



Planning Inspectorate
Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed East Irish Sea Transmission Project

Case Reference: EN0210008

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) to
Regulation 10 of The Infrastructure Planning (Environmental Impact
Assessment) Regulations 2017

24 September 2025

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APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

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1. INTRODUCTION

- 1.1.1 On 14 August 2025, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Ørsted East Irish Sea Transmission Limited (the applicant) under regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) for the proposed East Irish Sea Transmission Project (the proposed development). The applicant notified the Secretary of State (SoS) under regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the proposed development and by virtue of regulation 6(2)(a), the proposed development is 'EIA development'.
- 1.1.2 The applicant provided the necessary information to inform a request under EIA regulation 10(3) in the form of a Scoping Report, available from:

[National Infrastructure Consenting: EN0210008 East Irish Sea Transmission Scoping Report](#)
- 1.1.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the proposed development as currently described by the applicant. This Opinion should be read in conjunction with the applicant's Scoping Report.
- 1.1.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.1.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in appendix 1 in accordance with EIA regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.1.6 The Inspectorate has published a series of advice pages, including '[Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#)'. AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

- 1.1.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

['Nationally Significant Infrastructure Projects: Advice pages'](#)

- 1.1.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Volume 1, Section 3)

ID	Ref	Description	Inspectorate's comments
21.1	Volume 4, paragraph 2.3.4.1	Lifespan of the proposed development	The Scoping Report does not provide a clear lifespan of the proposed development, although Volume 4 paragraph 2.3.4.1 indicates that the operational lifetime of the proposed development is 35 years. It is not stated whether this includes or excludes the construction and decommissioning phases. The ES should clearly state the lifespan of the proposed development and any assumptions made in this regard for the purposes of the impact assessment.
212	Volume 1, paragraph 3.7.5.3	Major component replacement	The Scoping Report states that major components during operation and maintenance phase may need to be replaced. The Inspectorate considers that these activities may lead to significant environmental effects and therefore should be accounted for within the relevant assessments of the ES and the definition of the worst-case scenarios for operational effects.
21.3	N/A	Decommissioning activities	The Scoping Report is inconsistent with its approach to scoping impacts from the decommissioning phase. In some aspect chapters, the Scoping Report indicates that all buried onshore infrastructure will remain in situ and therefore impacts related to the complete removal of all infrastructure (buried or otherwise) are scoped out of the Scoping Report. In other aspect chapters, the Scoping Report acknowledges that details regarding the decommissioning approach are not yet available and therefore impacts related to the total removal of infrastructure have been considered in the scoping. The ES should ensure that a consistent approach is taking using the worst-case scenario for each aspect assessment.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Volume 1, Sections 4 and 5)

ID	Ref	Description	Inspectorate's comments
221	N/A	Study area and Zone of Influence (Zol)	<p>The Inspectorate notes that the study areas for many of the assessments use buffers of a fixed distance from the scoping boundary. The applicant should ensure that the study areas of each assessment reflect the likely extent of potential significant effects. Where effects are likely to extend beyond a fixed distance in discrete areas, for example, variations in tidal excursion, then this should be reflected in the Zol and corresponding study area.</p> <p>The ES should also clearly justify, with evidence, how each study area reflects the Zol for the proposed development and, where possible, seek agreement with the relevant consultees.</p>
222	Volume 1, section 5.8	Cumulative effects assessment (CEA)	<p>Paragraph 5.8.1.4 notes that the long list of cumulative developments “will be further refined using specific criteria for each EIA topic to develop ‘short-lists’ of projects that are carried through to the cumulative effects assessment”. This approach should be consulted on, and where possible agreed, with relevant consultation bodies and evidenced in the ES.</p> <p>Paragraph 5.8.1.5 states that “the CEA can also only consider the publicly available project information, which may require certain assumptions, or qualitative assessments, to be made where information is not publicly available”. The Inspectorate advises that where projects are not fully defined, the worst-case scenario available should be used in the assessment and justification should be provided in the ES.</p> <p>In light of the number of ongoing developments within the vicinity of the proposed development application site, the ES should clearly state which developments will be assumed to be part of the baseline and those which</p>

ID	Ref	Description	Inspectorate's comments
			are to be considered as other development for the purposes of the cumulative effects assessment.
223	Volume 2, section 1.5.1	Cumulative effects - cabling	<p>The Inspectorate is of the opinion that the Cumulative Effects Assessment (CEA) should consider the impact of repeated cable maintenance activities in a concentrated area. The applicant's attention is drawn to the consultation response from the Marine Management Organisation (MMO) (appendix 2 of this Opinion) on this point.</p> <p>Furthermore, the ES should also contain an estimate of cable maintenance allowances.</p>
224	N/A	Additional mitigation	<p>The Inspectorate notes that measures intended to mitigate effects are primarily set out in the form of high-level commitments such as the Code of Construction Practice (CoCP) and Construction Project Environmental Management and Monitoring Plan (CPEMMP). For the avoidance of doubt, where the need for additional mitigation is identified, this should be clearly detailed within the ES with reference to the impact it is intended to mitigate. The ES should also cross-refer to the Commitments Register included in the application.</p>
225	Volume 1, section 3.8	Decommissioning activities	<p>The Scoping Report proposes to scope out this impact during the decommissioning phase on the basis that the impacts of decommissioning activities are anticipated to be substantially lower than those during construction. The Scoping Report states that the proposed development may require all onshore infrastructure, including underground cables, to be removed at the end of the operation phase. In this event, it is considered that the impacts during decommissioning are likely to be similar to, or slightly less than those during construction. In the absence of confirmation that any infrastructure will be left undisturbed at the end of the operation phase, the ES should follow a worst-case</p>

ID	Ref	Description	Inspectorate's comments
			scenario approach and consider the impacts of decommissioning to be similar to those during construction.
226	Volume 1, paragraphs 3.5.4.7 to 3.5.4.9	Open cut or trenchless installation	<p>The Scoping Report states that open-cut or trenchless installation (such as HDD or similar), or a combination of both, may be used at Landfall. Where it remains uncertain of which approach will be taken, the each aspect chapter within the ES should take forward the worst-case scenario.</p> <p>The applicant's attention is drawn to the consultation response from Natural England in appendix 2 of this Opinion.</p>
227	Volume 3 table 2.10	Permanent and temporary impacts	The applicant's attention is drawn to the use wording of a 'permanent impact' during only the first phase (construction) of the proposed development. The ES should be clear about whether an impact is regarded as permanent or temporary.
228	N/A	Environment Agency (EA) data	The EA recently published flood and coastal erosion risk data in 2025 following the release of its "National assessment of flood and coastal erosion risk in England 2024". The applicant should ensure that the assessment takes account of updated data sets as these become available through Defra's Data Services Platform. Where relevant, the applicant is encouraged to liaise with the EA to determine the implications for project design and the scope of assessments.
229	N/A	Assessment methodology: Design Manual for Roads and Bridges (DMRB, 2019)	The Scoping Report refers to the DMRB methodology for assessment methodology in EIA throughout the report. The ES should be clear where the DMRB criteria has been used. Each aspect chapter should set out the methodology used.
2210	N/A	Third party data	Third party data is proposed to be used to establish the baseline for a number of assessments throughout the ES. Where third party data is used, the ES should clearly set this out and identify any limitations

ID	Ref	Description	Inspectorate's comments
			<p>associated with such data and include the age of the data and the timing of any surveys.</p> <p>The ES should also clearly explain how this information relates to the location of the proposed development and is sufficiently robust to inform the assessment.</p>
2211	N/A	Data sources used	<p>The Scoping Report does not consistently include dates of data sources which limits the Inspectorate's ability to consider the value of the data in the conclusions reached. Data sources used to inform the ES should include the date of the publication or date of the data, where available. The applicant's attention is also drawn to data sources recommended in the consultation responses provided in appendix 2 of this Opinion.</p>
2212	N/A	Offshore terminology	<p>The applicant should ensure that there is a clear distinction, based on the 12 nautical miles (nm) territorial waters limit, between inshore and nearshore areas throughout the ES. These areas should also be clearly delineated on all relevant offshore figures.</p>
2213	N/A	Designated sites	<p>It is noted that a number of relevant designated sites are omitted from several aspect chapters within the Scoping Report. The Applicant should ensure that each assessment includes consideration of an exhaustive list of designated sites. The Applicant's attention is drawn to the consultation responses provided within appendix 2 of this Opinion, for further information on this matter.</p>
2214	Volume 3, paragraphs 5.3.6.1 and 8.3.6.1	Future baseline	<p>The Scoping Report indicates in several aspect chapters that the future baseline for the relevant aspect may be affected by global warming and rising sea temperatures. The ES should provide justification to explain why global warming and rising sea temperatures are expected to influence the relevant environmental aspect.</p>

ID	Ref	Description	Inspectorate's comments
	Volume 4, paragraph 1.3.4.1		Additionally, the Scoping Report states in several places (that relevant species-level information will be provided to inform the future baseline. The Inspectorate is unclear as to why species-level information is relevant to the specified environmental aspect.

3. ENVIRONMENTAL ASPECT COMMENTS - OFFSHORE

3.1 Marine Geology, Oceanography and Physical Processes

(Scoping Report Volume 2, Section 1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Volume 2, table 1.6	Operation and maintenance: Modifications to seabed morphology (MP-03)	The Scoping Report proposes to scope these matters out on the basis that seabed preparation and cable installation activities are limited to the construction and decommissioning phases of the proposed development and operational/maintenance activities are expected to be infrequent, small-scale and discrete. The Inspectorate notes that the Scoping Report does not rule out the possibility of cable re-burial. As such, it is considered that there is still the potential for significant effects to occur as a result of seabed activities. The ES should provide an assessment of these matters during the operation and maintenance phase, or provide evidence of agreement with the relevant consultees.
3.1.2	Volume 2, table 1.6	Operation and maintenance: Effects on sandbanks and notable bathymetric depressions as a result of seabed activities (MP-04)	
3.1.3	Volume 2, table 1.6	Operation and maintenance: Modifications to littoral transport at the	These matters are proposed to be scoped out of the ES on the basis that these activities would only take place during the construction and decommissioning phases of the proposed development. Limited information has been provided on the cable protection measures and the recovery of the intertidal area following onshore works. As such the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Intertidal Landfall Area (MP-05)	Inspectorate is not in a position to scope these matters out at this stage. The ES should provide an assessment of these matters during the operation and maintenance phase, or provide evidence of agreement with the relevant consultees. The applicant's attention is drawn to the consultation response from Natural England in appendix 2 of this Opinion.
3.14	Volume 2, table 1.6	Operation and maintenance: Subsequent effects of modification to sand transport on coastal behaviour and morphology at the Intertidal Landfall Area (MP-06)	
3.15	Volume 2, table 1.6	Operation and maintenance: Modification of the wave and tidal regime due to the presence of structures (pathway) (MP-07)	The Scoping Report proposes to scope these matters out on the basis that the wave and tidal regime exists on a larger scale than the footprint of the 3 proposed offshore booster stations, and as such, it is unlikely that the regional wave and tidal regime will be impacted by their presence. Considering the physical characteristics of the proposed offshore booster stations are within the context of the wider wave and tidal regime, the Inspectorate agrees that significant effects are not likely to occur due to the presence of these structures. These matters can be scoped out from further assessment. The applicant's attention is drawn to the consultation response from Natural England in appendix 2 of this Opinion.
3.16	Volume 2, table 1.6	Operation and maintenance: Subsequent modifications to the sediment transport	

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		regime due to the presence of structures as a result of modification of the wave and tidal regime (pathway) (MP-08)	
31.7	Volume 2, table 1.6	Operation and maintenance: Subsequent modifications to seabed morphology due to the presence of structures as a result of modification of the wave and tidal regime (pathway) (MP-09)	
31.8	Volume 2, table 1.6	Operation and maintenance: Subsequent effects on the coastline due to the presence of structures as a result of modification of the wave and tidal regime (receptor) (MP-10)	

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.9	Volume 2, table 1.6	Operation and maintenance: Scouring of the seabed due to the presence of structures (pathway) (MP-11)	<p>This matter is proposed to be scoped out on the basis that a scour protection management plan (SPMP) will be developed for the foundations of the offshore booster stations. Based on the information provided within the Scoping Report indicating that scour protection will be installed as a committed mitigation measure, the Inspectorate is in agreement that an assessment of (primary) scour can be scoped out for the operational phase. The Scoping Report does not make reference to secondary scour. For clarity, the Inspectorate considers that these should be scoped in to the assessment.</p> <p>The ES should also provide details of the proposed mitigation measures to be included in the SPMP and explain how such measures will be secured. Furthermore, the Inspectorate considers that the introduction of scour protection will in itself constitute a change to the seabed. As such, the implications of this should be considered in other aspect chapters where relevant (such as benthic ecology).</p>
3.1.10	Volume 2, table 1.6	Operation and maintenance: Modifications to stratification and frontal features due to the presence of structures (receptor) (MP-12)	<p>This matter is proposed to be scoped out on the basis that modifications to turbulent mixing from Offshore Booster Stations would not be sufficient to cause significant changes to stratification. The Inspectorate agrees that the presence of structures is not likely to result in significant modifications to stratifications and frontal features. This matter can be scoped out from further assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.1.11	N/A	Figures	The ES should include, where possible, figures to show the spatial extent of sediment plumes, suspended sediment concentration (SSC), and deposition thickness in/near

ID	Ref	Description	Inspectorate's comments
			the offshore booster stations, and at representative locations along the offshore export cable corridor.
3.1.12	N/A	Unexploded Ordnance (UXO)	Volume 2 Section 1 of the Scoping Report does not refer to the potential effects of encountering UXO, and the potential for accidental or planned detonation, in relation to marine physical processes. The Inspectorate considers that the ES should assess the likely significant effects which could occur in this regard.
3.1.13	Volume 2, paragraph 1.6.2.2	Empirical assessments	<p>The Scoping Report states that empirical assessments will inform the ES as, due to the presence of other offshore windfarms in proximity, increases in suspended sediment concentrations in the East Irish Sea have been extensively studied and the results from these studies can be used within the ES.</p> <p>For the avoidance of doubt, the applicant should also seek to agree the methodology used with the relevant consultees and provide a clear rationale in the ES for the approach used.</p>

3.2 Marine Water and Sediment Quality

(Scoping Report Volume 2, Section 2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Volume 2, table 2.10	Operation/ maintenance and decommissioning: Deterioration in water quality due to suspension of sediments resulting from the release of drilling mud during cable installation at the Intertidal Landfall Area (WQ-01)	This matter is proposed to be scoped out on the basis that cable installation would only occur during the construction phase of the proposed development. On this basis, the Inspectorate agrees that this matter can be scoped out from further assessment.
322	Volume 2, table 2.10	All phases: Deterioration in water quality due to suspension of sediments resulting from seabed preparation, cable installation, cable repair/ replacement	The Scoping Report proposes to scope this matter out on the basis that the study area has been well characterised by numerous other offshore windfarm and transmission projects within the area and the assessments associated with these projects provide a sufficient evidence base from which to rule out likely significant effects through the suspension of sediments. The applicant also commits to a Cable Specification and Installation Plan (CSIP). On this basis, the Inspectorate agrees that significant effects from the deterioration of water quality due to the suspension of sediments from seabed activities are not likely to occur. This matter can be scoped out from further assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		and decommissioning (WQ-03)	
323	Volume 2, table 2.10	All phases: Accidental releases or spills of materials or chemicals during construction, operation and maintenance and decommissioning (WQ-04)	This matter is proposed to be scoped out on the basis that the implementation of the Construction Project Environmental Management and Monitoring Plan (CPEMMP) and adherence to best practice measures would mean that any impacts as a result of accidental releases or spills would be unlikely to be significant. The Inspectorate acknowledges that for all project phases the risk of significant effects from accidental pollution can generally be controlled by the use of mitigation plans and measures, and therefore accepts that significant effects are unlikely. Nevertheless, the ES must detail the potential sources and types of accidental pollution for all project phases and set out the proposed mitigation measures, including those to be included in the CPEMMP. The ES should also explain how such measures will be secured within the Development Consent Order (DCO).
324	Volume 2, table 2.10	Operation and maintenance: Deterioration in water quality due to re-suspension of sediments and contaminants resulting from scour around infrastructure during operation and maintenance (WQ-05)	The Scoping Report proposes to scope this matter out on the basis that, due to the implementation of scour protection measures, the risk of significant effects resulting from the re-mobilisation of sediments and contaminants through scour is considered to be low. On this basis, the Inspectorate agrees that significant effects are unlikely to occur during operation and this matter can be scoped out from further assessment. However, it is not agreed that these matters can be scoped out of the construction and decommissioning phases. The ES should provide an assessment of these matters or evidence of clear agreement with the relevant consultees.

ID	Ref	Description	Inspectorate's comments
325	Volume 2, section 2.6	Survey methodology	The Scoping Report states that the Marine Water and Sediment Quality assessment aims to characterise and understand the chemical conditions present within the study area, however, limited information on survey methodology has been provided. The Inspectorate advises that survey sampling strategies are sufficiently representative of the study area regarding the spatial location and sample density. The ES should also provide justification for the particular contaminants selected for analysis.
321	Volume 2, table 2.5	Sensitive Water Bodies	The Inspectorate notes that the list of sensitive receptors provided in table 2.5 does not include the Ribble water body, which lies within the study area. The ES should ensure that all sensitive water bodies and receptors are identified and included within the assessment. The applicant's attention is drawn to the consultation response from Natural England in appendix 2 of this Opinion for further information on this matter.

3.3 Offshore and Intertidal Ornithology

(Scoping Report Volume 2, Section 3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
331	Volume 2, tables 3.8 and 3.9	Operation and maintenance: Disturbance/ displacement	The Inspectorate notes that this matter is omitted from both tables referring to the scoping in/out of effects. For the avoidance of doubt, the Inspectorate considers that the ES should assess the potential for disturbance/ displacement of ornithology receptors during the operation and maintenance phase.
332	Volume 2, table 3.9	All phases: Reduced prey availability due to indirect effects on prey species and habitats (O-02)	The Scoping Report proposes to scope this matter out on the basis that impacts on prey species as a result of the proposed development would be short-term and reversible and so indirect effects on offshore ornithology receptors would be negligible during all phases. The Inspectorate considers that insufficient information has been provided to rule out significant effects through a reduction in prey species. Furthermore, the Scoping Report has not provided a sufficient temporal definition of 'short-term' effects. The ES should provide an assessment of these matters across all phases of the proposed development.
333	Volume 2, table 3.9	All phases: Accidental releases or spills of materials or chemicals (O-05)	See box I.D. 6.2.3 for the Inspectorate's advice on this matter.
334	Volume 2, paragraph 3.5.1.1	Construction and decommissioning: Cumulative impacts	The Scoping Report proposes to scope out an assessment of cumulative impacts on the basis that there is unlikely to be an overlap with other transmission projects in the area. Whilst unlikely, the Inspectorate considers that there is still the potential for overlap and interactions with other types of projects to occur. The Inspectorate is therefore unable to scope this matter out. The ES should provide an assessment of cumulative impacts for offshore and intertidal ornithology.

ID	Ref	Description	Inspectorate's comments
335	N/A	Figures	The Inspectorate considers that the offshore and intertidal ornithology chapter of the ES should contain a figure depicting the location of the proposed development and associated study area in relation to any designated sites.
336	Volume 2, paragraph 3.2.1.5	Foraging ranges	The Scoping Report states that, regarding sea-bird foraging ranges, a precautionary connectivity distance of 20 kilometres (km) has been applied based on professional judgement. Where professional judgement has been applied, a robust justification should be clearly set out within the ES. Furthermore, efforts should be made to agree this approach with the relevant consultees.
337	Volume 2, paragraph 3.3.3.2	Receptors	The Scoping Report states that only marine bird species with a high sensitivity to visual disturbance have been considered in the designated site search. The Inspectorate is of the opinion that the ES should consider any designated site that falls within the ZoI of the proposed development. Furthermore, the applicant should seek to agree this approach with the relevant consultees.

3.4 Benthic Subtidal and Intertidal Ecology

(Scoping Report Volume 2, Section 4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Volume 2, table 4.7	Construction and decommissioning: Long-term habitat loss or alteration due to the addition of infrastructure (BE-02)	The Scoping Report states that long-term habitat loss associated with the presence of infrastructure is not expected to result in a likely significant effect (LSE) due to the short-term nature of the construction and decommissioning phases. Considering the nature of the proposed development and providing that temporary habitat loss is scoped in in relation to construction and decommissioning, the Inspectorate is content to scope this matter out of further assessment.
34.2	Volume 2, table 4.7	All phases: Increased risk of introduction and/ or spread of Invasive Non-Native Species (INNS) (BE-05)	<p>The Scoping Report proposes to scope this matter out on the basis that risks related to the spread of INNS could be mitigated through the use of industry standard pollution protection measures such as the CPEMMP.</p> <p>In respect of the construction and decommissioning phases, the Inspectorate agrees that this matter can be scoped out on the basis that the mitigation measures proposed within the outline CPEMMP such as the Biosecurity Plan should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents and the DCO.</p> <p>However, the Inspectorate does not agree that this matter can be scoped out from the operational phase. The Inspectorate considers that there may be an impact pathway through the introduction of hard surfaces during the operational phase as a stepping stone for INNS. The ES should therefore assess the potential for the spread of INNS during the operation and maintenance phase. The applicant's attention is drawn to the consultation response from the MMO (appendix 2 of this Opinion) on this point.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.3	Volume 2, table 4.7	Construction: Particle motion effects from foundation installation (BE-06)	The Scoping Report proposes to scope this matter out on the basis that according to current research, the sensitivity of benthic invertebrates to sound pressure waves is limited to particle motion, which is localised to the site of sound introduction. It is noted that the locations of offshore booster stations are yet to be determined. As such, the Inspectorate considers that there is insufficient information to rule out significant effects at this stage. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
34.4	Volume 2, table 4.7	All phases: Accidental pollution events (BE-07)	See box I.D. 6.2.3 for the Inspectorate's advice on this matter.
34.5	Volume 2, table 4.7	Construction and decommissioning: Colonisation of hard structures (BE-08)	This matter is proposed to be scoped out on the basis that structures associated with the proposed development will not be in place during these phases. On this basis and considering that the impact on long-term habitat from the removal of colonised structures during decommissioning is scoped in, the Inspectorate agrees that likely significant effects would be unlikely to occur and this matter can be scoped out from further assessment.
34.6	Volume 2, table 4.7	All phases: Electromagnetic fields (EMF) effects generated by export cables (BE-09)	The Scoping Report proposes to scope this matter out on the basis that the burial of the export cable would mitigate the impact of EMF to a negligible magnitude and that monitoring to date has not recorded any significant changes in invertebrate behaviour resulting from EMF exposure at existing offshore wind farms. On this basis, the Inspectorate agrees that likely significant effects on benthic ecology receptors are not likely to occur. As such, this matter can be scoped out from further assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.7	Volume 2, table 4.7	Construction, operation and maintenance: Long-term habitat loss or alteration due to the removal of colonised infrastructure (BE-10)	The Scoping Report proposes to scope this matter out on the basis that colonised infrastructure will not be removed during the construction and operational phases. On this basis, the Inspectorate agrees that significant effects are not likely to occur. This matter can be scoped out from further assessment.
34.8	Volume 2, table 4.7	All phases: Changes in physical processes resulting from the presence of subsea infrastructure (BE-11)	The Scoping Report proposes to scope this matter out on the basis that cable burial means that scour will not occur in cable areas and a scour protection management plan will be developed for areas with exposed infrastructure. The Inspectorate considers that the installation of scour protection would in itself, constitute a change to physical processes. As such, the Inspectorate is not able to scope this matter out. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
34.9	Volume 2, table 4.2	Data	The Inspectorate notes the use of the Centre for Environment, Fisheries and Aquaculture Science (Cefas) OneBenthic Baseline Tool (Cefas, 2020). The Inspectorate is aware that a more recent version of this data is available. The applicant should ensure that the most recent data is used within the ES.

3.5 Fish and Shellfish Ecology

(Scoping Report Volume 2, Section 5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
35.1	Volume 2, table 5.7	Operation and maintenance: Mortality, injury, behavioural impacts and auditory masking arising from noise and vibration	This matter is proposed to be scoped out on the basis that operational noise from the export cables is expected to be minimal and mostly limited to low frequency electromagnetic vibrations. The Inspectorate is content that significant effects from underwater noise during operation are unlikely and therefore agrees that this matter can be scoped out of the fish and shellfish assessment.
35.2	Volume 2, table 5.7	Operation and maintenance: Temporary seabed habitat loss/ disturbance as a result of seabed preparation, cable installation, foundation installation and cable repair/ replacement and decommissioning	The Scoping Report proposes to scope this matter out on the basis that operational effects would be limited to temporary and localised disturbances associated with maintenance activities. It is noted that the ES will consider permanent habitat loss during operation. The Scoping Report does not provide a temporal definition of "temporary and localised" disturbances and as such, the Inspectorate considers that there is insufficient information to rule out significant effects. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
35.3	Volume 2, table 5.7	Operation and maintenance:	The Inspectorate is content to scope this matter out during the operation and maintenance phase. However, whilst the magnitude of effect is predicted to be lower during this phase

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Increases in Suspended Sediment Concentration (SSC) due to seabed preparation, cable installation, cable repair/ replacement and decommissioning	than at construction, any potentially significant effects identified should be fully assessed within the ES.
354	Volume 2, table 5.7	Operation and maintenance: Deposition of sediments suspended/ re-suspended as a result of seabed preparation, cable installation, cable repair/ replacement and decommissioning	The Inspectorate is content to scope this matter out for operation and maintenance. However, whilst the magnitude of effect during this phase is predicted to be lower than at construction, any potentially significant effects identified should be fully assessed within the ES.
355	Volume 2, table 5.7	Operation and maintenance: Release of sediment-bound contaminants from disturbed sediments resulting from seabed preparation, cable	The Scoping Report proposes to scope this matter out on the basis that maintenance activities are temporary and intermittent and that any sediments released would be quickly dispersed by the tidal current. The Scoping Report does not provide a temporal definition of "temporary and intermittent" disturbances and as such, the Inspectorate considers that there is insufficient information to rule out significant effects. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		installation, cable repair/ replacement and decommissioning	referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
3.56	Volume 2, table 5.7	All phases: Accidental releases or spills from construction, operation and maintenance and decommissioning materials or chemicals from vessels	The Inspectorate agrees that this matter can be scoped out on the basis that the control and management measures should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.
3.57	Volume 2, table 5.7	Operation and maintenance: Effects on fish and shellfish receptors as a result of change in fishing pressure	The Scoping Report proposes to scope this matter out on the basis that any displacement is only expected to be short term during maintenance activities. On this basis, the Inspectorate agrees significant effects are not likely to occur. This matter can be scoped out from further assessment.
3.58	Volume 2, table 5.7	Construction and decommissioning: Permanent and/ or long-term habitat loss/ alteration due to	This matter is proposed to be scoped out on the basis that due to the short-term nature of the construction and demolition phases, significant effects due to long-term/ permanent habitat loss are not likely. The Inspectorate notes that long term habitat loss during operation and short-term habitat loss during construction and decommissioning are scoped into the ES. Considering this, and on the basis provided, the Inspectorate agrees that permanent/ long-term habitat loss during construction can be scoped out from further assessment. However, the Inspectorate notes the potential for sub-sea infrastructure to

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		the addition of structures	remain in-situ post decommissioning. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the decommissioning phase. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
35.9	Volume 2, table 5.7	All phases: Disturbance due to EMF from subsea cables.	The Scoping Report cites published research in support of the position that while electro- and magneto- sensitive fish and shellfish may be able to detect EMF changes, behavioural changes are anticipated to be restricted to the immediate vicinity of the cables and significant interaction is therefore considered to be very unlikely, due also in part to the burial of the cable. The Inspectorate notes that the permanent corridor width is approximately 72km ² . Whilst effects may be localised to this area, it constitutes a very large area and so barrier effects during the operational phase have the potential to be significant. As such, the Inspectorate is not in a position to scope operational impacts out at this stage. Whilst the Inspectorate agrees that effects during construction and decommissioning are not likely to occur due to the absence of any EMF emitting infrastructure, and can be scoped out, effects during the operational phase should be scoped into the ES.
35.10	Volume 2, table 5.7	All phases: Increased risk of introduction and/ or spread of INNS	See box I.D. 3.4.2 for the Inspectorates opinion on this matter.
35.11	Volume 2, table 5.7	All phases: Direct damage and disturbance from vessel traffic	The Scoping Report states that basking shark is a species of particular concern regarding direct damage and disturbance from vessel traffic. It proposes to scope this matter out of all phases on the basis that according to monitoring data, there are very few sightings for basking shark within the East Irish Sea and that the commitment to a Vessel Management Plan (VMP) will further mitigate any potential impact. The rationale for scoping this matter

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			out also states that generally pelagic species are at risk from this impact, however, basking shark is the only species explicitly listed. The Inspectorate agrees that significant effects due to direct damage and disturbance from vessel traffic are not likely to occur. This matter can be scoped out from further assessment.

ID	Ref	Description	Inspectorate's comments
35.12	N/A	Mitigation	The Scoping Report does not state whether the applicant intends to control the time of the proposed construction and/ or operational activities to avoid key and sensitive periods to species, such as fish spawning seasons and fish migration periods. The ES should assess the duration of impacts in relation to the ecological cycles (for example, life cycles, breeding and spawning seasons) of the receptors being assessed.
35.13	Volume 2, paragraph 5.6.2.6	Underwater Noise Modelling	It is the Inspectorate's opinion that the underwater noise model should also include the 135 decibel (db) single strike sound exposure levels thresholds, as set out in Hawkins <i>et al</i> (2014), in order to determine the range of effect for behavioural responses in herring at the Manx herring spawning ground. The applicant's attention is drawn to the consultation response from the MMO (appendix 2 of this Opinion) for further information on this matter.

