

Date: 13 April 2026
Our ref: 543504
Your ref: EN020028



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BY EMAIL ONLY

Dear John Wheadon,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Morgan Offshore Wind Limited and Morecambe Offshore Wind Limited (“the Applicant”) for an Order granting Development Consent for the proposed Morgan and Morecambe Offshore Wind Farms Transmission Assets (“Project”)

The following constitutes Natural England’s formal statutory response to the Secretary of State’s Request for Information (RFI) dated 12 March 2026. To inform this response Natural England has reviewed the following documents submitted into Examination by the Applicant at Deadlines 6 and 7:

- [REP6-024] E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment - Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (Clean) - Rev F03
- [REP7-034] S_D3_8 Outline Wildlife Hazard Management Plan (Clean) - Rev F04
- [REP6-104] J20 Offshore In Principle Monitoring Plan (Tracked) - Rev F05
- [REP6-151] S_D4_22 Outline Landfall Construction Method Statement (Clean) - Rev F03
- [REP6-115] J6 Outline Ecological Management Plan (Clean) - Rev F06
- [REP7-009] F2.1 Environmental Statement Volume 2, Chapter 1: Physical processes (Tracked) - Rev F03
- [REP5-030] F2.1 Environmental Statement Volume 2, Chapter 1: Physical processes (Clean) - Rev F02
- [REP7-021] J19 Outline offshore operations and maintenance plan (Tracked) - Rev F04
- [REP7-031] S_D1_9 Stage 2 MCZ Assessment - Rev F04
- [REP6-140] S_D3_6 Outline Hydrogeological Risk Assessment for Lytham St Anne's Sand Dunes (Clean) - Rev F03

Natural England has been invited by the Secretary of State to comment upon:

Correspondence received from the Applicants since the close of the examination

'6. Noting the alternative mitigation measures summarised in Appendix H of [REP6-115] and the Applicants' post-Examination representation dated 12 February 2026 [PID-002], the Applicants and Natural England are requested to provide an update on discussions regarding alternative mitigation measures and whether implementing further avoidance measures could avoid the need for mitigation areas. The Applicants are requested to provide a further update to [REP6-115], as the Applicants suggested in [PID-002], to include commitments to temporary habitat reinstatement measures during relevant seasonal periods, proportionate to the nature and duration of the works.'

Since the closure of Examination Natural England has been engaging with the Applicant under our Discretionary Advice Service (DAS) to progress outstanding onshore ornithology matters. Through DAS we received an updated Outline Ecological Management Plan (OEMP) with additional updates since [REP6-115] and we provided comments to the Applicant on 11 March 2026 (provided in Annex 1 of this response letter). With the likelihood of the Applicant submitting an updated OEMP at RFI 1 deadline, we have summarised below our advice provided to the Applicant and our position on the potential alternative mitigation options we have had sight of.

Alternative Temporary Mitigation Measures

In January 2026 we provided DAS advice to the Applicant which outlined outstanding concerns relating to the alternative temporary mitigation measures. These were predominantly in relation to reinstatement of the land in the areas within the vicinity of Lytham Moss and Newton-with-Scales during the restricted months and the need for further detail to provide assurance that the works undertaken would not fundamentally alter the land in a way that would render these areas unsuitable for birds.

These concerns regarding alternative mitigation for temporary impacts have now been addressed in the updated OEMP, Appendix H1, which we anticipate the Applicant to submit as requested. Appendix H outlines the three different scenarios and now includes additional detail for scenarios two and three. Natural England is content that the proposed reinstatement measures in the form of backfilling the onshore export cables up to subsoil level, removal of construction plant and equipment and removal of material storage are appropriate, should the alternative scenarios be implemented. We confirm that the additional information included in the updated OEMP reviewed through DAS provides sufficient detail on reinstatement of land to be confident that the areas will be suitable for birds to use during the winter months when the seasonal restriction will be in place.

