



Ref: LAN5124P
Date: 22 October 2025

The Planning Inspectorate
National Infrastructure Directorate
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Dear Sir / Madam

Re: Morgan and Morecambe Offshore Wind Farms Transmission Assets DCO Examination
BAE Systems (Interested Party Ref: 20053944) Deadline 6 Submissions

This letter contains BAE Systems' Deadline 6 submissions for the Morgan and Morecambe Offshore Wind Farms Transmission Assets DCO Examination. It contains:

- An update on discussions with the Applicants on the draft Wildlife Attractant Habitat Risk Assessment, the Statement of Common Ground, and a Non-Disclosure Agreement; and
- a response to the Action Points (APs) from Issue Specific Hearing 4 (ISH4).

This letter should be read alongside BAE Systems' summary of its oral submissions made at ISH4, the Defence Infrastructure Organisation's (DIO) Deadline 6 submission on behalf of the Ministry of Defence (MOD), and the joint statement between the Applicants, BAE Systems and the DIO submitted by the Applicants at Deadline 6.

1) Discussions with Applicants Since ISH4

BAE Systems has met with the Applicants three (3) times since ISH4 (14 October, 17 October and 20 October 2025) to discuss the draft Wildlife Attractant Habitat Risk Assessment (draft WAHRA), the Statement of Common Ground (SoCG), and the drafting of Requirements 4, 5, and 27 of the draft Development Consent Order (dDCO). The DIO has also attended these meetings. A summary of the matters discussed at these meetings is provided below.

Wildlife Attractants Habitat Risk Assessment

The Examining Authority (ExA) will recall that in oral submissions at ISH4, BAE Systems confirmed that the DIO's subject matter experts (SME) on wildlife attractant and bird strike risk were reviewing the draft WAHRA submitted by the Applicants at Deadline 5.

Following an initial review, of the draft WAHRA by the MOD's / DIO's SME, comments were fed back to the Applicants in a meeting on 17 October 2025. Those comments raised concerns relating to the location of the Newton-with-Scales ecological mitigation site. Following discussion and comments from the Applicants at the 17 October 2025 meeting, DIO agreed to seek clarification of certain matters from the SME and to obtain formal feedback on all of the Ecological Mitigation Sites, as well as the Biodiversity Benefit Site at Lea Marsh Fields. We understand that the DIO intends to update the ExA on the latest discussions with the SME at Deadline 6.



Statement of Common Ground

BAE Systems, the DIO, and the Applicants have discussed the updates required to the SoCG following ISH4. As mentioned in oral submissions at ISH4, the updated SoCG will include the MOD / DIO as a third party and will also contain a table setting out each party's position on policy in NPS EN-1, as well as an updated section on bird strike risk to reflect the comments received on the draft WAHRA from the MOD's / DIO's SME.

The above updates are substantive and as a result, it has not been possible to finalise a SoCG at Deadline 6. BAE Systems, the DIO, and the Applicants will continue to liaise on the SoCG following Deadline 6 and will submit a final signed version by Deadline 7, or earlier if possible.

Draft Development Consent Order Drafting

BAE Systems, the MOD / DIO, and the Applicants have now reached agreement on the drafting of the DCO subject to the comments provided below in response to APs 27 and 39.

Non-Disclosure Agreement

As the ExA will be aware from previous submissions made by BAE Systems and the Applicants, a non-disclosure agreement (NDA) is required so that BAE Systems can share information and data with the Applicants. Discussions are ongoing and progress has been made since ISH4. It is now hoped that both parties will be in a position to agree an NDA before the end of October 2025. However, it is unlikely that an NDA will be in place before the closure of the Examination.

2) Response to ISH4 Action Points

Responses to the ISH4 APs directed to BAE Systems are provided below.

AP15 Ensure the SoCG address NPS policy compliance and specifies the level of impact BAE consider would result if BAE considers there is an "unacceptable impact" in policy terms.

NPS Policy Compliance

BAE Systems is not currently in a position where it is able to confirm that the proposed development complies with policy in NPS EN-1. NPS EN-1 requires the Secretary of State to have been informed of the residual impacts of development on aviation so that they are able to balance those residual effects against the benefits of the proposed development (see paragraph 4.1.7 of NPS EN-1). At present, the necessary assessments required to identify those residual effects have not been completed.