3.6 Marine Mammals and Megafauna

(Scoping Report Volume 2, Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
36.1	Volume 2, table 6.8	Operation, maintenance and decommissioning: Permanent and Temporary Threshold Shift (PTS and TTS) from underwater noise generated from construction activities	This matter is proposed to be scoped out on the basis that no piling or UXO clearances will occur during these phases and non-piling activities are expected to be low level, non-impulsive and short in duration. On this basis, the Inspectorate agrees that significant effects on marine mammals from PTS and TTS are not likely to occur. This matter can be scoped out of further assessment.
36.2	Volume 2, table 6.8	Operation and maintenance: Disturbance due to underwater noise generated during construction and/ or decommissioning activities	This matter is proposed to be scoped out on the basis that no piling or UXO clearances will occur during the operational phase. The Inspectorate notes the potential for major component replacement during the operation and maintenance phase of the proposed development. Little information has been provided on the types of activities associated with major component replacement, or the likelihood and frequency of such events. Whilst the Inspectorate agrees that, generally, the potential for significant effects from underwater noise during the operation and maintenance phase is low, the ES should provide further information on the potential for, and types of, activities associated with major component replacement, and where it is considered that these are likely to occur, an assessment of significant effects should be provided.
36.3	Volume 2, table 6.8	All phases: Indirect effects due to changes in water quality and reduction in foraging ability due to	This matter is proposed to be scoped out on the basis that increases in SSC associated with the proposed development are expected to be small in spatial and temporal scale and marine mammals are known to forage in turbid conditions. The Inspectorate is content that impacts on marine mammals are not likely to result in significant effects and can be scoped out of further assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		temporary increase in suspended sediment concentrations (SSC) and sediment deposition associated with seabed preparation, cable installation, cable repair/ replacement and decommissioning	
364	Volume 2, table 6.8	All phases: Indirect effects due to change in prey abundance/ distribution as a result of construction, operation and maintenance and decommissioning activities	The Scoping Report proposes to scope this matter out on the basis that any impacts to prey species would be short-term and reversible and any impacted habitats would be rapidly recolonised by prey species post-seabed clearance and cable burial. The Inspectorate does not agree that such a conclusion is supported by the information available at this stage. In the absence of the findings of the fish assessment and evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not able to scope this matter out of further assessment at this stage. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
365	Volume 2, table 6.8	All phases: Accidental releases or spills of construction materials or chemicals during construction, operation and maintenance and decommissioning	The Inspectorate agrees that this matter can be scoped out on the basis that the control and management measures should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
366	Volume 2, table 6.8 and paragraph 6.3.3.58	All phases: Disturbance due to EMF generated by subsea cables.	<p>The Scoping Report proposes to scope this matter out on the basis that no marine mammals occurring within the study area have been shown to possess electroreception abilities and are therefore not sensitive to EMF. On this basis, the Inspectorate agrees that significant effects are unlikely occur and this matter can be scoped out from further assessment.</p> <p>However, the Inspectorate notes the potential presence of leatherback turtles in the area, a species which utilises electromagnetic cues at certain points of their life cycle. Paragraph 6.3.3.58 states that based on analysis of Digital Aerial Survey (DAS) data collected from the Moir Vannin Generation Project, and a broader lack of data in the surrounding maritime areas, the presence of leatherback turtles is thought to be unlikely within the study area. Considering the age of the surveys relied upon and the mobile nature of this species, the Inspectorate considers that there is insufficient information to rule out the presence of leatherback turtle within the study area at this stage. The ES should therefore either provide further evidence to confirm the absence of this species from the study area or assess the potential impact that EMF may have on them.</p>
367	Volume 2, table 6.8	All phases: Disturbance to seals due to airborne noise from works at the Intertidal Landfall Area	<p>The Scoping Report proposes to scope this matter out on the basis that there are no grey seal haul-out sites in proximity to any part of the study area, with the nearest being 20km away from the landfall at Sefton. On this basis, the Inspectorate agrees that significant effects are not likely to occur. This matter can be scoped out of further assessment.</p>
368	Volume 2, paragraph 6.5.1.3	Operation and maintenance: Cumulative impacts	<p>The Scoping Report states that the cumulative effects assessment will not consider cumulative operational impacts to marine mammals as they primarily relate to vessel-based pathways, which would be very low in frequency during this phase. The Inspectorate considers that insufficient information on the number of vessel movements during the operational phase has been provided to rule out significant cumulative effects, given the number of other projects in proximity to the proposed development.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
36.9	Volume 2, paragraph 6.6.1.1	Underwater Noise Modelling	The Scoping Report states that it is expected that the proposed underwater noise modelling will be undertaken using the Southall <i>et al</i> (2019) thresholds. The applicant is advised to seek to agree the underwater noise modelling methodology with relevant consultation bodies.
36.10	Volume 2, table 6.6	Mitigation	The Inspectorate notes the commitment to a piling and UXO marine mammal mitigation protocol (Co28) during the construction phase. The Inspectorate considers that this commitment should also include noise abatement measures such as piling hammer cushions and big bubble curtains, in line with Defra's 2025 underwater noise policy. The applicant's attention is drawn to the consultation response from the MMO (appendix 2 of this Opinion) for further information on this matter.

3.7 Commercial Fisheries

(Scoping Report Volume 2, Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
37.1	Volume 2, table 7.5	All phases: Additional steaming to alternative fishing grounds due to presence of infrastructure	The Scoping Report proposes to scope this matter out on the basis that the effect will be localised to safety zones and so limited deviations to steaming routes are expected and that with advanced notification, vessels will be able to avoid temporary construction, maintenance and decommissioning areas. The Inspectorate agrees that due to the minimal reduction in fishing area and the nature and the low sensitivity of fishing vessels, taking account of their large operational range, a significant effect is unlikely and a detailed assessment in the ES is not required. However, the ES should characterise the operational effects on commercial fisheries including increased steaming times, the likely scale of deviation to steaming routes and the number of vessels impacted and provide the evidence used to determine that significant effects are unlikely. The ES should also detail the measures proposed to ensure adequate notification is provided.
37.2	Volume 2, table 7.5	All phases: Increased vessel traffic within fishing grounds leading to interference with fishing activity	The Scoping Report proposes to scope this matter out on the basis that additional vessel traffic associated with the proposed development will be limited during construction and decommissioning and even less during operation and maintenance. Providing the ES includes further confirmation that the volume of vessel traffic associated with the proposed development would not result in significant adverse effects on fishing activity, the Inspectorate agrees that this matter can be scoped out from further assessment.

ID	Ref	Description	Inspectorate's comments
37.3	N/A	Mitigation	The Scoping Report does not state whether the applicant intends to time any of the proposed construction and/ or operational activities as to avoid key periods relating to

ID	Ref	Description	Inspectorate's comments
			commercial fishing activities. The ES should consider the potential of the proposed development to disrupt fishing activities (including restriction of access) during key periods for fisheries, during both the construction and operational phases, and any likely significant effects should be reported within the relevant assessments of the ES, such as Socio Economics.
374	N/A	Small vessels	<p>As vessels below 10 metres (m) do not have Automatic Identification Systems, the applicant should ensure that these vessels are included in surveys when collecting further evidence.</p> <p>For the avoidance of doubt, the ES should also consider species landed by these vessels such as bass, dover sole and shrimp, as impacts to these commercial species disproportionately impact smaller vessels and are often overlooked.</p>

3.8 Shipping and Navigation

(Scoping Report Volume 2, Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
38.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
382	Volume 1, paragraph 3.5.6.3	High Voltage Direct Current (HVDC) cable	The Inspectorate notes a HVDC cable may be used for the proposed development. The ES should consider the effect of EMF deviation on ships compasses. The applicant's attention is drawn to the consultation response from the Maritime and Coast Guard Agency (appendix 2 of this Opinion) for further information.
383	Volume 2, paragraph 8.6.2.3	Assessment methodology - significance	The Scoping Report proposes to determine significance as either broadly acceptable, tolerable, or unacceptable in line with the International Maritime Organisation's (IMO) Formal Safety Assessment (FSA) methodology. The ES should clearly set out how the risk assessment approach leads to an assessment of significance of effect that is consistent and compatible with the terminology used in the ES.
384	Volume 2, table 8.4	Traffic displacement	The Scoping Report states that vessels may be able to deviate around the proposed development. Effects of shipping routes both with the proposed development alone and cumulatively should be considered within this assessment.

3.9 Seascape, Landscape and Visual Impact Assessment

(Scoping Report Volume 2, Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
39.1	Volume 2, table 9.5	Construction and decommissioning: Impacts of lighting of the offshore structures on landscape character and on views or visual amenity at night	The Scoping Report states that likely significant effects are not predicted for this matter on the basis that impacts arising from the presence and visibility of offshore structures and associated construction/ decommissioning vessels would be short-term. Whilst the Inspectorate agrees that due to the nature of the proposed development, lighting impacts are unlikely to be significant, it considers that limited information has been provided on the proposed lighting strategy. Providing that further information on the timing and phasing of required lighting along the cable route, and demonstrating that any lighting impacts in a given location will be limited in duration, the Inspectorate agrees that this matter can be scoped out from further assessment.
39.2	Volume 2, table 9.5	Construction and decommissioning: Cumulative impacts on seascape character, landscape character and on views or visual amenity	The Scoping Report states that likely significant effects are not predicted for this matter on the basis that impacts arising from the presence and visibility of offshore structures and associated construction/ decommissioning vessels would be short-term. The Inspectorate agrees that due to the nature of the activities taking place during the construction and decommissioning phases, this matter is unlikely to give rise to significant effects. This matter can therefore be scoped out from further assessment.
39.3	Volume 2, paragraph 9.5.3.1	All phases: Transboundary impacts	The Scoping Report proposes to scope out transboundary impacts on the basis that any predicted impacts are likely to be localised within the study area. The Inspectorate notes that the scoping boundary is directly adjacent to the Isle of Man border. Whilst it acknowledges that the most visible infrastructure associated with proposed development, the booster stations, are currently located over 30km from this boundary, it notes that their locations are not currently fixed. The Inspectorate agrees that significant transboundary effects are not likely to occur in respect of the Seascape Landscape and Visual Impact Assessment (SLVIA) and agrees that this matter can be

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			scoped out of the ES. However, should the final locations of the booster stations be closer the Isle of Man border, then the ES should consider the potential for significant visual transboundary effects.

ID	Ref	Description	Inspectorate's comments
394	Volume 2, paragraph 9.3.3.21	Viewpoints	<p>The Inspectorate notes the intention to agree the list of viewpoints with relevant consultees. The ES should include confirmation of the consultation undertaken, together with evidence of agreement about the final viewpoints selected. Where any disagreement remains, an explanation as to how the final selection was made with reference to the relevant guidance, should be provided.</p> <p>The ES should include a plan to illustrate the location of viewpoints in relation to the proposed development. Consideration should be given to the production of night-time visualisations to support the assessment of effects from lighting requirements.</p>

3.10 Offshore Archaeology and Cultural Heritage

(Scoping Report Volume 2, Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Volume 2, table 10.5	All phases: Direct damage to known and recorded archaeological receptors (maritime or aviation) and/ or anomalies of likely/ possible anthropogenic origin on or under the seabed due to seabed preparation and the installation or removal of infrastructure	The Scoping Report proposes to scope these matters out on the basis that commitment to a Written Scheme of Investigation (WSI) would provide details and methodologies for mitigation measures required to avoid likely significant effects such as Archaeological Exclusion Zones (AEZs) and a Protocol for Archaeological Discovery (PAD). In the absence of more specific information on receptors and mitigation measures, the Inspectorate considers that there is insufficient information to rule out significant effects. The Inspectorate is therefore unable to scope this matter out at this stage. The ES should provide an assessment of these matters and any measures required to minimise or avoid adverse effects.
3.10.2	Volume 2, table 10.5	All phases: Direct damage to potential, currently unrecorded archaeological receptors (maritime or aviation) on or under the seabed due to seabed preparation and installation or removal of infrastructure	

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.3	Volume 2, table 10.5	All phases: Direct damage to known and potential palaeogeographic receptors on or under the seabed due to seabed preparation and installation or removal of infrastructure	

ID	Ref	Description	Inspectorate's comments
3.10.4	Volume 2, table 10.3	Mitigation	<p>It is noted that the mitigation measures likely to be considered include production of a WSI and a PAD as well as the implementation of AEZs. The Inspectorate advises that the strategy for mitigation should be fully described in the ES, including the details relating to any proposed AEZs and the proposed mechanism for securing them. The Inspectorate advises that the applicant should make effort to agree the proposed approach to defining AEZs, WSI and PADS and with relevant consultation bodies, to enable the scope of archaeological investigation and mitigation to be determined and secured.</p> <p>The applicant is also advised to submit an outline WSI with its application, in order to give confidence to the Examining Authority and SoS regarding the conclusions of significance.</p>

3.11 Military and Civil Aviation

(Scoping Report Volume 2, Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Volume 2, table 11.6	All phases: Impact to practice and exercise areas (PEXA) due to physical overlap	The Scoping Report proposes to scope this matter out on the basis that all above surface level infrastructure will be located outside of low flying military PEXA. The Scoping Report does not consider the potential disruption to PEXA areas during pre-commencement surveys and construction. The Inspectorate also considers that there is the potential for live fire exercises to damage sub-sea infrastructure. Furthermore, the Scoping Report does not include consideration of the potential impacts of landfall option B on PEXA area X5306. As such, the Inspectorate is not in a position to scope this matter out. The ES should assess the impact to all PEXA areas due to physical overlap. The applicant's attention is drawn to the consultation response from the Ministry of Defence (MOD) (appendix 2 of this Opinion) for further information.
3.11.2	Volume 2, table 11.6	All phases: Impact to meteorological radar due to the presence of offshore structures.	The Scoping Report proposes to scope this matter out on the basis that the closest meteorological radar receptor is located approximately 30km away, which is outside of the 20km consultation zone established by the Met Office. On this basis, the Inspectorate agrees that significant effects are not likely to occur. This matter can be scoped out from further assessment.
3.11.3	Volume 2, table 11.6	All phases: Impact to glider sites	The Scoping Report proposes to scope this matter out on the basis that the scoping boundary is located beyond the 10km consultation range defined in Civil Aviation Policy (CAP) 764. Providing further evidence is provided to confirm that there are no glider sites within the 10km consultation zone, the Inspectorate agrees that this matter can be scoped out from further assessment.
3.11.4	Volume 2, table 11.6	All phases:	This matter is proposed to be scoped out on the basis that whilst the proposed development will include helicopter operations over its lifetime, these would occur in uncontrolled airspace where pilots are responsible for avoiding terrain, obstacles and other

		Increased air traffic associated with, and displaced by, the proposed development may affect available airspace for other users	aircraft. On this basis, the Inspectorate agrees that the proposed development is unlikely to result in significant effects on airspace capacity for other users. This matter can be scoped out from further assessment.
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ID	Ref	Description	Inspectorate's comments
3.11.5	Volume 3, paragraph 1.6.4.7 Volume 2, section 11.3	Biodiversity Net Gain (BNG) and the risk of bird strike	<p>The Scoping Report states that a BNG Strategy will be provided with the application documents, and this will identify opportunities for strategic habitat enhancement/creation opportunities.</p> <p>It is unclear at this time whether these proposals would lead to an increase in large and/or flocking bird species, which in turn could be hazardous for aviation safety. The ES should consider bird strike safeguarding. The applicant's attention is drawn to the consultation response from the MOD in appendix 2 of this Opinion.</p>

3.12 Other Marine Users and Activities

(Scoping Report Volume 2 Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Volume 2, table 12.6	All phases: Direct disturbance and damage to existing assets and infrastructure due to physical overlap	The Scoping Report proposes to scope this matter out on the basis that crossing/ proximity agreements will be sought to allow cable operators access to their cables during all phases of the proposed development which will ensure communication and planning between both parties and minimise the disruption of activities. On this basis, the Inspectorate agrees that significant effects are not likely to occur and this matter can be scoped out of further assessment. However, the ES should contain a description of the potential crossing designs and consideration of the implications for other aspects.
3.122	Volume 2, table 12.6	Operation and maintenance: Changes to the composition and thickness of sediments for dredging as a result of the deposition of suspended/ re-suspended sediments due to seabed preparation installation of infrastructure, and decommissioning activities	The Inspectorate agrees that operation and maintenance activities are not likely to result in significant changes to the composition and thickness of sediments. This matter can be scoped out from further assessment.

ID	Ref	Description	Inspectorate's comments
3.123	N/A	N/A	N/A

4. ENVIRONMENTAL ASPECT COMMENTS - ONSHORE

4.1 Ecology (Onshore)

(Scoping Report Volume 3, Section 1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	Volume 3, table 1.10	Operation: Permanent or temporary loss of, or damage to, habitats, including irreplaceable and priority habitats	<p>The Scoping Report seeks to scope out this matter on the basis that any permanent or temporary habitat loss would have occurred during the construction phase and no further permanent habitat loss would be required. The Scoping Report also notes that routine maintenance will be infrequent and likely to occur in areas that have been disturbed during construction.</p> <p>The Inspectorate agrees that this matter can be scoped out of further assessment for the operational phase in the ES on this basis.</p>
4.1.2	Volume 3, table 1.10	Operation: Pollution of waterbodies and watercourses, resulting in adverse effects to aquatic life	<p>The Scoping Report seeks to scope this matter out on the basis that appropriate environmental management measures will be implemented to align with the principles set out in the CoCP.</p> <p>The Inspectorate agrees that this matter can be scoped out of further assessment on the basis that the ES sets out how the principles set out in the CoCP will be secured in the DCO during the operational phase.</p>
4.1.3	Volume 3, table 1.10	Construction and decommissioning: Injury or death to birds from collision with overhead lines (OHL)	<p>The Scoping Report proposes to scope out this impact during the construction and decommissioning phases on the basis that the OHL components are either not yet installed or are being removed respectively therefore they do not present a sustained collision risk.</p> <p>Volume 1 Figure 3.7 of the Scoping Report sets out the indicative construction programme and the Inspectorate observes that the construction of OHLs is not specifically mentioned within this programme. The duration of the indicative onshore construction window lasts over a three-year period before the proposed development</p>

			<p>becomes operational so there is potential for OHL to be in situ for a sustained period of time before the operational phase commences. In the instance where OHL have been constructed and are in place for a proportion of the construction period, these should be factored into the operational assessment as impacts are likely to be similar and continuous.</p> <p>The Scoping Report also explains that the temporary structures and activities during these phases are short-term and unlikely to coincide with significant bird movement patterns or result in meaningful collision risk. No information is provided as to the programme of the presence of the temporary structures or their location so it is currently difficult to ascertain that these temporary structures and activities will occur outside of significant bird movement patterns.</p> <p>For the reasons identified above, the Inspectorate agrees that this matter can be scoped out for the construction phase, however, the ES should include details of the timeframe of the construction programme and where relevant, set out bird collision mitigation measures.</p> <p>With regards to decommissioning, the Inspectorate agrees that this matter can be scoped out as the OHL structures are being removed thereby reducing the number of structures that could lead to collision risk.</p>
4.14	Volume 3, paragraph 1.5.3.1	Transboundary effects in relation to onshore ecology	<p>The Scoping Report proposes to scope out transboundary effects in relation to onshore ecology and ornithology. Given that the specific location of the proposed development is unknown at this time and the impact it will have on designated sites, the Inspectorate is not in a position to scope this matter out.</p>

ID	Ref	Description	Inspectorate's comments
4.15	Volume 3, paragraph 6.6.2.10	Cumulative impacts on nationally and locally designated sites	<p>The Scoping Report states that a cumulative assessment will not be undertaken for nationally and locally designated sites. The Inspectorate disagrees and the ES should include a cumulative assessment for these sites.</p>

			The applicant's attention is drawn to the consultation response from West Lancashire Borough Council and the EA in appendix 2 of this Opinion.
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4.2 Land Use and Ground Conditions

(Scoping Report Volume 3, Section 2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
421	Volume 3, table 2.11	Operation: Exposure or mobilisation of contaminants from encountering contaminated land during intrusive works (LUGC-01)	<p>Volume 1, section 3.7 of the Scoping Report explains that maintenance works will occur during the operational and maintenance phase and paragraph 3.7.5.3 states that major component replacements may take place if required as part of the site maintenance for the Onshore Booster Station, Onshore Substation and Energy Balancing Infrastructure. Given that these maintenance activities will be confined to areas previously disturbed during construction and that contractors will be informed of ground contamination matters and adopt control methods of working accordingly, the Inspectorate agrees that this matter can be scoped out.</p> <p>The applicant's attention is drawn to consultation responses from West Lancashire Borough Council and the EA in appendix 2 of this Opinion regarding contaminated land.</p>
422	Volume 3, table 2.11	Operation: Impacts upon soil/ land quality from groundworks and related activities (LUGC-02)	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that significant groundworks and ground disturbance are unlikely during this phase. The Inspectorate is in agreement with this approach. Please refer to ID 4.2.1 above of this Opinion regarding ground disturbance.</p>
423	Volume 3, table 2.11	Operation and decommissioning: Risk of UXO to human receptors (LUGC-03)	<p>The Scoping Report proposes to scope out this risk during the operational and decommissioning phases on the basis that any UXO encountered during construction would have been disturbed and is therefore unlikely to be encountered again during operation or decommissioning. The Inspectorate is in agreement with this approach. The ES should describe the measures proposed to deal with UXO encountered during construction and confirm how the measures would be secured through the DCO.</p>

424	Volume 3, table 2.11	Operation: Impacts to existing agricultural drainage channels from groundworks and related activities (LUGC-04)	The Scoping Report proposes to scope out this impact during the operational phase on the basis that maintenance activities are not anticipated to lead to significant ground disturbance during the operational phase. Provided that methods of reinstatement are included in the Code of Construction Practice (CoCP), the Inspectorate is in agreement with this approach.
425	Volume 3, tables 2.11 and 3.5	Operation and decommissioning: Temporary and permanent impacts to Public Rights of Way (PRoW) and Outdoor Recreation Land (LUGC-05)	<p>The Scoping Report proposes to scope out these impacts during the operational and decommissioning phases on the basis that closures or restrictions on these spaces and accesses are unlikely. For these reasons, the Inspectorate agrees that this matter can be scoped out from the operational phase.</p> <p>With regards to decommissioning, the Scoping Report provides limited information in relation to the PRoW activity during this phase. Volume 3, table 3.5 explains that it is expected that in the instance that full decommissioning is undertaken, it will generally follow the reverse sequence of construction and that the scale and intensity of activities will be substantially lower than during the construction phase. The Inspectorate notes, however, that no information is provided in relation to the decommissioning and PRoW and recreation land. However, the Inspectorate agrees that this matter can be scoped out, subject to the ES providing information on PRoW and recreational land during decommissioning.</p>
426	Volume 3, paragraph 2.3.3.33 table 2.11	Construction and decommissioning: Potential for sterilisation of mineral deposits (LUGC-06)	<p>The Scoping Report states that there is partial overlap between the scoping boundary and mineral safeguarding areas. The ES should provide information on the geographic location of mineral safeguarded areas and the types of minerals or other resources that are protected, with reference to supporting figures as necessary.</p> <p>During the construction and decommissioning phases the Scoping Report notes that the potential for this impact is primarily associated with the long-term presence of permanent infrastructure that may obstruct future mineral extraction.</p> <p>The Inspectorate is of the view that the sterilisation of safeguarded mineral areas would have occurred as a result of the construction of the proposed development and on this</p>

			<p>basis, it should be scoped into the construction phase. The Inspectorate also agrees that the consideration of any long-term sterilisation should be factored into the assessment.</p> <p>The decommissioning approach is also not yet determined, however on the basis that decommissioning does not further sterilise, undisturbed mineral resources, this matter can be excluded for the decommissioning stage.</p>
427	Volume 3, table 2.11	<p>Construction and decommissioning:</p> <p>Impacts resulting from ingress and accumulation of hazardous ground gas (LUGC-07)</p>	<p>The Scoping Report proposes to scope out these impacts during the construction and decommissioning phases on the basis that activities during these phases are short-term, typically involve open or well-ventilated environments, and do not result in prolonged human occupancy or sealed structures where gas accumulation could pose a significant risk. The Inspectorate agrees to scope this matter out of the construction and decommissioning phases on the basis that it will be assessed for the operation phase. The ES should provide details of any gas protection measures and identify how any relevant mitigation measures are to be secured in the DCO.</p>
428	Volume 3, table 2.11	<p>Construction and decommissioning:</p> <p>Impacts resulting from structures and services laid in direct contact with contaminated soils and groundwater (LUGC-08)</p>	<p>The Scoping Report proposes to scope out these impacts during the construction and decommissioning phases on the basis that this impact is primarily relevant where permanent structures and buried services remain in place over extended periods. The Inspectorate is in agreement with this approach for the construction phase only.</p> <p>The ES should consider the long-term impacts if onshore infrastructure such as underground cables are to remain in-situ following completion of the proposed development. For example, cables may degrade and interact with hazardous or contaminated substances in the ground. The Inspectorate therefore disagrees that impacts resulting from structures and services laid in the ground can be scoped out of the assessment for the decommissioning phase. The applicant's attention is drawn to the consultation responses from Wyre Council and the EA in appendix 2 of this Opinion.</p>
429	Volume 3, table 2.11	<p>Operation:</p> <p>Permanent/ long-term loss of agricultural land for the Terrestrial</p>	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that this impact is a one-off event reported as a long-term/ permanent effect of construction. The Inspectorate is in agreement with this approach.</p>

		Landfall Area, OnSS, EBI, OHL, OnBS arising from construction and from demolition, removal and restoration of above ground infrastructure (LUGC-09)	
4210	Volume 3, table 2.11	Operation and decommissioning: Impacts to agricultural land from contamination (LUGC-10)	The Scoping Report proposes to scope out this impact during the operational and decommissioning phases on the basis that significant ground disturbance is unlikely during the operational phase. Considering that any contaminated land is likely to be identified during construction and appropriate working methods and control measures, such as the Soil Management Plan, will be in place for any intrusive works in the operation and decommissioning phases, the Inspectorate is in agreement with this approach. The applicant's attention is drawn to ID 4.2.13 of this Opinion with respect to landfill leachate.
4211	Volume 3, table 2.11	Operation: Impacts on the built environment (LUGC-11)	The Scoping Report proposes to scope out this impact during the operational phase on the basis that impacts on the built environment are not likely. The Inspectorate is in agreement with this approach.

ID	Ref	Description	Inspectorate's comments
4212	Volume 3 paragraphs 2.3.3.5 to 2.3.3.15 and figure 2.2	Best and Most Versatile (BMV) land	The applicant's attention is drawn to the Written Ministerial Statement (UIN HCWS466) issued on 15 May 2024. The Scoping Report identifies that a proportion of the land within the scoping boundary is BMV land. The ES should specify the areas of land in each BMV classification to be temporarily or permanently lost as a result of the proposed development, with reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided. Consideration should also be given to the use of BMV land in the applicant's discussion of alternatives.

			The applicant's attention is drawn to the consultation response from Natural England in appendix 2 of this Opinion.
42.13	Volume 3, paragraph 2.3.3.36	Historic and active landfill sites	<p>The Scoping Report identifies multiple historic and active landfill sites within the scoping boundary. Volume 3 Section 6 Air Quality of the Scoping Report indicates that horizontal directional drilling (HDD) techniques may be used in landfill/ historic landfill sites. The applicant's attention is drawn to the potential for damaging landfill liners and causing emissions of harmful landfill leachate into the ground and groundwater. In the absence of confirmation that landfill/ historic landfill sites will be avoided, the ES should include an assessment of this matter, or evidence demonstrating agreement with the relevant consultation bodies and the absence of LSE, as well as consideration of the impacts should the underground infrastructure be left in situ near/ in these sites.</p> <p>The applicant's attention is drawn to the consultation response from Wyre Council in appendix 2 of this Opinion regarding contaminated ground.</p>
42.14	N/A	Impact on agri-environment and forestry schemes	The baseline section does not refer to the presence or absence of agri-environment and forestry schemes. The works have the potential to disrupt such schemes, including impact to drainage and soil quality. The ES should identify the location of agri-environment and forestry schemes within the study area and provide an assessment of LSE on these receptors, where these could occur, or provide evidence demonstrating agreement with the relevant consultation bodies and the absence of LSE. Any mitigation required to avoid likely significant effects should be identified in the ES and demonstrably secured through the DCO.
42.15	Volume 3, table 2.9	Public Access Management Plan	Table 2.9 includes the commitment to develop a Public Access Management Plan to manage access during construction. The Public Access Management Plan should also consider and address the potential need for access management during decommissioning or identify how this will be managed for the decommissioning phase.
42.16	Volume 3, paragraphs 2.3.3.16 to 2.3.3.22	Peat	Volume 3 paragraphs 2.3.3.16 to 2.3.3.22 provide detail on peat deposits within the scoping boundary and search areas. These paragraphs state that some of the search areas contain peat soil, which stores carbon. Furthermore, Downholland Moss site of special scientific interest (SSSI) is located within the Option B onshore export cable

			<p>corridor and is designated for geological features, such as peat deposits and sedimentary layers related to glacial or post-glacial history.</p> <p>The ES should ensure that impacts upon peatlands are assessed in the ES. The applicant's attention is drawn to the consultation responses from the EA, Natural England and West Lancashire Borough Council in appendix 2 of this Opinion.</p>
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4.3 Traffic and Transport

(Scoping Report Volume 3, Section 3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	Volume 3, table 3.5	Operation and decommissioning: Potential delays to non-motorised users and their potential severance from other areas (TT-01)	<p>The Scoping Report anticipates a negligible effect on the local and regional network during the operation phase as operational vehicle movements will comprise of 50 visits per year. The Inspectorate agrees that this can be scoped out during the operational phase, subject to the ES confirming the operational trip generation and that this is set against thresholds identified in guidance to justify this negligible position. The applicant's attention is drawn to ID 2.1.2 of this Opinion regarding major maintenance activities.</p> <p>In regard to decommissioning, see ID 2.2.5 of this Opinion.</p>
4.3.2	Volume 3, table 3.5	Operation and decommissioning: Potential delays to road vehicle drivers and passengers, with an increase in journey time (TT-02)	
4.3.3	Volume 3, table 3.5	Operation and decommissioning: Potential increase in fear and intimidation and reduction in non-motorised user amenity (TT-03)	

4.34	Volume 3, table 3.5	Operation and decommissioning: Potential reduction in highway safety (TT-04)	
4.35	Volume 3, table 3.5	Operation and decommissioning: Potential delays to road users due to the movement of large loads (TT-05)	
4.36	Volume 3, table 3.5	Decommissioning: Potential delays to users of PRow due to temporary or permanent closures and diversions (TT-06)	See ID 2.2.5 of this Opinion in relation to decommissioning.
4.37	Volume 3, table 3.5	All phases: Impact on ports (TT-07)	<p>The Scoping Report proposes to scope out traffic and transport impacts of vehicle movements required for the offshore construction during all phases of the proposed development on the basis that the ports are subject to their own consents, permits and environmental approvals and the relevant port will regulate and manage routine port activities including vehicle movements.</p> <p>The following information is unknown at this stage:</p> <ul style="list-style-type: none"> • The base port(s) to be used • The use of the highway network and its relationship with port facilities

			<ul style="list-style-type: none"> Defined traffic routes for construction, operation and decommissioning <p>The Inspectorate is content to scope this matter from the assessment providing that the above information is included within the ES.</p>
438	Volume 3, table 3.5	All phases: Impact on railway infrastructure (TT-08)	The Scoping Report proposes to scope out this impact during all phases of the proposed development on the basis that trenchless construction methods for the onshore export cables will be used, and agreement sought with Network Rail to ensure rail services remain unaffected. The Inspectorate agrees that this matter can be scoped from the assessment subject to agreement with relevant consultees that this matter would not give rise to a significant effect.