Therefore, Natural England confirms that subject to reviewing an updated OEMP submitted at RFI Deadline 1 as part of our statutory advice to the Secretary of State, we have no further comments on temporary mitigation measures. All outstanding issues related to alternative mitigation for temporary habitat loss during the construction phase are now likely resolved on the understanding that the alternative scenarios outlined by the Applicant are sufficient to rule out an Adverse Effect on Integrity (AEoI) for the Ribble and Alt Estuaries SPA/Ramsar. Natural England will confirm this once

we have reviewed the submitted OEMP.

Noting Question 5. Raised by the Secretary of State, we wish to highlight that Natural England is of the view that the alternative mitigation options (scenario 2 and scenario 3) represent a more appropriate use of the mitigation hierarchy, than the primary measure (scenario 1) , due to the measures being based on phasing/screening restrictions and screening which will directly avoid and minimise impacts. These interventions represent interventions at earlier stages of the mitigation hierarchy, and as such should normally have been considered first before proceeding to measures lower down the mitigation hierarchy (as raised in Natural England's Relevant Representations ([RR-1601], ref: H2, H32). The Applicant did proceed with off-site mitigation area proposals (scenario 1), which were eventually agreed by Natural England through the Examination process. We do consider that there are grounds for considering these options preferable to off-site mitigation measures, given there is inevitably some uncertainty about the success of off-site measures as well as the specific uncertainty relating to the concerns of Blackpool Airport and Warton Aerodrome and how they might influence management. Through DAS we recommended that the Applicant consider the merits of switching their primary mitigation strategy to one centred around seasonal restrictions and screening measures.

'8. The Secretary of State notes that in [REP2-046] the Applicants ruled out the use of Newton Marshes Site of Special Scientific Interest (SSSI) as a mitigation area due to its proximity to Warton Aerodrome. However, he also notes that DIO's post Examination submission of 6 November 2025 sets out a preference for the Newton with-Scales mitigation area to be replaced by "a site south of Warton Aerodrome, ideally to the south of the estuary". The Applicants are requested to explain whether any alternative mitigation areas have been, or could be, identified that would address this request.'

Whilst, Natural England notes Question 8 is directed to the Applicant, we highlight that we have also been engaging with the Applicant on alternative permanent mitigation measures in addition to the engagement relating to temporary mitigation options. We anticipate that the Applicant will be providing an update on alternative permanent mitigation as part of their submission. To prevent any delay in proceedings we wish to inform the Secretary of State of our position on this matter.

In summary we welcome the Applicant's efforts to locate an alternative suitable permanent mitigation area. However, based on the alternative option that has been presented to us, we have advised the Applicant that it does not represent suitable mitigation. Therefore, with regards to permanent mitigation, we advise that Newton-with-Scales remains the only viable option from an ecological perspective which has been presented by the Applicant so far. Our most recent DAS response outlining our comments regarding alternative permanent mitigation is included in Annex 1.

Habitat Regulations Assessment (HRA)

'12. Natural England is invited to comment on any D6 or D7 submissions from the Applicants relating to HRA conclusions and confirm whether these resolve any of its outstanding concerns.'

We welcome the opportunity to provide further advice on submitted documents. We reiterate that our response to question 6 provides our final position in relation to alternative temporary mitigation for the impact of temporary habitat loss during construction and potential removal of AEoI subject to review of submitted documents.

We note the Applicant's updated ISAA [REP6-024] and advise that our response to R17.2.2 outlined in [REP7-049] is still applicable. We maintain that mitigation is required for both permanent and temporary impacts and in the absence of the proposed measures at Newton-with-Scales to mitigate for permanent habitat loss we would not be able to rule out an AEoI for golden plover.

We confirm that our position remains the same, that based on the updates in the OEMP [REP6-115] regarding long term monitoring and deliverability of management measures at Newton-with-Scales, AEoI can be ruled out for golden plover (and indeed other relevant SPA features). The updates made included confirmation that surveys will be undertaken monthly over the duration of the project (30 years) to inform any adaptive management measures and a commitment to update the final EMP with the detail on the group who will carry out the monitoring/management.

