmission Assets, comprising of two onshore substations, 6 offshore export cables, 18 onshore export cables (6 circuits), 12 400 kilovolt (kV) grid connection cables (4 circuits) as well as the associated cables corridors with associated onshore and offshore infrastructure and all associated development (the Project). This document comprises of the MMO's Deadline 6 response.

This written representation is submitted without prejudice to any future representation the MMO may make about the Development Consent Order (DCO) Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely,

[Redacted signature]

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1. MMO's Response to Applicants Response to Deadline 4 submission (REP5-123)

1.1 MMO's Response to the Applicants' Pre-Examination Procedural Deadline A Submission to the MMO (Table 2.3)

- 1.1.1 The MMO notes that the Applicants have noted that they have reviewed the deemed marine licence of this draft Development Consent Order (DCO) (REP4-007) against the recently granted Morgan Generation Offshore Wind Farm Order and have made amendments to align these where practicable, including the removal of the time limit on the MMO to make decisions at condition 19(2) of Schedules 14 and 15 and 17(2) of Schedules 16 and 17 (C1/F07). The MMO provided additional comments regarding Schedules 14, 15, 16 and 17 at Deadline 5 (REP5-175).
- 1.1.2 The MMO notes that the Applicants provided further information on landfall and shoreline burial depths at Deadline 4. The Applicants note that the information outlined that in terms of shoreline retreat, the analysis undertaken confirms a trend of sediment accumulation and dune migration seaward, rather than significant shoreline recession, at the selected landfall site. Additionally, the detailed assessment of beach level variability identified a conservative level of +/- 1.5m.
- 1.1.3 The MMO notes that the Applicants submitted '*Annex to Applicants response to MMO and NE submission at Deadline 3: Assessment of Seabed Level Vertical Variability for Morgan Offshore Wind Farm- Appendix C*' at Deadline 4 (REP4-122) which provides analysis relating to the landfall and shoreline burial depths. This has been reviewed and the MMO has provided comments in Section 5 of this document.
- 1.1.4 The MMO notes that the Applicants have highlighted that the Commitments Register was updated at Deadline 4 (REP4-018) to include a new commitment (CoT134) stating "*As part of the detailed design process, micro-siting of the offshore export cables within the offshore export cable corridors will be considered where successful burial could pose a challenge or where a higher risk of remedial works such as external cable protection may be required*". The MMO has provided comments on the amended document at Deadline 5 (Section 5 of REP5-175).

1.2 MMO's Comments on Stage 2 MCZ Assessment - Rev F01 Annex A: Review of potential measures of equivalent environmental benefit (MEEB) (Table 2.4, Section 3)

- 1.2.1 The MMO notes that the Applicants have highlighted that the Applicants and Natural England (NE) have agreed that strategic compensation measures, in the form of a payment into the Marine Recovery Fund (MRF) to access Defra's programme of Marine Protected Area (MPA) designations/extensions, will be the preferred and best method for the delivery of MEEB for the Fylde Marine Conservation Zone (MCZ) (should MEEB be required).
- 1.2.2 The Applicants have provided an updated without prejudice MEEB Schedule to reflect NE's comments. The MMO has reviewed this document and our response can be found in Section 10 of this document.



1.3 MMO's Comments on Issue Specific Hearing (ISH) 2 (Table 2.4, Section 9)

- 1.3.1 The MMO notes and welcomes that the Applicants have highlighted that they have made a commitment in the updated Outline Offshore Operations and Maintenance Plan (OOMP) submitted at Deadline 5 (REP4-072) to limit the deployment of cable/scour protection in the operations and maintenance phase to the first ten years or limit of the Maximum Design Scenarios (MDS) (whichever is first) outside the Fylde MCZ and the first two years inside the MCZ. Following these periods, any further deployment of cable protection during the operation and maintenance phase would require a new marine licence application.
- 1.3.2 The MMO notes that the Applicants have updated the Commitments Register at Deadline 4 (REP4-019) to include the commitment to no cable/scour protection shall be permanently deployed in the intertidal area between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS) (CoT133). The Applicants also included this commitment within the Outline Landfall Construction Method Statement submitted at Deadline 4 at the discretion of the Examining Authority (ExA) (AS-081).
- 1.3.3 The MMO notes that the Applicants have highlighted that the Commitments Register was updated at Deadline 4 to include this commitment: *"As part of the detailed design process, micro-siting of the offshore export cables within the offshore export cable corridors will be considered where successful burial could pose a challenge or where a higher risk of remedial works such as external cable protection may be required."*



2. Underwater Noise Guidance and Effective Deterrence Ranges (EDR)

2.1 Noise Recommendations for Cetaceans

2.1.1 The MMO would like to make the Applicants aware of a new report published by Whale and Dolphin Conservation in collaboration with SAMS Enterprise: A review of anthropogenic noise and recommendations for reducing its impacts on cetaceans (WDC, 2025). This report includes recommendations for how regulators, industry and third sectors can address and reduce the impacts of underwater noise.

2.2 Effective Deterrence Ranges (EDRs) – updated advice

2.2.1 The MMO would like to make the Applicants aware of updated EDR advice published by the Joint Nature Conservation Committee (JNCC) in September 2025.

2.2.2 The MMO wishes to highlight to the Applicants the new EDR guidance is applicable to all relevant activities from the day of publication. This may mean that from September 2025 when submissions are for 2026 activities, the Applicants may want to make updates to these documents which the MMO will support. For further information, please see the JNCC guidance on the EDRs available [here](#).