ID	Ref	Description	Inspectorate's comments
439	Volume 3, section 3.5	Planned network improvements	The Inspectorate notes that the CEA should consider planned network improvements. The applicant's attention is drawn to the consultation response from National Highways and West Lancashire Borough Council in appendix 2 of this Opinion.

4.4 Onshore Archaeology and Cultural Heritage

(Scoping Report Volume 2, Section 4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
44.1	Volume 3, table 4.7	Operation and decommissioning: Impacts of groundworks causing the removal/truncation of buried archaeological remains (OAH-01)	The Scoping Report proposes to scope out this impact during the operational and decommissioning phases on the basis that no new ground disturbance will take place during these phases. The Inspectorate is in agreement with this approach.
44.2	Volume 3, table 4.7	Operation and decommissioning: Impacts of removal/ loss of Important Hedgerows (OAH-02)	The Scoping Report proposes to scope out this impact during the operational and decommissioning phases on the basis that no new ground disturbance will take place during these phases. The Inspectorate is in agreement with this approach.
44.3	Volume 3, table 4.7	Operation: Short-term change to heritage significance (OAH-03)	<p>The Scoping Report proposes to scope out this impact during the operation and maintenance phase on the basis that no short-term setting impacts are expected. The Inspectorate notes that the same matter is proposed to be scoped in during the construction and decommissioning phases.</p> <p>The applicant's attention is drawn to ID 2.1.2 of this Opinion regarding major component replacement during the operational phase. The Inspectorate is content to scope this matter from the assessment.</p>

ID	Ref	Description	Inspectorate's comments
444	N/A	Impacts not addressed in the Scoping Report	<p>The onshore infrastructure elements of the proposed development have the potential to alter the pattern of drainage within and adjacent to the boundary of works. Impacts on archaeological and heritage assets from alterations to drainage patterns, changes to groundwater flows and levels, and from the movement of contaminants or pollutants should be assessed, where significant effects are likely to occur. This should consider the potential for hydrological effects from both drying out and inundation. Cross references to the Hydrology, Hydrogeology and Flood Risk ES Chapter should be considered.</p> <p>Furthermore, it is unclear whether hydrological changes will extend into the operational phase or in relation to heating effects from electrical infrastructure. In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate expects this matter to be included in the assessment in the ES. The ES should include an assessment of physical impacts from changes in preservation conditions during operation, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
445	Volume 3, paragraph 4.3.1.2	Non-designated receptors	The Scoping Report states that designated archaeological receptors of high importance and heritage receptors will be considered in the assessment. The applicant's attention is drawn to the consultation responses from West Lancashire Borough Council, Wyre Council and Fylde Council in appendix 2 of this Opinion regarding non-designated heritage assets.
446	N/A	Archaeological assets	<p>The Es should consider archaeological assets that are not buried, including earthworks.</p> <p>The applicant's attention is drawn to the consultation response from Sefton Council in appendix 2 of this Opinion regarding the consideration of archaeological remains.</p>

4.5 Noise and Vibration

(Scoping Report Volume 3, Section 5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	Volume 3, table 5.5	Operation: Temporary noise impacts from construction and decommissioning of the proposed development infrastructure (NV-01)	The Scoping Report proposes to scope out this impact during the operational phase on the basis that the operational phase does not include these activities. The Inspectorate is in agreement with this approach.
4.5.2	Volume 3, table 5.5	Operation: Temporary vibration impacts from construction and decommissioning of the proposed development infrastructure (NV-02)	The Scoping Report proposes to scope out this impact during the operational phase on the basis that the operational phase does not include these activities. The Inspectorate is in agreement with this approach.
4.5.3	Volume 3, table 5.5	Operation: Noise from road traffic (NV-03)	On the basis that vehicle flows associated with operational maintenance of the onshore infrastructure would be minimal as described in Volume 1, paragraph 3.7.5.2 and Volume 3, table 3.5 of the Scoping Report and would therefore not result in a large increase from the baseline conditions, the Inspectorate agrees that significant effects in respect of road traffic noise are unlikely to occur. However, the ES should clarify the anticipated number and routing of road vehicle movements during the operational phase, including those associated with operational maintenance of offshore components and demonstrate that these are below guidance thresholds for significant effects. Please also refer to ID 2.1.2 of this Opinion.

4.54	Volume 3, table 5.5	Construction and decommissioning: Permanent noise from the above ground infrastructure (NV-04)	The Scoping Report proposes to scope out this impact during the construction and decommissioning phase on the basis that these structures will not be operational during these phases. The Inspectorate is in agreement with this approach.
4.55	Volume 3, table 5.5	Operation: Noise and vibration from the buried cables (NV-05)	The Inspectorate agrees that operation of the underground cables is unlikely to generate noise or vibration on a scale that would result in significant effects. This matter can therefore be scoped out.
4.56	Volume 3, table 5.5	All phases: Vibration from traffic on public and haul roads (NV-06)	<p>The Scoping Report proposes to scope out this impact during all phases of the proposed development on the basis that roads in good condition do not provide a pathway for additional vehicles to cause an impact, and roads that are not in good condition could cause an impact.</p> <p>In the absence of information such as expected number and type of vehicle movements for each phase of the proposed development, vehicle routing, road condition and the presence of sensitive receptors, the Inspectorate is not in a position to scope this matter from the assessment. Accordingly, the ES should include an assessment of this matter or evidence demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
4.57	Volume 3, table 5.5, paragraph 5.3.4.1	All phases: Permanent vibration from the above ground infrastructure (NV-07)	<p>The Scoping Report proposes to scope out this impact during all phases of the proposed development on the basis that any perceptible vibration at the location of a vibration-sensitive receptor would also cause damage to the vibration-emitting plant, and therefore such issues would be prevented through site maintenance.</p> <p>The Inspectorate agrees that this matter can be scoped out during construction and decommissioning as these structures will not be operational during these phases.</p> <p>Regarding the operational phase, there is insufficient information provided as to the level of anticipated vibration from above ground infrastructure and it is also unknown whether any sensitive receptors including utilities, are within close proximity to conclude that no</p>

			significant effect is likely to arise. Therefore, the Inspectorate is not in a position to scope this matter from the assessment during the operational phase. Accordingly, the ES should include an assessment of this matter or evidence demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
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ID	Ref	Description	Inspectorate's comments
4.58	N/A	Noise and vibration impacts from maintenance activities	<p>Volume 1, section 3.7 of the Scoping Report indicates that onshore equipment may be repaired or replaced. The expected noise levels, frequency and duration of maintenance activities which may give rise to a noise effect should be considered within the operational assessment.</p> <p>The applicant's attention is drawn to the consultation response from Wyre Council in appendix 2 of this Opinion regarding noise and vibration.</p>

4.6 Air Quality

(Scoping Report Volume 3, Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	Volume 3, table 6.5	Operation and decommissioning: Impacts from fugitive emissions generated from onshore construction activities on both human and ecological receptors (AQ-01)	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that dust generation during the operational phase is expected to be intermittent and infrequent and that decommissioning impacts are expected to be less than those during construction.</p> <p>The Inspectorate notes that the proposed development does not include proposals for any onshore plant or stacks which could generate fugitive emissions. On the basis that there are no stacks and provided no significant emissions are likely to arise from operational plant/ stations, the Inspectorate agrees that this matter can be scoped out of the ES during the operational phase.</p> <p>In regard to decommissioning, please refer to ID 2.2.5 of this Opinion. On this basis, the Inspectorate therefore disagrees that impacts from fugitive emissions generated from onshore construction activities on both human and ecological receptors can be scoped out of the assessment for the decommissioning phase.</p> <p>The ES should clearly set out if and how decommissioning is to be assessed and any proposed development components which may remain following decommissioning, in agreement with the host authorities, secured through the inclusion of an Outline Decommissioning Plan or similar with the application that sets out measures in relation to air quality.</p>
4.6.2	Volume 3, table 6.5	Operation and decommissioning: Impacts from emissions from road traffic from an increase in temporary	<p>The Scoping Report proposes to scope out this impact during the operational and decommissioning phases on the basis that operational vehicle movements are expected to be low and that decommissioning impacts are expected to be less than those during construction. The Inspectorate is in agreement with this approach during the operational phase only provided that the ES description of the proposed development confirms the</p>

		construction-generated road traffic volumes on both human and ecological receptors (AQ-02)	<p>anticipated trip generation for all phases of development (with reference to thresholds within guidance) to justify this position.</p> <p>In regard to decommissioning, please refer to ID 2.2.5 of this Opinion. On this basis, the Inspectorate therefore disagrees that impacts from emissions from road traffic from an increase in temporary construction-generated road traffic volumes on both human and ecological receptors can be scoped out of the assessment for the decommissioning phase.</p> <p>The ES should clearly set out if and how decommissioning is to be assessed and any proposed development components which may remain following decommissioning, in agreement with the host authorities, secured through the inclusion of an Outline Decommissioning Plan or similar with the application that sets out measures in relation to air quality.</p>
4.63	Volume 3, table 6.5	All phases: Emissions generated from Non-Road Mobile Machinery (NRMM) (AQ-03)	<p>The Scoping Report proposes to scope out this impact during the construction, operational and decommissioning phases on the basis that guidance indicates that NRMM are unlikely to generate significant emissions and that best practice and control measures enforced on site will reduce emissions. The Inspectorate is in agreement with this approach provided that the ES confirms the types, numbers, locations of works and operational hours for NRMM for all phases of development (with reference to thresholds within guidance) to justify this position.</p> <p>The applicant's attention is drawn to the consultation response from the EA in appendix 2 of this Opinion.</p>
4.64	Volume 3, table 6.5	All phases: Emissions generated from offshore vessel movements (AQ-04)	<p>The Scoping Report proposes to scope out this impact during all phases of the proposed development on the basis that vessels are likely to be near onshore receptors for a short length of time and vessels will have to comply with regulations regarding shipping emissions. The Inspectorate is in agreement with this approach.</p>
4.65	Volume 3, table 6.5	Construction: Emissions of odour generated through disturbance of landfill/	<p>The Scoping Report proposes to scope out this impact during the construction phase on the basis that these sites will not be disturbed with open cut trenches and horizontal directional drilling (HDD) techniques will not result in odour emissions above ground. Consideration should also be given to the potential for landfill gas, which may comprise methane and carbon dioxide, to be disturbed and to be emitted into the atmosphere, and</p>

		historic landfill sites (AQ-05)	<p>where this may occur then it should be assessed or a justification provided for why a LSE will not occur.</p> <p>The applicant's attention is drawn to ID 4.2.13 of this Opinion, which also refers to the potential impact of landfill gas emissions. The applicant's attention is also drawn to the consultation responses from Wyre Council and the EA in appendix 2 of this Opinion regarding odour emissions.</p>
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ID	Ref	Description	Inspectorate's comments
4.6.6	Volume 3, paragraph 6.6.2.4	PM2.5 emissions	<p>The Scoping Report indicates that the assessment will consider risk to human health from increased PM10 exposure as a result of dust emissions. The Scoping Report does not include a commitment to assess the impact of PM2.5 as a result of dust emissions. The applicant's attention is drawn to the Defra advice 'PM2.5 Targets: Interim Planning Guidance'. The ES should explain how key sources of air pollution, including PM2.5, within the proposed development have been identified and how action has been taken to minimise emissions of PM2.5 or its precursors.</p>
4.6.7	N/A	Air quality impact of electrical infrastructure	<p>The Scoping Report does not include an assessment of elements of the proposed development which may have an air quality impact. For example, the energy balancing infrastructure, onshore booster station and onshore substation may use equipment which relies on fuel/ back-up generators during operation. The operation of this infrastructure, therefore, may cause emissions of pollutants to air and have an impact upon air quality. The ES should confirm whether or not generators may be required and, if so, assess whether there is the potential to give rise to a significant effect.</p>

4.7 Hydrology, Hydrogeology and Flood Risk

(Scoping Report Volume 3, Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	Volume 3, table 7.6	All phases: Temporary generation of turbid runoff which could directly enter the water environment (HFR-01)	<p>In regard to the construction and decommissioning phases, the Scoping Report proposes to scope out this impact on the basis that the Construction Code of Practice, informed by CIRA, will include measures to reduce this risk. Given the uncertainty of the location of the proposed development and early stages of design details, the Inspectorate does not agree that this matter can be scoped out at this stage. The applicant's attention is drawn to the consultation responses from the EA and Natural England in appendix 2 of this Opinion.</p> <p>The Scoping Report seeks to scope out this matter during the operational phase on the basis that no significant earthworks, vegetation clearance, or excavation will occur during this time. The Inspectorate agrees that this matter can be scoped out of the operational phase, subject to ID 2.1.2 of this Opinion.</p>
4.7.2	Volume 3, table 7.6	Operation: Changes to surface water runoff patterns which could directly or indirectly affect surface hydrology and flood risk (HFR-02)	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that activities in this phase are unlikely to significantly disturb ground or change land cover which could alter surface water flow. The justification provided for scoping this matter out states that permanent infrastructure within the scoping boundary will require management of surface water runoff. The applicant's attention is drawn to the consultation response from the EA in appendix 2 of this Opinion. On this basis, the Inspectorate is content to scope this matter out of the assessment.</p>
4.7.3	Volume 3, table 7.6	Operation and decommissioning: Damage to flood defence or surface	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that underground works are expected to remain in situ during decommissioning and main rivers will be crossed using techniques that cause less disturbance. On the basis that there are no operational activities that would adversely impact flood defences and/or drainage infrastructure, and subject to ID 2.1.2 of this Opinion, the Inspectorate is content to scope this matter out for the operational phase.</p>

		water drainage infrastructure (HFR-03)	<p>In regard to decommissioning, please refer to ID 2.2.5 of this Opinion. On this basis, the Inspectorate therefore disagrees that damage to flood defence or surface water drainage infrastructure can be scoped out of the assessment for the decommissioning phase.</p> <p>The applicant's attention is drawn to the consultation response from the EA in appendix 2 of this Opinion regarding flood and coastal defence assets.</p>
4.7.4	Volume 3, table 7.6	<p>Operation and decommissioning:</p> <p>Pollution or disruption of flow directly to groundwater through ground excavations or piling (HFR-04)</p>	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that these activities won't take place during either phase. Details of the repair and maintenance requirements are yet to be defined but the Inspectorate considers that provided these matters are confirmed within the ES and with demonstration of agreement with relevant consultation bodies that significant effects are unlikely to occur that this matter can be scoped out of further assessment in the ES for the operational phase. An outline of the relevant controls to repair and maintenance activities should also be presented.</p> <p>In regard to decommissioning, please refer to ID 2.2.5 of this Opinion. On this basis, the Inspectorate therefore disagrees that pollution or disruption of flow directly to groundwater through ground excavations or piling can be scoped out of the assessment for the decommissioning phase.</p> <p>The ES should clearly set out if and how decommissioning is to be assessed and any proposed development components which may remain following decommissioning, in agreement with the host authorities, secured through the inclusion of an Outline Decommissioning Plan or similar with the application that sets out measures in relation to hydrology, hydrogeology and flood risk.</p> <p>The applicant's attention is drawn to the consultation response from the EA in appendix 2 of this Opinion.</p>
4.7.5	Volume 3, table 7.6	<p>Construction and decommissioning:</p> <p>Permanent changes to surface water drainage directly at the</p>	<p>The Scoping Report proposes to scope out this impact during the construction and decommissioning phases on the basis that these structures won't be in place during these phases. The Inspectorate is content to scope this matter from the assessment on this basis.</p>

		permanent above ground infrastructure (HFR-05)	
4.7.6	Volume 3, table 7.6	All phases: Accidental spillages and leakages of oils, fuel and other polluting substances which could potentially enter the water environment (HFR-06)	The Scoping Report proposes to scope out this impact during all phases of the proposed development on the basis that the Construction Code of Practice will include measures to reduce the risk of spills. Provided that an outline of the relevant controls, consideration of designated sites and demonstration of agreement with relevant consultation bodies is included in the ES, the Inspectorate is in agreement to scope this matter from the assessment. The applicant's attention is drawn to the consultation response from the EA in appendix 2 of this Opinion.

ID	Ref	Description	Inspectorate's comments
4.7.7	N/A	Coastal erosion and coastal change	<p>The ES should consider the impacts of coastal erosion and coastal change and any impact that this may have on hydrology, hydrogeology or flood risk, and hydraulic connectivity to the proposed development. The EA has published new flood and coastal erosion risk data in 2025 following the release of its "National assessment of flood and coastal erosion risk in England 2024". Further updates are expected to follow. The applicant should ensure that assessments take account of updated data sets as these become available through Defra's Data Services Platform. Where relevant, the applicant is encouraged to liaise with the EA to determine the implications for the design of the proposed development and the scope of assessments.</p> <p>The applicant's attention is also drawn to the consultation responses from Natural England and Sefton Council in appendix 2 of this Opinion.</p>
4.7.8	Volume 3, paragraph 7.3.3.12	Nitrate vulnerable zones (NVZ)	The Scoping Report states that the presence of NVZ indicate that agricultural diffuse pollution was formerly an issue that is now well managed. The Inspectorate is unclear as to how this conclusion has been reached as NVZ are areas designated as being at risk from agricultural nitrate pollution. The ES should provide explanation as to why such areas are considered a former rather than a current issue and why the applicant

			considers that they are now well managed and do not require further consideration as part of the EIA.
4.7.9	N/A	Groundwater Source Protection Zones	Groundwater Source Protection Zones should be considered within the ES. The applicant's attention is drawn to the consultation response from the EA in appendix 2 of this Opinion.
4.7.10	N/A	Water sampling	The Scoping Report does not refer to sampling or analysis of existing surface water or groundwater receptors within the study area that would be undertaken to inform the assessment of effects from contaminated runoff. Efforts should be made to agree the requirements and scope of any water sampling and analysis with relevant consultation bodies, including the EA.

4.8 Landscape and Visual Impact Assessment

(Scoping Report Volume 3, Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	Volume 3, table 8.5	Operation: Temporary impacts to landscape character views or visual amenity (LV-01)	The Scoping Report proposes to scope out this impact during the operational phase on the basis that there are no anticipated temporary impacts during this phase. The Inspectorate acknowledges that long-term impacts are covered elsewhere and is therefore in agreement with this approach to scope out this impact.
4.8.2	Volume 3, table 8.5	Construction and decommissioning: Impacts of the presence of onshore infrastructure on landscape character and designations (LV-02)	<p>The Scoping Report proposes to scope out these impacts during the construction and decommissioning phases on the basis that these phases are temporary and temporary impacts during these phases are covered by LV-01 (scoped in for these phases). It is noted however that no distinction is made between onshore infrastructure and construction infrastructure and machinery.</p> <p>The Inspectorate is content to scope this matter out on the basis the ES provides a description of these components during the construction and decommissioning phases and justifies the conclusion of no LSE.</p>
4.8.3	Volume 3, table 8.5	Construction and decommissioning: Impacts of the presence of onshore infrastructure on views and visual amenity (LV-03)	
4.8.4	Volume 3, table 8.5	All phases:	The Scoping Report proposes to scope out this impact during all phases of the proposed development on the basis that lighting during the operational phase will be infrequent and

		Impacts of lighting on landscape character and on views or visual amenity at night (LV-04)	<p>minimal and that temporary impacts during construction and decommissioning are covered in LV-01. The Inspectorate is content with this approach for the operational phase.</p> <p>Lighting is not included within the description of LV-01. The ES should ensure that an assessment of lighting impacts during the construction or decommissioning phase is included within LV-01 or LV-04. A lighting strategy or management plan should be provided either as part of the CoCP or as a separate document. In the absence of this, the Inspectorate is not in a position to scope this matter from the assessment for the construction and decommissioning phases. The applicant's attention is drawn to the consultation response from Wyre Council in appendix 2 of this Opinion regarding lighting.</p>
485	Volume 3, paragraph 8.5.1.5	Cumulative effects	The Scoping Report proposes to scope out the cumulative landscape and visual impact of the proposed development and Moir Vann Generation Project on the basis of the distance between the projects and the short duration of construction. Please refer to ID 2.2.2 of this Scoping Opinion.

ID	Ref	Description	Inspectorate's comments
486	Volume 3, table 8.4	Construction and decommissioning: Temporary impacts to landscape character views or visual amenity (LV-01)	The Scoping Report proposes to scope this impact in for the construction and decommissioning phases which the Inspectorate is in agreement with. The applicant's attention is drawn to the boxes above regarding missing detail about which impacts are to be covered by this description. For example, lighting is not explicitly mentioned in this impact. All impacts to all sensitive receptors should be covered by an assessment of this impact in the ES.
487	Volume 3, paragraph 8.3.4.1	Sensitive receptors	The Scoping Report states that residential receptors within the larger settlements of Fleetwood, Cleveleys, Blackpool, Lytham St. Anne's and Preston and at scattered properties, farmsteads and small clusters of dwellings within the wider landscape will be included in the landscape and visual impact study area. The figures included in this chapter indicate numerous other large settlements besides those listed in paragraph 8.3.4.1. The Inspectorate is unclear why all large settlements and residential receptors are not included. The ES should include all sensitive receptors and details on how these

			<p>receptors would be selected, or provide justification as to why this is not required with reference to the relevant guidance. Where possible, receptors should be discussed and agreed with relevant consultation bodies.</p> <p>The applicant's attention is drawn to the consultation responses from the Canal and River Trust and Fylde Council in appendix 2 of this Opinion regarding the omission of sensitive receptors.</p>
4.8.8	Volume 3, paragraphs 8.6.2.9 and 8.6.2.10	Visual assessment	<p>The Scoping Report states that the visual assessment will be based on the analysis of the ZTV of the onshore booster station, export cables, substation and energy balancing infrastructure. The ZTV should also include the pylons and overhead lines.</p> <p>The Inspectorate notes that representative viewpoints will be agreed with relevant consultees. Efforts should be made to agree the number and location of viewpoints and photomontages with relevant consultation bodies. Where any disagreement remains, an explanation as to how the final selection was made should be provided with reference to the Landscape Institute's guidance "Guidelines for Landscape and Visual Impact Assessment".</p> <p>The ES should include a plan to illustrate the location of viewpoints in relation to the proposed development.</p>

4.9 Human Health and Wellbeing

(Scoping Report Volume 3, Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	N/A	Scoping approach	The Inspectorate notes that this chapter is primarily used as a signposting chapter to other chapters, and that relevant impacts are to be assessed in other aspect-specific chapters. The Inspectorate is content with this approach.

ID	Ref	Description	Inspectorate's comments
4.9.2	Volume 3, paragraph 9.1.1.4	Electromagnetic fields (EMF)	The Scoping Report does not include an assessment of the impacts of electromagnetic fields on human health on the basis that the proposed development will be designed in accordance with strict industry guidelines that ensure the protection of human health from EMF. On the basis that the ES can demonstrate all electrical infrastructure will remain below negligible levels in line with relevant guidelines, the Inspectorate is content to scope out the potential for EMF affects from the Proposed Development alone and cumulatively.

5. ENVIRONMENTAL ASPECT COMMENTS – PROJECT WIDE ASPECTS

5.1 Socioeconomics, Tourism and Recreation

(Scoping Report Volume 4, Section 1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.1.1	Volume 4, table 1.5	Operation and decommissioning: Impact to employment in the local area (SE-01)	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis of the assessor's experience. The Inspectorate is content to scope this matter out for the operational phase and where professional judgement has been used, the ES should demonstrate how this has been used in any assessment and how conclusions have been reached.</p> <p>In regard to decommissioning, please refer to ID 2.2.5 of this Opinion. The ES should provide estimates of employment numbers, setting out the assumptions on which this has been based, and an indication of whether measures will be in place to encourage local employment. Where there is the potential for a significant effect (either positive or negative) then this should be presented in the ES, or justification to explain why an effect is unlikely to be significant.</p>
5.1.2	Volume 4, table 1.5	Operation and decommissioning: Impact to gross value added (GVA) in the local economy (SE-02)	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis of the assessor's experience. The Inspectorate is content to scope this matter out for the operational phase and where professional judgement has been used, the ES should demonstrate how this has been used in any assessment and how conclusions have been reached.</p> <p>In regards to decommissioning, please refer to ID 2.2.5. For clarity, the Inspectorate is happy to scope decommissioning out on the basis that the ES clearly sets out the assumptions on which the conclusion of is based on.</p>

5.1.3	Volume 4, table 1.5	Operation and decommissioning: Impact to population, housing and accommodation (including availability of tourism accommodation and impact on tourism sector) and wider demands for public infrastructure (SE-03)	<p>The Scoping Report proposes to scope out this impact during the operational and decommissioning phases on the basis that the scale of this impact is linked to the volume of non-local workers associated with the project, which is anticipated to be lower in these phases. The Inspectorate is content to scope these matters out for the operational phase.</p> <p>In regard to the decommissioning phase, please refer to ID 2.2.5. For clarity, the Inspectorate disagrees that the impact to population, housing and accommodation and wider demands for public infrastructure can be scoped out for the decommissioning phase as this matter is scoped in for the construction phase.</p> <p>The ES should clearly set out if and how decommissioning is to be assessed and any proposed development components which may remain following decommissioning, in agreement with the host authorities, secured through the inclusion of an Outline Decommissioning Plan or similar with the application that sets out measures in relation to impact on population, housing and accommodation and wider demands for public infrastructure.</p>
5.1.4	Volume 4, table 1.5 Volume 3, table 3.4	Operation: Potential impact to local social community infrastructure, tourism, and recreation assets, including the direct overlap or loss of access to businesses or assets (SE-05)	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that operational activities are anticipated to be minimal, infrequent and unlikely to result in significant disruption. The Inspectorate notes that in Volume 3 table 3.4 there is the potential for effects on users of PRoW associated with the operation and maintenance of the proposed development. In addition, details of the repair and maintenance requirements are yet to be defined. Provided that the ES includes detail on any impacts arising from impacts during the operational phase and how these will be managed, the Inspectorate is content to scope this matter from the assessment.</p> <p>The applicant's attention is drawn to the consultation responses from West Lancashire Borough Council and Fylde Council in appendix 2 of this Opinion.</p>
5.1.5	Volume 4, table 1.5	Operation: Socio-economic impacts resulting from disturbances to farm businesses and the	<p>The Scoping Report proposes to scope out this impact during the operational phase on the basis that operational activities are anticipated to be limited in scale, infrequent, and typically confined to existing access routes and infrastructure footprints. Details of the repair and maintenance requirements are yet to be defined but the Inspectorate considers that provided these matters are confirmed within the ES and with demonstration of agreement with relevant consultation bodies that significant effects are unlikely to occur</p>

		potential loss of employment opportunities associated with these impacts (SE-06)	that this matter can be scoped out of further assessment in the ES for the operational phase. An outline of the relevant controls to repair and maintenance activities should also be presented. The applicant's attention is drawn to the consultation response from Fylde Council in appendix 2 of this Opinion regarding Westinghouse Nuclear Facility.
5.1.6	Volume 4, table 1.5	All phases: Impact to tourism and recreation (as a result of offshore infrastructure, SE-07)	The Scoping Report proposes to scope out this impact during all phases of the proposed development for all offshore infrastructure on the basis advance warning will be provided along with details of location, safety zones and advisory passing distances. The Scoping Report also notes that the Offshore Booster Station(s) will be at least 17 km from the shoreline. The Inspectorate is in agreement with this approach.
5.1.7	Volume 4, table 1.5	All phases: Induced economic impacts (SE-08)	The Scoping Report proposes to scope out this impact during all phases of the proposed development. For the operational phase, this is on the basis that the operational workforce who may live locally will be a workforce of limited scale. The Inspectorate is content to scope this matter out of the assessment for the operational phase. For the construction phase, this is on the basis that this impact will be generated from the construction workforce, who will be active on the proposed development for a limited period of time. The Inspectorate is in agreement with this approach. The Scoping Report proposes to scope out this impact during the decommissioning phase on the basis that the majority of this impact would occur during construction. The Inspectorate is in agreement with this approach.

ID	Ref	Description	Inspectorate's comments
5.1.8	Volume 4, table 1.4 and table 1.5	Impacts	The Scoping Report does not consistently indicate whether an impact is considered positive or negative. The ES should include this information.