At present Newton-with-Scales remains the only suitable option identified by the Applicant and our advice included in [REP7-050] remains the same. A further update on alternative permanent mitigation is also included in response to Question 8 and included in Annex 1.

'13. Natural England is invited to comment on the oWHMP and draft Wildlife Attractants Habitat Risk Assessment [REP7-034] and specifically on whether the proposed measures to reduce bird strike risk will negatively impact the proposed mitigation areas for the Ribble and Alt Estuary SPA.'

Natural England has reviewed [REP7-034] and signpost to our advice relating to this topic submitted a Deadline 6 (point 2 [REP6-190]). The updates made at Deadline 7 do not change our advice issued at Deadline 6. Therefore, there is no further detail on which to provide further additional advice as to whether proposed measures to reduce bird strike risk could potentially negatively impact the proposed mitigation areas for the Ribble and Alt Estuary SPA.

Further detail on the likelihood of implementing trigger levels for SPA features would be useful, as this factor could provide further context on the likely frequency of implementing the measures and the subsequent risk of negative impacts on the proposed mitigation areas. However, we wish to highlight that the ongoing conversations around bird strike risk and establishing trigger levels are outside of Natural England's remit.

'14. The Applicants and Natural England are invited to provide any other updates relevant to HRA matters.'

The response provided to questions 6, 8 and 12 outline updates relating to outstanding HRA issues. We do not have any other HRA matters to raise. Should the Secretary of State request further detail on any of the outstanding HRA matters discussed above we will provide further comment.

Marine Physical Processes, Subtidal and Intertidal Ecology

'16. Natural England is requested to comment on the Applicants' D6 updates to the Offshore In Principle Monitoring Plan [REP6-104] and advise whether these resolve its concern relating to sandwave recovery set out in NE.PP.5 [REP6-179].'

We welcome the Applicant's commitment to undertake pre- and post-construction surveys to inform the assessment of sandwave recovery. However, careful consideration needs to be given to the frequency of surveys, particularly post-installation, to accurately capture recovery of the sandwaves. Multiple bathymetric survey datasets (i.e. a time-series) may be needed to demonstrate recovery of sandwaves particularly within the MCZ. Therefore we consider this matter progressed but not resolved.

We also note and welcome the Secretary of State request in question 17: "...*The Applicants are therefore requested to consider updating [REP6-101] to secure further surveys of sandwave recovery if the initial post-construction survey does not indicate full recovery.*" We agree that the Applicant should also secure further surveys of sandwave recovery if the initial post-construction survey does not indicate full recovery or if impacts are found to be greater than those predicted in the Environmental Impact Assessment (EIA).

'22. Natural England is requested to comment on any further D6 & D7 submissions relevant to the Marine Conservation Zone Assessment and confirm whether these resolve any of its outstanding concerns.'

We note the Applicant's updates at Deadline 6 and Deadline 7 and firstly wish to highlight that the updates do not include any refinement to the impacts with regards to lasting habitat loss/change within Fylde MCZ. Therefore, our view remains unchanged from the end of Examination, and we continue to advise that Measures of Equivalent Environmental Benefit (MEEB) are required to compensate for lasting habitat loss/change from the placement of cable protection within Fylde MCZ [REP6-193].

We have had ongoing discussions with the Applicant through DAS engagement regarding concerns around the deployment of cable/scour protection and the requirement for a new Marine Licence from the Marine Management Organisation (MMO) during the O&M phase. From reviewing the updated documents, we note that the Applicant has updated the MCZ Assessment [REP7-031] and Outline OOMP [REP7-021] at Deadline 7 to limit the deployment of cable/scour protection outside of Fylde

MCZ to the first 10 years. We note that the Applicant has also updated their position to state that inside Fylde MCZ, deployment of any cable/scour protection during the O&M phase will require a new Marine Licence Application from the MMO. Therefore, we confirm that this has resolved our concerns; RI_A8, RI_C2, and RI_I13 in our Risk and Issues log [REP6-193] and we would also consider matter NE.BE.2 to be agreed in the Statement of Common Ground (SoCG) [REP6-100].