In order to fully understand the likely residual aviation effects (in so far as they relate to bird strike risk to Warton Aerodrome), the following process needs to be completed in full:

1. The Applicants undertake a draft WAHRA to identify the likelihood that the baseline bird environment would change above the current baseline and identify mitigation measures to reduce any changes to the current baseline level.
2. The draft WAHRA is reviewed by the MOD's / DIO's SME and BAE Systems from an operational perspective.
3. The outcome of Stage 2 is fed back to the Applicants, who update the draft WAHRA.
4. A Bird Strike Risk Assessment (to either be undertaken by the Applicants or BAE Systems –

see paragraph 2.4 to 2.8 of BAE Systems' Summary of Oral Submissions at ISH4, submitted at Deadline 6) is undertaken, informed by the draft WAHRA, to confirm that the mitigation measures proposed in the draft WAHRA (and secured in the outline Wildlife Habitat Management Plan (oWHMP)) are robust.

5. Any amendments to the draft WAHRA arising from the Bird Strike Risk Assessment are incorporated into the draft WAHRA and the oWHMP.

We note that this is the process which the Applicant has followed in respect of bird strike risk at Blackpool Airport (although it should be noted that the Bird Strike Risk Assessment for Blackpool Airport does not strictly follow the assessment criteria and terminology defined in Civil Aviation Publication 772 (CAP772). Blackpool Airport has been able to remove its objection to the proposed development because it has completed the above process and a Bird Strike Risk Assessment has been undertaken. At present, BAE Systems and the Applicants are at Stage 2 of the above process. As a result, the residual bird strike risk has not been established and this assessment milestone will not be achieved prior to the end of the Examination. Accordingly, BAE Systems can make no further comment on policy matters at this stage.

As referred to above, the SoCG between the Applicants, BAE Systems and the DIO will be submitted at or ahead of Deadline 7 and will summarise the parties' respective positions with regard to planning policy compliance.

Unacceptable Impact to BAE Systems

BAE Systems operates a risk matrix that is similar to that identified in CAP772 in that it uses past bird strike data to identify a "lagging" risk rating of either Very High, High, Moderate, Low, or Very Low. Additionally, BAE Systems also dynamically monitors bird data and assigns a "leading" risk level of High, Medium, or Low. The aggregated risk from both the lagging and leading risks is used to provide a risk rating which informs whether additional mitigation or modified flying activity is required. The mitigation and management measures from the aggregated risk are similar to those in CAP772:

- "high risk" –additional management actions should be implemented as soon as possible.
- "medium risk" –current risk management strategies should be reviewed and additional steps taken.
- "low risk" –no additional action above that already being implemented is necessary.

The implications of the above are that where risk indicators are above the "low risk" level (i.e. at "medium" or "high" risk), flight operations at the Aerodrome must be altered. Such measures include restrictions on the approaches to the Aerodrome in terms of direction and height, which may result in some aircraft not being able to operate, or complete cessation of flying activities.

Therefore, any increase in bird strike risk that was not able to be mitigated or managed to the "low risk" level would therefore be unacceptable to BAE Systems as it would impact on the ability to undertake flight operations from the Aerodrome..

AP27 (a) BAE, DIO, and the Applicants to discuss drafting relating to aviation lighting and whether this is secured through Requirement 4 or a separate Requirement, and (b) in the event that drafting is not agreed, any alternative drafting must be submitted into the Examination.

BAE Systems, the MOD / DIO, and the Applicants have discussed the drafting of Requirement 4 following ISH4 and are now in agreement that any requirement for aviation hazard warning lighting on lightning rods can be secured through Requirement 4, subject to drafting changes that have been agreed by all parties and will be submitted to the Examination by the Applicants at Deadline 6.



BAE Systems will provide final confirmation of its agreement to the drafting of Requirement 4 at Deadline 7, once it has reviewed the revised drafting submitted by the Applicants at Deadline 6.

As a result of the draft change to Requirement 27, a drafting change is also being made by the Applicants to Requirement 5. That drafting change adds to the design parameters of the substation sites any aircraft hazard lighting required to be installed on lightning rods under Requirement 4 and ensures that hazard lighting would be maintained for as long as the Project is operational.

BAE Systems is happy with the drafting changes to Requirement 5 that has been proposed by the Applicants and will provide final confirmation at Deadline 7.

AP39 a) The Applicants, BAE, and DIO to discuss BAE's and DIO's proposed amendments to Requirement 27.