5.2 Climate Change

(Scoping Report Volume 4, Section 2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
521	Volume 4, table 2.7	All phases: Greenhouse gas (GHG) emissions from land use change (CC-01)	<p>The Scoping Report proposes to scope out this impact for all phases of the proposed development on the basis that the amount of CO₂e (CO₂ equivalent) released by land use and seabed change would be negligible, and that the baseline environment, stated to not be significant carbon store, would be restored during decommissioning. The ES should define the scope of GHG emissions in accordance with the relevant guidance.</p> <p>Volume 3 chapter 2 paragraphs 2.3.3.16 to 2.3.3.22 provide detail on peat deposits within the scoping boundary and search areas. These paragraphs state that some of the search areas contain peat soil, which stores carbon. Furthermore, Downholland Moss SSSI is located within the Option B onshore export cable corridor and is designated for geological features, such as peat deposits and sedimentary layers related to glacial or post-glacial history.</p> <p>Volume 3 chapter 2 paragraphs 2.3.3.36 to 2.3.3.38 state that 40 historic landfill sites and 6 active landfill sites are within the scoping boundary.. Therefore, the proposed development has the potential to release hazardous gases, most of which are also GHGs such as CO₂ and methane, by interacting with the landfill sites.</p> <p>Based on this information, the Inspectorate is not in agreement that GHG emissions from land use change can be scoped out of the assessment. Accordingly, the ES should include an assessment of this matter or evidence demonstrating agreement with the relevant consultation bodies and the absence of LSE. The assessment should consider the impact of climate change to all habitats, not just peatland, that have the potential to store and sequester GHGs.</p> <p>The applicant's attention is drawn to the consultation responses from the EA and West Lancashire Borough Council in appendix 2 of this Opinion regarding peat.</p>

522	Volume 4, table 2.7	Construction and decommissioning: Resilience of the proposed development to climate change (CC-02)	The Scoping Report proposes to scope out this impact during the construction and decommissioning phases on the basis that variations in climate would be minimal compared to the baseline. The Inspectorate is in agreement with this approach.
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ID	Ref	Description	Inspectorate's comments
523	Volume 4, paragraph 2.3.6.1	Future baseline	<p>The Scoping Report states that the future baseline for the GHG assessment will include the GHG emissions savings that the operational use of the proposed development will provide to the National Grid. The applicant should be mindful of double-counting GHG emissions savings from this proposed development and the Moir Vannin generation project.</p> <p>The GHG assessment should assess the proposed development alone, however, the wider GHG emissions savings could be calculated as part of a cumulative assessment to ensure transparency around the GHG emissions and savings for this proposed development. The Inspectorate acknowledges the proposed development's contribution to the reduction of GHGs.</p>
524	Volume 1, section 3.8	Decommissioning approach	The Scoping Report indicates that the decommissioning approach for the proposed development is to restore land to its pre-construction state. The applicant is advised to consider that the pre-construction state of land may no longer be the most appropriate in a future climate. Relevant consultation bodies and landowners should be engaged to agree the decommissioning approach. The Inspectorate acknowledges that the Scoping Report states that discussions with landowners will take place as part of the decommissioning process.

5.3 Materials and Waste

(Scoping Report Volume 4, Section 3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
53.1	Volume 4, paragraph 3.1.1.3	All phases: Materials and Waste assessment	The Scoping Report proposes to scope out an assessment of materials and waste on the basis that relevant impacts will be assessed under other aspect chapters of the ES. The applicant also proposes to submit a Waste Management Plan (referred to as the Site Waste Management Plan (SWMP)). Providing any potentially significant impacts are assessed and clearly signposted in other aspect chapters and the mechanism for securing the SWMP is clearly stated within the ES, the Inspectorate agrees that based on the nature of the proposed development significant effects from the use of materials and the disposal and recovery of wastes are unlikely to occur and that a standalone aspect chapter on materials and waste can be scoped out. However, the ES should still contain a description of the quantity and type of any likely waste arising from the proposed development.

ID	Ref	Description	Inspectorate's comments
532	N/A	N/A	N/A

5.4 Major Accidents and Disasters

(Scoping Report Volume 4, Section 4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
54.1	Volume 4, paragraph 4.1.1.3	All phases: Major accidents and disasters	<p>The Scoping Report proposes to scope out a standalone chapter on major accidents and disasters (MA&D) on the basis that impacts will be sufficiently assessed within other relevant aspect chapters. The Inspectorate is content that this aspect does not need to be assessed within a standalone chapter, subject to the following:</p> <p>Whilst the IEMA guidance 'Major Accidents and Disasters in EIA: A Primer' (IEMA and ARUP, 2020) is referenced throughout this chapter, it is not clear whether the impacts stated have been identified through the screening process proscribed by this guidance. The ES should confirm, with evidence, whether this screening process was undertaken. If the screening process was not undertaken, then the ES should contain a full MA&D aspect chapter assessing any impacts identified through the screening process.</p> <p>Where impacts are assessed in other relevant ES chapters, each chapter should clearly state where it has considered MA&D within the relevant technical assessments. The Inspectorate would expect an overarching section in the ES which explains how potential impacts have been identified and where in the ES the assessment of their effects is presented.</p>

ID	Ref	Description	Inspectorate's comments
54.2	N/A	N/A	N/A

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council	Aintree Village Parish Council
	Aughton Parish Council
	Barton Parish Council
	Bretherton Parish Council
	Broughton Parish Council
	Bryning-with-Warton Parish Council
	Burscough Parish Council
	Catterall Parish Council
	Croston Parish Council
	Downholland Parish Council
	Elswick Parish Council
	Farington Parish Council
	Fleetwood Parish Council
	Formby Parish Council
	Freckleton Parish Council
	Great Altcar Parish Council
	Great Eccleston Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Greenhalgh with Thistleton Parish Council
	Grimsargh Parish Council
	Haighton Parish Council
	Halsall Parish Council
	Hambleton Parish Council
	Hesketh-with-Becconsall Parish Council
	Hightown Parish Council
	Hutton Parish Council
	Ince Blundell Parish Council
	Ingol and Tanterton Parish Council
	Inskip-with-Sowerby Parish Council
	Kirkham Town Council
	Kirkland Parish Council
	Lea Parish Council
	Little Altcar Parish Council
	Little Eccleston with Larbreck Parish Council
	Little Hoole Parish Council
	Longton Parish Council
	Lydiate Parish Council
	Maghull Parish Council
	Medlar with Wesham Town Council
	Much Hoole Parish Council
	Myerscough and Bilsborrow Parish Council
	Nateby Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Newton with Clifton Parish Council
	North Meols Parish Council
	Out Rawcliffe Parish Council
	Penwortham Parish Council
	Pilling Parish Council
	Preesall Town Council
	Ribby with Wrea Parish Council
	Rufford Parish Council
	Saint Anne's on the Sea Town Council
	Samlesbury and Cuerdale Parish Council
	Scarisbrick Parish Council
	Sefton Parish Council
	Singleton Parish Council
	Staining Parish Council
	Stalmine-with-Staynall Parish Council
	Tarleton Parish Council
	Thornton Parish Council
	Treales, Roseacre and Wharles Parish Council
	Upper Rawcliffe-with-Tarnacre Parish Council
	Woodplumpton Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England
Natural England (Offshore Wind Farms)	Natural England (Offshore Wind Farms)

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Forestry Commission	North West & West Midlands Forestry Commission
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The Historic Buildings and Monuments Commission for England (known as Historic England) - offshore	Historic England
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Maritime and Coastguard Agency	Maritime & Coastguard Agency
The Maritime and Coastguard Agency - Regional Office	The Maritime and Coastguard Agency - Northwest England
The Canal and River Trust	The Canal and River Trust
Trinity House	Trinity House
The relevant Highways Authority	Blackpool Council Highway Authority
	Lancashire County Council Highway Authority
	National Highways
	Sefton Council Highway Authority
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	Merseytravel Passenger Transport Executive
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
NHS England	NHS England

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

‘Statutory undertaker’ is defined in The APFP Regulations (as amended) as having the same meaning as in section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The Coal Authority	Mining Remediation Authority
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Police and Crime Commissioner for Lancashire
	Police and Crime Commissioner for Merseyside
The relevant ambulance service	North West Ambulance Service NHS Trust
The relevant fire and rescue authority	Lancashire Fire and Rescue Service
	Merseyside Fire and Rescue Service
The relevant Integrated Care Board	NHS Cheshire and Merseyside Integrated Care Board
	NHS Lancashire and South Cumbria Integrated Care Board
NHS England	NHS England
The relevant NHS Trust	North West Ambulance Service NHS Trust
	Southport and Ormskirk Hospital NHS Trust
The relevant NHS Foundation Trust	Blackpool Teaching Hospitals NHS Foundation Trust
	Mersey Care NHS Foundation Trust
Railways	National Highways Historical Railways Estate
	Network Rail Infrastructure Ltd
Canal Or Inland Navigation Authorities	The Canal and River Trust
Civil Aviation Authority	Civil Aviation Authority

STATUTORY UNDERTAKER	ORGANISATION
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
	Natural Resources Wales
The relevant water and sewage undertaker	United Utilities
The relevant public gas transporter	Cadent Gas Limited
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	National Gas
	Northern Gas Networks Limited
	Quadrant Pipelines Limited

STATUTORY UNDERTAKER	ORGANISATION
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Stark Infra-Gas Limited
The relevant electricity generator with CPO Powers	Ørsted ESS Mersey Limited
The relevant electricity distributor with CPO Powers	Advanced Electricity Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Green Generation Energy Networks Cymru Ltd
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	SP Electricity North West
	SP Manweb Plc
	Stark Infra-Electricity Ltd

STATUTORY UNDERTAKER	ORGANISATION
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	Blue Transmission Walney 1 Limited
	Blue Transmission Walney 2 Limited
	Diamond Transmission Partners BBE Limited
	Diamond Transmission Partners Walney Extension Limited
	Manx Utilities Authority
	National Grid Electricity Transmission Plc
	National Energy System Operator (NESO)
	TC Barrow OFTO Limited
	TC Ormonde OFTO Limited
	WoDS Transmission plc
The relevant electricity interconnector with CPO Powers	Getlink Projects 2 LTD.
	Manx Utilities Authority

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008

LOCAL AUTHORITY
Blackburn with Darwen Borough Council
Blackpool Council
Bolton Council
Bradford Council

LOCAL AUTHORITY
Bury Council
Calderdale Council
Chorley Council
Fylde Council
Knowsley Council
Lancashire County Council
Lancaster City Council
Liverpool City Council
North Yorkshire Council
Preston City Council
Ribble Valley Borough Council
Rochdale Borough Council
Sefton Council
South Ribble Borough Council
St Helens Borough Council
West Lancashire Borough Council
Westmorland and Furness Council
Wigan Council
Wirral Council
Wyre Council
Yorkshire Dales National Park

TABLE A4: THE MARINE MANAGEMENT ORGANISATION

Section 42(1)(a) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 42(2).

ORGANISATION
The Marine Management Organisation

TABLE A5: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
Cadw
Denbighshire County Council
Flintshire County Council
Isle of Man Government
Liverpool City Region Combined Authority ITA
Royal National Lifeboat Institution

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Cadw
Canal and River Trust
Environment Agency
Forestry Commission
Fylde Borough Council
Health and Safety Executive
Historic England
Isle of Man Government
Joint Nature Conservation Committee
Lancashire County Council
Manx Utilities
Marine Management Organisation
Maritime and Coastguard Agency
Ministry of Defence
National Gas Transmission
National Grid Electricity Transmission Plc
National Highways
NATS En-Route Safeguarding
Natural England
Natural Resources Wales
Network Rail
Rochdale Borough Council

Royal Mail
Sefton Council
SP Electricity North West
SP Manweb Plc (SP Energy Networks)
St Helens Borough Council
Trinity House
United Utilities
West Lancashire Borough Council
Wigan Council
Wyre Council

From: [REDACTED]@gov.wales
To: East Irish Sea TA
Subject: RE: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification
Date: 08 September 2025 08:00:33
Attachments: [Picture \(Device Independent Bitmap\) 1.jpg](#)
[Picture \(Device Independent Bitmap\) 2.jpg](#)
[Picture \(Device Independent Bitmap\) 3.jpg](#)
[Picture \(Device Independent Bitmap\) 4.jpg](#)
[Picture \(Device Independent Bitmap\) 5.jpg](#)
[Picture \(Device Independent Bitmap\) 6.jpg](#)
[Picture \(Device Independent Bitmap\) 7.jpg](#)
[Picture \(Device Independent Bitmap\) 8.jpg](#)
[Picture \(Device Independent Bitmap\) 9.jpg](#)

You don't often get email from [REDACTED]@gov.wales. [Learn why this is important](#)

Good morning

The advice below has been prepared by Cadw's Senior Historic Environment Planning Officer.

The scoping request is accompanied by a Scoping Report produced by Orsted. This work explains the proposed development and the corridors that will be considered for it. The boundary of the closest corridor is some 23km from the Welsh coastline and the maritime corridors are outside Welsh Waters. At these distances, the proposed development is extremely unlikely to have any impact on the maritime archaeology of Wales and whilst it may be possible to see possible features of the proposed development such as the offshore booster stations, from designated historic assets in Wales these views will include the turbines of existing windfarms (Gwynt y Mor; Rhyk Flats; North Hoyle; Barbo Bank and Barbo Bank Extension) in the foreground. Consequently, if any of the proposed infrastructure for the East Irish Sea Transmission Project is visible from any designated Welsh Historic Asset its impact will be at most, negligible.

It is therefore my opinion that the impact of the proposed East Irish Sea Transmission Project will not have a significant impact on the Welsh historic environment and therefore can be scoped out of the proposed Environmental Impact Assessment.

Kind regards

[REDACTED]



[REDACTED]
Cangen Amgylchedd Hanesyddol / Historic Environment Branch
Llywodraeth Cymru / Welsh Government
Ffôn / Tel: [REDACTED]

Environmental Services
Operations Group 3
Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref EN0210008

Our Ref IPP-287 Scoping

Wednesday 10 September 2025

Dear [REDACTED]

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Scoping Consultation for the East Irish Sea Transmission Project

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

The Trust is a prescribed consultee in the Development Consent Order process. Having reviewed the Scoping Report, we provide the following comments:

Trust waterways within the Scoping Boundary

We appreciate the large area within the boundary. However, . The mapping provided in the scoping report is not at a scale or clarity that allows the extent of our waterways within the scoping boundary to be easily identified, even when using a pdf zoom tool.

At this stage we have identified that the boundary includes parts of the following Trust waterways:

- the Ribble Link¹; and
- the Lancaster Canal².

We also note a short section of the Leeds and Liverpool Canal³ is shown within the 2km from Onshore Infrastructure Zone of Influence in Figure 5.2 of the Water Framework Directive Scoping provided in Volume 5.

The Trust is navigation authority for these three waterways and is likely either landowner or lessee of the waterway, as well as landowner of areas of adjoining land. We will be able to confirm exact areas on receipt of more detailed mapping.

¹ <https://canalrivertrust.org.uk/canals-and-rivers/ribble-link>

² <https://canalrivertrust.org.uk/canals-and-rivers/lancaster-canal>

³ <https://canalrivertrust.org.uk/canals-and-rivers/leeds-and-liverpool-canal>

Canal & River Trust Spatial Planning Team

E: planning@canalrivertrust.org.uk **W:** canalrivertrust.org.uk **T:** 0303 040 4040

Our related assets in the scoping boundary could include, but are not limited to, locks/sea locks, sluices, culverts, weirs, bridges, cuttings and monitoring equipment. The location of our waterways and many of the associated assets can be confirmed via mapping available on our open data portal⁴.

We note that the Ribble Link was opened in 2002 and comprises sections of the River Douglas, River Ribble and the Savick Brook, including tidal sections. It connects the once-isolated Lancaster Canal to the rest of the national waterway network, via the Rufford Branch of the Leeds and Liverpool Canal.

Works that could affect our network and assets

At this stage it is difficult to identify the specific location of specific works that would cross or physically affect Trust waterways, their ongoing operation and maintenance of their navigation, or adjoining land that maybe owned by the Trust. Generally, as proposals develop the interface of proposed works with our network/assets should be clearly identified in larger scale maps, to allow us to identify our interests and comment on the potential impacts on our network, our assets and any required mitigation.

As we currently understand it land in the scoping boundary, including or in proximity of our waterways network is likely to be used for works related to Onshore Export Cables and Onshore Substation and Energy Balancing Infrastructure⁵. The grid connection point at Penwortham Substation appears to be approximately 1.9km from our network.

The only potential cable crossing of our waterway specifically identified in the scoping report that would appear to affect our network is the cable crossing of the River Ribble, which could affect the Ribble Link. We note that this could be overhead⁶, requiring careful consideration. However, there may be additional crossings that will need to be confirmed.

Section 3.5.5.9, Volume 1 of the scoping report clarifies that *“trenchless installation may be used for crossings such as roads, railways, and environmentally sensitive features”*. We assume that our waterways would be considered environmentally sensitive features. This should be clarified.

Our general preference is for underground cable crossings of our network, via horizontal directional drill techniques, to limit the potential impacts on our waterways, their navigation, and our assets. We note that that the proposed crossing of the Ribble Link (Savick Brook) for the Morgan and Morecambe Offshore Wind Farms Transmission Assets (MMOWF) DCO project, currently being reviewed by the Secretary of State awaiting his final decision. would be undergrounded. The cumulative impacts of works related to the MMOWF project, including the timing and phasing of works that could affect our waterways and assets will need to be considered.

Comments on Scoping Report Chapters

Our comments on the Scoping Chapters are provided below, including responses to the specific questions asked where considered relevant.

Volume 3, Chapter 1 Ecology

We note that para 1.3.3.55 states that: *“Details of Invasive non-native plant species (INNS) within the 2 km Non-Statutory Designated Sites Study Area have not yet been obtained; these will be identified and mapped during the preparation of the PEIR.”* Our records indicate that:

- Floating pennywort is present in the Ribble Link but there may not be any records of this as it a fairly recent ‘introduction’.
- Himalayan balsam is prevalent along the Ribble Link, with some on the Lancaster Canal.
- *Azolla filiculoides* is present at the eastern end of the Ribble Link and on the Lancaster Canal.

⁴ <https://data-canalrivertrust.opendata.arcgis.com/>

⁵ As summarised in pages 53-62

⁶ In Section 5.3.1.1, Page 1119

The Trust can assist with providing local protected species records if required.

We welcome the indication that lighting assessments will be carried out to identify impacts on nocturnal species⁷. Such assessments should be consistent with the guidance provided in the Bat Conservation Trust and Institution of Lighting Professionals Guidance note 08/23 'Bats & Artificial Lighting at Night'⁸.

Section 1.6.4 of the scoping report outlines the approach to the Biodiversity Net Gain Strategy. Our waterways provide a unique opportunity for nature connectivity through blue and green networks. We request that the Biodiversity Net Gain Strategy produced for the Scheme considers opportunities which benefit both the waterway network and its catchment.

Volume 3, Chapter 2 Land Use and Ground Conditions

Question 4: Do you agree with the suitability of the proposed commitments to reduce or eliminate LSE relevant to land use and ground conditions?

We note that the scoping report provides little detail on land stability issues and how they would be managed. Works affecting our land, waterways and assets could impact on their structural integrity, which could in turn affect their ongoing maintenance and operation, as well as flood risks etc.

As addressed elsewhere in this letter, in relation to our network and assets, we would seek to address such impacts through Protective Provisions for the Trust. However, land stability issues could also be addressed in the Code of Construction Practice covered by Commitment Co16.

Question 9: Are there any specific sources of contamination of concern within the Study Area?

We are not aware of any specific sources.

Volume 3, Chapter 3 Traffic and Transportation

Question 4: Do you agree on suitability of the proposed commitments described in section 3.4.2 to reduce or eliminate LSE to traffic and transport receptors?

We welcome the indication that Co35 proposes the development of, and adherence to, a Construction Traffic Management Plan (CTMP) defining construction traffic routing, vehicle movements and Abnormal Indivisible Loads. As noted below in relation to Onshore Archaeology and Cultural Heritage there are Trust owned bridges that could be along potential construction traffic routes.

We request that the CTMP considers the potential impacts on canal bridges that could occur through inappropriate routing.

Volume 3, Chapter 4 Onshore Archaeology and Cultural Heritage

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

We note that the scoping boundary, for Option A, appears to include parts of the Lancaster Canal. This stretch of canal includes 9 designated heritage assets (8 listed bridges, 1 listed milestone), and non-designated heritage assets (one or two Trust owned bridges are locally listed).

Table 4.1 does refer to the Central Lancashire Adopted Core Strategy and mentions the creation and maintenance of "*a local list of heritage assets for each authority to ensure their recognition and proper management*". We note that Preston City Council also have a local list⁹ and have added two canal bridges. One of these (known as Bridge 31, Stone Chimney) over the Lancaster Canal, appears to be inside the scoping boundary and another one (known as Bridge 3,2 Swillbrook) is just outside.

⁷ In para 1.6.1.4

⁸ <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

⁹ [Local Heritage list for the rural areas of Preston - Preston City Council](#)

However, paras 4.3.1.2, 4.3.1.3, 4.3.3.2, 4.3.3.4 to 4.3.3.32, and Tables 4.2 and 4.3, refer only to designated heritage asset receptors. We request that consideration be given to non-designated heritage assets as part of the baseline data sources.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

Several Trust owned canal bridges are heritage assets, that may be narrow and are also highways bridges. Therefore, we consider that the impact on the structural integrity of these bridges is also considered, including the impacts associated with construction traffic.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to onshore archaeology and cultural heritage?

We request that consideration also be given to the Code of Construction Practice, covered by Co16, including details to minimise impact of construction phase on heritage assets, noting our response to Question 3 above.

Volume 3, Chapter 7 Hydrology, Hydrogeology and Flood Risk

There is extensive discussion on river water quality (organised by catchment). However, there appears to be no reference to canals within this chapter. We also note that Figure 5.2¹⁰ does not show the Lancaster Canal.

It is not clear whether canals are explicitly included within the definition of 'a watercourse' used in the chapter. Ultimately, we request that the ES considers the potential impacts on all our waterways that could be affected.

Question 3: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

Yes, we note that commitments Co16 and Co22¹¹, address:

- the possibility of turbid runoff and pollution from construction to be controlled via the proposed Code of Construction Practice; and
- a Pollution Prevention and Emergency Incident Response Plan;

that would address the pollution of waters. This approach is considered acceptable.

Volume 3, Chapter 8 Landscape and Visual Impact Assessment

Question 1: Do you agree with the Study Areas that have been identified for the LVIA?

The scoping does not explicitly identify boaters using our network or towpath users as visual receptors, Towpaths are subject to open public access and both boaters and towpath users experience the landscape at a slow pace and are highly sensitive to changes in visual amenity.

We request they be considered sensitive visual receptors in the LVIA, particularly where the Onshore Export Cable Corridor intersects or runs adjacent to our waterways and assets.

Question 3. Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

Visual impacts on boaters, towpath users and canal-side communities appear to be underrepresented and should be scoped in. These receptors are integral to the character and use of our network and should be considered in the assessment.

We would expect the ES to include:

- specific locations and methodologies for crossings of our waterways;
- assessment of potential impacts on canal infrastructure, navigation, and towpath access during construction; and
- mitigation measures to protect our assets and users.

¹⁰ In Annex 5: Water Framework Directive (WFD) Assessment

¹¹ Also noted in Volume 4 in relation to Major Accidents and disasters

Question 4. Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE in the LVIA?

The methodology allows for both overhead and trenchless cable installations. Our preference is for underground cable crossings, and the use of trenchless techniques (e.g., HDD) is welcomed, especially near the waterways. We would encourage further commitments to:

- avoid visual clutter from above-ground infrastructure near our waterways;
- maintain towpath access, navigation and amenity during construction; and
- provide further detail on how these methods will be applied near our assets.

Question 6. Cumulative Effects - Do you agree with the approach to assessment of cumulative effects in relation to the LVIA?

The LVIA notes potential cumulative impacts but lacks detail on interactions with other NSIPs. We recommend that cumulative impacts be assessed in relation to the MMOWF project cable routes, especially where overlapping redline boundaries near Penwortham may affect our waterways. Coordination between projects should be addressed in the ES to avoid cumulative impacts on the network and users, including:

- multiple crossings of waterways;
- visual clutter from construction compounds, pylons, or cable bridges; and
- extended disruption or loss of amenity for towpath users and navigation.

Question 7. Do you agree with the proposed assessment methodology for the LVIA?

The methodology should be revised to ensure:

- towpath users and boaters using our waterways are included as visual receptors;
- seasonal variations in vegetation and visibility are considered; and
- viewpoints from affected waterway corridors and bridges are included.

Other comments as landowner/navigation authority

When more detailed information and mapping is available, we will be able to better identify land parcels affected by proposed works and whether these are within the ownership of the Trust, or where we have other land interests and rights.

Consistent with other made and emerging DCOs, including the MMOWF project, we are likely to request Protective Provisions for the Trust are included in the DCO to enable works to be managed in such a way to protect the ongoing operation and maintenance of our network, including its navigation. We would be happy to provide the promoter a draft of the provisions that we would likely require to be included in the DCO. Such provisions will require the application of the Trust's Code of Practice for Works Affecting the Canal & River Trust¹² (CoP).

If any navigation restrictions or stoppages are needed there are specific requirements to manage them considering annual stoppage windows etc. Stoppages will require an early application to the Trust for approval, which the promoter needs to be aware of. Further information on the requirements for restrictions, stoppages and towpath closures can be found within Part One of the CoP¹³.

Separate discussions will need to take place between the Trust and the promoter, prior to the submission of the DCO application, to ensure our requirements, including any required landowner consents/utilities agreements are addressed. This will likely require engagement including various Trust teams including Estates, Utilities and Infrastructure Services. We note that Trust approval for any surveys will also be managed through the CoP process.


¹² <https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>

¹³ [Code of Practice Part One: General information](#)

Ultimately, we will be able to comment further at the pre-application stage consultation stage.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

 MRTPI
Area Planner

@canalrivertrust.org.uk

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

Canal & River Trust Spatial Planning Team

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Patron: King Charles III. Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, Registered office address National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire CH65 4FW

██████████ – Senior EIA Advisor

Planning Inspectorate

Sent via email:

eastirishseata@planninginspectorate.gov.uk

Our ref: XA/2025/100425/01-L01

Your ref: EN0210008

Date: 11 September 2025

Dear ██████████

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) –
Regulations 10 and 11**

**Application by Ørsted East Irish Sea Transmission Limited (the Applicant) for
an Order granting Development Consent for the East Irish Sea Transmission
Project (the Proposed Development).**

Thank you for consulting the Environment Agency on the Environmental Impact Assessment (EIA) Scoping Report for the above Nationally Significant Infrastructure Project (NSIP) received on 14 August 2025.

We have reviewed the submitted documents insofar as they relate to our remit. A full list of documents reviewed is presented in Appendix 1.

The scope of the EIA is not sufficient and needs to be expanded to include the following areas:

EIA regulations:

- Flood Risk
- Groundwater quality and contaminated land
- Fish
- Geomorphology
- Marine water quality
- Surface water quality
- Waste

Please see attached Appendix 2 for detailed comments on EIA scope.

In recent discussions with the Planning Inspectorate, you have asked the Environmental Agency to put our Flood Risk advice in a separate section – please see appendix 4 for this information.

Please note this response does not represent our final view in relation to any future Development Consent Order (DCO), or any environmental permit applications made to us. Our final views will be based on all relevant information including applications and guidance available at the time of submission.

If you require any further details, please contact us on the email address below.

Yours sincerely,

[Redacted Signature]

Planning Specialist, National Infrastructure Team – Environment Agency

Email: NIteam@environment-agency.gov.uk

List of Appendices

Appendix 1 – List of Documents Reviewed.

Appendix 2 – Detailed comments related to the scope of the EIA.

Appendix 3 – General comments for consideration within the EIA.

Appendix 4 – Additional comments for consideration – to address floor risk concerns.

Appendix 5 – Informatives and Advice to the Applicant.

Appendix 1 – List of Documents Reviewed

East Irish Sea Transmission Project - Environmental Impact Assessment (EIA)
Scoping Report - August 2025 (Rev. 01, dated 13/08/2025), prepared by
GoBe Consultants, SLR Consulting, Haskoning & Orsted

Appendix 2 – Detailed comments related to the scope of the EIA

Groundwater quality and contaminated land

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk. Table 7.5 (page 775) and Table 7.6 (777-779)	
Issue	Impacts to groundwater quality and flow from dewatering activities are not considered in Tables 7.5 or 7.6 with sufficient clarity.
Impact	Potential for impacts to groundwater quality and flow from dewatering not to be identified and adequately mitigated.
Solution	Impacts to groundwater quality and flow should be Scoped In for further assessment for the construction and decommissioning phases, and for the operation and maintenance if significant dewatering is anticipated during that phase.
<p>Additional narrative/explanation</p> <p>Although impact HFR-02 refers to the potential impact of dewatering activities during the construction and decommissioning phases, this is mentioned only in the context of changes to surface water runoff patterns which could directly or indirectly affect surface hydrology and flood risk.</p> <p>Risks from dewatering activities to other relevant receptors such as Water Framework Directive (WFD) Groundwater bodies, hydraulically connected surface water bodies, Groundwater Dependent Terrestrial Ecosystems (GWDTEs), private and licenced abstractions, peat deposits or structures such as landfill containment systems are not considered.</p> <p>Although we anticipate that most dewatering activities would occur during construction and decommissioning phases (as a reasonable Maximum Design Scenario should include removal of at least shallow buried infrastructure), we presume the possibility remains that some ongoing dewatering may also be required during the operational phase, for example where buried structures are present.</p> <p>Please refer to guidance on dewatering in Appendix 5 of this letter.</p>	

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk. Table 7.5 (page 775) and Table 7.6 (777-779)	
Issue	Impacts to groundwater quality from accidental spillages and leakages are Scoped Out for all phases of the Proposed Development in Table 7.6 impact HFR-06.
Impact	Potential for embedded mitigation to be inadequate to manage the risks posed by the Proposed Development. Battery Energy Storage Systems (BESS) may pose a significant risk to water quality in the event of thermal runaway.

Solution	Accidental spillages and leakages of oils, fuel and other polluting substances which could potentially enter the water environment should be Scoped In for the operation and maintenance phase.
<p>Additional narrative/explanation</p> <p>Impacts from accidental spillages and leakages of oils, fuel and other polluting substances which could potentially enter the water environment should be Scoped In for the Operation and Maintenance phase. We are content that impacts during the Construction and Decommissioning phases can remain Scoped Out of further assessment. This is provided that the draft Code of Construction Practice (CoCP) and Decommissioning Plans and supporting documentation are reviewed and accepted by the Environment Agency.</p> <p>Further information is required to demonstrate that unacceptable risks to groundwater quality, in particular infrastructure with high contamination potential such as BESS compounds, will be adequately managed.</p> <p>Limited information is currently provided about the plant and equipment which are proposed to comprise the Energy Balancing Infrastructure (EBI) development. The justification provided is welcomed, however we require additional information to demonstrate how the risks posed by plant and equipment containing hazardous substances including fuels and oils and BESS will be managed from both a design and management standpoint.</p> <p>The Scoping report states that EBI: “...may include Battery Energy Storage Systems (BESS), Long Duration Energy Storage (LDES) or even conversion to other energy carriers such as hydrogen (P2X)” The Report currently presents no further information about the proposed EBI, including any associated pollution risks.</p> <p>Any proposed BESS in this development should have a sealed drainage system in place to adequately contain and manage any fire-fighting effluent or contaminated surface waters generated by a fire at the site, to ensure that there is no discharge of polluted water to ground or surface water bodies. The adoption of an infiltration solution for surface water drainage at any BESS would not be acceptable.</p> <p>Any BESS compound and Substation compounds should furthermore be preferentially sited away from sensitive controlled water receptors, including areas of high groundwater vulnerability.</p> <p>Any mitigation proposed to be implemented at the BESS should also be sufficient to prevent impacts on groundwater quality in the reasonable worst-case event of a combined flood event and catastrophic BESS fire.</p>	

See also the following Guidance from National Fire Chief's Council (NFCC) [Grid Scale Battery Energy Storage System planning – Guidance for FRS](#).

