

[REDACTED]

---

**From:** Janette McCormick [REDACTED]  
**Sent:** 13 April 2026 18:10  
**To:** Morgan and Morecambe OWFTA  
**Subject:** Response to Secretary of State from Interested Party Reference [REDACTED]  
**Attachments:** Response to SoS request for information from Parish Councils.pdf

Good afternoon,

I am writing as Interested party reference number [REDACTED].

I fully endorse the comments made in the attached **document from [REDACTED], Partner for TLT LLP** on behalf of a number of parish councils including Newton with Clifton and Freckleton Parish Councils.

In addition, I would like to add further a comment about:

**'Noise and Vibration'**. My home is within the noise receptor area for the substations. This subject was not covered during the public enquiry and I, like other residents whose homes are close to the substations and cable corridors, do not therefore have any clarity or understanding of what levels of noise and vibration will be emitted during construction and operation. Hence, there has been inadequate consultation on this matter and a lack of opportunity to ask appropriate questions about how noise and vibration will affect the local community.

**'Landscape and Visual'**

The Morecambe substation site will be visible from my home and there are still no detailed visual representations of what we will be looking at on a daily basis. As the inspectors are aware the ground slopes steeply and we do not know whether the buildings will be built into or on top of the ground, making it impossible to consider how effective any attempt at screening may be.

**'Suitable Alternative Route'**

Sufficient consideration needs to be given to the suitable alternative route via Stannah/Hillhouse.

**'Site Selection'**

The selection of sites should be revisited particularly as Morgan may not be proceeding. As the larger of the two substations, with a need for greater space, Morgan seemed to drive the site selection. If only Morecambe proceeds the whole **'benefit vs harm'** argument would need to be revisited.

**Number of unresolved issues**

It is apparent that there are many unresolved issues including **bird strike risk and aviation safety**. How can this application be properly considered until all outstanding matters have been resolved?

Yours faithfully,

Janette McCormick



**TLT LLP**  
20 Gresham Street  
London EC2V 7JE  
T +44 (0)333 006 0000  
**tlt.com**

Our ref 308S/AW67/124653/000002  
Your ref EN020032

SoS DESNZ c/o John Wheadon  
3 Whitehall Place  
LONDON  
SW1A 2AW

### **By email**

Direct tel [REDACTED] Date 10 April 2026  
Direct fax [REDACTED] Email [REDACTED]@TLT.com

Dear Secretary of State

### **Response to 12 March 2026 request for information**

#### *Introduction*

1. This is a response to the Secretary of State's 12 March 2026 request for information on behalf of Newton-with-Clifton and Freckleton Parish Councils, for whom TLT acts.
2. These parties took an active part in the examination of the application and made many submissions on the issues identified in the letter. While the Parish Councils are pleased that the Secretary of State has correctly identified all the issues surrounding this application that are still outstanding, the number and significance of the issues with only 16 days remaining before a decision was due to be made is extremely concerning. The deadline has now been delayed for another 15 days, not because of the unresolved issues but because of the local elections. 31 days is still far too short for these issues to be considered properly and resolved.
3. The Parish Councils submit that unless all of these issues are resolved by the time a decision is taken the application should be refused, as each unresolved issue that remained corresponds to one or more unmitigated adverse impacts of the project, which together significantly outweigh its benefits.
4. Even if you are minded to grant the application, as the developers of the Morgan offshore windfarm have withdrawn their support for that project, there is no longer a compelling case in the public interest to grant compulsory acquisition powers for the Morgan elements of the project and so they should be removed from the application, as should the powers to build them which would not be able to be exercised.

97201269.2

#### **For what comes next**

TLT LLP is a limited liability partnership registered in England & Wales (number OC 308658) whose registered office is at One Redcliff Street Bristol BS1 6TP. A list of members is available for inspection at that address.  
TLT LLP is authorised and regulated by the Solicitors Regulation Authority number 406297.  
TLT LLP is authorised and regulated by the Financial Conduct Authority under reference number FRN 780419. Details of our FCA permissions can be found on the Financial Services Register at <https://register.fca.org.uk>.

Our paper is made from sustainable forests and is certified to FSC and ISO14001 standards. It is 100% recyclable.



5. If just the Morecambe onshore elements are needed then that calls into question the site selection process as the main driver for it was finding a site for the much larger Morgan substation and locating the Morecambe substation nearby. On that basis the choice of site for the Morecambe substation alone is seriously flawed, the applied-for route is no longer justified and the application should be refused.
6. Furthermore, the Morgan windfarm would have generated more than 75% of the total electricity produced by the two projects (1500MW vs 480MW), so the benefits of the application have diminished by 75%, which should also be taken into account in deciding whether to grant consent even for the reduced project.
7. Given the number of questions that have been asked of the Applicants and other parties in the letter, the Parish Councils consider that there should be an opportunity for them and other parties to respond to any submissions received by 13 April, with at least a week to do so given their likely volume, otherwise such untested submissions should carry little weight.
8. In addition there is no acknowledgement of the range of points made by the Parish Councils and others about the “alternative route” scenario, which would reduce total costs of the scheme by £900m, and significantly reduce the environmental impact. In particular we would like to draw the attention of the Secretary of State to the Green Book exercise that Fylde BC, Lancashire CC and Wyre BC are carrying out at present. It would be regrettable if an alternative with nearly £1bn reduced costs and significantly lower environmental impacts yet achieving the same aim could not be considered due to the siloed responsibilities of the regulators involved.