2.2.3 The MMO wishes to highlight these specific topics that may be of interest to the Applicants:

High-order Unexploded Ordnance (UXO) clearance (≤ 263 kg) without bubble curtain (if Marine Licence Application required)

- **For UXOs larger than 263 kg**, noise modelling should be undertaken to derive the distance to the Temporary Threshold Shift (TTS)-onset thresholds (Peak Sound Pressure Level (SPL_{pk}) and frequency-weighted Sound Exposure Level (SEL) as above).
- **If noise modelling results in a distance greater than 20 kilometres (km)**, the modelled distance should be used as the EDR, subject to agreement by the regulator. If lower, then the default 20 km should be used.

High-order UXO clearance (≤ 525 kg) with bubble curtain (if Marine Licence Application required)

- **For UXOs larger than 525 kg**, noise modelling should be undertaken to derive the distance to the TTS-onset thresholds (SPL_{pk} and frequency-weighted SEL as above). If noise modelling results in a distance greater than 10 km, the modelled distance should be used as the EDR, subject to agreement by the regulator. If lower, then the 10 km default should be used.
- **Should high-order UXO clearance (≤ 525 kg) with bubble curtain occur with the use of an Acoustic Deterrent Device (ADD)**, the EDR required will reflect the ADD device type and duration as outlined in Section 7 if this EDR is higher than 10 km.

ADDs

- Where the disturbance effect (EDR) from an ADD is greater than the EDR for an activity, the **ADD EDR should be used in assessments**.



3. Statement of Common Ground (SoCG)

3.1 General Comments

3.1.1 The MMO has been in discussions with the Applicants throughout the examination period to resolve matters of concern to us. We are satisfied that progress has been made to resolve most of our concerns. However, the MMO wishes to highlight to the Secretary of State (SoS) the following matters are to remain as 'Not Agreed':

- DCO – UXO Clearance
- DCO - Article 6 – Benefit of the Order
- DCO - Force Majeure
- DCO – Post Construction Monitoring – Adaptive Management

3.1.2 The MMO had a meeting with the Applicants on 13 and 20 October 2025 to discuss these ongoing topics of discussion. We have outlined the outcomes of these discussions below.

3.1.3 There is also one 'not agreed but not material' within the SoCG this is in relation to Commitment CoT133 *"No cable/scour protection shall be permanently deployed in the intertidal area between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS)"*. There is a disagreement that this should be on the face of the DML and not just in a plan. The MMO believes this is for the SoS to decide and if on this occasion does not believe this is material.

3.2 DCO – UXO Clearance (DCO.2)

3.2.1 The MMO's position is that UXO clearances should not be within the Deemed Marine Licence (DML) and the position is not agreed. However, on a without prejudice basis, should SoS include low order UXO clearance, the provisions in the DML are suitable.

3.2.2 The MMO notes that the Applicants have committed to amending Condition 20(2) in Schedule 14 and 15 to change the timing of submission from three months to six months. The updated condition wording will state:

20(2) - The method statement and the marine mammal mitigation protocol must be submitted to the MMO for approval at least six months prior to the date on which low order unexploded ordnance clearance activities are intended to begin unless otherwise agreed in writing with the MMO.

The MMO is content with this amendment.

3.3 DCO – Benefit of the Order (DCO.3)

3.3.1 The MMO notes that the Draft DCO was updated at Deadline 5 to adopt the drafting included within the Morgan Generation Assets made Order, which includes revisions made by the Secretary of State (SoS). In a meeting on 11 September 2025, the MMO informed the Applicants they will be maintaining our position on this matter, we welcome the SoS updates but still disagree with the inclusion of the DMLs.



3.4 DCO – Force Majeure (DCO.4)

3.4.1 The MMO notes that the draft DCO was updated at Deadline 5 to adopt the drafting included in the Morgan Generation Assets made order, which includes revisions made by the SoS:

19.—(1) If due to stress of weather or any other cause beyond the reasonable control of the master of a vessel, and which the master of a vessel by the exercise of reasonable diligence is unable to prevent, avoid or remove, the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life or of the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the MMO.

(2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.

3.4.2 The additional wording proposed by the ExA does assist with the previous negligence and enforcement issues, but the issue remains as that wording is still subjective/broad, but we welcome that the additional words has assisted to aid clarity.

3.4.3 The MMO notes the term “*outside of the Order*” which we still have issues in regard to what our position is when a deposit occurs outside of the Order limits. This is potentially outside of the licence condition limits and outside of Marine and Coastal Access Act 2009 (MCAA) Sections [85](#) and [86](#) (Enforcement offences).

3.4.4 The MMO notes that MCAA wording states “*safety of a vessel, aircraft or marine structure, or for the purpose of saving life.*” Therefore, the MMO is still of the opinion that the appropriate wording ought to be the same as that set out in MCAA as this would alleviate confusion and a potential for a two-tier test approach.

3.4.5 Although condition 19(2) has been added, which the MMO welcomes, the issue remains around the authority to remove if the deposit is outside of the red line boundary.

3.5 DCO – Post-Construction Monitoring – Adaptive Management (DCO.5)

3.5.1 In a meeting held on 13 October 2025, the Applicants included a further point of discussion regarding adaptive management. The MMO acknowledged the inclusion of adaptive management measures within the Outline IPMP, however, we requested that these measures be secured as conditions within Schedules 14 & 15.