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 2: Land Use and Ground Conditions, Tables 2.10 (pages 607-609) and 2.11 (pages 611-614)

Issue	Impacts from the Proposed Development on historic and licenced landfills and contaminated sites which may have engineered controls in place are not Scoped In for further assessment.
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Impact	Potential for the Proposed Development to compromise the integrity of landfills (engineered and otherwise) and disturb existing contamination.
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Solution	The Applicant should Scope In impacts to historic and licenced landfills and contaminated sites during the construction and decommissioning phases.
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Additional narrative/explanation

Several historic and licenced landfill sites (e.g. Clifton Marsh/Lea Marsh, Hillhouse Remediation Limited) and areas known to be impacted by land contamination (e.g. the Hillhouse development) lie within the Proposed Development.

Although the report states in Co17 that the Decommissioning Plan will consider the potential for infrastructure to remain in-situ where appropriate, the Maximum Design Scenario, equivalent to 'worst-case scenario', should account for total removal of onsite infrastructure.

Fish

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 1: Introductory Chapters, Chapter 3: Project Description, Section 3.5.2.7 (page 48); Volume 2: Offshore Chapters, Chapter 5: Fish and Shellfish Ecology, Table 5.6 (pages 284-285)

Issue	Impacts from dredging activities on European eel have not been included in the scope of the EIA.
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Impact	Certain methods of dredging (such as water-injection and pump-suction) can negatively impact eel.
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Solution	The Applicant should produce a method statement which will allow the Environment Agency to assess whether the Eels Regulations (2009) apply to the proposed dredging operation. If the Environment Agency determine that the Eels Regulations do apply, the operator must fit a screen of appropriate specifications or hold an Exemption Notice under Section 17(5)(a) of the Eels (England and Wales) Regulations 2009, to operate the equipment in compliance with the Regulations.
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Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 1: Ecology, Table 1.9 (page 565)

Issue	Impacts on fish from electromagnetic fields (EMFs) have not been considered for onshore operational cables.
Impact	Studies have found that EMFs can affect individual organisms during embryonic and larval stages. Additionally, migratory species (brown/sea trout, European smelt, European eel and Atlantic salmon) present in the River Wyre and Ribble may be affected by any increase in EMF. Further information is required on the level of EMFs from the buried electrical cables. It is noted that shielding of cables and depth of cables under the watercourse may offer suitable mitigation.
Solution	The Applicant should include within the EIA an assessment of the impact of EMFs from power cables on fish species for watercourse crossings.

Additional narrative/explanation

Our records show that the River Wyre has a population of European smelt (*Osmerus eperlanus*) and brown/sea trout (*Salmo trutta*) both migratory species listed as a priority species under S41 of the Natural Environment and Rural Communities (NERC) Act 2006. As well as Atlantic salmon and river Lamprey both Annex II species of the Habitats Directive. Additionally, the River Ribble has records of sea lamprey (Annex II species) as well as those listed in the Wyre.

We note that impacts on fish from EMFs have been Scoped In for the offshore operational cables.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 1: Ecology, Table 1.9 (page 565)

Issue	Impacts on fish from noise and vibration caused by construction activities such as Horizontal Directional Drilling (HDD) at watercourse crossings has not been Scoped In to the EIA.
Impact	HDD (while less impactful than open trench cable laying) has the potential to cause noise and vibrations that may negatively impact fish species in the River Wyre and Ribble.
Solution	The Applicant should include within the EIA an assessment of impacts to fish species resulting from noise and vibration caused by cable laying. Mitigation measures may also be required to ensure impacts to fish are negligible.

Additional narrative/explanation

Mitigation measures may involve a timing restriction to avoid key spawning or migratory periods.

We require further details in Volume 2: Offshore Chapters, Chapter 5, Section 5.6.2.6, to include weighted outputs for diadromous fish species, i.e. decibels above hearing thresholds. This will allow the reader to better understand how loud the sound is relative to the fish's ability to perceive noise.

Geomorphology

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 1: Marine Geology, Oceanography and Physical Processes, Tables 1.5 (page 151-153) and 1.6 (page 155-158)

Issue	Lack of consideration of the coastal environment with respect to coastal processes and erosion, or any impacts resulting from installation of infrastructure. Both landfall options are currently subject to coastal erosion, as evidenced by eroding dunes in the Sefton/Crosby area and the coastal defences on the Fylde peninsula near Fleetwood.
Impact	Risk of cable infrastructure becoming exposed on the foreshore by not considering current and future climate change induced erosion and foreshore lowering.
Solution	The Applicant should undertake a specific analysis of coastal erosion risk of both possible landfall options, including any activities that may contribute to greater coastal erosion risk in the future. This includes exposure of cable runs/casing due to foreshore lowering that may influence sediment transport pathways and local morphology.

Additional narrative/explanation

The only mentions of coastal erosion within the Scoping Report are related to policy guidelines and references.

Whilst Table 1.5 does list the potential effects that are to be Scoped Into the assessment, they do not appear to go far enough in considering coastal erosion and morphological change. Table 1.6 excludes effects on coastal processes during Operation and Maintenance, however, if the cable infrastructure is not installed deep enough, it is possible that, during the operation of the development, cable infrastructure could become exposed due to foreshore lowering and therefore influence coastal processes that has not been accounted for, as it has been Scoped Out.

Marine water quality

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 2: Marine Water and Sediment Quality, Table 2.10 (page 191)

Issue	Impact WQ-03 (Deterioration in water quality due to suspension of sediments resulting from seabed preparation, cable installation, cable repair/replacement and Decommissioning) has been Scoped Out of the EIA.
Impact	Potential impacts to water quality due to insufficient consideration/presentation of the evidence of the timescale over which suspended sediments will be at elevated concentrations as a result of activities including seabed preparation, cable installation, cable repair/replacement and Decommissioning.
Solution	For impact WQ-03 to be Scoped Out, the Applicant must provide evidence as to the timescale (rather than just the spatial scale currently presented) over which sediments will be at elevated concentrations. If the Applicant cannot evidence this, impact WQ-03 should be Scoped In.
Additional narrative/explanation Any changes to the scope of the EIA should be consistent across the Scoping Report, i.e. the WFD chapter. It is unclear what the difference is between impacts WQ-02 and WQ-03, i.e. why the Offshore Export Cable Corridor (ECC), Offshore Booster Station(s) are determined to be separate from all other offshore aspects. We would appreciate if the Applicant could provide clarification on this matter.	

Surface water quality

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 2: Marine Water and Sediment Quality, Table 2.10 (pages 191-193)	
Issue	Impact WQ-04 has been proposed to be Scoped Out for all phases.
Impact	There is a risk that without sufficient mitigation, accidental releases or spills of construction materials, fuel, oil or chemicals can deteriorate the marine water quality if it reaches the water environment.
Solution	Scope in impact WQ-04 for the construction phase, at least until the Environment Agency has been given the opportunity to review the mitigation strategies.
Additional narrative/explanation We would request to review an outline of the Construction Project Environmental Management and Monitoring Plan (CPEMMP) and the Marine Pollution Contingency Plan (MPCP), when these documents are ready.	

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Table 7.5 (page 775)

Issue	Pollution or disruption of flow directly to surface waters has not been considered as part of the scope of the EIA. HFR-04 (Scoped In for the construction phase) considers this impact in relation to groundwater, but there is no similar statement for the scoping in of impacts to surface waters.
Impact	There is a risk that surface waters could be vulnerable to pollution or disruption of flow, which could result in water quality deterioration, unless suitably managed.
Solution	Amend HFR-04 to include surface waters, or add this as an additional potential impact which should be Scoped In for the construction phase.

Additional narrative/explanation

We would request to review an outline of the CoCP, which is Commitment 16, when this document is ready. The CoCP should include suitable buffer distances from watercourses, storage of fuels, oils and chemicals, and management of temporary construction compounds or access tracks.

We would also recommend producing a Surface Water Management Plan (SWMP), which would explain how surface runoff and Sustainable Drainage Systems (SuDS) will be managed during construction.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Table 7.6 (pages 777-779)

Issue	Impacts HFR-01 and HFR-06 have been proposed to be Scoped Out for all phases.
Impact	There is a risk that without sufficient mitigation, increased turbidity and accidental release or spills of construction materials, fuel, oil or chemicals could deteriorate water quality if it reaches the water environment.
Solution	Scope in impacts HFR-01 and HFR-06 for the construction phase, at least until the Environment Agency has been given the opportunity to review the mitigation and drainage strategies.

Additional narrative/explanation

Impact HFR-01 could be controlled with suitable SuDS but we would need to see this included in a SWMP for the construction phase and an Operational Drainage Strategy.

We would request to review an outline of the CoCP, when this document is ready. The CoCP should include suitable buffer distances from watercourses, storage of

fuels, oils and chemicals, and management of temporary construction compounds or access tracks.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 4: Overarching Chapters, Chapter 4: Major Accidents and Disasters, Table 4.3 (pages 890-892)

Issue	Impact MA&D-06 has been proposed to be Scoped Out for all phases.
Impact	There is a risk in the event of a fire affecting a BESS, contamination could enter the water environment and cause a deterioration in water quality.
Solution	Scope in MA&D-06 for the operation phase.

Waste

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 5: Annexes, Annex 1 Impacts Register, 4.3 Materials and Waste (page 967)

Issue	Impact MW-03 (Reduction of the capacity of waste infrastructure as a result of waste generated during the Construction, Operation and Maintenance, and Decommissioning of the Proposed Development) is Scoped Out due to 'no Likely Significant Effect (LSE)'. It is also stipulated that 'Further evidence for no LSE is provided in the Scoping Report.
Impact	Reduction of the capacity of waste infrastructure as a result of waste generated during the Construction, Operation and Maintenance, and Decommissioning of the Proposed Development. There is the potential for cumulative effects with other major projects that may be developed at the same time.
Solution	The Scoping Report should evaluate the likely individual and cumulative impact of the Proposed Development on the capacity of waste infrastructure, before scoping it out from EIA.

Additional narrative/explanation

In the Scoping Report it is clearly stated that the LSE is unknown. No evidence for 'no LSE' is provided in the Scoping Report.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 6: Air Quality, Table 6.6 (pages 744-747)	
Issue	Impact AQ05 - Emissions of odour generated through disturbance of landfill/ historic landfill sites has been Scoped Out. The justification is <i>'Landfill/ historic landfill sites will not be disturbed as part of the open cut elements of the Proposed Development. Any landfill/ historic landfill sites will only be crossed using Horizontal Directional Drilling techniques only. Therefore, there is no risk of odour emissions as a result of exposing landfill/ historic landfill waste to atmosphere.'</i>
Impact	Temporarily or permanently penetrating through the base or sidewalls of a landfill site might have consequences on the environment (i.e. surface water quality, groundwater quality). Odours may still be generated which could impact nearby receptors.
Solution	Reassess the LSE of these works and provide appropriate evidence for this justification.
<p>Additional narrative/explanation</p> <p>The Landfill Directive requires the engineering standards to be retained subject to any natural degradation over time. Penetrating through the base or sidewalls of sites constructed to Landfill Directive standards would undermine the aims of the Directive.</p> <p>Where the operator, developer or landowner provides to the Environment Agency evidence to confirm that penetrating through the base or sidewalls of the landfill site is necessary, they would need to demonstrate, on a case-by-case basis that the risk of groundwater pollution will be minimised, and unacceptable discharges and emissions will be prevented. Evidence also needs to be provided to demonstrate that the risk posed by the landfill will be no greater during and after the works than before they start. The operator, developer or landowner must provide Environment Agency with a hydrogeological risk assessment, and a groundwater activity permit might be required.</p>	

Appendix 3 – General comments for consideration within the EIA

Fish

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 2: Marine Water and Sediment Quality, Table 5.1 (page 255)	
Issue	The list of legislation, policy and guidance applicable to fish and shellfish ecology does not include the Salmon and Freshwater Fisheries Act 1975.
Impact	The legal responsibility on the Applicant pertaining to this fish specific legislation has not been considered, therefore inferring that the impacts on fish from the construction, operation and decommissioning have not been fully considered.
Solution	Include the following legislation: the Salmon and Freshwater Fisheries Act 1975, for completeness and ensure proposals meet the requirements of this legislation.
Additional narrative/explanation We note that the Salmon and Freshwater Fisheries Act 1975 has been included in Table 1.1 which lists the legislation, policy and guidance applicable to onshore ecology.	

Groundwater quality and contaminated land

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk (page 752 onwards)	
Issue	The report does not consider potential thermal impacts on groundwater receptors from buried high voltage cables.
Impact	Impacts to sensitive groundwater receptors (including hydraulically connected surface water bodies, GWDTEs and abstractions) from thermal emissions may not be mitigated against.
Solution	The Applicant should assess the potential for thermal impacts on groundwater receptors from buried cables.
Additional narrative/explanation Heat as a groundwater pollutant was introduced in 2023 via the Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023 SI No.2023/651 : <p>““pollutant”, in relation to England, means any—</p> <p>a) substance,</p> <p>b) heat, or</p> <p>c) biological entity or micro-organism, which is liable to cause pollution;”</p>	

We are mindful that work is being carried out in this area in relation to heating of groundwater from ground source heating and cooling (GSHC) systems but there is currently no guidance relating to the potential thermal implications of high voltage buried electricity cables.

The Environment Agency's Chief Scientist's Group has published a report for GSHC systems (Environmental Impacts of Temperature Changes from Ground Source Heating and Cooling Systems). In this study, a 'thermal plume' was defined as the region around a GSHC system that experiences a 1 degree C temperature change or greater. While the study is not directly applicable to thermal emission from underground cables, an equivalent benchmark could be considered when assessing heat pollution from underground HV cables.

The Chief Scientist's Group states that the environmental factors with the greatest influence on thermal plume development include groundwater flow and bulk thermal conductivity. It identifies that impacts may occur by direct (temperature change) and indirect (e.g. changes in water chemistry) means.

At this stage we require the potential thermal implications of buried cables, in relation to risks to groundwater, to be considered further via desk-based assessment.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 1: Introductory Chapters, Chapter 3: Project Description, Sections 3.5.5.11 and 3.5.5.12 (page 56)

Issue	No reference to proposed crossing methodology at the River Wyre.
Impact	It is not clear whether the Applicant has considered the proposed crossing methodology at the River Wyre.
Solution	The Applicant should discuss the potential Wyre Estuary crossing similarly to that for the Ribble.

Additional narrative/explanation

The Applicant specifically discusses potential crossing options and considerations for the Ribble Estuary, if the Fleetwood landfall option is to be selected. However, no mention is given to crossing the Wyre Estuary.

Any trenchless crossings should be supported by a hydrogeological risk assessment where these may interact with Principal or Secondary A aquifers or pass beneath surface watercourses or sensitive ecological receptors. A drilling fluid breakout plan should also be developed for all trenchless crossings. If HDD is proposed to cross watercourses the Applicant would need to assess whether this

would affect local licenced or unlicenced abstractions by carrying out a Water Feature Survey.

Where trenchless methods are proposed to cross major watercourses such as the Wyre and Ribble Estuaries, we anticipate that dewatering will be required at launch and reception pits. Any such dewatering activities are likely to be non-trivial, and almost certainly require abstraction permits which will need to be supported by assessments.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 2: Land Use and Ground Conditions, Sections 2.3.3.25, 2.3.3.27 (pages 594 and 595)

Issue	The Scoping Report concludes that superficial deposits beneath Option A and B Onshore ECC and the Option A and B onshore booster station (OnBS) Search Areas are of a low sensitivity. We do not agree with this conclusion.
Impact	Sensitivity of superficial aquifers has been underestimated, which may result in impacts being underestimated.
Solution	The Applicant should consider Secondary A aquifers to be of moderate rather than low sensitivity.

Additional narrative/explanation

Aquifers have inherent value even if not currently being used for abstraction purposes and should be considered sensitive in their own right. Note that there are multiple licenced groundwater abstractions within Option B Onshore ECC which currently abstract from shallow sources. This includes groundwater catchpits as well as surface water features. It would seem highly likely that the surface water features will be in continuity with any shallow groundwater. There are other borehole-supplied groundwater sources, e.g. Springfields Works, within the Scoping Boundary.

Secondary A Aquifers comprise permeable layers that can support local water supplies and may form an important source of base flow to rivers.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, including Table 7.8 (pages 752 onwards; page 782)

Issue	No discussion of GWDTEs is given in the report.
Impact	Impacts to GWDTEs may not be identified and adequately mitigated against.
Solution	The Applicant should identify GWDTEs within the study area and consider the potential for the Proposed Development to impact these sensitive receptors. GWDTEs should also be assigned receptor sensitivity/importance in Table 7.8, and included as key receptors in Section 7.3.4.1.

Additional narrative/explanation

In the majority of cases GWDTEs may be designated sites, thus captured as receptors in Section 7.3.4.1, but there is a risk that the potential for groundwater connectivity may not be adequately considered.

A non-exhaustive shapefile showing GWDTEs in England is available at the following location: [Groundwater Dependent Terrestrial Ecosystems \(England only\) - data.gov.uk](#). Note that this may not show all potential GWDTEs within the study area, for example Downholland Moss Site of Special Scientific Interest (SSSI) although not specifically listed as a GWDTE in the shapefile linked above, is inherently likely to be water dependent.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 1: Introductory Chapters, Chapter 3: Project Description, Section 3.8 (page 61) and Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Tables 7.4 (page 773-774) and 7.6 (page 777-779)

Issue	The decommissioning proposals as set out in Section 3.8 are due to be reviewed in the event of future decommissioning. Complete decommissioning of all onshore infrastructure is identified as a potential outcome (Section 3.8.1.4). However, this is contradicted by Co17 in Table 7.4 and impacts HFR-03 and HFR-04 in Table 7.6.
Impact	It is unclear what the Applicant anticipates would be retained in-situ or removed in the event of decommissioning. Potential for buried cables left in-situ following decommissioning to pose an ongoing pollution risk to Controlled Waters.
Solution	The Applicant should more clearly outline the anticipated approach to decommissioning, and present as a maximum design scenario the reasonable worst-case situation. If buried cables are to be retained in-situ, the Applicant should demonstrate that they would not pose a significant risk to Controlled Waters via degradation and/or damage from future agricultural activities.

Additional narrative/explanation

Item Co17 in Table 7.4 states that *“The [Decommissioning] plan will consider the potential for infrastructure to remain in-situ where appropriate. Decommissioning activities will include measures to mitigate flood risk, prevent pollution, and minimise ground disturbance.”*

Impact HFR-03 in Table 7.6 states that “...[onshore] underground cables are expected to be left in situ, with cable ends cut, sealed, and securely buried’

Impact HFR-04 in Table 7.6 states that “Any piling or deep excavation works are expected to be left in situ...”

Following decommissioning, any electrical cables present within potential ploughing depth on future agricultural land would be at risk of mechanical damage. This could result in the accelerated release of pollutants including microplastics into the environment from these cables and may cause damage to agricultural equipment. Although measures are proposed to minimise contamination by sealing and securely burying underground cables, if left in-situ indefinitely these will ultimately deteriorate and release contaminants into the subsurface environment.

It would be prudent to design with decommissioning in mind, as the most practical method of construction could mean the most effective decommissioning technique becomes less viable.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 2: Land Use and Ground Conditions, Section 2.6.1.1 (page 616) and Chapter 7: Chapter 7: Hydrology, Hydrogeology and Flood Risk (page 752 onwards)

Issue	It is not made clear how potential historic and current sources of mobile contamination potentially impacting groundwater quality will be assessed.
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Impact	Risks to groundwater receptors from mobile contamination as a result of the development may not be adequately assessed.
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Solution	The Applicant should clearly define their proposed approach to evaluating risks to groundwater from contamination associated with current and historic land uses.
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Additional narrative/explanation

The report states in Chapter 2 that baseline ground conditions will be established in accordance with Environment Agency Land contamination risk management (LCRM) guidance by conducting a Preliminary Risk Assessment and Preliminary Site Conceptual Model. Volume 3, Chapter 2 currently does not consider impacts to groundwater quality from land contamination, referring to Volume 3, Chapter 7 for hydrological and hydrogeological impacts.

However, Volume 3, Chapter 7, does not discuss the potential for existing contamination associated with current and historic land use sources such as landfills and industrial land. Further consideration is required where the Proposed Development could result in disturbance of sources of potential mobile contamination, or the creation of preferential migration pathways for mobile

contamination. We note that this impact is Scoped In for further assessment as impact HFR-04 of Table 7.5 and look forward to reviewing the assessment.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 2: Land Use and Ground Conditions, (page 578 onwards); Chapter 7: Hydrology, Hydrogeology and Flood Risk (page 752 onwards); Volume 5: Annexes, Annex 1 Impacts Register, 3.6 Air Quality (page 953)

Issue	Inconsistent discussion of risks and impact mitigation at landfill sites.
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Impact	Relevant risks and mitigation proposals are not mentioned in key Chapters and could be missed.
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Solution	The Applicant should ensure relevant risks and impacts are consistently referenced across relevant subject areas.
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Additional narrative/explanation

Section 3.6 'Air Quality' impact AQ-05 in the Impacts Register states that "*Landfill/ historic landfill sites will not be disturbed as part of the open cut elements of the Proposed Development. Any landfill/ historic landfill sites will only be crossed using Horizontal Directional Drilling techniques only.*"

This proposed mitigation is not mentioned anywhere in either the 'Land Use and Ground Conditions' or 'Hydrology, Hydrogeology and Flood Risk' Chapters despite being pertinent to both subjects. Any HDD works proposed beneath landfills should be adequately designed to ensure that no new migration pathways for mobile contaminants or hazardous ground gases are introduced by the HDD activities, either during or following construction.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Sections 7.3.3.8 to 7.3.3.12 (pages 758-759), 7.3.3.23 to 7.3.3.24 (page 760) and 7.3.3.33 to 7.3.3.34 (page 761)

Issue	The description of the geological and hydrogeological site setting does not refer to the underlying designated WFD Groundwater Bodies.
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Impact	The WFD setting of the Proposed Development may not be adequately assessed.
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Solution	The Applicant should present and discuss the WFD Groundwater Bodies present within the search area.
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Additional narrative/explanation

We note that a WFD Screening Assessment has been provided in Volume 5 Annex 5, which summarises WFD Groundwater Bodies within the study area. Please note that although the overall groundwater body classification for each is

summarised correctly, the contributing chemical and quantitative class classifications are not stated.

A summary of WFD bodies within the study area should also be provided in Volume 3 Chapter 7. It should be noted that Table 7.8 indicates that WFD water body status is used as a marker of receptor sensitivity and therefore this is pertinent information.

The WFD Assessment should include consideration of the impact of piled foundations where these may create pathways for contaminant migration and/or may create pathways linking separate aquifers.

Some parts of the Fylde Groundwater Body are already over-licensed. The Applicant will need to consider the WFD classifications and ensure that the Proposed Development does not lead to further deterioration.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Table 7.8 (pages 782-783)

Issue	Groundwater Source Protection Zones (SPZs) are not considered as sensitive receptors in the table.
Impact	Groundwater SPZs may not be adequately assessed as receptors – portions of the Study area lie within SPZ3 (Total Catchment).
Solution	The Applicant should provide sensitivity criteria for SPZs.

Additional narrative/explanation

Although potable water abstractions and the supporting aquifers are identified as receptors in the table, SPZ status is not explicitly considered.

Any potable supply should be considered to be of high sensitivity, whether a licenced public abstraction or a private one. Note that all groundwater abstractions for potable use or food production purposes are considered to have a 50m diameter SPZ1 applied in accordance with the Environmental Permitting (England and Wales) Regulations 2016: [Groundwater source protection zones \(SPZs\) - GOV.UK](https://www.gov.uk/guidance/groundwater-source-protection-zones-spzs).

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 5: Annexes, Annex 4 WFD Screening, Table 5.1 (page 1121-1122)

Issue	Impacts on WFD water bodies from dewatering are not considered in the Stage 1 WFD screening exercise.
Impact	Groundwater abstraction could impact the status of WFD water bodies.
Solution	The Applicant should Scope In impacts on WFD water bodies from dewatering activities during the construction and decommissioning phases, and consider if dewatering which may impact WFD water bodies is anticipated during the operational phase.

Additional narrative/explanation

Some parts of the Fylde Groundwater Body are already over licensed. The Applicant should demonstrate that the Proposed development does not result in further deterioration of WFD water bodies.

Marine water quality

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 2: Marine Water and Sediment Quality, Table 2.5 (page 181)

Issue	The Ribble Water Body (GB531207112400) has not been included in Table 2.5.
Impact	Risk of negatively impacting the WFD status of this potentially-impacted water body.
Solution	Ensure that this water body is duly considered throughout the assessment.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 4: Benthic Subtidal and Intertidal Ecology, Figure 4.1 (page 229)

Issue	The Ribble Water Body (GB531207112400) has been excluded from the benthic subtidal and intertidal ecology study area, despite this water body lying within the Scoping Boundary.
Impact	Risk of underestimating receptor water bodies.
Solution	Update figure to include all water bodies within the Scoping Boundary. Ensure that this water body is duly considered throughout.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 2: Marine Water and Sediment Quality, Table 2.5 (page 181)

Issue	Certain parameters have been omitted from Table 2.5. These include the Invertebrates > Imposex Biological Quality Element for GB641211630002 and GB641211171000, and Angiosperms > Intertidal Seagrass Biological Quality Element for GB641211171000.
Impact	Risk of inadequately understand the classification status of WFD coastal waterbodies in the vicinity of the Proposed Development.
Solution	Ensure all classification items are included within Table 2.5.

Surface water quality

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 1: Introductory Chapters, Chapter 3: Project Description, Section 3.5.4.7 (page 52)

Issue	Trenchless installation methods (such as HDD) may be used.
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Impact	HDD (and other trenchless installation methods) can impact surface water quality if not managed appropriately.
Solution	The Applicant should produce a drilling fluid breakout plan (sometimes called a bentonite fluid management plan) to be submitted as part of the CoCP.
Additional narrative/explanation We recognise that WQ-01 has identified that deterioration in water quality due to suspension of sediments resulting from the release of drilling is a potential impact. Suitable management would help mitigate this risk. Measures such as ensuring the entry and exit points are at a suitable distance away from the watercourse, ideally at least 10m from top of bank, should be included.	

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 1: Introductory Chapters, Chapter 3: Project Description, Table 3.4 (page 49-50) and Section 3.5.5.3 (page 54)

Issue	Concrete is to be used for the foundations of the Offshore Booster Station and the Jointing Bay.
Impact	There is a risk that concrete used as part of the Proposed Development could negatively impact surface water quality, particularly during the curing phase.
Solution	Include suitable management of concrete and mitigation within the CPEMMP and the CoCP, to ensure that risks of pollution as a result of concrete are adequately managed.
Additional narrative/explanation Possible concrete management methods: <ul style="list-style-type: none"> • Identify all areas where concrete works are proposed • Specify whether any of these will be cast in situ or precast and delivered • For onshore in situ concrete pours, suggest timing, weather conditions, and runoff control. Please note, these construction works should be minimised during heavy precipitation events and carried out during dry months where practicable. • For onshore works, describe containment measures for concrete washout (e.g. lined washout pits, bunded areas) 	

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 4: Overarching Chapters, Chapter 4: Major Accidents and Disasters, Section 4.4.1.1 (page 886) and Table 4.2 (page 887)

Issue	No commitment to produce a Battery Safety Management Plan (BSMP) despite the suggestion that a BESS may be required.
Impact	There is a risk that firewater and other chemicals from BESS may cause an unacceptable risk to water environment receptors and lead to a

	deterioration in surface water quality, without adequate containment and removal. Additionally, a fire at a substation could also pose an unacceptable risk to the water environment unless contained sufficiently and dependent on the type of transformers used (i.e. oil).
Solution	The Applicant should commit to producing a BSMP which the Environment Agency can be given the opportunity to review. Ensure any BESS and substations are designed to include provisions for preventing contaminated water impacting water quality of watercourses and waterbodies in the event of a fire.

Additional narrative/explanation

An outline BSMP should provide details of firefighting water supply for use in an emergency situation, storage for fire water runoff, arrangements for testing of contaminants in the runoff and how this would then be removed offsite. It is our preference for developers to opt for using tankers to remove any contaminated water offsite.

As the designs and plans are being finalised, we would recommend using guidance on BESS design and fire protection measures available here:

- [Fire prevention plans: environmental permits - GOV.UK](#)
- [Health and safety in grid scale electrical energy storage systems \(accessible webpage\) - GOV.UK](#)
- [Pollution prevention for businesses - GOV.UK](#)

The National Fire Chief's Council has detailed guidance on recommended fire protection measures for BESS sites.

- [Grid Scale Battery Energy Storage System planning – Guidance for FRS \(nfcc.org.uk\)](#)

We encourage the Applicant to discuss this matter further with local fire services.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 2: Offshore Chapters, Chapter 2: Marine Water and Sediment Quality, Section 2.3.5.1 (page 186); Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Section 7.3.5.2 (page 771)

Issue	It is unclear as to whether a monitoring plan will be produced to assess potential impacts of the development on both the marine environment and onshore water environment.
Impact	There is a risk that if a monitoring plan is not suitably designed it may not be able to detect relevant trends on water quality during the construction and operation phases.
Solution	Produce a monitoring plan, using the data to be collected (as referenced in Sections 2.3.5.1 and 7.3.5.2) and ensure the Environment Agency is given the opportunity to review this.

Additional narrative/explanation

The monitoring plan should reflect locational variation in the site. For example, monitoring upstream and downstream of any proposed water discharges or water crossings. Ideally the monitoring plan will include enough monitoring samples to detect any seasonal variation.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Table 7.4 (pages 773-774)

Issue	There is no Commitment in Table 7.4 relating to an Operational Environmental Management Plan (OEMP).
Impact	There is a risk that without a commitment to an OEMP, accidental spills or onsite incidents may harm the water quality of the surrounding environment as a result of unsuitable management during the operational phase and poor maintenance of mitigation measures.
Solution	Include a commitment for a management plan for the operational phase.