BAE Systems, the MOD / DIO, and the Applicants have agreed drafting of Requirement 27 which would secure the approval and implementation of a detailed WHMP. This agreement, however, is provisional and subject to those representing BAE Systems and the MOD /DIO having sight of, and being content with, linked updates to the oWHMP which the Applicants are submitting at Deadline 6. The amendments to the oWHMP that have been requested by BAE Systems and the MOD / DIO include:

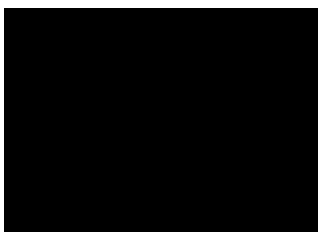
- Further details being added on what onshore site preparation works can take place ahead of a detailed WHMP being agreed with BAE Systems and submitted to, and approved by, Fylde Council.
- Details of triggers for pausing certain onshore site preparation works where they give rise to increased bird attractants and a process for mitigating those increases in consultation and agreement with BAE Systems and MOD / DIO.

BAE Systems will provide final confirmation of its agreement to the drafting of Requirement 27 at Deadline 7 once it has reviewed the drafting of both Requirement 27 and the oWHMP submitted by the Applicants at Deadline 6.

Subject to the above, BAE Systems have no outstanding comments on any of the other Requirements or Articles in the dDCO but reserves its position to provide comment at Deadline 7 on any further changes made to the dDCO by the Applicants at Deadline 6.

I trust the above is clear and satisfactory; however, if you have any queries, please do not hesitate to contact me using the details below.

Yours faithfully,



Hons), MPlan, MRTPI

Director
DLP Planning



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For and on behalf of
BAE Systems
Interested Party Reference No.
20053944

SUMMARY OF ORAL SUBMISSIONS MADE AT ISSUE SPECIFIC HEARING 4

Morgan and Morecambe Offshore Wind Farms Transmission Assets DCO Examination

**Prepared by
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October 2025



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CONTENTS	PAGE
1.0 Introduction	4
2.0 Item 8: Aviation	4
Progress with Aviation Assessments	4
Commercial Agreement and Non-Disclosure Agreement	4
Residual Aviation Impacts.....	5
Mitigation	6
Aviation-Related Policy in NPS EN-1	6
3.0 Item 10: Draft Development Consent Order.....	7
Requirement 4: Substation Works.....	7
Requirement 5: Detailed Design Parameters Onshore.....	8
Requirements Relating to Control and Management Plans	8
Requirement 27: Wildlife Hazard Management Plan (WHMP)	8

1.0 INTRODUCTION

1.1 This document provides a summary of the oral submissions made by those representing BAE Systems at Issue Specific Hearing 4 (ISH4) on Tuesday 7 and Wednesday 8 October 2025. Oral Submissions were made under the following agenda items:

- Item 8: Aviation
- Item 10: Draft Development Consent Order

2.0 ITEM 8: AVIATION

Progress with Aviation Assessments

2.1 BAE Systems and the Applicants have continued to engage outside of the Examination. The Defence Infrastructure Organisation (DIO) (on behalf of the Ministry of Defence (MOD)) has also participated in these discussions. Meetings have focused on the process to be followed in order to ensure that the impact on Warton Aerodrome in terms of bird strike risk is fully and appropriately assessed. This process requires consideration of the Applicants' draft Wildlife Attractants Habitat Risk Assessment (WAHRA) and the carrying out of a specific Bird Strike Risk Assessment for Warton Aerodrome.

2.2 At the time of ISH4, the Applicants had produced a draft WAHRA, which was submitted to the Examination at Deadline 5 (as an appendix to the updated outline Wildlife Hazard Management Plan (oWHMP)) (Examination Library Ref: REP5-107). Those representing BAE Systems at ISH4 confirmed that the MOD's / DIO's subject matter experts on wildlife attractant and bird strike risk were in the process of reviewing the updated oWHMP, including the draft WAHRA, and that feedback would be provided to the Applicants as soon as it is available.

2.3 BAE Systems' covering letter to its Deadline 6 submissions provides an update on discussions with the Applicants and DIO regarding the draft WAHRA following ISH4.

Commercial Agreement and Non-Disclosure Agreement

2.4 BAE Systems and the Applicants are continuing to negotiate the terms of a Non-Disclosure Agreement (NDA) which is required to be entered into before the terms of an agreement concerning the broader commercial arrangements to be put in place between the parties can be discussed.

