



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Morgan and Morecambe Offshore Wind Farm: Transmission Assets

Appendix N6 to Natural England's Deadline 6 Submission
Natural England's Answers to the Examining Authority's Request for Further
Information Rule 17 Letter Deadline 6

For:

The construction and operation of the Morgan and Morecambe Transmission Assets
located approximately 0 - 37 km off the Northwest English Coast in the Irish Sea.

Planning Inspectorate Reference EN020028

22 October 2025

Natural England's answers to the Examining Authority's request for further information

Request	Natural England's response
<p>1. Uncertainty in relation to delivering the proposed mitigation areas and impact on Habitat Regulations Assessment (HRA) conclusions</p> <p>Due to on-going aviation issues the certainty and feasibility of delivering the proposed mitigation areas has been questioned. During ISH4 (see recording and transcript of ISH4 Part 8 – 08 October 2025 [EV10-016 and EV10-017]) in relation to a request for a without prejudice derogations case issued as Q14 in the Report on Implications for European Sites (RIES) [PD-015], the applicants stated that they will not be providing a without prejudice derogations case and that they don't consider that one is necessary. They stated that additional information will be provided at deadline 6, covering clarifications and alternative mitigation measures that could be applied. They also stated that the conclusions around no adverse effect on integrity are the same.</p> <p>Can you advise what would the implications be on the conclusions of the HRA if any of the mitigation areas: Lytham Moss, Newton-with-Scales and Fairhaven Saltmarsh could not be delivered? If any of the mitigation areas could not be delivered, could the applicants theoretically provide avoidance/ mitigation measures in another form that could avoid/ reduce the potential for adverse effects? If so, what would such measures comprise?</p>	<p>Natural England direct the ExA to our response to Q14 of the RIES in Appendix M6 of our Deadline 6 submissions.</p> <p>Regarding the mitigation areas at Lytham Moss and Newton-with-Scales, if one or both of these could not be delivered then we would be unable to rule out AEOL unless the Applicant brought forward alternative avoidance, reduction and/or mitigation measures that could address the potential for adverse effects. These alternative measures would need to be targeted at the specific ecological requirements of the impacted species, in the case of mitigation land this would include the area being able to be managed in a way that would make it more suitable for those species, and being sited in a location with likely connectivity to the SPA/Ramsar site.</p> <p>Regarding Fairhaven saltmarsh, as advised in [REP5-183] and our response to Q16 of the RIES (Appendix M6), the scheme is not required to avoid an AEOL conclusion with respect to the landfall works, as the impacts have been reduced to a non-AEOL level by the on-site mitigation measures proposed by the Applicant. It is an alleviation measure to address the residual impacts of the proposal on the SPA/Ramsar site. Accordingly, if the measure could not be delivered an AEOL could still be ruled out for this proposal, although the residual impacts would not be addressed and therefore they could act in-combination with future projects.</p>
<p>2. Potential impact on the effectiveness of the proposed mitigation areas</p> <p>An updated Outline Wildlife Hazard Management Plan [REP5-107] has been submitted at deadline 5. A Draft Wildlife Habitats Attractant Risk Assessment is now included within the document</p>	<p>We reiterate our response to Q14 of the RIES (Appendix M6) and ExA Q2 [REP3-095], we cannot provide comment or provide advice on the bird strike risk assessment or attractant risk assessments as this is outside of Natural England's remit. We have provided further detail in response to Q19 and Q21 to the RIES with regards to the mitigation areas.</p>

(Appendix A) including additional design commitments/management measures to control bird attraction. At ISH4 (see recording and transcript of ISH4 Part 5 – 08 October 2025 [EV10-010 and EV10-011]) a question was asked in relation to those additional proposed measures and the potential downgrade to the quality and effectiveness of the proposed mitigation areas.

Could NE comment on this point?

With regards to the proposed measures and the potential downgrade to the quality and effectiveness of the proposed mitigation areas – we have reviewed the transcript of ISH Part 5 and Table 1- 4 of Appendix A of the updated Outline Wildlife Hazard Management Plan (OWHMP) [REP5-107]. We note that the design commitments/management measures to control attraction primarily focus on the design features of the mitigation areas which have previously been discussed with Natural England throughout Examination. Therefore Natural England are satisfied that the design commitments/management measures to control attraction will not impede the quality and effectiveness of the mitigation areas, as they do not differ to those set out in the mitigation proposals.