Additional narrative/explanation

We are pleased to see the inclusion of Commitment 16 (CoCP) and Commitment 17 (Decommissioning Plan - assumed to be a Decommissioning Environmental Management Plan (DEMP)).

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk

Issue	No mention of how foul water will be managed.
Impact	There is a risk that if foul water generated by the Proposed Development is not managed correctly it could greatly increase the about of nutrients, and other contamination, in receiving water courses and water bodies.
Solution	The Applicant will need to produce a foul water management/disposal strategy which details how foul water will be dealt with during all phases.

Additional narrative/explanation

There is a requirement to ensure that foul water treatment and disposal is adequate to minimise risk to water quality. Any foul waste generated will need to be contained,

and then either connected to a sewer, tankered away, or treated and discharged under permit.

If sewage will be discharged to public sewer, the Applicant should consult with the local water company to ensure that adequate sewer capacity is available, and no adverse effects will occur because of the connection. If road transport to an offsite disposal facility is required, then there should be regard for this within the waste management procedures. If treatment and discharge at the site is required, the Applicant should consider any potential impacts of this discharge and confirm that a water discharge activity permit will be sought. Given the timeframe to determine environmental permits we encourage the Applicant to engage with us on permit

requirements at the earliest possible stage. Further information can be found here:
[Discharges to surface water and groundwater: environmental permits - GOV.UK](#)

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 5: Annexes, Annex 5, WFD Screening, Table 5.1, Offshore Impacts (page 1121-1122)

Issue	Impacts WQ-03 and WQ-04 have been screened out of the WFD assessment
Impact	There is a risk that by not adequately screening in potential impacts on WFD waterbodies or protected areas, activities associated with the Proposed Development could cause a deterioration in WFD status or prevent a water body from meeting its objectives not being taken forward for assessment.
Solution	Screen in WQ-03 and WQ-04 for further WFD assessment, for at least the construction phase.

Additional narrative/explanation

As commented on for Marine Water and Sediment Quality, there is no clear distinction between potential impacts WQ-02 and WQ-03, the latter of which is screened out for further assessment. WQ-04 is also screened out.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 5: Annexes, Annex 5, WFD Screening, Table 5.1, Offshore Impacts (page 1121-1122)

Issue	Pollution or disruption of flow directly to surface waters has not been considered as an impact, and accidental pollution (HFR-06) has also been screened out for further WFD assessment.
Impact	There is a risk that by not adequately screening in potential impacts on WFD waterbodies or protected areas, activities associated with the Proposed Development could cause a deterioration in WFD status or prevent a water body from meeting its objectives not being taken forward for assessment.
Solution	Amend HFR-04 to include surface waters, or screen in an additional potential impact. Screen in HFR-06 for further WFD assessment, at least for construction phase.

Water resources

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 1: Introductory Chapters, Chapter 3: Project description; Volume 3: Onshore Chapters, Chapter 7 Hydrology, Hydrogeology and Flood risk

Issue	Water resource demands relating to the project are not described in the scoping report. The impacts of the project on water resources are therefore unclear.
Impact	<p>A number of water supply demands are associated with the development, predominantly for the construction phase of the project. These include but are not limited to:</p> <ul style="list-style-type: none"> • Potable and domestic use for welfare facilities • Dust suppression • Bentonite clay mixing for HDD fluids • Wheel/machinery/concrete washing <p>Whilst most of these water demands are expected to be small and temporary in nature, the combined amount of water required at any one time is likely to exceed 20m³ per day and falls within regulation if not provided by water company supply or otherwise licensed third party.</p>
Solution	Water supply strategy should be prepared which acknowledges the water demands of all phases of the project and provides a basic options appraisal of potential sources of supply to be considered. A review of the abstraction licensing strategies for the catchments impacted on by the development should be undertaken as part of this.
<p>Additional narrative/explanation</p> <p>The following factors should be taken into consideration in the water supply strategy:</p> <ul style="list-style-type: none"> • Mains water connections may not be practical in remote locations. • Tankering water may increase the number of HGVs on local roads • Groundwater abstraction is closed to new licences in some parts of the catchments the project crosses. • Surface water availability is relatively good in this region but licence conditions may prevent access to water during prolonged dry weather and drought, and in the Crossens catchment, availability in level dependent areas is limited to the winter only. <p>The environmental impact of abstractions requiring a licence would be determined as part of the permit application and we would not seek to duplicate this in the planning phase. However, adequate planning for water demands can expedite this process later, and can problem solve any obstacles in good time of commencement of the construction phase as it may influence detailed design (e.g. the use of temporary storage to provide security of supply during summer months).</p>	

Appendix 4 – Additional comments for consideration – to address flood risk concerns.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk. Table 7.5 (page 775)	
Issue	There are numerous stretches of main river and various flood/coastal defence assets within the scoping area, but the Applicant has not considered this in terms of scoping in or out of the assessment.
Impact	The project has the potential to have an adverse impact on the main rivers and flood/coastal defence assets, which could subsequently result in an increase in flood risk both to the proposed project infrastructure and the surrounding area.
Solution	<p>The risks throughout all stages of the Proposed Development on main rivers and any flood and coastal erosion risk management structures/features should be Scoped In to the assessment, unless it is justified why such risks are not expected to occur. This is to ensure:</p> <ul style="list-style-type: none"> • Access, clearances and sufficient land are retained to enable structures/features to be maintained, repaired, operated, and replaced, as necessary • The standard of protection of any flood/coastal defence assets is not reduced • The structural integrity of any assets is not reduced (in accordance with paragraph 5.8.17 of National Policy Statement (NPS) EN-1).
Additional narrative/explanation The assessment should include full details of all flood defences and associated assets within the study area. This should include their current condition, crest levels, standard of protection. This will allow assessment of potential impacts to defences and any mitigation required, taking the development and climate change into account, to ensure that flood risk is not increased over the Proposed Development lifetime.	

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk. Table 7.6 (page 777): Impacts proposed to be Scoped Out of the EIA for hydrology, hydrogeology and flood risk - Impact ID HFR-02	
Issue	Changes to surface water runoff patterns which could directly or indirectly affect surface hydrology and flood risk are Scoped Out of the Operational Phase of the development.
Impact	Flood risk impacts to and because of above ground infrastructure such as the OnBS and onshore substation could be underestimated and mitigation measures may not be appropriately designed.
Solution	Flood risk impacts to and because of above ground infrastructure such as the OnBS and onshore substation should be Scoped In to the assessment.

<p>Additional narrative/explanation</p> <p>It is acknowledged that potential changes to surface water runoff patterns—affecting surface hydrology and flood risk—have been Scoped Out of the assessment for the operation and maintenance phases. However, Table 3.3 (page 48) and Table 3.7 (page 57) indicate that the maximum permanent footprint of the OnBS and Onshore Substation is 15,600m² and 84,000m² respectively, with up to nine buildings proposed in total. Given the scale of these developments, it may be premature to exclude surface water hydrology and flood risk considerations from the assessment.</p> <p>Moreover, the search areas for both the OnBS and Onshore Substation encompass extensive sections of Flood Zones 2 and 3, associated with multiple Main Rivers and Ordinary Watercourses. Additionally, several smaller Ordinary Watercourses within the Onshore Substation search area lack associated Flood Zone mapping due to the limited size of their catchments. While these watercourses are not represented in the Flood Map for Planning, they may still pose a fluvial flood risk that has not been modelled or accounted for.</p>	

<p>Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Table 7.5 (page 775)</p>	
Issue	<p>The Scoping Opinion fails to consider flood risks from both tidal and fluvial sources. Parts of the scoping area are within Flood Zones 2 and 3, which have medium and high flood probabilities respectively.</p>
Impact	<p>Failure to properly assess tidal and fluvial flood risks within the EIA may result in:</p> <ul style="list-style-type: none"> • Insufficient consideration of how the project will remain safe without increasing flood risks elsewhere, both now and in the future (taking climate change into consideration) • Inadequate consideration of long-term flood mitigation measures • Insufficient application of the Sequential Test, with design and location decisions made without proper consideration of flood risks • Underestimation of future flood risks, potentially leading to inadequate designs, higher vulnerability, and possible future retrofitting costs.
Solution	<p>Fluvial and tidal flood risks should be scoped into the EIA from construction through to the decommissioning stage, unless the applicant can justify that the proposed development will not impact on such risks. Early consideration, rather than deferring the assessment, ensures significant risks are properly addressed and maximises opportunities to</p>

	reduce and mitigate flood impacts. Delaying the assessment would limit the ability to manage these risks effectively.
Additional narrative/explanation <p>In accordance with paragraph 5.8.21 of NPS EN-1, the Sequential Test should be undertaken to steer new development to areas with the lowest risk of flooding. This should take all sources of flood risk, and the current and future impact of climate change, into account.</p> <p>The developer must consider the future flood extent of the design flood, plus appropriate climate change allowances, guided by the expected life of the development. The proposed development lifetime, including the construction, operation and decommissioning phases should be confirmed. In accordance with paragraph 006 of the Planning Practice Guidance for Flood Risk and Coastal Change, a 75 year lifespan should be designed to as a minimum. The project must be designed to be safe from flooding up to a 1 in 200 year tidal flood event and a 1 in 100 year fluvial flood event, both considering future climate change allowances. Essential infrastructure should remain operational during the design flood scenario. The guidance Flood risk assessments: climate change allowances - GOV.UK should be used to ensure the future flood extent of the design flood is assessed using the appropriate climate change allowances. Additionally, the Credible Maximum Scenario should be evaluated to ensure the development remains resilient under extreme future climate conditions.</p>	

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 3: Onshore Chapters, Chapter 7: Hydrology, Hydrogeology and Flood Risk, Section 7.3.2.2 (page 757)

Issue	Use of older hydraulic modelling information and evidence gaps
Impact	The assessment of flood risk could be inaccurate or limited if a sole reliance on third party datasets is placed. There could be evidence gaps if checks and further investigation is not undertaken.
Solution	Depending on the placement of the booster station and substation, there may be a requirement to undertake further detailed analysis in the form of hydraulic modelling so that the flood risk impacts to and because of the development can be understood.

Additional narrative/explanation
This section of the report acknowledges that post-scoping flood modelling and mapping data will be obtained from the Environment Agency, where available. This approach is welcomed. However, when utilising modelling data from risk management authorities or third parties, it is important to refer to the guidance document Using Modelling for Flood Risk Assessments (December 2023), available online here [Using modelling for flood risk assessments - GOV.UK](#).

It should also be noted that several smaller Ordinary Watercourses cross the onshore study area and do not have associated Flood Zone mapping due to the limited size of their catchments. While these watercourses are not represented in the Flood Map for Planning, they may still present a fluvial flood risk that has not been modelled or mapped. The updated Risk of Flooding from Surface Water (RoFSW) mapping (January 2025) provides a useful starting point for assessing potential flood risk from smaller watercourses where Flood Zone data is unavailable. Depending on the final siting of the OnBS and substation, more detailed hydraulic modelling may be necessary. Where feasible, it is recommended that above-ground infrastructure be located within Flood Zone 1 and outside areas identified as being at risk of surface water flooding.

Document Reference(s): Environmental Impact Assessment (EIA) Scoping Report, Volume 5: Annexes, Chapter 5: WFD Screening, Section 5.3.1.1 (page 1120) - Construction of temporary bridges and culverts

Issue	Assessment of flood risk to and from temporary crossings.
Impact	There could be adverse flood risk impacts from crossing watercourses. Flood risk could be increased if crossings are not appropriately designed.
Solution	Flood risk impacts to and because of new crossings should be assessed quantitatively, Flood risk should not be increased because of new crossings. Culverts should be avoided in preference of clear span bridges.

Additional narrative/explanation

Please note, we would be against any culverting of Main Rivers and would recommend against culverts for crossings over other Ordinary Watercourses although the Lead Local Flood Authority would be the consenting authority for non-Main River watercourses. Please see Appendix 5 for our position on culverts.

Any proposed crossings should be designed so that the soffit level sits above the design flood level. The design flood level for permanent crossings in this case would be the 1% (1 in 100) annual exceedance probability (AEP) plus higher central climate change scenario (fluvial). For temporary crossings as part of the construction phase of the scheme, depending on the period for which these are in place it may be possible to use the present day (without climate change) 1% (1 in 100) AEP scenario although for longer periods of time climate change should be considered.

In terms of determining flood levels at crossings, the Mannings equation could be used in the case of open span crossings over small ordinary watercourses. Where culverts are used the methods prescribed within the CIRIA Culvert Screen and outfall manual (C786) may be a useful reference to help determine appropriate sizing although it may be easier to develop simple 1d hydraulic models to understand the impact on water levels and to size crossings appropriately.

Appendix 5 – Informatives and Advice to the Applicant

Main rivers and flood defences

Underground crossings: Any crossing beneath a main river should have a depth of at least 5 metres below bed-level. If any underground cables are planned to be removed at the decommissioning phase we request to be consulted on the proposed removal method.

Crossing Register: As the proposal develops it would be beneficial to have a Crossing Register with the proposed main river crossing placements and types.

Flood Risk Activity Permits / Disapplication of Environmental Permitting Regulations for flood risk activities: If any of the works are likely to require a Flood Risk Activity Permit (FRAP) we recommend that you inform the Environment Agency at the earliest opportunity as to whether you are seeking to disapply the Environmental Permitting Regulations (England and Wales) 2016 for flood risk activities as part of the DCO. Please note that the DCO will need to include protective provisions for our benefit if the disapplication of FRAPs is sought.

Peat soils

As stated in the EIA Scoping Report (Volume 1, Chapter 2, Sections 2.3.3.16 to 2.3.3.22), there are considerable areas of peat soils including 'deep peaty soils' within the Scoping Boundary, particularly within the Option B ECC and Option B OnBS areas. The presence of coastal, submerged and palaeo peats are also identified. The report states that further assessment of peat may be undertaken at subsequent stages of the EIA process as deemed necessary.

It appears that more peat will be affected if the Option B ECC and Option B OnBS are pursued. Note that Downholland Moss SSSI, located within the Option B Onshore ECC, is designated for geological features such as peat deposits and sedimentary layers related to glacial or post-glacial history.

We consider that peatland interests are referenced adequately within the scoping document. However, proper consideration needs to be given within the EIA to identifying and mitigating the likely impact on peatlands during the construction and operational phases of the proposed scheme. These impacts should include:

Carbon balance: Peatlands are a significant carbon store, which when disturbed and/or drained may increase carbon emissions which are detrimental to the

Government's Net Zero target. Any increase in Net Emissions from the proposed activities should be considered as part of the C budget for the scheme.

Hydrology: The impact on peatland hydrology and surface and sub-surface hydrological connectivity to the surrounding landscape should also be assessed to ensure integrity of the remaining peat body, and minimise disruption to surface hydrology, which could impact flood risk.

General presumptions for mitigation:

- Where possible, there should be a presumption against infrastructure (e.g. construction tracks, maintenance roads, cable installation and other servicing structures) across peat soils, especially where peat is of >40cm depth.
- Where there is no other option but to cross peat soils, excavation of peat should be kept to a minimum; any excavated peat should be kept in-situ where possible.
- We would expect these concerns to be investigated and addressed when considering mitigation for peatland environments within the EIA. These matters should be covered within the forthcoming EIA, as outlined within 5.9 Structure of the Preliminary Environmental Report.

The new Peat Map for England dataset (2025) is referenced as a key source of land use and ground condition data. The England Peat Map 2025 is a predictive map based on modelling outputs and is known to have limitations for lowland peat. Its use at site scale is advised with caution by the authors who suggest the collection of additional ground truth data. The Environment Agency therefore would advise that more detailed peat surveys should be undertaken by the Applicant to provide site-specific evidence on which to make decisions for operations and environmental mitigation.

Potential impact pathways associated with past salt mining and brine extraction activities

The area around Preesall was subject to extensive salt mining and brine extraction activities, resulting in extensive subsidence – no mention of this is made in the Scoping Report.

The area these activities took place in may overlap with the OnBS A Area. Whilst it is likely that the depths at which salt mining and brine extraction took place are greater than the maximum depth of any foundation structures for the Proposed Development, we recommend the Applicant confirms that any piling activities associated with the construction of this feature would not result in the creation of new mobilisation pathways or ground stability issues.

Further information is available here: [British Mining No11 Memoirs 1979 pp38-43](#)

Perfluorooctanoic Acid (PFOA) investigation – former ICI site at Hillhouse Technology Enterprise Zone

Please note that there is an ongoing multi-agency investigation currently in progress at Hillhouse Technology Enterprise Zone in Thornton-Cleveleys, relating to aerial deposition resulting from historic usage of PFOA at a former ICI manufacturing site. Information in relation to the investigation is held at the following location: [Hillhouse Technology Enterprise Zone - Thornton-Cleveleys – Wyre Council](#).

The subject site extends into the southern part of the draft Scoping Boundary, within area B1b, and investigations are being carried out across the surrounding area. The potential for associated soil contamination to be present within the footprint of the Proposed Development should be considered. Please note that the site is not currently determined as Contaminated Land under Part 2A of the Environment Protection Act 1990.

The presence of PFOA contamination in shallow soils could have implications for the disposal or reuse of any solid or liquid waste arisings from the northern OnBS search area, in particular.

Potential pollution impacts from surface water drainage

We note that a FRA, Surface Water Drainage Strategy and WFD Assessment will be provided at Preliminary Environmental Information Report (PEIR) Stage (Volume 3 Chapter 7 Section 7.6.1.3). We look forward to reviewing these when available.

The surface water drainage solution for any proposed infrastructure with significant pollution potential (e.g. BESS compounds in the event of a fire and infrastructure incorporating oil-filled plant) should incorporate adequate measures to prevent loss of pollutants into ground or surface water bodies.

References to proposed desk study

Although it is stated that a site walkover will be conducted as part of the EIA, the section does not also refer to the proposed Desk Study. Without also reading Volume 3, Chapter 2, is unclear to the reader that a Desk Study, which would include consideration of groundwater resources, is proposed. We recommend that the Applicant should refer to the proposed Desk Study in this section or cross reference the relevant sections of Chapter 2.

Section 2.3.5.1 (Volume 3, Chapter 2) states that *“An Envirocheck report will be purchased to identify historical land uses and potential areas of contamination and gather environmental data for the refined PEIR boundary. A further detailed review of potential sources of contamination will be undertaken following Proposed*

Development refinement” and Section 2.6.1.1 states that a Desk Study incorporating a Preliminary Risk Assessment and Preliminary Conceptual Site Model will be developed in general accordance with Environment Agency ‘Land Contamination Risk Management Framework’ guidance.

List of key hydrological, hydrogeological and flood risk receptors

For completeness, and the avoidance of doubt, the list of key hydrological, hydrogeological and flood risk receptors within the hydrology, hydrogeology and flood risk Study Area (Section 7.3.4 - Volume 3, page 117) should specify the following:

- licenced and private abstractions
- GWDTEs

Dewatering

The Applicant should be aware that where dewatering is required, an abstraction licence will be necessary if the criteria for exemption in is not met. Please refer to the following guidance: [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works](#). Dewatering may also require a water discharge permit if it falls outside of our [regulatory position statement for de-watering discharges](#).

Some Groundwater units relating to the project area are closed to new abstraction.

Passive dewatering (groundwater is discharged to the surface under the influence of gravity) is classed as an abstraction. However, most passive dewatering schemes do not pose a risk to the environment or groundwater table. The Environment Agency has published a regulatory position statement so that it does not need to regulate low risk passive dewatering. If the Applicant can comply with these conditions, a water abstraction licence from the Environment Agency for passive dewatering is not required.

The Applicant should prepare dewatering management plan (DWMP), which takes the above advice into account. The DWMP should consider the multiple locations, timescales and local impacts of any groundwater pumping in order to evaluate licensing requirements. If water is discharged back to ground or to surface water then the abstraction may be deemed non-consumptive and this will increase the likelihood of a licence being issued.

Waste management: Construction Code of Practice for the Sustainable Use of Soils on Construction Sites

The Defra ‘Construction code of practice for the sustainable use of soils on construction sites’ is widely referenced in the EIA Scoping Report August 2025. It

dates from 2009 and has not been reviewed or updated since. It may not exactly reflect current legislation or controls.

This Code of Practice is no substitute for obtaining independent legal advice or for consulting the Environment Agency.

Decisions on the definition of waste must be made in the light of all the specific circumstances of an operation or activity, in accordance with the current legislation and case law.

[Code of practice for the sustainable use of soils on construction sites - GOV.UK](#)

Biodiversity

The Environment Agency encourages the Applicant to continue to use the mitigation hierarchy when developing the route further to avoid/minimise impacts to watercourses and associated habitats and species. We would also encourage the Applicant to consider Local Nature Recovery Strategies (LNRS), WFD, River Basin Management Plans (RBMP) and Catchment Plans when developing the watercourse/intertidal elements of the Biodiversity Net Gain (BNG) strategy for the project.

Marine

The Applicant could use MAGIC map as a source of information on habitat distributions (Layers > Marine > WFD > WFD Habitats) to fill in the 'No EUNIS Habitat' gaps in Figure 4.3 (Seabed substrate).

Geomorphology

The coast is a dynamic and transitional environment and therefore needs careful consideration, possibly requiring its own separate chapter rather than being combined into the Marine Geology, Oceanography and Physical Processes chapter.

Open-cut trenching across intertidal areas would interfere with coastal processes and possibly lead to the creation of areas of quick sands, given the propensity for these within the area. Given the tidal range and the shallow gradient, HDD would probably also be challenging in both areas. HDD tends to be limited to a maximum length of 1.6km of cable casing, and the distance from mean low water across Formby bank to the shore near Hightown/Sefton (option B) is closer to 2km. This is

also an MOD danger area due to the proximity of a live fire range. The Fleetwood option (option A) does have a narrower intertidal area, approx. 400m, which would enable the use of HDD, but this would have to be of sufficient depth to allow future upgrades to existing coastal defences which the Environment Agency would need to be consulted on. Any trenchless crossing would also have to go below the local tramway line. The ECC does also involve crossing the estuarine section of the River Wyre, which at this location is also longer than 1.6km to account for launch and reception pits being located away from the active margins of the estuary. There is also the possibility of interaction with the Preesall Brine fields that have been subject to historical subsidence. Consideration should be given to changing the route, so that crossing of the Wyre takes place at a narrower section of the channel, and away from the area affected by subsidence caused by Brine extraction and cavern collapse. Changing route may involve changing the order limits/search area.

General considerations: The following are general guiding principles to consider when designing watercourse crossings / coastal landfall to avoid negatively affecting geomorphology and natural processes:

- Avoid unnecessary interference with natural processes. For instance, encourage use of trenchless techniques such as HDD to minimise the likelihood of cables entering the water environment.
- Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change.
- Ensure coastal landfall infrastructure is located outside of areas expected to be impacted by coastal change over the duration of the project.
- Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels which are left in-situ after decommissioning could be exposed by future coastal erosion or river movement, becoming an impediment to natural processes.
- Consider opportunities to deliver WFD mitigation measures/BNG uplift as part of the design.
- Avoid preventing delivery of mitigation measures, e.g. avoid bringing cables to surface level in floodplains earmarked for future river restoration or flood defence works (including construction of bypass channels).

Please note:

- i. WFD applies to all surface waterbodies, not just those designated for monitoring purposes.

- ii. Small watercourses and WFD - watercourses with a catchment less than 10km² connected to a downstream WFD waterbody take the classification of that waterbody.
- ii. BNG guidelines indicate that structures built within 10 m of the bank top of a watercourse qualify as encroachment, which may affect the uplift score calculated using the BNG Watercourse metric.

Additional advice:

- Any potential construction, operational, and decommissioning phase impacts that the proposed scheme may have on the river must be subject to a WFD Assessment to the satisfaction of the Environment Agency.
- Any infrastructural developments on river/floodplain environments should be designed and delivered to have a minimal impact on natural river dynamics (e.g. erosion, deposition, meander migration etc.) and should not place any significant limitations on future river restoration projects.
- Geomorphologically dynamic behaviour is deemed likely to intensify in the next decades in line with [Flood Estimation Handbook \(FEH\)](#). Therefore, any infrastructure developments should also take some account of the likelihood for increased lateral and vertical river dynamics anticipated to result from continued hydro-climatic intensification (e.g. 'a flood-rich epoch') over the remainder of the 21st century (i.e., future proofed designs that are not just based on present-day baseline geomorphological configuration/behaviour).
- If river crossings (bridges, culverts, and buried cables) are required as part of the development, we would expect to see geomorphologically robust designs that will cause minimal impacts on natural fluvial processes operating in the river/floodplain environment over the course of the 21st century.

Further guidance in regard to river crossings can be found in the following document: SEPA, 2010. Engineering in the water environment: good practice guide River crossings Second edition. SEPA

Water course sensitivity:

- Care should be taken by the Applicant when determining watercourse sensitivity, especially the use of Q95 scores. Rivers with a higher Q95 flow are not more sensitive than rivers with a lower Q95. In the case of water quality, the reverse of this is true, with less dilution meaning a higher sensitivity to change. Some watercourses with low Q95 may also be winterbournes, and therefore cannot accommodate change easily, as they would be dry for most of the year.

- WFD designation is a method of monitoring and classifying the ecological health of the water environment and not an indication of greater or lesser sensitivity to change. Therefore, watercourses with a WFD designation are no more sensitive than those which have not been designated.

Sensitivity to change cannot be determined from a desk study alone. When determining the sensitivity of a watercourse, the Applicant should ensure that professional judgement and the results of any surveys are also incorporated into the assessment.

Culverting and removal of culverts

Culverting works against the natural processes of watercourses. It can exacerbate the risk of flooding and increase maintenance cost and complexity. It can also destroy wildlife habitats, hinder fish passage, reduce amenity value, interrupt the continuity of the linear corridor of a watercourse and can affect channel stability. It can also significantly reduce resilience to the effects of drought, floods and pollution. We will therefore take this into account in our decision making.

Detrimental effects of culverting watercourses can include:

- Increased likelihood of flooding due to their limited capacity and propensity for blockage, both of which can result in obstructions to flow, and loss of floodwater storage
- Exacerbating the nature of flooding by increasing flow velocities and speed of onset
- Loss of and adverse effects on morphology, fisheries and wildlife habitat including substrate
- If present, adverse effects on protected species
- The creation of barriers to fish passage through increased water velocities, behavioural deterrent, shallow depths, darkness, oxygen depletion and eroded culvert entrances
- Increased geomorphological risk including changes to channel stability, river bank and bed erosion and increased deposition around the culverted sections
- Greater difficulties in providing for drainage connections
- Increased liabilities and costs due to the need to maintain, repair and replace culverts or to manage upstream and downstream risks
- Increased health and safety hazards, notably for workers clearing blockages and for children in urban areas

- Locally reduced groundwater recharge
- Increased difficulty in detecting the origins of pollution and in monitoring water quality
- Reduced resilience for communities and wildlife to the effects of extreme weather events, climate change and acute pollution

In addition to avoiding the detrimental effects of new culverting listed above, the restoration of river corridors by removing or opening sections of existing culverting and restoring natural river beds and banks can have wider benefits, including:

- Providing habitat for wildlife and improving its connectivity
- Providing additional flood storage capacity and slowing flows
- Ameliorating the urban heat island effect
- Providing areas for recreational use
- Improving amenity, health and educational opportunities
- Increasing property prices and their desirability
- Reducing maintenance costs and improving safety

Control of Major Accident Hazards (COMAH) sites

The Environment Agency, together with the Health and Safety Executive (HSE), are part of the COMAH competent authority. The Applicant should be aware of the presence of a COMAH sites within the site boundary and whether there are any comments raised on the safety aspects of COMAH by the HSE. However, regarding the environmental issues of COMAH, we have no comment to make at this stage.

Environment Agency land interests

The Environment Agency has numerous land interests which fall within the site boundary. It is unclear at this stage whether this land will be affected by the proposals. Our Estates Team have been notified of the proposals and will be in touch with the Applicant directly to discuss this.

Control of emissions from non-road going mobile machinery (NRMM)

The Applicant should be aware of the following in relation NRMM:

Where development involves the use of any NRMM with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/or operation, at that site, we strongly recommend that the machinery used shall meet

or exceed the latest emissions standards set out in [Regulation \(EU\) 2016/1628 \(as amended\)](#). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority (LPA).

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NO_x), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM₁₀ and PM_{2.5}). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority. The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document.

The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

NRMM includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

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Ref: EN0210008

Date: 29 August 2025

Dear Sir/Madam

East Irish Sea Transmission Project

Thank you for your letter of the 14 August 2025.

As a non-statutory consultee, the Forestry Commission request to be notified if the application will affect or is within 500m of ancient woodland, or if there will be any significant loss of trees.

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "*there are wholly exceptional reasons and a suitable compensation strategy exists*" (National Planning Policy Framework paragraph 186).

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's Standing Advice on Ancient Woodland – plus supporting Assessment Guide and Case Decisions.

As a Non-Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

Yours sincerely



Area Admin Officer

A summary of Government policy on ancient woodland

Natural Environment and Rural Communities Act 2006 (published October 2006).

Section 40 – “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

National Planning Policy Framework (published February 2019).

Paragraph 186 – “*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*”.

National Planning Practice Guidance – Natural Environment Guidance. (published March 2014)

This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission’s role as a non statutory consultee on “*development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in Natural England’s Ancient Woodland Inventory), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings*”

It also notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions,

Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework.

It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.

The UK Forestry Standard (4th edition published August 2017).

Page 23: “Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance SLNCIs)”.

Keepers of Time – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”.

Natural Environment White Paper “The Natural Choice” (published June 2011)

Paragraph 2.53 - This has a “renewed commitment to conserving and restoring ancient woodlands”.

Paragraph 2.56 – “The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites”.

Standing Advice for Ancient Woodland and Veteran Trees (first published October 2014, revised 14 July 2022)

This advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that are relevant to it.

The Standing Advice refers to an Assessment Guide. This guide sets out a series of questions to help planners assess the impact of the proposed development on the ancient woodland.

Biodiversity 2020: a strategy for England's wildlife and ecosystem services (published August 2011).

Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).