We note that the Applicant has also updated the wording in the MCZ Assessment and CoT116 to include the wording *“Within the Fylde MCZ, sandwave clearance, which will only be undertaken by Controlled Flow Excavator, will be deposited in close proximity to the works and only within the portion of the Order Limits overlapping the Fylde MCZ.”*

Whilst we consider this to be a positive inclusion, we maintain that further consideration should be given to boulder clearance and measures to ensure that impacts will be reduced during removal. For example, not using a boulder plough and ensuring that boulders will be redeposited in similar habitat type and randomly to avoid linear structures which may disrupt sediment transport. Therefore, the following concerns in our Risk and Issues Log have been progressed but not resolved; RI_B4, RI_C24 and RI_I9.

‘23. The Secretary of States notes the outstanding disagreement between the Applicants and Natural England regarding mitigation measures for impacts to marine physical processes (NE.PP.4 in [REP6-179]). Natural England is invited to explain its outstanding concerns and recommend how these could be addressed.’

Natural England highlights that several concerns relating to marine physical processes have been addressed by the Applicant through the Examination process and we have highlighted where concerns were addressed in our Risk and Issues log at Deadline 6 [REP6-193]. Additionally, we welcome the Applicant’s updates at Deadline 6 & Deadline 7 and advise that these updates go some way in addressing our outstanding concerns around mitigation as outlined in our response to Question 22.

Natural England maintains it still has concerns regarding a lack of mitigation in relation to marine and coastal processes for; Unexploded Ordnance (UXO) clearance, intertidal work area, cable protection within shallow nearshore waters (i.e. MLWS to Depth of Closure), and cable protection within Fylde MCZ.

UXO clearance

We note that the Applicant has now scoped UXO into the EIA assessment for physical processes [REP5-030]. Further information/assessment has been provided in relation to Worst Case Scenario (WCS). However, Suspended Sediment Concentrations (SSCs) have not been assessed. Additionally, we maintain that UXO should be moved outside of designated sites prior to detonation.

Intertidal work area between Mean Low Water Springs (MLWS) to Mean High Water Springs (MHWS)

We acknowledge and welcome that the intention is for the Applicant to bury the cables in the intertidal and nearshore. We also note that the Applicant has updated the wording of CoT133 at Deadline 7 [REP7-009] to state “*no cable/scour protection shall be deployed in the intertidal area between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS) during the construction and operation and maintenance phases*”. This addresses risks and issues raised in relation to disruption of sediment transport over the lifetime of the project.

However, with regards to temporary infrastructure in the intertidal, insufficient evidence on the duration of the impacts and potential changes to marine and coastal processes has been presented to support the argument that the benefits of using the cofferdams outweigh the loss of sediment. As with other marine Cable NSIPs we advise mitigation measures such as the first project installing the ducts for both projects should be considered to facilitate recovery. In the absence of the information and proposed mitigation we continue to advise that monitoring of geomorphological receptors in the intertidal should be considered (please see below in ‘*Monitoring*’).

Nearshore work area between MLWS and the Depth of Closure

We remain concerned that the placement of cable protection within shallow nearshore waters (i.e. MLWS to Depth of Closure) could modify the nearshore hydrodynamic regime, interrupt sediment transport, resulting in morphological change. **We maintain our position that a commitment should be made to avoid or minimise cable protection between MLWS and the Depth of Closure. If such a commitment can't be made, further detail on; numerical modelling (as with our R&I comment: RI_B20) and location, height, volume, orientation and type of cable protection between MLWS and the Depth of Closure should be provided to fully inform the assessment on sediment transport processes.**

To resolve this issue, further information is required to provide the necessary comfort to Secretary of State that if required, mitigation measures can be applied to identified WCSs, to sufficiently manage down secondary impact zone/indirect impacts to Feature Of Conservation Importance (FOCI) and designated site interest features.