However, we note that the OWHMP states that Active Management Measures (AMM) will be implemented if trigger levels are exceeded. It is currently unclear how the trigger levels will be determined from the application documents, but we note in Section 1.1.4.8 of the document that trigger levels will be determined in consultation with BAE and the DIO and will be set out in the detailed Wildlife Habitat Attractants Risk Assessment. Therefore at this stage it is unclear on how these processes will interact with the Applicant's requirements with respect to the Ribble and Alt Estuary SPA/Ramsar site. We advise that if Active Management Measures are required, these measures would need to be developed in consultation with Natural England, to ensure that the AMM carried out are of a nature that do not affect the ability of the mitigation areas to deliver the required level of resource for the impacted species.

Accordingly, we advise that a mechanism is required to ensure that, in the event of AMM being needed, the Applicant will provide Natural England with an updated assessment on how the AMM could impact the SPA/Ramsar birds utilising the mitigation areas, and the potential implication this will have on the effectiveness of the mitigation areas in delivering the required level of benefit. If upon consulting Natural

	<p>England, it is determined that the management measures will have the potential to downgrade the quality and effectiveness of the proposed mitigation areas, the Applicant would need to amend the AMM in a way that respects the requirements of the mitigation areas whilst still delivering the required level of hazard management, or provide alternative mitigation solutions specific to the affected species. This could be secured through the finalised OWHMP or perhaps directly through the DCO.</p>
<p>3. Peat Management Strategy</p> <p>During ISH4 (ISH4 (see recording and transcript of ISH4 Part 3 – 07 October 2025 [EV10-006 and EV10-007]) a discussion took place regarding the wording of commitment 101 [REP5-026] and NE response to ExQ2, Q2:6.1.8 [REP5-184]. The applicants stated that to put the concerns in context, they have utilised the maps mentioned by NE, and the total area where deep peat could be present constitutes 2.91% of the overall order limits area and that peat disturbance is unlikely.</p> <p>The applicants' position is to update the soil management plan to include a hierarchy of control for peat management but there is no intention to include a specific compensation strategy. Additionally, the applicants have confirmed that they are not proposing to include any specific requirements into the draft development consent order (DCO) in relation to deep peat management and compensation strategy, stating that they don't consider it to be a necessary measure.</p> <p>Could NE further comment on this outstanding issue and if you maintain that compensation strategy is necessary, could you propose suggested drafting for a potential requirement on a without prejudice basis?</p>	<p>Natural England reiterate our advice provided in [REP5-184] to the ExA Q2:6.1.6. Additionally, we advise that at this stage the peat survey data provided by the Applicant are not sufficient to inform the scale, or location of peat losses. Therefore, to determine the appropriateness and adequacy of mitigation or compensation measures, we would first need to fully understand the scale and significance of impacts to the deep peat mass which needs to be informed by targeted peat surveying, as stated in RI_G7 of our R&I Log submitted at Deadline 6.</p> <p>Our specific concerns relate to areas of development at the edge of the peat mass which may include the need for extraction, infrastructure or other building development. Further targeted peat surveys to non-surveyed areas at this location in the pre-construction phase would provide certainty on the extent of peat to be degraded or lost. An overlay of peat depths found during existing peat investigations and use of the <u>England Peat Status Greenhouse Gas and Carbon Storage</u> open data source would identify which areas would benefit from further targeted surveying. This would assist in identifying how far the peat extends to ensure development firstly avoids impacts and to inform measures required to address the impact in line with the mitigation hierarchy principles.</p>

	<p>However, we note there is insufficient time before the close of Examination for the Applicant to undertake adequate surveys. Therefore, we advise that in the absence of targeted peat surveys, the Applicant should include a commitment outlining that no works can be undertaken in the non-surveyed areas until the further targeted peat surveys are completed to inform whether mitigation and/or compensation are required. If once the impacts are known and are provided alongside the Applicants mitigation or compensation proposals (preferably included in an outline Peat Management Plan, named on the DCO -please see below), Natural England would be happy to provide further advice.</p> <p>There should be a commitment for a final Peat Management Plan that applies the mitigation hierarchy (i.e. survey - avoid - mitigation-compensate) to be submitted and approved by the relevant Planning Authority in consultation with the relevant SNCB as part of a DCO requirement.</p> <p>For clarity, compensation would only be required should there remain a significant risk to the restorability of the deep peat mass. This option would be a last resort when impacts on restorable peat cannot be avoided through other measures.</p>
<p>4. Minimum drill depth beneath the Lytham St Anne's Dunes Site of Special Scientific Interest (SSSI)</p> <p>The Outline Hydrogeological Risk Assessment [REP5-102] was updated at Deadline 5 and the ExA are awaiting further comments from NE at Deadline 6. In your [REP4-140] you state “Based on this data, a commitment to set the minimum cable depth at >15m (rather than 10m) would fully mitigate our concerns and would hopefully avoid the middle sands too, which form an important part of the aquifer.” and “Natural England advises that the Applicant</p>	<p>Natural England maintains that our key concern relating to this matter is around the cable burial depth and impacts on Ground Water Dependant Terrestrial Ecosystems (GWDTE). Natural England has provided further information on the updated Outline Hydrogeological Risk Assessment [REP5-102] in Appendix G6 of our Deadline 6 submissions. Comments relating to cable burial depths are provided in Section 1.2 of Appendix G6.</p>