3.5.2 The Applicants position is that the inclusion of these conditions in Schedules 14 & 15 are not necessary as they are adequately secured within the Outline IPMP, which is subsequently secured under Condition 18(1)(d) of Schedules 14 & 15. The MMO refers to the proposed condition wording within Deadline 4 (REP4-137) section 2.2.3.

3.5.3 The MMO agrees that the outline IPMP is secured within the DML. However, notes a similar condition has been implemented in Sheringham and Dudgeon Offshore Wind farm. This has been requested in the more recent OWF examinations due to issues occurring in older OWF that are in the post construction monitoring phase.



- 3.5.4 The MMO wishes to implement a more proactive process to manage issues in the event that monitoring shows a greater impact than that assessed in the Environmental Statement and enable the Applicants to start discussions at the earliest opportunity alongside the monitoring report submission (or before in some circumstances).
- 3.5.5 2.2.4 The inclusion of an adaptive management condition ensures that all parties are clear what is required if the monitoring shows greater impacts than predicted during the assessment stage. It also allows the Applicants to themselves provide potential solutions when reviewing the results of monitoring, to be discussed with the MMO and SNCBs.
- 3.5.6 The aim of the condition is to provide a clear process to the Applicants, the MMO and any consultees, if in preparing the monitoring reports the Applicants identifies greater impact than the Environmental Statement (ES) predicted rather than just a discussion upon review of the reports.
- 3.5.7 The MMO notes that the Applicants have gone further within the IPMP and that a new plan would be produced in this instance but still believes that a standalone condition should be included. The MMO believes this is now for the SoS to decide on if the condition should be included on the face of the DML.



4. MMO's comments on updated Environmental Statement Chapters

4.1 Physical Processes (REP5-030)

- 4.1.1 The MMO notes amendments on page 33-35, in response to NE and MMO comments, states that the Applicants commit to no rock dumping within the Fylde MCZ and to deploy no permanent scour protection in the intertidal area MLWS-MHWS.
- 4.1.2 The MMO notes that paragraphs 1.5.4.23 to 1.5.4.28 have been inserted in response to comments regarding the assessment of the nearshore impact, to provide a baseline environmental description. This is welcomed. The paragraphs describe a generally accreting shoreline but with a sediment parting zone potentially affecting the landfall area (depending on future wave climate). The area is generally suitable for cable burial to a suitable depth as proposed, but the site description captures the risk that cable burial depth should take account of potential bed lowering over time. Cable burial is addressed in the CSIP.
- 4.1.3 The MMO notes that paragraphs 1.10.3.26 to 1.10.3.30 discuss the potential requirement for cable protection in the nearshore/shallow waters. It notes that standard practice has been to limit protection to 5% of the water depth at a given location; the ES indicates that any protection used in very shallow water should be tapered to ensure limited impact on sediment processes. Paragraph 1.10.3.28 states that it is unlikely that burial will not be achieved and the magnitude of any potential impact is assessed as low adverse. The MMO is satisfied that this is the case, but the Applicants should take every step to ensure that burial in the nearshore is achievable.
- 4.1.4 The MMO notes that paragraphs 1.10.4.4. to 1.10.4.8 address the measures to ensure burial in the intertidal and nearshore. The MMO is satisfied that the assessment of impacts of these shoreline works is adequate.
- 4.1.5 The MMO notes that the Applicants have retained a slight equivocation in all discussion of commitments to cable burial and avoidance of cable protection at the shore (e.g., "... *subject to further pre-construction surveys*"). However, paragraph 1.10.5.3. states that no monitoring will be needed in the intertidal as they commit to not deploying cable or scour protection here. In view of the qualification of these commitments, it should be noted that monitoring of the adjacent shorelines may still be appropriate if nearshore scour protection with significant potential to affect shoreline processes is deployed. As noted in the baseline description, the landfall site is potentially variable in its accretionary/erosional behaviour, which can signify a shoreline close to an equilibrium with its physical forcing and also sensitive to minor changes in that forcing.
- 4.1.6 The MMO notes that the amendments have largely addressed the concerns with the assessment of impacts at landfall and in the nearshore. The MMO has made one minor comment to suggest that, though unlikely, some post-construction review of shoreline impacts may be necessary under some circumstances if cable protection measures cannot be avoided in the nearshore. The MMO does not believe there are any further concerns raised in previous advice for the attention of the Applicants that are not addressed.



4.1.7 The MMO notes that the Applicants have identified that the total volume of cable protection presented under under-calculated in the original submission. The Applicants have noted that this does not affect any of the assessments that have been undertaken. The Applicants highlighted that the environmental assessments were based on key spatial parameters of cable protection, specifically the maximum height, width, and length of cable protection, all of which remain unchanged and were correctly applied. The MMO notes that the application does not use the volume for physical process assessment, so the basic comment premise of the Applicants is supported i.e., the assessments won't change. The MMO notes that the actual volume changes, and the totals, are minor when compared with the volumes of sediment actually directly disturbed by sand wave clearance and cable burial activity (1-2 million metres cubed (m^3), so around 5-10%). The MMO notes that a volumetrically based impact calculation would be useful should the volumes be introduced into restricted channels or water depths. The MMO confirms that these changes do not materially affect the advice provided within Section 4.1.