Monitoring

Whilst we welcome the inclusion from the Applicant of sandwave monitoring (Question 16) and the Secretary of State request for further monitoring (Question 17), the IPMP [REP6-104] currently only includes post-installation (O&M phase) monitoring of the effect of sediment transport and sediment transport pathways on cable burial. However, it does not include any provision for monitoring of

changes to coastal or nearshore morphology in relation to cable burial/protection. Therefore, we continue to advise the Applicant to include a commitment to carry out monitoring of geomorphological receptors in relation to cable burial/protection for the intertidal work area. Whilst the Applicant included further information on the MDS for exit pits and cofferdams in relation to temporary habitat loss, insufficient evidence on the duration of the impacts to potential changes to marine and coastal processes from temporary infrastructure e.g. cofferdams has been provided.

We continue to advise that the Applicant undertake monitoring of the recovery in the intertidal works area to ensure impacts are not greater than predicted in the Environmental Statement. These should be included for consideration in the IPMP. Please also see point RI_B17 of our R&I Log [REP6-193].

Cable protection within Fylde MCZ

Natural England has provided our final position on cable protection location and design in relation to physical processes in our final Risk and Issues log [REP6-193] refs; NE4, RI_B2 and RI_B18.

Other Onshore Ecology

'29. The Secretary of State notes Natural England's concern regarding indirect significant impacts on the Lytham St Annes Dunes SSSI from cable installation and advice in its closing statement [REP7-050] that it has not reviewed the Applicants' updated outline Landfall Construction Method Statement [REP6-151]. Natural England is invited to comment on the updates and advise whether these resolve their concerns.'

In [REP5-182] and [REP6-192] we provided advice on previous iterations of the outline Landfall Construction Method Statement. Natural England has reviewed [REP6-151] and confirms the following risks and issues raised in [REP5-182] have been resolved: ref 4, ref 6 and ref 8 which also resolve RI_G48 in our Risk and Issues Log [REP6-193]. These issues are resolved due to the confirmation that a stone trackway will not be used to access the foreshore and due to the clarity provided on the location of the landfall temporary construction compound work areas. We also note and welcome that the sediment removed while digging the exit pit will be stored and preserved within the temporary cofferdam to prevent risk of erosion or dispersion during construction due to tides.

Our advice in ref 1, ref 2, ref 5 and ref 7 [REP5-182] has not been resolved. Our advice in ref 3 has been partially resolved following sight of the National Vegetation Classification (NVC) survey report. However, CoT44 has not been updated as advised, and outstanding concerns remain, outlined in RI_G1 [REP6-193]. No further update has been included regarding our concerns raised in RI_G4 [REP6-193] and section 1.3 of [REP6-192].

Following review of [REP6-151] we therefore still have concerns which have not been satisfactorily

resolved to ensure the outline Landfall Construction Method Statement is as robust as possible at this stage of the development. Our outstanding concerns which remain unresolved since Deadline 6 are as follows:

- CoT39 – Concerns remain as the commitment does not flag that the works are located within the Ribble Estuary SSSI, where ‘Assemblages of breeding birds – Sand dunes and saltmarshes’ are a supporting interest feature of the site. This comment is captured in ref 2 [REP-182].
- CoT44 - We reiterate that clarification is needed on the 100m distance from the works to Lytham St Annes Dunes SSSI. As previously advised the sand dunes are accreting, therefore whilst the distance from the SSSI site boundary from the works may be 100m, the distance from the frontal dunes is likely less (approximately 50m) (ref 2 and ref 3 [REP5-182]), when considering the accretion to the edge of the frontal dune. Therefore, depending on the actual distance to the dunes (when works commence) there may be potential for impacts from construction works at landfall. This comment is captured in ref 3 [REP-182] and reflected in RI_G49 on [REP6-193].
- Clarity of the depth of cable burial under the dunes, which should take into consideration data presented in the NVC survey, and hydrological monitoring (presented in the Hydrological Risk Assessment) as detailed in CoT128. Further information is available in RI_G1 [REP6-193]. In summary our outstanding concerns at Deadline 6 relating to cable burial depth and impacts on Ground Water Dependent Terrestrial Ecosystems (GWDTE) i.e. dune slack vegetation have not been progressed. The Outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI ([REP6-140], paragraph 6.1.1.2) notes that *“further evidence for a shallow water table within one metre of the surface was observed to the east of the dunes”,* going on to say, *“it is not known whether this is laterally extensive further to the west”*. The NVC survey data should be used to inform understanding of the ground water hydrology providing an insight of locations where a shallow water table exists due to the presence of dune slack vegetation. In addition, paragraph 6.1.1.4 flags that if the cable is installed within the blown sand there is a high risk that the water table will be dewatered as a result of cabling. However, if cabling occurs within the glacial clays, the risk is very much reduced. Paragraph 6.1.1.2 also notes *“the site has a relatively simple hydrogeological conceptual model, supported by boreholes advanced to the west and east of the dune system. These proved the thickness of the blown sands deposits making up the dunes to be 14 metres in thickness”*. Therefore, Natural England need confirmation that the cable will be buried in the glacial clays (below 14m) and that cabling at this depth is technically feasible, especially at this location where the cable needs to emerge on both sides of the dunes within the Transition Joint Bays (TJBs). Additional boreholes may be required within the dune system along the actual alignment of the proposed cables, to determine the depth of glacial clays. In addition, further

groundwater monitoring (typically using a data logger installed in a dipwell) should be undertaken before and after construction to monitor the potential effects where impacts cannot be avoided.

- Detail on the cable alignment under Lytham St. Annes Dunes SSSI and St. Annes Old Links Golf Course BHS (R1_G9, [REP6-193]). As noted in R1_G3 [REP6-193] we require further details of the location of TJBs in Blackpool Airport and the foreshore, the cable alignment under the sand dunes and cable depth to determine the potential for impacts on sand dune SSSI features associated with Lytham St. Annes Dunes. This issue was raised in our Relevant Representations and captured in R1_G9 [REP6-193], “depending on the required distance between the cables this could result in the cables underlying a significant proportion of the SSSI dunes and relict dunes”.
- Distance between the 6 cables considering the potential effects of heat transfer noted in R1_G9 [REP6-193] and combined effects of drought noted in R1_G10 [REP6-193] have not been considered.
- The outline Landfall Construction Method Statement outlines core working hours, but no update has been included to CoT18 to account for tides and subsequent changes to core working hours (ref 1 [REP5-182]).
- We advised in ref 7 [REP5-182] that the outline Landfall Construction Method statement should clearly set out future survey requirements to inform detailed design and to ensure that at this stage project surveys will be sufficient to avoid impacts to ecological receptors. Alternatively, commitments should be made to avoid impacts, outline that pre-construction surveys will be undertaken to finalise mitigation measures and outline that the survey methodologies will be agreed with regulator/s in consultation with relevant SNCB beforehand. We advised that the commitment to undertaking surveys should be strengthened to include a requirement that where there are residual concerns in relation to recovery, monitoring will be undertaken with a requirement to undertake remediation, should impacts be greater than predicted. The following should be captured in the ‘Future Survey’ section:
 - When considering the point raised above in relation to CoT44 it may be necessary to carry out accurate mapping of the frontal edge (i.e. undertaking a topographical survey against a known benchmark) to help determine proximity of the works to the dunes, visual inspection of recent aerial photography shows the vegetated section of the dunes appears to be much closer than 100m. Rates of current/recent accretion can be calculated using Lidar digital elevation data (available freely from the Coastal Regional Monitoring Programme) - this would help to determine how much additional accretion is likely to occur before the start of works.
 - Further detail is required on the potential need for additional boreholes and at what point in the survey schedule this requirement may be determined. One borehole is currently mentioned to be undertaken at St Annes Old Links Golf Club (abstraction

borehole ref: GWA_01). This point is captured in RI_G4 and RI_G9 [REP6-193] and [REP6-192].