*Paragraph 3: Applicants’ updates*

9. Our comments on the letters from the Applicants dated 30 January 2026 and 12 February 2026 are as follows.
10. The 30 January letter says that the Crown Estate views the project as continuing; that is hardly determinative of the matter. It would be helpful to know if a lease had been entered into for the Morgan windfarm and if not, when the annual fee to maintain the option had last been paid and by whom.
11. The letter says that it is common for the developer to change in the course of the development of an offshore windfarm. We would disagree that it was ‘common’ and request that the Applicants justify this statement. In the cases where a developer has changed, it has been a changeover straight from one to another via a commercial agreement, not a withdrawal and a gap, of over two months so far, with no replacement identified yet, which we believe to be unprecedented while a DCO application is being considered.
12. The next two pages explain how independent the projects are in terms of consenting powers. In that case it should be reasonably straightforward to separate the two and only grant permission for the Morecambe elements should the Secretary of State be minded to consent that element of the project rather than automatically granting permission for the Morgan element without proper justification.
13. Finally, the letter says ‘as noted above it is reasonably foreseeable that the [Morgan] project will be developed’. That is not in fact noted earlier in the letter and it is difficult to see how it can be reasonably foreseeable that a project with no identified developer over two months since its previous developer withdrew will be developed.
14. The 12 February letter provides an update on outstanding issues but there has been hardly any movement on them since the end of the examination, as evidenced by the number of questions in your letter.



15. On pages 10-11 it says that it is understood that GTC Pipelines, Network Rail and NGET have withdrawn their objections but there is no other evidence of this. On page 11 it says that only one option agreement has been concluded since the close of examination.
16. On page 12 a letter of no impediment is referred to, but the appended letter is not a letter of no impediment, it says that one will be issued if the application is of the required standard. The Applicants should provide further evidence to back up their claim.
17. As stated on page 15, the MMO have indeed agreed the appropriateness of the Cable Burial Risk Assessment. That is however only one of several concerns of the MMO, the remainder of which remain outstanding.

*Paragraphs 4-11: Warton Aerodrome*

18. The Parish Councils are not directly involved in this issue, but it is a crucial conflict that cannot be resolved unless new land for environmental mitigation is provided far enough away from the aerodrome as not to increase bird strike risk. The Applicants have not changed their application to do this, and so it remains the case that either bird strike risk is increased by the project, or proposed environmental mitigation is reduced. If the former, the application has not been designed not to increase bird strike risk contrary to paragraph 5.5.42 of EN-1; if the latter then the Secretary of State should be careful to assess and take into account the consequent reduction in benefits of the project and the adequacy and effectiveness of mitigation.
19. The Parish Councils consider that the outline Wildlife Hazard Management Plan does not contain sufficient secured safeguards to reduce the risk of wildlife hazards to an acceptable level, both in terms of the triggers/thresholds for active measures, that the measures will actually be carried out and what happens in the meantime, and what happens if the measures do not reduce the risk to an acceptable level, e.g. should the environmental areas be removed and the project cease until replacements are found elsewhere? This is not a trivial matter as it could cause a major accident.
20. Furthermore, the Parish Councils believe that the HNDR missed both risk for Blackpool Airport and Warton Aerodrome entirely. If the HNDR had been completely fully then under NPS EN1 Section 5.5: Para 5.5.41 a 13km exclusion zone from the airports would have applied to the substations, resulting in a change to the Applicants BRAG ratings for the substation sites and them being proposed in different locations.

*Paragraphs 12-14: HRA*

21. The question at paragraph 13 is symptomatic of the bird strike / environmental mitigation conflict. If, which the uncertainty around wildlife hazards suggests will be the case, Natural England cannot conclude whether the project is likely to have a significant effect on the Ribble and Alt Estuary SPA or not, then an appropriate assessment will have to be undertaken.
22. If an appropriate assessment cannot rule out adverse impacts on the SPA, then it would not be open to you to conclude that the project must be carried out for imperative reasons of overriding public interest because there is an obviously material alternative solution without any impacts on international sites, namely to route the cables for 2km from the shore to the Stanah substation to the north rather than 30km from the shore to Penwortham substation. This alternative was put before the examination on several occasions.

*Paragraphs 15-23: Marine ecology*

23. The Parish Councils' only comment in this area is to note the number of unresolved issues that remain five months after the examination ended.