- 2.5 A small number of points on the NDA remain outstanding. BAE Systems and the Applicants are targeting the end of October to agree the form of NDA; however, it is not currently anticipated that the NDA will be in place before the close of the Examination.
- 2.6 Regarding the Bird Strike Risk Assessment for Warton Aerodrome, those representing BAE Systems at ISH4 explained that it is not necessarily reliant on the NDA being in place. Two pathways for undertaking the Bird Strike Risk Assessment have been identified by the Applicants. These are as follows:
- (i) The Applicants undertake the Bird Strike Risk Assessment on behalf of BAE Systems – this pathway would require BAE Systems to provide the Applicants with details of its existing Wildlife Hazard Management Plan and Strike Risk Probability Matrix. The disclosure of this information requires an NDA to be in place; or
 - (ii) BAE Systems undertakes the Bird Strike Risk Assessment in reliance upon the Applicants' WAHRA – accordingly, this pathway is dependent on the draft WAHRA being finalised and of a standard that is considered robust by BAE Systems and DIO.
- 2.7 The pathway to be adopted in respect of the Bird Strike Risk Assessment for Warton Aerodrome is still to be agreed between BAE Systems and the Applicants.
- 2.8 In response to a question from the Examining Authority (ExA) regarding BAE Systems' costs, it was confirmed that undertakings have been received from the Applicants with regard to some but not all of BAE Systems' professional fees (incurred in connection with the Examination). However, the Applicants stated that, regardless of the chosen pathway, the costs of undertaking the Bird Strike Risk Assessment for Warton Aerodrome and of implementing the required mitigation, management and monitoring measures will be met by the Applicants (this commitment is contained in Annex 5.3 to the Applicant's responses to the ExA's second round of written questions; see paragraph 1.2.3.3 of Examination Library Document REP5-133).

Residual Aviation Impacts

- 2.9 BAE Systems confirmed that its position at this stage – pending agreement of the Applicants' WAHRA and the outcome of a Bird Strike Risk Assessment for Warton Aerodrome – is that it cannot categorically state whether or what the residual aviation impacts as a consequence of the construction and operation of the Transmission Assets are likely to be. BAE Systems cannot therefore agree with or endorse the statements made in the Applicants' Bird Strike Policy Note (Examination Library Document REP5-133).

- 2.10 BAE Systems will only be in a position to comment on whether any residual bird strike risk at Warton Aerodrome is acceptable once the following milestones have been achieved:
- (i) A robust WAHRA that has been reviewed by MOD's / DIO's subject matter experts and confirmed as acceptable by the MOD / DIO and BAE Systems;
 - (ii) A Bird Strike Risk Assessment for Warton Aerodrome has been carried out and the results considered alongside the mitigation, management and monitoring measures contained in the oWHMP in order to ensure that the implementation of these measures will reduce the bird strike risk at Warton Aerodrome to an acceptable level; and
 - (iii) The wording of draft Requirement 27 has been agreed between the Applicants, MOD / DIO, and BAE Systems.
- 2.11 BAE Systems will not be in a position to remove its objection to the Transmission Assets until all the above milestones have been achieved and appropriate mitigation has been identified and secured as part of the oWHMP which will have the effect of reducing the level of any residual bird strike risk at Warton Aerodrome to an acceptable level.
- 2.12 At the time of ISH4, feedback was awaited from the MOD's / DIO's subject matter experts on the Applicants' WAHRA. The covering letter to BAE Systems' Deadline 6 submissions contains a summary of the current position.
- 2.13 For the current position with regard to agreement of the wording of draft Requirement 27, see paragraphs 3.7 to 3.11 below.

Mitigation

- 2.14 BAE Systems confirmed, in response to a request for clarification from the ExA on its earlier submissions to the Examination, that it is not BAE Systems' position that no mitigation is available to address the risk of bird strike associated with the Transmission Assets. Rather, BAE Systems' position at ISH4 was that until a Bird Strike Risk Assessment for Warton Aerodrome has been undertaken, the outcome of the assessment and what it will conclude regarding the bird strike risk and the availability of mitigation to keep the risk at an acceptable level isn't known.

Aviation-Related Policy in NPS EN-1

- 2.15 In order to confirm compliance (or otherwise) by the Transmission Assets with the aviation-related policies contained in NPS EN-1, it needs to be established what the residual aviation impacts, specifically in respect of Warton Aerodrome, are likely to be. The milestones

referred to in paragraph 2.10 above, which include the carrying out of a Bird Strike Risk Assessment and the identification of appropriate mitigation, are pre-requisites to this. It is only at this stage that BAE Systems will be able to confirm that the bird strike risk at Warton Aerodrome can be maintained at the required acceptable level.