4.2 Marine Mammals (REP5-032)

4.2.1 The MMO defers to the relevant Statutory Nature Conservation Bodies (SNCBs) to provide comments on the amendments.

4.3 Benthic subtidal and intertidal ecology (REP5-034)

4.3.1 The MMO is satisfied with the amendments made to this document. These include:

- A commitment to limit rock dumping to outside of the Fylde MCZ, a commitment within the DCO to limit detonation of UXO to low order (i.e., high order detonation of UXO must be permitted by a separate marine licence)
- Clarification about the presence of burrowed sediments and their proximity to the Fylde MCZ,
- Inclusion of benthic monitoring of Fylde MCZ in the Offshore IPMP to include colonisation of Project infrastructure by Invasive Non-Native Species (INNS).
- Clarification regarding micro-siting offshore export cables to ensure adequate burial depths are achieved,
- Inclusion of details regarding the dimension of exit pits associated with trenchless cable installation techniques,
- Clarification that deployment of any cable protection within the Fylde MCZ is limited to the first two years of the Operation and Monitoring phase or extent of the licensable activity (whichever is greater).
- Commitment to use of a controlled flow excavator for sandwave clearance, controlled flow excavator to be the only method used for sandwave clearance within the Fylde MCZ (equating to 270000 m^3 of spoil), cable protection for ground conditions and asset crossing will not exceed 576500 metres squared (m^2).
- Clarification on potential repeat disturbance to benthic receptors from sequential construction scenario, clarification on boulder clearance maximum design scenario parameters,
- Clarification on number of jack-up event per export cable,



- Clarification on the maximum design scenario parameters for UXO clearance within the Fylde MCZ.
- Confirmation of the minor adverse significance to sea pens and burrowing megafauna receptor because of the cable installation works,
- Clarification of the number of cable repair and reburial events, clarification on the use of trenchless techniques in the upper intertidal region at least 100 metres (m) from designated sites, inclusion of details regarding the cofferdams and material excavated and stored from the landfall exit pits,
- Clarification on the disturbance of sediment bound contaminants and the construction scenario, commitment to limit the deployment of cable protection outside of the Fylde MCZ to within 10 years of the end of construction *and* a requirement for a new marine licence for installations outside of this limit,
- Clarification regarding the same maximum extent of permanent seabed loss for the different construction scenarios,
- Commitment to deploy no cable /scour protection in the intertidal area.

4.3.2 The MMO defers to the SNCBs regarding the potential impacts to protected features within the Fylde MCZ because of construction activities within the site (i.e., six jack-up events (one per cable), sandwave clearance by controlled flow excavator, use of cable protection within the subtidal mud feature in the west of the MCZ resulting in up to 26400m² of cable protection with a height of up to 2m, and a width of up to 10m and will also include cable protection for cable crossing within the Fylde MCZ will have a height of up to 2m, width up to 20m and a length of up to 50m.

4.4 Offshore Ornithology (REP5-036)

4.4.1 The MMO notes that an amendment of the wording ‘*temporary habitat loss*’ to ‘*habitat loss*’ has been made throughout the document and the MMO welcomes this clarification.

4.4.2 Commitment CoT110 has been updated with the wording:

“Construction activities associated with the offshore cable pull in for the Morgan Offshore Wind Project and Morecambe Offshore Windfarm Limited will be undertaken in accordance with the Outline Offshore Cable Specification and Installation Plan (CSIP). This will include a timing restriction on all cable pull activities at landfall on Lytham St Annes beach between November and March (inclusive), unless otherwise agreed with the MMO, in consultation with Natural England. Detailed CSIP(s) will be developed in accordance with the Outline CSIP.”

4.4.3 This will be secured in Schedules 14 & 15, Condition 18(1)(e) Pre-Construction Plans. The MMO is satisfied with this approach.

4.4.4 The MMO notes that three new Commitments have been updated in Table 5.15. These commitments have already been discussed in our response at Deadline 5, and we welcome the inclusion of these within the DML conditions.

4.4.5 For paragraphs 5.11.4.13 – 5.11.4.15, the MMO defers comments to NE as the SNCB.



5. MMO's comments on the updated Cable Specification and Installation Plan (REP5-077)

5.1 General Comments

5.1.1 The MMO is satisfied with the amendments made at Deadline 5. These include:

- updates to the ownership of Morecambe Offshore Wind Limited (OWL) and Morgan OWL,
- correction to the total seabed footprint for jack-up vessels in meters squared,
- commitment for no cable/scour protection to be permanently deployed in the intertidal,
- commitment to micro-siting of offshore cables where successful burial includes a high risk of remedial works would be required,
- sandwave clearance to be undertaken using controlled flow excavator only within the Fylde MCZ,
- no rock dumping within the Fylde MCZ.

5.1.2 The MMO does not believe there are any outstanding concerns that need addressing at this time.

5.2 Physical Processes

5.2.1 The MMO welcomes the amendments made following both ours and NEs comments at Deadline 4.

5.2.2 Paragraphs 1.5.4.23 to 1.5.4.28 describe a generally accreting shoreline but with a sediment parting zone potentially affecting the landfall area. The area is generally suitable for cable burial to a suitable depth as proposed, but the site description captures the risk that cable burial depth should take account of potential bed lowering over time.

5.2.3 The MMO welcomes the clarity of the discussion in *Annex to Applicants response to MMO and NE submission at Deadline 3: Assessment of Seabed Level Vertical Variability for Morgan Offshore Wind Farm- Appendix C* (REP4-122) which explicitly links the observed variability in beach levels with the local forcing, its relation to adjacent beach sectors, and also to the local Shoreline Management Plan (SMP), which will be an important factor in future stability.

5.2.4 While the information does not necessarily answer every possible question, and the potential remains for the stable, and in sections accretionary beach levels of the recent past to revert to a stated previous erosional behaviour, the assessment indicates that this is:

- (i) reasonably unlikely in the near term, and
- (ii) not necessarily something that will be exacerbated by the resulting changes in cable burial.