*Paragraph 24: Landscape and visual*

24. The Parish Councils are particularly concerned about the visual impact of the substations as they are very close to residential and other properties within the parishes. They have been calling for renderings and/or photomontages since 2023 to show the visual impact of the substations on residential receptors, but these have never been provided, despite assurances from the Applicants during the hearings. It is unclear if the substations will undulate with the existing land levels, be raised above or dug below existing levels so that they are flat (since they are sloping sites). If this is not known then renderings of all three types should be provided and the worst case impacts assumed according to the 'Rochdale envelope' principle.
25. Without such renderings, this is an obviously essential feature of visual impact that has not been adequately assessed or limited by secured mitigation measures. It is also not presently possible to assess whether any proposed screening will actually screen the substations from residential receptors and how long it will take to establish – any gaps in screening and delays in effectiveness should be considered adverse impacts of the project.

*Paragraph 25: Construction hours*

26. The Parish Councils agree with the implication that no activities, mobilisation/demobilisation or otherwise, should take place outside the stated construction hours.

*Paragraph 26: Flood risk*

27. The Parish Councils note that since the examination the Environment Agency has issued further flood data in its 'Flood Zones plus Climate Change' series<sup>1</sup> (issued 27 August 2025) to which regard should additionally be had. Furthermore, the Applicants have already caused flooding and damage to land drains from their preliminary investigations on two separate occasions.

*Paragraph 27: Biodiversity Net Gain*

28. The Parish Councils support the proposed amendment to requirements 26 to prevent the works from starting rather than just the biodiversity benefit works as this is more in line with the spirit of the biodiversity net gain regime which is a pre-commencement regime.
29. The Parish Councils reiterate that although BNG is not yet a statutory obligation for NSIPs this project falls well short of others that have been consented since BNG for NSIPs was in prospect. The cable route has been omitted from BNG calculations altogether and while its habitat loss will be temporary, it could be over 40 years before some of it is restored to its current condition on the Applicants' own figures. This is partly because the Applicants are allowing a maximum separation in time for the two projects of seven years plus the estimated three years for building the second project (which would not be time-limited) then plus over 30 years for some of the identified habitats to be fully restored. It would hardly be within the spirit of the BNG regime to exempt temporary uses that are longer than the 30-year obligation to provide habitat.

*Paragraphs 28-29: Other onshore ecology*

30. The Parish Councils do not comment on this area.

*Paragraph 30: Farm business assessment*

---

<sup>1</sup> [Flood Map for Planning - Flood Zones plus Climate Change](#)



31. The Parish Councils' only comment on this topic is to note that 75% of [REDACTED] farmland will be lost to the project and will mean his entire farm would no longer be a going concern.

*Paragraph 31: Land use and recreation*

32. The Parish Councils not only support public rights of way being remedied in a timely manner but also public and private highways that are used for the project. In their pre-consent activities the Applicants' machinery has already become stuck on local highways, which emphasises the need for remediation. The councils have made the point that if there is separation between the projects such damage should be remedied in between rather than their residents having to continue to suffer adverse impacts even when there is no construction.

*Paragraph 32: Historic environment*

33. The Parish Councils' only comment on this point is to note that all cumulative impacts on historic sites should be assessed, not just Hesketh Farmhouse.

*Paragraphs 33-35: Funding of Morgan*

34. The Parish Councils reiterate the points made at the start of this response: there is currently no compelling case in the public interest for granting compulsory acquisition powers for land that will only be used for the Morgan transmission assets.

35. As the Secretary of State implies, since the application was made, the Applicants are required to fund any successful blight claims that are made. If the companies behind the Morgan part of the project have withdrawn, who will pay for such claims for that part of the project? This adds to the case that that element of the project should not be consented.

*Paragraph 36: Funding of Morecambe*

36. As the Secretary of State implies, the guarantee of funding for blight claims for the Morecambe part of the project is also unclear, even though it still has an identified promoter. The Parish Councils support the request for the identity of who would pay such claims and sufficient security that they are required to do so to be provided.

*Paragraphs 37-42: Land powers*

37. As well as the requested information, the Parish Council requests evidence that GTC Pipelines, Network Rail and NGET have withdrawn their objections, as mentioned in the 12 February Applicants' letter.

*Paragraph 43: Lea Marsh*

38. The Parish Councils agree that for any land that is just required for biodiversity net gain, it is first questionable whether compulsory acquisition powers can be granted for it given that BNG is not yet mandatory, but in any event a compelling case in the public interest cannot be made out for it given the existence of a register of willing biodiversity unit landowners with the availability of statutory biodiversity credits as a fallback position.

*Paragraph 44: s106 agreement*

39. The Parish Councils' only comment on this point is that correspondence received by the Secretary of State (e.g. the 27 January 2026 letter from Fylde Borough Council) should be published so that interested parties can take it into account in any responses they give, otherwise the process is not fully transparent and unbiased.

*Paragraphs 45-46: Crown land*



40. The Parish Councils' only comments on this point are to establish whether the project can be constructed without the 40 or so unagreed Crown land plots being able to be acquired and that the Applicants should really know by know whether the ten plots referred to are Crown land or not.

*Paragraph 47: Public sector equality duty*

41. The Parish Councils support the Equitation Centre in raising issues around the Public Sector Equality Duty.

Yours sincerely

  
**Partner**  
for TLT LLP