Importance and Designation of Ancient and Native Woodland

Ancient Semi Natural Woodland (ASNW)

Woodland composed of mainly native trees and shrubs derived from natural seedfall or coppice rather than from planting, and known to be continuously present on the site since at least AD 1600. Ancient Woodland sites are shown on Natural England's Inventory of Ancient Woodland.

Plantations on Ancient Woodland Site (PAWS)

Woodlands derived from past planting, but on sites known to be continuously wooded in one form or another since at least AD 1600. They can be replanted with conifer and broadleaved trees and can retain ancient woodland features, such as undisturbed soil, ground flora and fungi. Very old PAWS composed of native species can have characteristics of ASNW. Ancient Woodland sites (including PAWS) are on Natural England's Inventory of Ancient Woodland.

Other Semi-Natural Woodland (OSNW)

Woodland which has arisen since AD 1600, is derived from natural seedfall or planting and consists of at least 80% locally native trees and shrubs (i.e., species historically found in England that would arise naturally on the site). Sometimes known as 'recent semi-natural woodland'.

Other woodlands may have developed considerable ecological value, especially if they have been established on cultivated land or been present for many decades.

Information Tools – The Ancient Woodland Inventory

This is described as provisional because new information may become available that shows that woods not on the inventory are likely to be ancient or, occasionally, vice versa. In addition ancient woods less than two hectares or open woodland such as ancient wood-pasture sites were generally not included on the inventories. For more technical detail see [Natural England's Ancient Woodland Inventory](#). Inspection may determine that other areas qualify.

As an example of further information becoming available, Wealden District Council, in partnership with the Forestry Commission, Countryside Agency, the Woodland Trust and the High Weald AONB revised the inventory in their district, including areas under 2ha. Some other local authorities have taken this approach.

Further Guidance

Felling Licences - Under the Forestry Act (1967) a Felling Licence is required for felling more than 5 cubic metres per calendar quarter. Failure to obtain a licence may lead to prosecution and the issue of a restocking notice.

Environmental Impact Assessment - Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended, deforestation which is likely to have a significant impact on the environment may also require formal consent from the Forestry Commission.



FAO [REDACTED]
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Environmental Services Operations Group
3 Temple Quay House
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SENT BY EMAIL ONLY

Our Ref:

Your Ref: EN0210008

Please Ask For: [REDACTED]

Telephone: [REDACTED]

Email: [REDACTED]@fylde.gov.uk

Date: 11 September 2025

Dear Ms Norris

Application by Ørsted East Irish Sea Transmission Limited (the applicant) for an Order granting Development Consent for the East Irish Sea Transmission Project (the proposed development)

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by National Grid Electricity Transmission plc (the Applicant) for an Order granting Development Consent for the Sea Link (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Fylde Council (FC's) welcomes the opportunity to comment on the East Irish Sea Transmission Project Scoping Report dated August 2025. This letter comprises FC's response under Section 43(1) of the Planning Act 2008. The Council's detailed comments in relation to the Scoping Report can be found in Appendix 1 of this letter.

If you have any questions regarding the detailed comments provided in Appendix 1, please do not hesitate to contact me.

Yours sincerely

[REDACTED]

[REDACTED]
Development Manager

Appendix 1 – ESC’s Detailed Comments on the Sea Link Scoping Report

Executive Summary

Fylde Council provides this formal Scoping Opinion in response to Ørsted East Irish Sea Transmission Ltd.’s Environmental Impact Assessment (EIA) Scoping Report (August 2025) for the East Irish Sea Transmission Project (hereafter referred to as ‘the Proposed Development’). This Opinion is intended to guide the Secretary of State on the scope and content of the Environmental Statement (ES) that will accompany the forthcoming Development Consent Order (DCO) application.

The Proposed Development involves the installation of up to four offshore export cables, twelve onshore export cables, up to three offshore booster stations, one onshore booster station, an Onshore Substation (OnSS), and associated Energy Balancing Infrastructure (EBI), connecting the Mooir Vannin Generation Project (Isle of Man territorial waters) to the National Grid at Penwortham.

This Executive Summary outlines the Council’s assessment of the Scoping Report, which identifies potential deficiencies where relevant, and sets out requirements for the ES. Particular attention is given to Fylde-specific environmental, heritage, socio-economic, and community impacts. The Council recognises the strategic importance of the Proposed Development in supporting the UK’s Net Zero commitments but emphasises that local impacts must be robustly assessed and mitigated as part of any future ES to accompany a forthcoming application.

1. Introduction

1.1 Fylde Council is a local authority which the Proposed Development has the potential to directly impact in the context of its proposed landfall and associated onshore works. The Council provides this Scoping Opinion pursuant to Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This Opinion informs the Secretary of State on the adequacy of the Applicant’s Scoping Report and identifies areas where additional information is required in the ES.

1.2 The Council’s remit includes evaluating the adequacy of topic coverage, site-specific baseline data, methodological approaches, and proposed mitigation strategies. Fylde Council highlights the decision maker’s statutory duty to ensure that local environmental, heritage, and socio-economic sensitivities are properly addressed, in line with national and local planning policy.

1.3 This Opinion focuses on the onshore landfall and cable corridor, the Onshore Substation (OnSS) and Energy Balancing Infrastructure (EBI), and associated construction works within the jurisdiction of Fylde Borough. Offshore elements are considered in relation to potential onshore implications, cumulative effects, and environmental interactions where relevant, but will largely fall under the remit to be considered by other bodies (such as the Environment Agency), who will have been consulted separately by the Planning Inspectorate.

1.4 The Opinion is structured to provide a comprehensive review of the Scoping Report, identifying both adequate coverage and deficiencies, with recommendations for the ES. Additional sections are included to provide detailed context on Fylde’s local planning policies, environmental baseline, and community sensitivities, ensuring a thorough and policy-compliant response.

2. Policy and Legislative Context

2.1 National Policy Statements (NPSs)

The Proposed Development falls under the remit of NPS EN-1 (Overarching Energy NPS) and EN-5 (Electricity Networks Infrastructure). EN-1 sets out principles for sustainable energy infrastructure, EIA methodology, mitigation, and cumulative impact assessment. EN-5 provides guidance specific to electricity transmission, including cable landfalls, substation siting and operational considerations.

2.2 EIA Regulations

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, as amended, require that the ES provides sufficient information to assess the likely significant effects of the Proposed Development. Fylde Council's Scoping Opinion evaluates the Scoping Report against these requirements.

2.3 The Fylde Local Plan to 2032 (incorporating Partial Review (adopted December 2021))

This document comprises the Development Plan for Fylde Borough, and the Council would wish to draw on the following Local Plan policies relevant to the Proposed Development:

- Policy S1: The Proposed Settlement Hierarchy
- Policy DLF1: Development Locations for Fylde
- Policy GD1: Settlement Boundaries
- Policy GD2: Green Belt
- Policy GD3: Areas of Separation
- Policy GD4: Development in the Countryside
- Policy GD7: Achieving Good Design in Development
- Policy GD9: Contaminated Land
- Policy EC5: Vibrant Town, District and Local Centres
- Policy EC6: Leisure, Culture and Tourism Development
- Policy EC7: Tourism Accommodation
- Policy HW1: Health and Wellbeing
- Policy INF1: Service Accessibility and Infrastructure
- Policy INF2: Developer Contributions
- Policy T1: Strategic Highway Improvements
- Policy CL1: Flood Alleviation, Water Quality and Water Efficiency
- Policy CL2: Surface Water Run-Off and Sustainable Drainage
- Policy CL3: Renewable and Low Carbon Energy Generation – excluding onshore wind turbines
- Policy ENV1: Landscape
- Policy ENV2: Biodiversity
- Policy ENV5: Historic Environment

2.4 Other Guidance

The Council also considers guidance from Historic England, Natural England, Lancashire Minerals and Waste Local Plan, and Shoreline Management Plans are relevant to the assessment of the ES and the application as they inform mitigation, monitoring, and environmental assessment standards.

3. Local Baseline Context

3.1 Geography, Landscape and Land Use: Fylde is characterised by a low-lying coastline, sandy beaches, dune systems, and agricultural land. Sensitive landscape receptors include the Ribble Estuary, sand dune complexes, and adjacent rural settlements. Landscape character areas identified in the Lancashire Landscape Character Assessment (December 2000), must be fully considered in the ES. Likewise, the laying of cables will inevitably disturb and impact upon areas of Green Belt and defined Countryside Areas, as well as existing agricultural activity and land quality. This impact needs to be fully considered at all stages of the submission and form a key part of the ES.

3.2 Heritage Assets: The Council's area includes a range of heritage assets, including statutorily and locally listed buildings, conservation areas, and known archaeological sites. Policy EP3 requires that development conserves the significance and setting of heritage assets, and that assessments follow Historic England and NPPF guidance.

3.3 Socio-Economic Profile: Fylde's local economy relies heavily on tourism, recreation, agriculture, retirement and commuting residential economies and small-scale industry. Visitor numbers increase

seasonally, with beaches, promenades, and recreational areas supporting the local visitor economy. Impacts on amenity, access, and perceptions of safety must be considered. Further consideration should be given to the project's impact on nationally strategic employers present in the Borough, (i.e. BAE Systems Air Sector, Westinghouse nuclear fuels production and National Nuclear Laboratories) and their corresponding supply chain.

3.4 Transport Infrastructure: The onshore cable corridor intersects a network of rural and urban roads, with key junctions sensitive to HGV movements. Construction traffic management will be critical to minimise severance and road safety impacts. Early on the ground survey work will be necessary to properly assess the suitability and capacity of proposed routes.

3.5 Hydrology and Flood Risk: Fylde's coastline is subject to tidal flooding and erosion, with areas designated in Shoreline Management Plans as at risk. Parts of Fylde also feature peat deposits and are subject to a high-water table. Climate change projections, including sea-level rise, must be integrated into Flood Risk Assessments.

3.6 Ecology: There are five Sites of Special Scientific Interest in Fylde, as well as 34 Biological Heritage Sites and a number of Local Nature Reserves. Notably, the Ribble Estuary is designated as both a Ramsar site and Special Protection Area. The Ribble Marshes are also designated as a National Nature Reserve, covering 4,520 Ha of intertidal and saltmarsh habitats at the mouth of the Ribble Estuary. The Ribble Estuary is of considerable value to birdlife and it is an important part of the network of wetland sites in Western Europe and the most important wildfowl site in the UK. Marine Conservation Areas are nationally important wildlife sites and whilst the Fylde Off-shore Marine Conservation Zones lies outside the local plan area it is within the sphere of influence of development within the area

4. Project Overview

4.1 The Proposed Development comprises offshore export cables from the Mooir Vannin Generation Project to the Lancashire coast, onshore cable routes to the Onshore Substation, and supporting booster stations. Cable types, installation methodology, and technical design envelopes are described in the Scoping Report.

4.2 The onshore works include trenching, jointing bays, temporary working areas, and access routes, and require site-specific assessments of visual impact, heritage setting, and local amenity.

4.3 Alternative options, including landfall north of Crosby in Sefton Metropolitan Borough versus south of Fleetwood in Wyre District, onshore routing variants, and substation locations, should be assessed in the ES, with justification for selected options provided. Further information should be provided with respect to the exploration of alternative grid connections, particularly given the likely disturbance to be caused by the routing for the Morgan and Morecambe project to Penwortham.

5. Assessment of the Applicant's Scoping Report

5.1 Adequate Areas of Coverage

The Scoping Report includes chapters covering legislation and policy context, project description, EIA methodology, and a wide range of environmental topics. At a strategic level, these elements are generally sufficient.

5.2 Areas of Insufficient Detail

The Council identifies multiple deficiencies, particularly regarding Fylde-specific impacts, baseline data, and methodological clarity. The following sections provide expanded critique.

5.3 Detailed Topic-Specific Assessment

5.3.1 Landfall Options (Fleetwood vs Crosby)

The Scoping Report provides only a general description of landfall selection methodology, lacking a robust comparative assessment. There is no detailed mapping of Fylde-specific environmental constraints, sensitive habitats, or community receptors. The ES should provide a full analysis of both landfall options, with justification for the preferred option based on environmental, technical, and socio-economic criteria.

Local Plan policies CL1, ENV1 and ENV2 require minimisation of adverse impacts on the environment and flood-prone areas and so the information that is provided to allow that assessment must be suitably detailed and robustly presented for all potential options.

5.3.2 Landscape and Visual Impact

While LVIA is scoped in, the report omits reference to any specific viewpoints, photomontage locations, and detailed baseline characterisation. Sensitive receptors such as landscape character, residential areas, promenades, and recreational sites are not identified. The ES must include detailed visual mapping, receptor sensitivity analysis, and cumulative visual effects in line with ENV1.

5.3.3 Heritage and Archaeology

The Scoping Report does not identify designated or non-designated heritage assets within the Fylde landfall and onshore corridor. There is insufficient assessment of setting impacts or potential archaeological remains. The ES should undertake desk-based assessments, field surveys, and consider inter-relationships with landscape and visual impacts, as required by ENV1.

5.3.4 Human and Residential Impacts

Human Health and Wellbeing considerations are generic. The report fails to address settlement-specific impacts, noise, dust, vibration, amenity loss, and psychosocial effects. The ES must evaluate both construction and operational impacts on Fylde communities, with mitigation measures such as noise bunds, landscape screening, traffic management, and restrictions on working hours, in line with HW1.

5.3.5 Traffic and Transport

The Scoping Report lacks quantified traffic flows, HGV movements, and route-specific impacts. Critical junctions and sensitive locations are not identified. The ES should include detailed construction traffic assessments, route strategies, and provide clarity over the anticipated duration of works so that measures to minimise severance and road safety risks can be robustly assessed consistent with INF1, T1 and T4.

5.3.6 Flood Risk and Hydrology

Site-specific flood risk, coastal erosion, and compatibility with Shoreline Management Plans are not addressed. The ES must incorporate climate change allowances, flood modelling, and mitigation measures for low-lying coastal areas in accordance with CL1.

5.3.7 Socio-Economic and Tourism Impacts

The report underestimates impacts on tourism and recreation. Fylde Borough comprises a substantial number of caravan holiday parks and attractive landscape, with the proposed routing of the cabling having the potential to disrupt and impact upon the Borough's tourism and visitor economy. The ES must assess seasonal visitor patterns, potential reputational effects, and provide mitigation measures, including separate consideration of likely impacts on people who move through the landscape and those who stay within the area, as required by EC5, EC6 and EC7.

5.3.8 Climate Change and Cumulative Impacts

Cumulative effects and climate-related impacts are underdeveloped. Interactions between multiple NSIPs, landscape, traffic, and socio-economic impacts are not adequately considered. The ES should include detailed cumulative and inter-relationship assessments, following best practice and relevant Local Plan policy requirements.

5.3.9 Westinghouse Nuclear Facility

The Westinghouse Facility at Springfields is a major local employer and one that will likely expand as nuclear fuel becomes even more important to the UK energy market, particularly given the shift in dependence on Russian energy sources to alternative options. The scoping area for the Onshore Substation and Energy Balancing Infrastructure appears to partially encompass the facility, and therefore the ES should pay due consideration to this and ensure that the works would pose no material impact upon the continued operation and expansion potential of this facility.

5.3.10 Preston Western Distributor Road and River Ribble Crossing

No consideration has been given to the impact on the potential future bridge crossing over the River Ribble linking the new Preston Western Distributor Road (Edith Rigby Way) at Lea with Penwortham to the south-

east. The delivery of this project was envisaged to reduce congestion on the M6 and within Preston itself and it is understood to remain a feasible project that could be delivered in the future. The ES should include an assessment of the scheme in the context of this project and ensure that it would not prejudice the delivery of a river crossing.

6. Requirements for the Environmental Statement

Landfall and Route Selection

- Provide a full comparative assessment of Fleetwood vs Crosby landfall options, including environmental, technical, heritage, and socio-economic criteria.
- Demonstrate that the selected option represents the least environmentally damaging practicable solution.

Landscape and Visual Impact

- Include visual mapping, receptor sensitivity analysis, and photomontages for representative viewpoints along the cable corridor, landfall, location and associated infrastructure.
- Assess night-time lighting impacts and cumulative visual effects with other regional NSIPs (i.e. Morgan and Morecambe wind farm project).

Ecology

- Properly identify ecological receptors and prepare appropriate baseline evidence and assessments, particularly with regards to protected habitats.
- Respond appropriately to guidance and requirements relating to provision of ecological enhancement, mitigation and Biodiversity Net Gain.

Heritage and Archaeology

- Identify heritage assets within scoping areas, including listed buildings, scheduled monuments, conservation areas and non-designated heritage assets, including locally listed buildings.
- Provide setting impact assessments in line with Historic England guidance.
- Conduct archaeological desk-based and field assessments for intertidal and terrestrial zones.

Human and Residential Impacts

- Settlement-specific assessments of construction and operational effects on local communities, particularly with regard to noise and vibration.
- Include psychosocial wellbeing analysis, covering loss of amenity, perceptions of risk, and property value impacts where relevant.
- Propose mitigation including noise bunds, landscape screening, traffic management, and construction hour restrictions where relevant and informed by technical analysis.

Traffic and Transport

- Quantify HGV movements, routing, and peak construction periods.
- Assess impacts on local road safety, congestion, and severance of highways.
- Provide mitigation including haul route strategies and construction traffic management plans.

Flood Risk and Hydrology

- Produce site-specific Flood Risk Assessments where relevant in Fylde Borough.
- Ensure compatibility with Shoreline Management Plans and consideration of coastal squeeze and sea-level rise.

Socio-Economic and Tourism Impacts

- Assess disruption to tourism and recreation, including beach and promenade access closures where relevant and holiday/caravan parks within Fylde.
- Analyse visitor perception impacts and potential reputational effects during construction.
- Propose mitigation including staged works, alternative access provision, and clear public information strategies.

Climate Change and Cumulative Impacts

- Provide quantitative assessment of carbon emissions and climate impacts of the project.

- Assess cumulative and inter-related impacts with other regional projects, including landscape, traffic, and socio-economic effects.
- Include mitigation and monitoring measures to minimise adverse effects.

Baseline Information

- The ES should be supported by robust, up-to-date information. Surveys and supporting information should be submitted with the ES.

7. Conclusion

Fylde Council acknowledges the national and strategic benefits of the Proposed Development but highlights significant gaps in the Scoping Report. Without Fylde-specific assessments, the ES cannot fully comply with EIA Regulations, National Policy Statements, or Local Plan policies.

The Council requests that the Secretary of State instructs the Applicant to provide comprehensive site-specific analysis, mitigation proposals, and monitoring commitments in the ES to ensure robust decision-making and protection of local environmental, heritage, and socio-economic resources.

Likewise, further assessment, analysis and justification should be provided with respect to the preferred final route of the cabling and onshore landfall from the Mooir Vannin windfarm project, and in particular a thorough appraisal of the Fleetwood versus Crosby options.

The Council notes that the applicant should take a proactive approach and should front-load the process in order to provide as much detail as early as possible. The Council expects to see all information necessary to assess the likely impacts to be submitted at the beginning of any examination and where appropriate for the applicant to engage with the Council and other relevant parties pre-examination.

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Date: 2/09/2025

Dear Madam,

**PROPOSED E EAST IRISH SEA TRANSMISSION PROJECT
PROPOSAL BY ØRSTED EAST IRISH SEA TRANSMISSION LIMITED
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017 (AS AMENDED) REGULATIONS 10 AND 11**

[REDACTED] Thank you for your email on 14/08/2025 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports, but the following information is likely to be useful to the applicant.

HSE's land use planning advice:

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the onshore components of the redline boundary of the proposed East Irish Sea Transmission Project components [ref. Figure 1.3: Scoping Boundary, East Irish Sea Transmission Project Environment Impact Assessment (EIA) Scoping Report August 2025 , Drawing No. EIST_Fig1.3, Date 25/06/2025, First Issue] cross the Consultation Zones of several Major Accident Hazard (MAH) sites, associated with the following operators:

- HSE Ref #3349 operated by Zenica Resins, Hillhouse International, Thornton Cleveleys, Blackpool, Lancashire, FY5 4QD (Note: The Onshore Booster Station Search Area is impacted by this MAH site)
- HSE Ref #3445 operated by Vinnolit Hillhouse Ltd, Bourne Road Thornton Cleveleys, Blackpool, Lancashire, FY5 4QD (Note: The Onshore Booster Station Search Area is impacted by this MAH site)
- HSE Ref #3723, operated by F2 Chemicals Ltd, Lea Lane, Lea Town, Preston, Lancashire, PR4 0RZ (Note: The Onshore Substation and Energy Balancing Infrastructure Search Area is impacted by this MAH site)
- HSE Ref #3823, operated by Springfield Fuels Ltd, Springfields, Salwick, Preston, Lancashire, PR4 0XJ (Note: The Onshore Substation and Energy Balancing Infrastructure Search Area is impacted by this MAH site)
- HSE Ref #4291 operated by AGC Chemicals Europe Ltd, Hillhouse International, PO Box 4, Thornton Cleveleys, Lancs, FY5 4QD (Note: The Onshore Booster Station Search Area is impacted by this MAH site)
- HSE Ref #4484 operated by Halite Energy Group Ltd, Preesall Saltfield, Stalmine, Wyre Estuary, Lancashire, FY6 0LF (Note: The Onshore Booster Station Search Area is impacted by this MAH site)

The Applicant should make contact with the above operators, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.

There are also several major accident hazard pipelines that the onshore components of the proposed development crosses, associated with the following operators:

- Sabic UK Petrochemicals Ltd
 - HSE Ref # 6710 (Trans-Pennine Ethylene Pipeline Wilton / Runcorn)
- Cadent Gas Ltd
 - HSE Ref # 6803 / Transco Ref # 1080 (BNFL Salwick Branch)
 - HSE Ref # 6805 / Transco Ref # 1082 (Brock / Thornton)
 - HSE Ref # 6815 / Transco Ref # 1092 (Lostock Hall / Kirkham)
 - HSE Ref #6979 / Transco Ref # 1250 (Maghull (Formby PS) / Woodvale)
 - HSE Ref # 8194 / Transco Ref # 2457 (B.N.F.L No.2)
 - HSE Ref # 8195 / Transco Ref # 2458 (Peel Hill / Thornton)
- National Gas
 - HSE Ref # 6819 / Transco Ref # 1096 (15 Feeder Carnforth / Bretherton)
 - HSE Ref # 6838 / Transco Ref # 1115 (21 Feeder Carnforth / Treales)
 - HSE Ref # 8345 / Transco Ref # 2618 (21 Feeder Treales / Mawdesley)
- Essar Oil (UK) Ltd
 - HSE Ref # 7129 (NWEF Grangemouth / Stanlow)

The Applicant should make the necessary approaches to the relevant pipeline operators. There are three particular reasons for this:

- i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.
- ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.
- iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Would Hazardous Substances Consent be needed?

It is not clear whether the Applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances.

If hazardous substances planning consent is required, please consult HSE on the application.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3.

[Redacted]

Explosives sites

Explosives Inspectorate has no comment to make as there are HSE licenced explosives sites in the vicinity of the proposed development, but the proposed development does not fall into any of the safeguarding zones for those sites.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk. We are currently unable to accept hard copies, as our offices have limited access.

Yours faithfully

[Redacted]

On behalf of CEMHD NSIP Consultation Team

EAST IRISH SEA TRANSMISSION PROJECT

Historic England Comments on EIA Scoping Report (dated August 2025)

PINs Ref: EN0210008

Comments on Onshore archaeology and Cultural Heritage

Summary

We do not agree with the scoping out of impact to archaeology and cultural heritage as set out in Chapter 10 (Offshore Archaeology and Cultural Heritage), Table 10.5. Insufficient justification is presented, and we must highlight the very considerable risk that this proposed project presents to both the known and presently unknown historic environment (as defined by National Policy Statement EN-1).

It is our advice that to adequately support the design envelope approach advocated by the Applicant that any subsequent Environmental Statement (ES) produced (including any Preliminary Environmental Information Report) and accompanying project documentation scopes in likely significant impacts of the proposed project on the historic environment. It is in the interest of all parties to support effective decision-making which includes consent conditions to effectively and efficiently deliver mitigation and other applicable off-setting actions for the historic environment.

Comments on the EIA Scoping Report

- 1) The proposed transmission project is to deliver electricity from the proposed Mooir Vannin Generation Project (located entirely within Isle of Man marine area jurisdiction), through export cabled to the National Grid at Penwortham (Lancashire). The anticipated infrastructure to deliver this project could comprises up to four Offshore Export Cables and 12 Onshore Export Cables (in four circuits), up to three Offshore Booster Stations and up to one Onshore Booster Station, an Onshore Substation (OnSS) and Electrical Balancing Infrastructure (EBI), as described in section 1.5.2.
- 2) Section 2.4.2 (Planning and Infrastructure Bill) we note the attention given to the proposals set out in this bill and we take this opportunity to stress the importance of consultation with bodies, such as Historic England, in any subsequent production of a Preliminary Environmental Information Report (PEIR), any eventual Environmental Statement (ES) and other project-related documentation as could accompany a DCO application, such as described in paragraph 3.1.1.3. We therefore will expect active engagement from the Applicant with us as they seek to deliver their strategy of “commit, consult, design” as described in section 5.4.3 and as relevant to section 5.8.2

(assessment of whole project effects) and summarised in Table 6.3 (Compliance with Mooir Vannin Consultation Principles and Actions).

- 3) Chapter 3 (project description) confirms that a 'Design Envelope' is presented, which allows for flexibility in further design refinement during any pre-construction phase (should Development Consent Order (DCO) be obtained) and therefore a series of options and parameters are presented in the assessment for which maximum values are used to constitute a realistic Maximum Design Scenario (MDS). We therefore appreciate that this assessment exercise, led by the Applicant, will be extensive and lengthy to allow for subsequent design choices inclusive of transmission technology (either High Voltage Alternating Current or High Voltage Direct Current), foundation designs for booster stations and construction methodologies (as explained in paragraph 3.3.1.3 and section 3.5.3).
- 4) Section 3.5.2 (Offshore export cables) Table 3.2 states a maximum cable burial depth of 5m with installation using trenching, dredging, jetting, mass flow excavator, ploughing and or vertical injection or any other new technique that the Applicant considered viable. It is therefore apparent that there is risk of damage, disturbance and destruction of heritage assets (as defined within NPS EN-1).
- 5) Paragraph 3.5.2.4 and Figure 3.4, describe and illustrate two possible electricity export cable coastal landfall locations:
 - near Fleetwood; or
 - near Crosby/Sefton

paragraph 3.5.2.5 describes how the Applicant will conduct geophysical surveys which could take place in 2025 and/or 2026 with the acknowledged that such data acquisition should allow for the identification of seabed targets, including wrecks and suspected debris to further inform the Route Planning and Site Selection (RPSS) process. However, it is of concern that the Applicant states that these "...geophysical surveys will collect data on some but not all of the offshore area located within the Scoping Boundary..." Furthermore, the comment is made that geotechnical surveys will be conducted within the footprint of the Offshore Booster Station(s) and Offshore ECC once this has been defined. We add that any pre-lay surveys of proposed cable corridors are to be informed by archaeological advice to optimise efficiencies especially if sections of the Export Cable Corridor (ECC) require dredging.

- 6) We understand that platform(s) are to be located within the Offshore Booster Station Search Area (to be refined further in the Preliminary Environmental Information Report, as mentioned in 4.4.6.3 and explained further in section 5.9). However, no information is provided about depth of seabed penetration required by each foundation option that the

Applicant wishes to include. It is also apparent that seabed preparation could be required which could involve seabed levelling, dredging, sand wave clearance and removing surface and subsurface debris such as boulders, lost anchors etc. It is therefore relevant to determine the risk that presently unknown archaeological or historic sites could be encountered, as alluded to in paragraph 3.5.3.8, which should be identified as a significant impact and scoped into the EIA exercise.

- 7) Section 3.5.4 (landfall) it is explained that cable installation will require either open-cut or trenchless installation (such as Horizontal Directional Drilling or similar), or a combination of both, as described in paragraphs 3.5.4.7 to 3.5.4.11. Further advice regarding the historic environment as could be encountered in any foreshore area should be obtained from the relevant local authority archaeological advice service.
- 8) Section 3.7.2 (offshore export cables) describe activities that might be required such as remedial burial of cable sections or rock placement. It is therefore relevant that all such activities conducted within an operations and maintenance phase are informed by the presence of any Archaeological Exclusion Zones as might be identified in the assessment produced by the Applicant and included in a PEIR.
- 9) Section 4.4.4 (Offshore export cable corridors) in the preliminary description provided about the possible cable corridor options e.g. to the north or south of Walney Offshore Wind Farm, Figure 4.4 includes charted wreck locations. However, it is essential that any such desk-based source of information is corroborated with survey data to inform production of a PEIR and ES, such as mentioned in paragraph 3.5.2.5 (as summarised above). It is also our advice that primary survey data acquisition should spatially include all areas as could be impacted by this proposed development within a defined scoping boundary.
- 10) Section 5.3.3 (proportionate EIA approach) while we appreciate the desire to ensure the EIA exercise is as tightly focused as possible, the acknowledgment made in Volume 5, Annex 07, paragraph 7.3.3.2 that the design envelope approach enables an Applicant to retain as much flexibility as possible will necessitate an extensive assessment exercise to be conducted. For example, as demonstrated in this proposed project by selecting two different cable landfall locations.
- 11) Section 5.5 (Assessment of effects) we appreciate the attention given in Table 5.1 to impact direction “beneficial”. However, it would be helpful to qualify the terms used in reference to different receptors e.g. for magnitude of impact “major” the description mentions “extensive restoration”. It is therefore important for the Applicant to explain

what this might mean for heritage assets as are likely to be encountered by this proposed development.

12) Questions for consultees

Question 1: Do you agree with the Applicant's assessment of the pre-consultation requirements? Yes, they appear to reflect extant statutory requirements.

Question 2: Do you agree that the proposed consultation timeline is sensible and adequate?

This is not a matter for us to agree. A timeline is offered which presumably reflects the Applicant's anticipated programme of works to take this application through to DCO submission. It is therefore incumbent on the Applicant to ensure sufficient time and opportunity is included to consult and meet with stakeholders and to have sufficient time to use that advice to inform and if necessary, amend the proposed project prior to submission for consent.

Question 3: Do you agree with the Applicant's proposals for early and statutory consultation?

We appreciate the steps being taken by the Applicant to engage with stakeholders in accordance with extant legal requirements.