5.2.5 The current SMP indicates management of the present shoreline via maintenance of 'natural' features, so the cable itself will not be the sole 'unnatural' factor affecting future sediment behaviour here. Also, in the case of an eroding shoreline, the cable will be a minor factor in a large-scale shift driven by other changes e.g., in river training walls. The choice to not maintain these walls is not within the remit of the Applicants. The Applicants state that coastal system responses to such wider changes are difficult to anticipate, which is undeniable – requiring a potentially fascinating substantial additional study, but not something the Applicants can be expected to conduct.

5.2.6 Regarding cable protection in the nearshore waters, the MMO notes that the appropriate limitations have been addressed, and we are satisfied with these assertions. However, we highlight that the Applicants should take every step to ensure that burial in the nearshore is achievable.

5.2.7 The MMO has provided more detailed comments in the Physical Processes Environmental Statement (ES) Chapter section of this document (Section 4.1).

5.3 Fisheries and Fish Biology

5.3.1 The MMO is generally content with the information presented. A list of the mitigation commitments relevant to the export cable installation process has been provided in Section 3 and the MMO is generally content with the measures captured. The Applicants have carried out a preliminary cable burial risk assessment in Section 4 which considers the risk of cable snagging by fishing vessels and anchors, and which has been used to inform the recommended cable burial depth of 3m. The MMO supports this.

5.4 Underwater Noise

5.4.1 The MMO notes that the updates made at Deadline 6 incorporated feedback and refinements which were primarily structural and refining, with the additions focusing on reduced design parameters, enhanced mitigation hierarchies, and commitments to minimize impacts within the Fylde MCZ.

5.4.2 The MMO believes the amendments do not introduce new noise assessments or modelling but refine commitments to reduce activities that could generate noise. For example, the exclusive use of Controlled Flow Excavator for sandwave clearance within the Fylde MCZ is likely to reduce the levels of continuous noise.

5.4.3 Therefore, the MMO has no further outstanding concerns that need addressing.



6. MMO's comments on the Proposed Correction to Cable Protection Volume

6.1 General Comments

6.1.1 On 30 September 2025, the MMO received an email from the Applicants explaining that they had identified a calculation error in the stated total volume of cable protection (required due to ground conditions, outside the Fylde MCZ for the Morecambe project only, which was presented in the MDS table within the following submitted documents:

- Project Description Chapter
- MCZ Screening and Stage 1 Assessment Report
- draft Development Consent Order (DCO)

6.1.2 The Applicants stated that *“The total volume of cable protection presented was under-calculated in the original submission due to a spreadsheet formula error. For the avoidance of doubt, this does not affect any of the assessments that have been undertaken. The environmental assessments were based on key spatial parameters of cable protection, specifically the maximum height, width, and length of cable protection, all of which remain unchanged and were correctly applied.”*

6.1.3 Therefore, the Applicants are proposing to update all three documents to reflect the corrected volume. The Applicants intend to formally update the Project Description Chapter in Tables 3.7 and 3.9, MCZ Screening and Stage 1 Assessment Report, and DCO at Deadline 6 to incorporate the corrected volume, subject to the MMO's agreement.

6.1.4 The MMO confirms that these changes do not materially affect the advice provided here within this document. The assessments of impact from the cable protection are generic (broadly based on height and length, rather than volume) and not site-specific, so are unaffected by this change. The MMO has previously advised that the volume may be important in a particular context of low flow depth or constrained channels, and so we reiterate that monitoring may be required in the nearshore should cable protection be required and note that this determination may involve location-specific volumetric consideration.



7. MMO's comments on the updated Offshore In Principle Monitoring Plan (REP5-079)

7.1 General Comments

7.1.1 The MMO notes that all outstanding matters have been either addressed at Deadline 4 (REP5-123), or further comments can be found below.

7.2 Adaptive Measurements

7.2.1 The MMO acknowledges the updates made to the IPMP to include adaptive management methods. The Applicants state:

"In the event that any monitoring report provided to the MMO identifies impacts which are beyond those predicted within the EIA, adaptive management / mitigation may be required. Where relevant, an Adaptive Management Plan to reduce effects to within those predicted within the EIA, including timelines and proposed monitoring to test effectiveness, would be submitted alongside the monitoring reports. The Adaptive Management Plan would be agreed with the MMO in consultation with the relevant SNCBs with the aim of reducing effects to a suitable level. Any such agreed or approved adaptive management plan would be implemented and monitored in full."

7.2.2 The MMO does have a standard condition that has been requested within other examinations. The MMO refers to the proposed condition wording within Deadline 4 (REP4-137) section 2.2.3.