- Additional ground investigation and groundwater monitoring (to monitor changes to the position of the water table pre- and post-construction should be included, unless the impacts are shown to be avoided). This has been included in CoT128 which should also be referenced and updated in section 1.8 'Future Surveys' of the final Landfall Construction Method Statement. This is considered necessary as the additional investigation works relate to Lytham St Annes SSSI and St Annes Old Links Golf Course.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours faithfully,

██████████

██████████@naturalengland.org.uk
Cheshire to Lancashire Area Team

Annex 1

Date: 11 March 2026

Our ref: 542405 UDS-A022460

Your ref: Updated Alternative Mitigation for Ornithology Technical Note and OEMP



Customer Services
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BY EMAIL ONLY

Dear [REDACTED]

Discretionary Advice Service (Charged Advice): UDS-A022460

Development proposal and location: Morgan and Morecambe Transmission Assets

Reference: Updated Ornithology Alternative Construction Mitigation Technical Note and Outline Ecological Management Plan (OEMP) – 26 February 2026

This advice is provided in response to the updated *Alternative Mitigation for Ornithology Technical Note* and the updated Outline Ecological Management Plan (OEMP) submitted to Natural England on 25 February 2026. Natural England previously provided advice on the alternative construction mitigation measures on 13 January 2026 and attended a meeting on 20 January 2026 to discuss outstanding issues and potential alternative permanent mitigation. The updated documents were submitted following the actions agreed at that meeting.

Summary

Natural England confirms that the alternative temporary mitigation measures are acceptable, noting that previous concerns regarding land reinstatement at Lytham Moss and Newton-with-Scales have now been sufficiently addressed. The updated documentation provides adequate detail to ensure that the affected areas will remain suitable for birds during the winter period when seasonal restrictions are in place.

In relation to permanent mitigation, Natural England confirms that Option 1 (land south of Newton-with-Scales) remains an appropriate and suitable mitigation measure for the permanent loss of Functionally Linked Land (FLL).

However, Natural England does not consider Option 2 (Crossens Outer and Banks Marsh) to be appropriate mitigation. This is because it does not provide like-for-like habitat replacement and

instead represents site management or potential habitat enhancement within the Ribble and Alt Estuaries Special Protection Area (SPA) rather than mitigation for project impacts. Natural England also notes that the proposed delivery approach for Option 2 is not appropriate, as responsibility for designing and implementing mitigation measures should rest with the developer rather than Natural England.

Detailed Comments

1. Alternative Temporary Mitigation Measures

Natural England confirms that we are satisfied with the proposed alternative **temporary mitigation** scenarios and measures presented in updated 'Alternative Mitigation for Ornithology Technical Note' and updated OEMP.

Additionally, we reiterate our previous advice that the Project carefully considers the merits of switching their original mitigation strategy to one which is centred around seasonal restrictions and screening measures.

In our advice issued 13 January 2026 Natural England raised outstanding concerns relating to the alternative temporary mitigation measures. These were predominantly in relation to reinstatement of the land in the areas within the vicinity of Lytham Moss and Newton-with-Scales during the restricted months and the need for further detail to provide assurance that the works undertaken would not fundamentally alter the land in a way that would render these areas unsuitable for birds.

However, we note that these concerns have been addressed in Sections 1.2.3.7 – 1.2.3.9 in the updated technical note and reflected in Appendix H.1 of the OEMP. Appendix H of the OEMP now includes appropriate reinstatement measures in the form of backfilling the onshore export cables up to subsoil level, removal of construction plant and equipment and removal of material storage. We confirm that the additional information included in the OEMP provides sufficient detail on reinstatement of land to be confident that the areas will be suitable for birds to use during the winter months when the seasonal restriction will be in place.

Following the discussion during the meeting on 20 January 2026 Natural England confirms we have no further comments to make in relation to the alternative temporary mitigation options.