- 2.16 BAE Systems notes that the Applicants and Blackpool Airport have agreed a joint policy statement. However, those representing BAE Systems at ISH4 pointed out that Blackpool Airport's position is somewhat different, with the Airport having the benefit of a Bird Strike Risk Assessment and a tailored package of mitigation measures secured through the oWHMP.

3.0 ITEM 10: DRAFT DEVELOPMENT CONSENT ORDER

Requirement 4: Substation Works

- 3.1 BAE Systems and the Applicants are agreed that both the MOD and BAE Systems should be consulted on the location and heights of the substation lightning rods, together with the need for any aviation hazard safety lighting, and that this should be secured through a Requirement in the dDCO.
- 3.2 BAE Systems had suggested the wording included in Requirement 4 of the dDCO submitted at Deadline 5 (Examination Library Ref: REP5-010) which the Applicants confirmed they were prepared to include in the dDCO. In the intervening period since Deadline 5, the MOD / DIO has suggested that a separate Requirement is included in the dDCO relating to aviation hazard safety lighting and charting. The Applicants and BAE Systems agreed at ISH4 to discuss the drafting of Requirement 4 or an alternative separate Requirement with DIO and to update the ExA in respect of any revised wording at Deadline 6.
- 3.3 Those representing BAE Systems at ISH4 also confirmed that they will take instructions from BAE Systems on whether it considers it needs to be consulted on other aspects of the Project A/B substation design (such as the height of the substation building) and will provide the necessary clarification in written submissions at Deadline 6 (see the covering letter to BAE Systems' Deadline 6 submissions).

Requirement 5: Detailed Design Parameters Onshore

- 3.4 BAE Systems confirmed that it was content with the wording of Requirement 5 in the version of the dDCO submitted at Deadline 5 (Examination Library Ref: REP5-010). BAE Systems had requested at earlier stages of the Examination for building and external equipment heights to be shown as Above Ordnance Datum (AOD). Requirement 5 has been amended in line with this request.

Requirements Relating to Control and Management Plans

- 3.5 BAE Systems considers it essential that the various control and management plans, the approval of which is secured through Requirements in the dDCO (including the Wildlife Hazard Management Plan, the Landscape Management Plan, the Ecological Management Plan, the Biodiversity Benefit Plan, the Code of Construction Practice and the Operational Drainage Management Plan) are all aligned and that an appropriate mechanism is put in place to avoid a conflict arising between these plans.
- 3.6 BAE Systems agreed to engage further with the Applicants in respect of this matter ahead of Deadline 6 and to review the Applicants' proposed mechanism for ensuring that the control and management plans speak to one and are updated in a consistent manner as the Transmission Assets are constructed and brought into operation.

Requirement 27: Wildlife Hazard Management Plan (WHMP)

- 3.7 BAE Systems is broadly content with the principle and the aim of Requirement 27. However, at ISH4 the trigger for approval of the detailed WHMP was raised – in particular, BAE Systems consider that a "Grampian" style condition should be adopted such that approval of the detailed WHMP is required before any Project A/B onshore construction works are undertaken.
- 3.8 Furthermore, the WHMP is intended to be a dynamic and evolving document which will need to be revisited and updated as the Project A/B onshore construction works progress. The Requirement wording in the dDCO should reflect this. The process for updating the detailed WHMP is required to be agreed including a communications protocol which will require the Applicants to consult with BAE Systems on an ongoing basis in respect of key construction stages and when approvals and subsequent updates are required to the various control and management plans with the potential to impact the mitigation and adaptive management measures secured in the detailed WHMP.

- 3.9 It was noted that Requirement 27 should require the detailed WHMP to be implemented as approved. The Applicants proposed drafting already provides for this.
- 3.10 In response to an oral submission made by the Parish Councils, BAE Systems confirmed that it was not seeking to be the discharging authority for Requirement 27 – Fylde Borough Council, as the relevant local planning authority, will have this responsibility. However, BAE Systems requests to be a named consultee and to confirm its agreement to the detailed WHMP before it is submitted to Fylde Borough Council for approval.
- 3.11 An update on the status of Requirement 27 and the discussions which have taken place between the Applicants, BAE Systems and MOD / DIO since ISH4 is provided in BAE Systems' Deadline 6 covering letter.

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