8. MMO's comments on the updated Dredge and Disposal Site Characterisation Plan (REP5-081)

8.1 General Comments

- 8.1.1 The MMO notes that the Applicants queried how the MMO's response at Deadline 4 relates to the MMO's 'Marine Licensing: Sediment Analysis Guidance', which states that *"the data must also have been collected within 3 to 5 calendar years from the date you submitted your marine licence application, and we accepted it."* The Applicants have noted within Table 2.1 (5.3.1 to 5.3.4) that that no other construction works are scheduled to spatially overlap with the Transmission Assets and given the low levels of contaminants recorded in the site-specific survey, significant changes from this baseline which would result in exceedances of Cefas Action Levels, prior to the commencement of construction, are considered highly unlikely.
- 8.1.2 On 17 September 2025, the MMO clarified that the wording within the Marine Licensing: Sediment Analysis Guidance is the correct interpretation of the sample analysis timeline.
- 8.1.3 The MMO notes that the Dredging and Disposal – Site Characterisation Plan has been updated at Deadline 5 (J22/F02) to restrict sandwave clearance methods within the Fylde MCZ to Controlled Flow Excavator as requested by NE. The Applicants have also noted that the documents have been amended to include cross reference to the cumulative sections of the relevant ES chapters.
- 8.1.4 The MMO notes that in Table 1.1 – NE Section 42 comments, the Applicants have clarified that a Controlled Flow Excavator will be the only method used for sandwave clearance. This will be secured within the Offshore CSIP. While in principle the MMO is content with this approach, we defer the methodology's suitability to NE.
- 8.1.5 The MMO notes that in Table 1.5, the Applicants have included a new Commitment (CoT134) to include micro-siting of the offshore export cables where successful burial could pose risks. The Applicants will secure this within Schedule 14 and 15, Condition 18(1)(e) Pre-Construction Management Plans. The MMO is content with this approach.

8.2 Fisheries and Fish Biology

- 8.2.1 The MMO is generally content with the information presented. A list of the mitigation commitments relevant to the export cable installation process has been provided in Section 3 and the MMO is content with the measures captured.
- 8.2.2 The Applicants have carried out a preliminary cable burial risk assessment in Section 4 which considers the risk of cable snagging by fishing vessels and anchors, and which has been used inform the recommended cable burial depth of 3m. The MMO supports this.



8.3 Disposal Site Allocation

- 8.3.1 The Applicants and MMO had a meeting 11 September 2025 and the Applicants requested separate disposal sites (and codes) for the specific areas authorised under Schedule 14 and Schedule 15 of the draft DCO (REP4-007). The MMO is still reviewing these updates and has discussed with the Applicants on an update to the DML so that discussions can continue post consent. As the disposal amount figures are agreed and the DML states “*within the order limits*” the designation of the disposal sites can be completed post consent.
- 8.3.2 On 15 October 2025, the MMO wrote to the Applicants to explain that the shapefiles they provided for the disposal site locations overlap. Disposal sites cannot overlap and we therefore cannot complete the re-designation. The Applicants either needs to retain the existing single disposal site IS156 or split into three disposal sites; two for the Generation Assets, and one collective one for the Transmission Assets. Disposal sites are **only** used for the purpose of reporting requirements for which the MMO’s scientific advisors process, and we strongly prefer a simpler setup.
- 8.3.3 The Applicants acknowledged the issues raised above. The MMO recognises that the Applicants will need to extend the Morgan Generation Assets disposal site to cover the Morgan cables within the Transmission Assets Order Limits and the Morecambe Generation Assets disposal site to cover the Morecambe cables within the Transmission Assets Order Limits and make sure that there are no overlaps as requested. However, given the examination workstreams, the Applicants won’t be able to pick this up until early November 2025.
- 8.3.4 The MMO has agreed that the DMLs can allow for this, and the Applicants will be updating Part 1, paragraph 2(g) in Schedule 14 and Schedule 15 at Deadline 6 to state:

"the disposal of up to 1,080,000 cubic metres of inert material of natural origin within the Order limits produced during seabed preparation for cable works and boulder clearance works at disposal site references, to be provided by the MMO in writing, within the Order limits"

The MMO is content with this approach.



9. MMO's comments on the Cumulative Effects Assessment and In-Combination Assessment (REP5-099)

9.1 General comments

9.1.1 The MMO notes at Deadline 5, NE still had outstanding concerns relating to cumulative impacts, the MMO notes that the Applicants and NE have continued discussions and believes the position at Deadline 6 will be 'not agreed but not material'. The MMO will review the comments and provide final position at Deadline 7.

9.2 Fisheries and Fish Biology

9.2.1 The MMO has reviewed the Cumulative Effects Assessment (CEA) and In-combination Assessment and have provided our comments within the SoCG.

9.3 Benthic Ecology

9.3.1 The MMO does not have any comments or concerns regarding the amendments made at Deadline 5. These updates included:

- updating the list of projects reviewed for potential cumulative effects
- inclusion of a summary of the topic specific screening changes made since their inclusion (Table 1).

9.4 Physical Processes

9.4.1 The MMO notes that the updates made at Deadline 5 result in no substantive changes to the conclusions of the ES. This is in line with expectations given the methods and conditions used for cumulative assessment.

9.5 Underwater Noise

9.5.1 The MMO has reviewed the CEA and In-combination assessment and have provided our comments within the SoCG.



10. MMO's comments on the updated Without prejudice benthic compensation DCO schedule (REP5-108)

10.1 General Comments

- 10.1.1 The MMO notes within Annex 2.4 (REP5-123), the Applicants have provided an updated without prejudice MEEB Schedule to reflect NEs comments.
- 10.1.2 The MMO does not have any comments or concerns regarding the amendments made to the document at Deadline 5. The term referring to optional compensation measures has been redefined to “measures of equivalent environmental benefit” or “MEEB” throughout.
- 10.1.3 The MMO will defer to NE for final comments on the MEEB.



11. MMO's response to the Applicants' response to Examiner's Questions 2 (ExQ2) (REP5-130)

11.1 Physical Processes (Table 2.5)

Q2:7.1.1: *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".*

- a) Please comment in full on the concerns that are being highlighted.*
- b) Is it likely that a resolution will be found during this examination?*
- c) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.*

11.1.1 The Applicants have noted that in the event that burial to the target depth is not achievable, 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).