2. Alternative Permanent Mitigation Measures

2.1 Suitability of Options as Mitigation for Permanent Habitat Loss

Natural England confirms that Option 1 (land south of Newton-with-Scales) constitutes suitable mitigation for the permanent loss of FLL, as agreed at Deadline 7 during Examination.

However, we note that Option 2 (Crossens Outer and Banks Marsh) has been included as an alternative permanent mitigation proposal in the updated OEMP and the 'Alternative Mitigation for Ornithology Technical Note'. Whilst we welcome efforts to locate a suitable alternative area for permanent mitigation, **Natural England does not agree that Option 2 would constitute an appropriate permanent mitigation measure.**

Following review of the documents we advise that Option 2 does not satisfy the principals of mitigation under the Conservation of Habitats and Species Regulations 2017. We advise that this option does not represent like for like habitat, due to the area of permanent habitat loss constituting Functionally Linked Land (FLL), while the area outlined in Option 2 is located within the Ribble and Alt Estuaries SPA. As such, the proposed measure does not replace the affected habitat on a like-for-like basis. It is our view that the proposed measures in Option 2 represents required site management measures, which could potentially constitute habitat enhancement within an SPA.

Therefore, Natural England's opinion is that Option 1 remains the only viable choice currently identified.

In addition, we cannot agree to the implementation and delivery of Options 2 as the documentation implies that Natural England will be responsible for implementation and adaptive monitoring for the lifetime of the project. This is not an appropriate or feasible option for delivering mitigation for HRA or EIA-scale impacts and we highlight that the onus and responsibility should be on the developer to design and deliver mitigation measures. We have provided further detail below.

2.2 Implementation and Deliverability of Option 2

In the meeting held on 20 January 2026, Natural England advised that a clear management plan was required including detail on the delivery and adaptive management over the lifetime of the project (> 30 years) for us to fully consider whether the proposal merited consideration as a permanent mitigation alternative. The proposal outlined in Appendix I of the updated OEMP does include some appropriate detail to constitute an Outline Management Plan including comprehensive detail on the proposed measures including changes to cattle grazing into compartments with the erection of fences.

However, Appendix I section 1.2, 1.4.2 and 1.5 indicate that Natural England will be responsible for the delivery, implementation, repair, necessary consultation and adaptive management of the permanent mitigation measures within the SPA.

As the proposals are already considered to form part of the site management measures required by the landowner and Natural England's National Nature Reserve (NNR) team, the proposed measures cannot be relied upon as mitigation for the negative impacts arising from a plan or project.

Where Section 106 agreements have been used for other Nationally Significant Infrastructure Projects (NSIPs), these have typically involved a wider delivery partnership and have clearly

demonstrated that the mitigation measures proposed are additional to, and above and beyond, existing site management requirements.

Natural England also highlights that adaptive management may incur additional costs and changes to management practices, and these would need to be fully considered and included within the scope of any agreement.

2.3 Supplementary Advice on Option 2

Notwithstanding our primary advice outlined above, the measures proposed in Option 2 constitute suitable activities to contribute to beneficial site management for the Ribble Estuary NNR. These measures would likely enhance the environment within the NNR and contribute to positive management of the site. Implementing the measures to support management of the site could lead to positive environmental benefit. We advise that this should be progressed with the NNR team if you wish to develop these measures for biodiversity enhancement in the area as set out in our letter dated 18 February (your ref RENNR 18226). However, this would need to be through a separate delivery scheme and not through the DCO process.

3. Engagement with Natural England

Following information from other members of staff within Natural England we wish to emphasise that you must contact the Case Team on any matters relating to the Morgan and Morecambe Transmission Assets DCO application. This approach to our ways of working allows efficient time management, ensure that the relevant members of staff are included and prevents staff spending unnecessary time on the project.

The advice provided in this letter has been through Natural England's Quality Assurance process

The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the

advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

Yours sincerely,

[Redacted signature]

Cheshire to Lancashire Area Team

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