<p>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.”</p> <p>This issue was discussed at the ISH4 (see recording and transcript of ISH4 Part 3 – 07 October 2025 [EV10-006 and EV10-007]) with the applicants maintaining their position that the “Applicants are unable to commit at this stage to increasing the minimum drill depth beneath the Dunes SSSI. Final depths will be determined once contractors are appointed and the detailed design is undertaken. Additional hydrogeological data will be collected, including information on groundwater abstractions from the St Annes Old Links Golf Course, as well as further ground investigation and ground water monitoring as necessary. This information will inform the detailed Hydrogeological Risk Assessment, which will in turn inform the final cable positioning and depths.”</p> <p>The detailed Hydrogeological Risk Assessment (HyRA) is secured through Requirement 8(o) of the DCO. The applicants explained that depth of the cables will have an impact on electrical efficiency and that other mitigation measures could be adopted and those would be agreed as part of the discharge of the Requirement 8(o) in consultation with Natural England and the Environment Agency.</p> <p>Could you explain in more detail if you still consider that a specific commitment to increasing the burial depth from 10m to 15m is necessary?</p>	
<p>5. Offshore ecology</p> <p>At ISH4 (see recording and transcript of ISH4 Part 6 – 08 October 2025 [EV10-012 and EV10-013]) the applicants indicated that NE might not be in a position to set out its final position on outstanding issues relating to physical processes, benthic ecology and matters relating to the Fylde Marine Conservation Zone by deadline 6 (22 October 2025) as required by the examination timetable.</p>	<p>This is noted by Natural England, and our Risks and Issues log has been updated accordingly and where possible provides further advice on issue resolution. Please note this is the authoritative document on all thematic concerns.</p>

<p>The ExA requests that NE makes every effort to comply with the deadline for all offshore ecology issues, in order to allow time for the last-minute clarification of positions (if required) in advance of the close of the examination at deadline 7 (29 October 2025).</p>	
<p>6. Risk and Issues Log</p> <p>The ExA notes the latest version of the Risk and Issues Log that has been submitted by NE at deadline 5 [REP5-177]. Within this there are a number of matters that are still colour coded 'Red' or 'Amber'.</p> <p>The ExA notes NE's definition of a matter with an amber colour coding is such that: " Natural England does not agree with the Applicant's position or approach and consider that this could make a material difference to the outcome of the decision-making process for this project.</p> <p>Natural England considers that these matters may be resolved through: provision of additional evidence or justification to support conclusions; and/or revisions to impact assessment methodology and/or assessment conclusions; and/or minor to moderate revisions to impact modelling; and/or well-designed mitigation measures that are adequately secured through the draft DCO/dML and/or amendments to draft plans</p> <p>If these issues are not addressed or resolved by the end of the Examination, then they may become a Red risk issue as set out above."</p> <p>Having regard to this can NE in conjunction with its Risk and Issues Log that is to be submitted at deadline 6 (22 October 2025) for all of the matters that still have a red or amber colour</p>	<p>With regards to the implications of red or amber matters in HRA terms, Natural England has provided a response to the RIES questions in Appendix M6 to our Deadline 6 submissions.</p> <p>With regards to Fylde Marine Conservation Zone (MCZ), although the Applicant has undertaken and submitted a without prejudice Measures of Equivalent Environmental Benefit (MEEB) case, we highlight to the ExA that there are still outstanding concerns relating to the strategic compensation measures. We are in agreement with the Applicant that the Marine Recovery Fund (MRF) is the preferred and prioritised option. However, Natural England does not consider that realistic Maximum Design Scenario (MDS) figures have been calculated for lasting habitat loss/change for each of the features due to the placement of cable protection. It is our view that this could have implications for the amount of compensation required and what is paid into the MRF. We provided further advice on this and a route to solution in our Relevant Reps [RR-1601], also in our R&I log refs: RI_I4, RI_I5, RI_J1, RI_J31 and our Deadline 2 submission [REP2-062].</p> <p>We highlight to the ExA that within our R&I Log (Appendix K6), where an amber issue does not turn yellow/green at the end of Examination, these issues are material concerns.</p> <p>Additionally, we have provided an update of Natural England's Principal Areas of Disagreement Summary Statement (PADSS) in the PADSS Tab of our R&I Log submission at Deadline 6. We highlight that our principle areas of disagreement ('red risk' issues) are set out in:</p> <ul style="list-style-type: none"> • NE3 – Worst Case Scenario (WCS) assessed during construction and operation and maintenance (O&M for benthic