11.1.2 The Applicants have noted 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.

11.1.3 The MMO notes that the Applicants have made the commitment that no cable/scour protection shall be permanently deployed in the intertidal area between MLWS and MHWS. The MMO has provided further comments on the suitability of cable burial depths in Sections 4.1 & 5.2 of this document.

11.2 Habitats Regulation Assessment (Table 2.7)

Q2.9.1.1: *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].*

11.2.1 The MMO notes that the Applicants and NE have agreed there is no need for a high tide restriction during the passage period (October and April).

Q2.9.1.4: *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?*



11.2.2 The MMO notes that with regards to how long the habitats would be expected to take to return to their previous conditions, the Applicants have noted that recovery times will be dependent upon the species but for most species recolonisation will start immediately upon completion of works. 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. The Applicants note that 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.

Q2:9.3.2: *Marine Mammals Adverse Effects on Integrity (AEol) conclusions: 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:*

- 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?*
- b) If so, (i) outline the relevant sites and qualifying features. (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 and mitigated for) and what further evidence you consider is required?*

11.2.3 The Applicants 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. This assessment was based on UXO clearance for the MDS of high order UXO clearance for a 907kg UXO. The MMO defers to NE in relation to AEol.



12. MMO's comments on ExAs Procedural Decision (PD-010)

12.1 Examination Timetable Changes

12.1.1 Following the ExAs acceptance of the Applicants' changes, the MMO notes that Examination deadlines have been adjusted to accommodate the submission of changes:

- A new **Deadline 5a** on **Thursday 2 October 2025** has been added to the examination timetable for the Applicants to submit updated versions of the relevant application documents to reflect the accepted changed application.
- The existing **Deadline 6** on **Wednesday 22 October 2025** now also includes the opportunity for written submissions to be made on the changed application.
- The existing **Deadline 7** on **Wednesday 29 October 2025** subsequently now also includes the opportunity for comments on any submissions made at deadline 6 about the changed application.

12.1.2 The MMO welcomes these additions. Upon review of the documents submitted at Deadline 5a, the MMO does not have any further comments to make as these were either minor amendments, or not in relation to matters concerning the MMO.



13. MMO's comments on Issue Specific Hearing (ISH) 4 outcomes

13.1 General Comments

- 13.1.1 The MMO notes that ISH4 was held on 7 October 2025 and 8 October 2025 to discuss environmental, onshore and offshore matters, and the draft development consent order.
- 13.1.2 The MMO acknowledges that the final statement of common ground for Historic England (HE) was submitted at Deadline 5 and all matters are agreed.
- 13.1.3 The Applicants noted that NE have raised a lack of a commitment to soundwave recovery monitoring. In response, the Applicants will be updating the offshore IPMP at Deadline 6 to incorporate soundwave recovery monitoring through analysis of pre and post construction review of geophysical data.
- 13.1.4 The MMO notes that NE have noted with regards to benthic matters, a lack of a commitment to decommissioning of infrastructure, excluding cable crossings and cable scale protection within the Fylde MCZ, rather than the design to be removable commitment. The Applicants maintain their position that in line with all other offshore wind energy projects, the DCO secures the requirement to submit a written decommissioning programme to SoS prior to offshore works commencing.
- 13.1.5 The MMO notes CoT55 in the latest commitment register (REP5-027) that an Offshore Decommissioning Programme(s) will be developed prior to decommissioning and will include information on the consideration of recycling of materials, where practicable, and if opportunities are available. This will be secured within Schedule 2A Requirement 21 (Offshore decommissioning) and DCO Schedule 2B Requirement 21 (Offshore decommissioning).
- 13.1.6 The MMO notes that decommissioning activities have not been fully considered by us, but we recognise that due to the late stage of the examination process, we would welcome a commitment within the commitment register for the MMO to review the initial outline decommissioning plan to be part of the consenting process prior to the SoS
- 13.1.7 The Applicants raised the issues regarding marine mammals and the inclusion of low order UXO clearance within the marine licence. The Applicants identified that their position hasn't changed, and that inclusion of low order UXO clearance within the DCO is appropriate, particularly given the control secured under Condition 20 of Schedules 14 and 15. In the DCO, which includes submission of a method statement and a marine mammal mitigation protocol (MMMP) prior to commencement. The Applicants asked if NE and the MMO prefer for the low order UXO is not retained in the DCO. The MMO's position is that all UXO clearances should be within a separate MLA. The MMO is content for UXO investigations to be included within the DCO and any relevant conditions to be maintained for this but wishes all UXO clearances to be removed. Please see Section 3.2 and the SoCG for more information. The MMO also refers to our response in Deadline 5 (REP5-175, Section 1.2).



- 13.1.8 The Applicants provided an explanation of how the maximum numbers regarding low order UXO were established. The Applicants noted that they commissioned All Tech Limited to prepare an analysis of the potential maximum UXO clearance requirements. The analysis was underpinned by previous UXO hazard and risk assessments undertaken by Ord Tech Limited in connection with pre-application geotechnical sampling that have been undertaken on the projects. The Applicants noted that before they undertake a geotechnical survey, they will commission a risk assessment of the potential for UXO and essentially commencing a geotechnical drilling on top of a UXO. The Applicants have noted that they undertook the predictive assessment based on pre-application geotechnical sampling in addition to an analysis of the MDS. The MMO welcomes this clarification.
- 13.1.9 The MMO notes that the Applicants have confirmed that the wording within Schedules 14 & 15 Condition 11(5) will be updated following the MMOs request in Deadline 5 (REP5-175, Section 8.1).