<p>coding explain the implications of each of these matters in terms of the conclusions the applicants have reached in either environmental impact assessment (EIA) and/or Habitats Regulations assessment (HRA) terms and whether they are likely to materially affect the applicants' assessment of effects.</p>	<p>ecology and physical processes). Progress has been made with the Applicant including updates to the Chapters at Deadline 5 on the MDS for some elements. However, we maintain we are not in agreement for the MDS presented for: how the sandwave clearance figure was derived, UXO, pre-lay grapnel runs, boulder clearance and jack-ups. Further detail is included in the R&I Log (PADSS, Tab B, Tab C).</p> <ul style="list-style-type: none"> • NE4 - Removal of infrastructure at the decommissioning stage. We welcome the Applicant's efforts to limit/mitigate cable protection within Fylde MCZ such as the refinement of cable protection parameters and inclusion of the commitment to 'no rock dumping' within Fylde MCZ. However, a commitment has not been made to the removal of cable/scour protection at the end of project life, therefore we maintain our original position which is that all on and above seabed infrastructure (including cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. It should be noted that the Applicant and Natural England are not agreed on this matter. • NE5 – Lack of cable protection location and design information. Our final position is that there is still insufficient information and subsequent mitigation on the following: location, height, volume, orientation and type of cable protection within Fylde MCZ and between MLWS and the Depth of Closure. • NE16 – Lack of Agricultural Land Classification (ALC) survey effort. Natural England's final position is that the Applicant should commit to ALC surveys pre-consent. There is a requirement to show how the project avoids impacting best most versatile (BMV) land. <p>We also highlight that our primary outstanding areas of concern ('amber risk' issues) are set out in:</p> <ul style="list-style-type: none"> • NE6 – We welcome the inclusion of a micro-siting around reef features (only) in the DCO as previously acknowledged. We also note that the Applicants included further wording around
--	---

	<p>application of the mitigation hierarchy in relation to NERC habitats in [REP4-100] but note that this is not a named plan and therefore not secured. Ideally, mitigation measures should also be included in the Benthic and Physical Processes Chapter or within a named plan, noting the potential presence of other NERC Habitats.</p> <ul style="list-style-type: none"> • NE9 – Ribble Estuary MCZ assessment. Our final position has not changed since our advice at Relevant Representations. Natural England does not agree that smelt should be screened out, further assessment and provision of information is required as EMF could potentially impact the protected feature of the MCZ. • NE10 – Natural England continues to advise that any UXO clearance, whether high order or low order, should be authorised under a standalone marine licence post consent and should be removed from the draft DCO. • NE13 – Impacts to sand dunes at Lytham St Annes Dunes SSSI. Our main outstanding concerns relate to cable burial depth and impacts on Ground Water Dependent Terrestrial Ecosystem's (GWDTE) i.e. dune slack vegetation. • NE14 – Direct Pipe Trenchless Technique. The Applicant have provided an updated version of the outline Landfall Construction Method Statement [REP5-117] at Deadline 5. Table 1, Appendix A provides a review of the risks associated with trenching, including the consideration of the failure of the Direct Pipe method. Primary outstanding concerns relate to the purpose of additional boreholes and distance between cables. • NE17 – Natural England's final position remains that there is insufficient information for Natural England to advise if the proposal will have direct or indirect impacts on peat. We advise that further surveys and evidence is required to identify areas of deep peat and peaty soils. • NE20 – Impacts to Ribble and Alt Estuaries SPA/Ramsar terrestrial waterbirds. This issue has progressed throughout Examination, and we are now satisfied with the provision of detail relating to Lytham Moss. Our outstanding concerns are in regards
--	--

	to long-term monitoring/management of the Newton-with-Scales mitigation area. Please see RI_H7 for further detail.
--	--