14. MMOs comments on other Stakeholders Submissions

14.1 Environment Agency (REP5-168)

14.1.1 The MMO notes that several ongoing discussions between the Environment Agency and the Applicants have now been closed out at Deadline 5.

14.1.2 The only outstanding topics unresolved are:

- Outline Hydrological Risk Assessment (HyRA) – Applicants submitted at Deadline 5
- Protective Provisions - two comments that remain to be resolved. Expected to close these out by Deadline 6.

The MMO will keep a watching brief over these developments.

14.2 Natural England (NE) (REP5-179 & REP5-184)

Environmental Statement Volume 1 Annex 5.3: Commitments Register (REP4-019)

14.2.1 The MMO notes that NE requested a commitment that further mitigation regarding sediment deposition impacts within Fylde MCZ is required.

14.2.2 NE also advises that the adequacy of benthic compensation would be reviewed as part of strategic compensation measures. The MMO defers to NE in relation to compensation measures.

14.2.3 The MMO notes that NE has highlighted knowledge gaps around impacts during the project lifetime, the maximum duration of deployment, the certainty of successful decommissioning along and impacts would be associated with decommissioning, in relation to cable/scour protection in the intertidal area. However, the MMO is aware that following a meeting between the MMO and the Applicants, the Applicants have stated that no cable/scour protection would occur in the intertidal area and this is welcomed, the MMO will keep a watching brief on this issue between NE and the Applicants.

Offshore In-Principle Monitoring Plan (REP4-075)

14.2.4 The MMO notes that NE has noted that there should be a commitment for the undertaking of remedial actions and further monitoring should impacts be greater than predicted. Please see MMO's comments on adaptive management in Sections 3.5 and 7.2 of this document.

Outline Offshore Operations and Maintenance Plan (REP4-073)

14.2.5 The MMO notes that NE has advised that all construction activities, including the development of the cable protections, occurs within the construction phase due to deleterious consequences for both recovery times and the effectiveness of post construction monitoring. NE has stated that where this is not practicable, there will be requirement for a greater number of monitoring locations / expanded monitoring periods to mitigate for instances where additional rock protection placed within the 2-year period overlaps or has potential to impact the recovery monitoring locations. NE also advises that the ES and MCZ will need reviewing in order for the increased recovery times to be appropriately considered and assessed.



Outline Landfall Construction Method Statement (AS-081)

- 14.2.6 The MMO notes that NE has highlighted that should further geotechnical investigations be required in the pre-construction phase, a separate marine licence is sought.
- 14.2.7 The MMO notes that NE has requested further information regarding where excavated sediment will be stored and how this has informed the coastal processes impact assessments.

Natural England's comments on Examining Authority's Written Questions (ExQ2) (PD-011)

- 14.2.8 **Q2:7.2.2:** The MMO notes that the continued disagreement between NE and the Applicants regarding the removal of cable protection. The MMO notes NE states that if cable protection is left in situ it will result in lasting habitat change/loss within the site and hinder the Conservation Objectives for the site which state that 'the protected habitats are maintained in favourable condition if they are already in favourable condition'. NE advised that if a commitment to avoid or minimise cable protection between MLWS and the Depth of Closure, further detail on; location, volume, height, orientation and type of cable protection should be provided to fully inform the assessment on sediment transport processes. The MMO notes that Commitment CoT133 states that 'no cable/scour protection shall be **permanently** deployed in the intertidal area between MLWS and MHWS' the MMO will review NE's comments at Deadline 6 to understand any remaining concerns.
- 14.2.9 **Q2:7.2.5:** The MMO notes NE's continued position that the nature, scale and duration of impacts from lasting habitat change/loss from the placement of cable protection is likely to hinder the 'maintain' habitat feature conservation objectives of the Fylde MCZ, therefore MEEB is required. The MMO recognises that an updated Without Prejudice Schedule was submitted at Deadline 5 (REP5-108), therefore we will await NE's Deadline 6 response before we provide our final position.
- 14.2.10 **Q2:7.3.1:** The MMO notes NE's continued position regarding site-specific monitoring where the cable is laid under the Ribble Estuary to provide evidence that EMF levels are not elevated above natural background levels. The MMO has already provided our position at Deadline 3 (REP3-085, Table 6.1) on this matter, and we have no further comments to make.
- 14.2.11 **Q2:7.4.3:** The MMO notes that NE has enquired how the maximum number of low order UXO clearances proposed was derived. The MMO notes this was discussed at ISH4 and will review Deadline 6 to understand any concerns.
- 14.2.12 **Q2:9.1.2:** The MMO notes that NE has stated that additional information regarding impacts to foraging sanderling at the landfall site is provided to inform the HRA. NE notes the residual impacts to the SPA/Ramsar site but welcomes the ongoing commitment to delivering Fairhaven saltmarsh as an alleviation measure to reduce these residual impacts. The MMO has no further comments on this matter.
- 14.2.13 **Q2:9.1.5:** The MMO notes that NE has stated that that visual and noise disturbance have not been considered as part of the temporary habitat loss MDS within the HRA. However, the MMO notes that the Applicants provided updates at Deadline 5 which will potentially alleviate NE's concerns around the significance of impacts at the landfall. The MMO will keep a watching brief over these developments at Deadline 6.



Yours Sincerely,



Marine Licensing Case Manager



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