Question 4: Do you agree with the Applicant's Evidence Plan Process? We confirm that we wish to participate through their proposed Evidence Plan Process (EPP) as relevant to consideration of the historic environment.

13) Chapter 10 Offshore Archaeology and Cultural Heritage – Table 10.1 (Legislation, policy and guidance applicable to offshore archaeology and cultural heritage), we add the following reference:

- *Marine Geophysics Data: Acquisition, Processing and Interpretation Guidance Notes*, Second Edition (Historic England, published 2025):

<https://historicengland.org.uk/images-books/publications/marine-geophysics-data-acquisition-processing-interpretation/>

14) Section 10.3.1 (Study area) states that “The proposed Offshore Export Cable Corridor (ECC) is located within English territorial waters.” However, it appears that the proposed cable will also cross the NW Offshore Marine Plan area i.e. beyond the 12nm limit of the English sector of the UK Territorial Sea.

15) Table 10.2 (Key sources of offshore archaeology and cultural heritage data) – we noticed the inclusion of seeking information and data from only Morgan and Morecambe Offshore Wind Farms Transmission Assets project and we recommend that attention is directed at the information and data archives relevant to other infrastructure developments in this part of the Irish Sea e.g. Walney Extension Offshore Wind Farm.

- 16) Paragraph 10.3.3.9 references Isle of Man jurisdiction legislation (Wreck and Salvage (Ships and Aircraft) Act 1979), all such references in any PEIR and ES subsequently produced should only reference UK relevant legislation. Furthermore, paragraph 10.3.3.12 mentions "...engines made of iron..." which for aircraft (the subject of this paragraph) is incorrect.
- 17) Section 10.3.4 (summary of key receptors) the assessment of data conducted for this EIA Scoping Report (264 records within the Study Area derived from NMHR and UKHO data) partially reflects the historic environment (i.e. wreck of vessels or aircraft) as could possibly be present. It is therefore relevant to highlight the acknowledgment in section 10.3.5 (potential seabed assets) regarding 453 other records of losses inside the Study Area. It is also insufficient to only conduct "a future desk-based assessment" to qualify these records, as corroboration will be required with survey data specifically acquired for this proposed project and subject to professional archaeological analysis, interpretation and reporting.
- 18) Section 10.3.7 (further data collection), paragraph 10.3.7.2 seems to suggest that geophysical and geotechnical survey data will be acquired to inform any "...pre-consent planning purposes...and the results used to supplement the desk-based research gathered to inform the EIA process" It therefore seems that any PEIR and ES subsequently produced will be based only on desk-based sources which will therefore compromise the thoroughness of the assessment presented. It is therefore unlikely that the Applicants ambition to prepare "a robust chapter for the ES" will be achievable in the absence of corroboration with any survey data (geophysical or geotechnical) specifically commissioned and obtained for this proposed development.
- 19) Paragraph 10.3.8 (Future baseline) in reference to the attention given to desk-based sources of information informing the assessment it would seem appropriate to include in the 'envelope of change' how seabed dynamic conditions cause presently unknown sites to become exposed or others to become buried.
- 20) Table 10.3 – the inclusion of ID "Co26" is not relevant and does not include decommissioning requirements. Furthermore, "Co33" gives a very partial impression of what an archaeological Written Scheme of Investigation (WSI) is designed to deliver. For example, the identification of Archaeological Exclusion Zones (AEZs) will only also be led by archaeological analysis and interpretation of survey data exclusively obtained for this proposed development. It is therefore important that any summary description of a WSI adequately explains how it will explain the methodological approaches to geophysical, geotechnical and visual survey data gathering and analysis. It is also important to qualify that the implementation of an agreed Protocol for Archaeological Discoveries (PAD) will not reduce physical "impact" either directly or indirectly. The PAD

is a mechanism, e.g. implemented during any construction phase, to support effective communication and decision-making once an “impact” has occurred.

21) Table 10.4 (Impacts proposed to be scoped into the EIA) – Only Impact ID “OA-1” should be included within any subsequent PEIR and ES. “OA-03” appears to be identifying ‘historic seascape’ as a receptor. Historic seascape characterisation is a means to provide context to inform historic environment assessment exercises and is not itself a “receptor”. The Applicant should use historic seascape characterisation methodology to consider how change, as introduced by the proposed development, may alter present perception(s) of historic character.

22) Table 10.5 (Impacts proposed to be scoped out) – we do not agree that any of the possible impacts identified in this table should be scoped out of any subsequent EIA exercise. In all instances where attention is given to direct damage to known and recorded archaeological receptors (Impact ID “OA-04”), direct damage to currently unrecorded archaeological receptors (Impact ID “OA-05”) and direct damage to known and potential palaeogeographic receptors (Impact ID “OA-06”) it is relevant and applicable for inclusion within the scope of the EIA. For all the potential impacts identified in this table, for all phases of the proposed project, a justification is provided that a WSI will “...provide details and methodologies for mitigation measures necessary to avoid significant environmental effects...” However, this reliance on an embedded mitigation measure will inevitably mean that recording of archaeology before loss becomes the default position, which will not reduce harm or magnitude of impact. We acknowledge that investigation strategies (as articulated within an agreed WSI) for archaeology at risk of loss or disturbance is essential and should reduce the loss of knowledge and understanding, but it will not reduce the actual harm. The Applicant is attempting to downgrade the risk to the historic environment which is not substantiated by the preliminary assessment outlined in this scoping report (as described in Sections 10.3.4 and 10.3.5 and illustrated in Figure 10.1). Furthermore, there does not appear to be a clear commitment to acquire any survey data to inform the EIA exercise, as demonstrated in paragraph 10.6.1.3 which although saying “project-specific survey outputs will be used...” also says that survey outputs “...may include the following...”

23) **Section 10.7 Questions for consultees**

Question 1: Do you agree with the Study Area that has been identified for

offshore archaeology and cultural heritage? The Applicant has identified a study area as would seem to be applicable to the development in question.

Question 2: Do you agree that the baseline data sources identified are sufficient

to adequately characterise the baseline? No. We appreciate that as this is an EIA Scoping Report, the Applicant will only consider some available information, such as charted losses held by the UK Hydrographic Office (Table 10.2). However, limited characterisation has been attempted of other key elements of the historic environment e.g. palaeoenvironmental potential which is particularly unfortunate given the known importance of locations such as Formby Point and the Sefton coast where cable landfall could occur. In consideration of the considerable number of losses (vessels and aircraft) which could be associated with the more southerly cable corridor option (as illustrated in Figure 10.1). It is surprising that this scoping report has not presented a risk assessment as a key aspect of the design envelop approach (as promoted by the Applicant) to compare possible routes to landfall and consequently risks to both the known and presently unknown historic environment.

Question 3: Do you agree with the recommendation for reviewing any available

marine geophysical and geotechnical surveys to enhance the baseline historic

marine environment? It should not be a “recommendation” to review available marine geophysical and geotechnical surveys data. Such a review is a fundamental element of preliminary desk-based work and supports corroboration with both geophysical and geotechnical surveys which the Applicant will need to commission to inform the necessary impact assessment prior to DCO submission.

Question 4: Do you agree with which impacts have been scoped in and scoped

out of the EIA for offshore archaeology and cultural heritage within section 10.4

and Volume 5, Annex 1: Impacts Register? No. There is insufficient justification of the range of impacts presently included (Table 10.4) and the recommendations to scope out impacts to the historic environment in Table 10.5 cannot be agreed with as the project presents substantial risks to both the known and presently unknown historic environment. It is important to highlight that this project is wanting to include an option to route electricity cables to a location on the Sefton coast, south of Formby Point, means that the cable corridor will pass through an area of known maritime losses, as illustrated within Figure 10.1. To these known losses must be added risk of encountering presently unknown wreck and associated materials and cargos which could be of considerable antiquity indicative of maritime activity over millennia.

Question 5: Do you agree on the suitability of the proposed commitments to

reduce or eliminate LSE to offshore archaeology and cultural heritage? No. The downgrading of the preliminary assessment of impact presented in this scoping report to assume measures for reporting impact, after they have occurred, can “eliminate LSE” are incorrect.

Question 6: Do you agree with the scoping out of transboundary effects in relation to offshore archaeology and cultural heritage? We are prepared to accept the scoping out of transboundary effects.

Question 7: Do you agree with the approach of assessing cumulative effects in relation to offshore archaeology and cultural heritage? We are prepared to accept the approach presented in the scoping report.

Question 8: Do you agree with the proposed assessment methodology for offshore archaeology and cultural heritage? the Applicant acknowledges that historic environment receptors "...cannot typically adapt, tolerate or recover from physical impacts resulting in material damage or loss caused by development" and that "...there is a high degree of uncertainty concerning remains on the seabed" (paragraph 10.6.2.10). It is therefore entirely appropriate to apply the precautionary principle and therefore the decision made by the Applicant to scope out significant impacts to the historic environment (as listed in Table 10.5) cannot be justified.

Impacts Register (Volume 5, Annex 01)

24)Section 2.1 (marine geology, oceanography & physical processes) – ID "MP-02" identifies impacts associated with activities inclusive of seabed preparation, sand wave levelling and cable trenching (a scoped in pathway). It is therefore equally relevant to consider harm and damage to either the known or unknown heritage assets as could be present. Furthermore, "MP-05" (scoped in pathway) which is focused on cables landfall and the impacts through the intertidal and coastal zones through cable installation will also be likely to physically disturb or disrupt any archaeology and cultural heritage as may presently be buried and unknown.

25)Section 2.10 (Offshore archaeology and cultural heritage) – we offer the following advice:

- OA-01 ("Physical disturbance activities causing changes to hydrodynamic and sedimentary regimes..." is scoped in, but we disagree that "receptor(s)" are limited to known and recorded sites and it is insufficient to only identify under "further evidence" the use of "desk-based assessment" when elsewhere the commissioning of geophysical survey data is identified.
- OA-02 appears to be contradictory by stating that "Temporary or permanent change to the setting of heritage receptors..." is scoped in, but will "not be considered further in the EIA".

- OA-03 – we do not agree with identifying historic seascape character as a “receptor”.
- OA-04 – we do not agree that “Direct damage to known and recorded archaeological receptors (maritime or aviation) and/or anomalies of likely/possible anthropogenic origin on or under the seabed due to seabed preparation and the installation or removal of infrastructure” is to be scoped out of the EIA.
- OA-05 – we do not agree that “Direct damage to potential, currently unrecorded archaeological receptors (maritime or aviation) on or under the seabed due to seabed preparation and installation or removal of infrastructure” is scoped out of the EIA. The text provided under “further evidence” is confusing and unhelpful and does not demonstrate how the likely significant impact of this project will be addressed.
- OA-06 – we do not agree that “Direct damage to known and potential paleogeographic receptors on or under the seabed due to seabed preparation and installation or removal of infrastructure” is scoped out of the EIA and the text provided under “further evidence” does not demonstrate how the likely significant impact of this project will be addressed especially in the coastal zone.

26) In general, the very limited attention given to the marine historic environment is in contrast to the effort made in Section 3.4 (Onshore archaeology and heritage) to describe a methodological approach for further work to be presented within any PEIR subsequently produced.

Commitments Register (Volume 5, Annex 02)

27) We offer the following comments:

- “Col13” – the attention given to the content of any Construction Project Environmental Management and Monitoring Plan (CPEMMP) is insufficient in reference to acknowledgment made elsewhere to the application on a Protocol for Archaeological Discoveries (PAD) as relevant to any construction phase for any works in the marine environment.
- “Col17” - the attention given to the content of any Decommissioning Plan is insufficient in reference to the historic environment.
- “Col33” – the attention given to adherence to an Offshore Written Scheme of Archaeological Investigation (WSI) and Protocol for Archaeological Discoveries (PAD) is insufficient as no detail is provided about stipulation through a DCO at any

defined phase of this proposed development inclusive of pre-construction, construction, operations & maintenance and decommissioning.

Transboundary Screening (Volume 5, Annex 06)

28)6.7 Questions for consultees:

Question 1: Do you agree with the topics screened in and out of transboundary assessment?
We are prepared to accept the scoping out of transboundary effects.

Question 2: Do you agree with the jurisdictions identified as potentially effected for each of the topics screened in for transboundary assessment? Yes.

Proportionate EIA Position Paper (Volume 5, Annex 07)

29)We do not agree that the approach advocated will effectively support focused consideration of relevant historic environmental matters through exclusion from the EIA exercise and associated statutory decision-making process. It is our advice that likely harm to the historic environment is apparent from the preliminary assessment presented by the Applicant in this EIA Scoping Report.

30)The explanation by the Applicant about using a Design Envelope approach seems limited and partial e.g. possible wind turbine generator specification, as mentioned in paragraph 7.1.1.3 rather than potentially destructive clearance works to deliver the intended infrastructure. It also seems apparent that a partial view is presented about how ESs are produced, which does not acknowledge the flexibility and multiple engineering design options that Applicants seek and which, by necessity, has caused the assessment presented in ES's to be considerably expanded.

31)Paragraph 7.2.2.2 states that "...Those impacts identified as 'No LSE' are subject to agreement with stakeholders via the EPP." However, it is not entirely clear how this has occurred to date in a meaningful way with Historic England. We acknowledge attending an introductory meeting on 28th April 2025 and being supplied with a "programme document" (dated July 2025) via email on 15th July 2025 and attending an EIA Scoping Workshop on 12th August 2025. However, it was apparent at the event in August that the Applicant had already determined what they were going to present in the EIA Scoping Report and what was to be included and excluded.

32)Paragraph 7.2.2.5 states that "This register will outline each commitment, the activity and project phase it relates to, the relevant environmental receptor, and details how the commitment will be secured within the relevant application documents." Unfortunately, this approach to securing measures, as a legal requirement of consent, is not clearly explained or demonstrated in the proposed impacts register other than alluding to

“further evidence”. We cannot offer any further comment regarding a proposed “application register” as a draft is not included within this Scoping Report. Regarding the expectation set out in paragraph 7.2.2.10, we look forward to working with the Applicant and their consultants to revise their assumptions regarding likely significant effect to include the historic environment within the scope of any PEIR and ES and thereby participate in an iterative process as promised through their intended EPP.

33) Section 7.2.3 (commit, consult, design) sets out a useful working model which should assist the Applicant through a staged approach to Route Planning and Site Selection given the options they wish to consider, and associated risks, as explained in Chapter 3, paragraph 3.5.4.2. However, it is not apparent from this Scoping Report the legal bases for delivering commitments that are presently scoped out of the EIA. We therefore welcome an explanation as to how any commitments will be “secured” (paragraph 7.2.3.3). Furthermore, we cannot agree that any determination of likely significant effect has been subject to consultation with us – such decisions have been made exclusively by the Applicant. The attention given to a Design Vision Statement (as mentioned in paragraph 7.2.3.4) appears to be focused towards (biodiversity) “net gain” requirements (Figure 7.3). However, we appreciate the expectations set out in paragraphs 7.2.3.5 and 7.2.3.6 and how they could support Historic England’s *Conservation Principles* (as mentioned in paragraph 10.6.2.7). We therefore welcome discussion to determine how other net gain benefits could be generated.

Conclusion

34) We look forward to participating through pre-application consultation, as described in Section 7.2.4, subject to the issuing of a Scoping Opinion and the scoping in of OA-04; OA-05; and OA-06 (as quoted above).

35) We appreciate the acknowledgement by the Applicant, in Section 7.3, regarding design uncertainties, which demonstrates the importance of meaningful engagement. We are keen to see a sensible approach to conducting EIA is adopted and in full consideration of risk to the historic environment. We appreciate that design changes will occur as part of the process of pre-application which should reflect Maximum Design Scenario(s) as relevant to different receptors. However, we suggest that it is important to differentiate between assessment of impacts linked to different design options from producing “unnecessary information” (as mentioned in paragraph 7.3.3.2).

Comments on Onshore archaeology and Cultural Heritage

4.3.1 Study area

A study area extending 1km beyond the scoping boundary is considered appropriate for scoping.

4.3.5 Further data collection to be undertaken

Para 4.3.5.2 – In order to produce a robust assessment of potential impacts to currently unknown archaeological remains and geoarchaeological deposits, it will be necessary to undertake a of geophysical survey, archaeological evaluation via trial trenching and geoarchaeological modelling (using existing data sets and new boreholes) – see comments from the Historic England Regional Science Advisor

It should be noted that as the Government's advisor on the historic environment, all matters relating to archaeological and cultural heritage are relevant to Historic England.

4.4.3 Impacts to be scoped-in

Table 4.6 should include indirect impacts to buried archaeological remains as a result of dewatering.

4.6 Desk-based assessment

Para 4.6.1.4 states that *For non-designated heritage receptors (of a built heritage or earthwork nature), the Study Area will be limited to 500 m, reflecting their reduced significance.* It is possible for a non-designated heritage asset to be of national significance, as reflected in para 5.9.6 of EN-1.

Whilst it may be pertinent to reduce the study area to 500m for cable installation, no reduction should be made for construction of the OHLs, OnSS, EBI or OnBS given their potential size.

Table 4.9 All listed buildings are nationally significant and should be considered as being of high value, which aligns with the value criteria given in Table 3.2N in DMRB LA104. Historic England disagree that Table 4.9 shows the description defined in Table 3.2N in DMRB LA104:

4.7 Questions for consultees

Question 1: Do you agree with the Study Area that have been identified for onshore archaeology and cultural heritage?

Broadly yes, but there are some concerns as articulated above.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

No, A programme of archaeological and geoarchaeological fieldworks will need to be undertaken to provide a baseline sufficient to produce a robust assessment.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

No, see above.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to onshore archaeology and cultural heritage?

Yes

Question 5: Do you agree with the approach of assessing transboundary effects in relation to onshore archaeology and cultural heritage?

Yes

Question 6: Do you agree with the approach of assessing cumulative effects in relation to onshore archaeology and cultural heritage?

Yes

Question 7: Do you agree with the proposed assessment methodology for onshore archaeology and cultural heritage?

No – see above

Question 8: Do you agree that all relevant legislation, policy and guidance documents have been identified for the onshore archaeology and cultural heritage assessment, or are there any additional legislation, policy and guidance documents that should be considered?

See comments above and below for additional guidance

Question 9: For those impacts scoped in, do you agree and/or have any specific requirements for the assessment methodology?

No comment at this stage

Question 10: At this stage, do you have any comment on the necessity for predetermination fieldwork?

Fieldwork during assessment stage will be essential in providing a robust assessment of impact

Comments from the Historic England Regional Science Advisor (NW)

It is stated that HDD may be used for sections of the onshore cable works (Table 3.6). If this technique is to be used, the potential issues associated with bentonite slurry outbreak will need to be considered in terms of the impact (both direct and indirect) that this may have on any

buried archaeological remains. Any heat emission from buried cables also needs to be considered in terms of damaging surrounding archaeological deposits. These considerations must be included in the ES, and mitigation included in the Written Scheme of Investigation for archaeological mitigation.

Onshore Archaeology and Cultural Heritage

4.3.3.35 It has been recognised that the scheme lies within the limit of the last glaciation, with areas of low-lying estuaries, coastal marshes, marine deposits, peat and buried land surfaces. Some of these sediments are of high potential to contain archaeology and palaeoenvironmental datasets. The northern route option through Fleetwood runs through landscapes where well-preserved waterlogged Neolithic and Mesolithic settlement evidence has been discovered during the A585 improvement scheme, Lancashire. The southern option also comes onshore in an area known for its Mesolithic footprints on the coast (Formby) and runs through landscapes where Mesolithic camps have been uncovered (Lunt Meadows) and through large areas of moss and peatland. Both route options have a potential for encountering rich palaeoenvironmental deposits. It should be anticipated that archaeological mitigation works will be required for either route option.

4.3.5.2 Fieldwork

We acknowledge that the fieldwork programme will be designed based upon the baseline data collection. It should be anticipated that this fieldwork will include an extensive geophysical survey across the study area to ensure the nature, extent and survival of subsurface archaeological and geoarchaeological remains are established. This will enable an appropriate scheme of mitigation to be prepared. We are pleased to see that any required fieldwork will be designed in a Written Scheme of Investigation, and we look forward to seeing these documents in due course.

4.5.2 Inter-related effects

It has been highlighted that groundworks can alter groundwater levels and in turn can impact the preservation of archaeological remains, especially those preserved in anaerobic waterlogged environments. We would highlight that damage may occur to waterlogged archaeological and palaeoenvironmental remains if there are changes to groundwater levels. It will be important to assess this impact by carrying out a geoarchaeological DBA. We would recommend specialist palaeoenvironmental assessment is undertaken where the desk-based assessment, and other surveys, indicate there is potential for the survival of palaeoenvironmental remains. This will enable the nature, extent and survival of subsurface archaeological and geoarchaeological remains to be adequately established and presented in the ES. This will ensure that a detailed and informed archaeological mitigation strategy can be prepared and agreed. We would also recommend that geoarchaeological considerations and

requirements are built into any geotechnical investigations that are carried out to ensure that opportunities are maximised where possible. This should include providing the geoarchaeologist with direct access to the core material rather than just to the logs or to extruded samples.

We would recommend that the Historic England document *Preserving Archaeological Remains* (2016) is referred to aid the discussions of the potential impacts to the historic environment as well as the approaches used to investigate them:

<https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/>

4.6 Proposed assessment methodology

We are pleased that the assessment will be supported by an archaeological Desk-Based Assessment. Due to the potential for geoarchaeological and palaeoenvironmental remains to be discovered, this assessment should also be supported by a geoarchaeological DBA to review the nature, extent and survival of deposits. This will enable a deposit model to be developed for the scheme which will help to illustrate the depth, characteristics, and potential of the deposits of archaeological interest and should inform any subsequent evaluation and sampling. Please refer to our guidance on developing deposit models:

<https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/>.

Offshore archaeology and cultural heritage

It is stated in table 10.3 that the mitigation measures adopted will focus on the implementation of archaeological exclusion zones and the development of a PAD. This commitment should also include undertaking a full archaeological review of geophysical and geotechnical data. We would recommend a joined-up approach so that the geoarchaeologists and geophysicists can be included in the design of these elements of the assessment to maximise opportunities, reduce the need for duplication of effort, and to ensure that the information obtained is also suitable for archaeological assessments.



Development Advice Team Leader

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11.09.25



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Date: 05.09.2025

Dear Sir/Madame

**Orsted East Irish Sea Transmission Project Scoping consultation with non-prescribed consultation bodies
(Your Ref EN0210008)**

Thank you for your letter dated 14th August 2025 regarding the scoping opinion for the proposed East Irish Sea Transmission Project, providing the Isle of Man Government (as a non-prescribed consultation body) with the opportunity to review and comment on the Environmental Impact Assessment Scoping Opinion. This letter is a response from the Territorial Seas Committee (TSC) made up of representatives of a number of Departments and Statutory Boards of the Isle of Man Government.

The TSC found it a useful and interesting document and await the associated outcomes and future opportunity to comment as the project advances. The TSC is of the opinion that the Isle of Man should be identified as one of the main stakeholders given the proximity to the Manx territorial limits. Thank you for affording us with the opportunity to consider and provide comments on the above.

The EIA Scoping Report provides a good overview of what will be undertaken as part of the early stages of this project. The TSC is satisfied from the information in these documents that all international environmental standards and best practice will be adhered to when undertaking the collection and analysis of the data obtained from within the proposed development area and will ensure appropriate mitigation measures are in place to address any concerns identified throughout the Environmental Assessments process.

Whilst the Isle of Man is not a member of the EU and is therefore not directly covered by most European directives, the Isle of Man still follows relevant European environmental safeguards and expects best practice to be followed. The Isle of Man also meets its obligations under a range of multilateral agreements extended to the island via the UK, including all those noted in Section 2.5 of the Scoping Report, via a range of Manx statutory instruments, including the Wildlife Act 1990. As part of this, the TSC would request that appropriate consideration is given to the species and habitats which are protected and designated under this Act and ensure that there are no detrimental impacts on these features as part of this proposed project. In addition, the same would be requested in respect of the marine protected sites and the manner in which these are designated and managed, including any transboundary

Department of Infrastructure

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impacts arising from the project. Marine Nature Reserves¹, the highest level of statutory conservation designation in the territorial sea, constitute important components of Biosphere Isle of Man, biodiversity and habitat conservation and fisheries management. As such the committee requests their inclusion and consideration in the assessment of all relevant receptors.

It is noted that the cumulative effects will be thoroughly investigated. However, of particular importance and concern would be the habitats and species found within Isle of Man waters, particularly those protected under Manx law² or identified as threatened or declining by the OSPAR Convention, and which may be affected by the proposed developments. Comments included below request the inclusion of relevant, island-based conservation organisations which may also have relevant information and data of interest to the project.

Any marine developments within or adjacent to the Isle of Man territorial waters have the potential to impact commercial fisheries in Manx waters, and the Committee would appreciate if the relevant fishing organisations on the island, listed in the report as consultees, are engaged as fully as possible via the appointed Fisheries Liaison Officer.

The above proposal also has the possibility for potential trans-boundary impacts and the TSC would particularly like to ensure that the impacts on wildlife/habitat conservation and fisheries in Manx waters are fully considered within the scope of this assessment developments. We would request that the impact on infrastructure and transport activities, including but not limited to, Manx shipping and navigation and aviation interests.

Marine Navigation

As an island nation, any significant risk of interference with marine navigation is of concern to the TSC with regard to transport to and from the island, and the shipping lanes in our Territorial waters which are used to connect the UK and Ireland. The TSC is particularly concerned about the cumulative impacts from all of the proposed windfarms awarded as part of The Crown Estate's Round 4 project and would want to see this fully taken into account as part of this EIA, should construction phases overlap with the other projects.

In addition to this broad statement, the TSC has provided specific comments, over subsequent pages, in relation to the individual chapters of the Scoping Report and collated on behalf of various contributors within the responsible Departments of the Isle of Man Government.

The TSC would welcome the opportunity for continued involvement in the process.

Should you require any further information or clarification on any of the contents of this response, then please do not hesitate to contact myself, and I can raise any items with the members of the TSC.

Yours sincerely,



Director of Harbours

¹ <https://www.gov.im/MNR>

² Wildlife Act 1990 (http://www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1990/1990-0002/WildlifeAct1990_2.pdf)

Chapter Specific Comments on East Irish Sea Transmission Project Scoping Report

Volume 2: Offshore Chapters

1. Marine Geology, Oceanography and Physical Processes

No Comments

2. Marine Water and Sediment Quality

No Comments

3. Offshore and Intertidal Ornithology

Please note; answers only relate to offshore ornithology as the intertidal and in-fall ornithology are not of direct interest to the Isle of Man.

Question 1: Do you agree with the Study Areas that have been identified for intertidal and offshore ornithology?

For offshore, yes.

Question 2: In the absence of site-specific data, do you agree that the baseline data sources identified are sufficient to adequately characterise the OOSA baseline?

Question 3: Do you agree with the list of data sources provided to characterise the offshore and intertidal baselines, and to inform the assessment? If not, please state which additional data sources are recommended for inclusion;

There are other potential sources of data that may help:

The Wildfowl and Wetlands Trust surveys of seabirds in the Irish Sea

Other Seabirds at Sea data, available from the JNCC or the OBISSEAMAP website, which also includes some mammal and turtle data <http://seamap.env.duke.edu/>.

There is probably good recent data held by applicants in relation to other offshore wind farm EIAs that might help to characterise the area, and other developments around this area.

Question 4: Do you agree with the scoping out of the Operation and Maintenance phase on the basis that it would sufficiently temporally and spatially limited therefore LSE can be confidently ruled out?;

Yes, that seems reasonable from our perspective.

Question 4: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

Yes.

Question 5: Do you agree with the scoping out of transboundary impacts in relation to offshore and intertidal ornithology?

The scoping document states they will be scoped in so it is unclear what is meant by this question. See 3.5.3.1 – *"Transboundary impacts on offshore and intertidal ornithology receptors are anticipated to occur as a result of the Proposed Development activities during Construction or Decommissioning due to proximity to Isle of Man territorial waters. Therefore, these transboundary effects will be considered further within the EIA."*

Question 6: Do you agree with the scoping out of cumulative effects in relation to offshore and intertidal ornithology?

No, the justification for this is that are unlikely to be other transmission asset works at the same time but there could also be other disturbing works, such as developing generation assets, so inadequate consideration has been given here. The question is whether identified risks may combine with other similar risks, not the type of development causing such risks.

Question 7: Do you agree with the proposed assessment methodology for offshore and intertidal ornithology?

The proposed methodology appears to follow standard EIA process.

Question 8: Do you agree with the offshore ornithology receptors identified for assessment?

The identified receptors appear appropriate although it is noted that the baseline evaluation hasn't been completed and that others could be identified (see section 3.3.6).

Question 9: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE relevant to offshore and intertidal ornithology?; and

They appear appropriate.

Question 10: Do you agree that the proposed approach to EIA is sufficiently set out to enable a robust assessment allowing likely significance to be ascertained?

Note, 3.2.1.4 'Connectivity of breeding seabirds was determined based on mean maximum foraging range (MMF) \pm 1SD from Woodward et al. (2019). As little gull (*Hydrocoloeus minutus*) do not breed in the UK, a precautionary non-breeding connectivity distance of 20 km has been applied for this species based on professional judgement.'

And '3.2.1.5 In the absence of guidance regarding seabird foraging ranges during the non-breeding season, a precautionary connectivity distance of 20 km for commuting birds has been applied based on professional judgement. For sea duck species, where breeding season foraging range data is unavailable, the industry standard 10 km connectivity distance (typically used for waders and wildfowl) has been applied. This 10 km distance is used for both breeding and non-breeding features in the absence of more specific data.'

I'm not clear what this connectivity distance is designed to denote or relate to for a non-breeding species. Is it for designated protected roost sites and non-breeding designated sites?

4. Benthic Subtidal and Intertidal Ecology

Question 1: Do you agree with the Study Area that has been identified for benthic subtidal and intertidal ecology?;

Although the defined study area is considered suitable for direct impacts it is noted that other projects in the Irish Sea (e.g. Round 4 wind projects) have also considered a wider "Regional" study area to take account of the interconnectivity of the marine environment and incorporate indirect impacts on identified receptors. This would also ensure appropriate consideration of Manx-equivalent designated sites such as Manx Marine Nature Reserves.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the benthic subtidal and intertidal ecology baseline? are there any other data sources that should be considered?;

The sources are relatively comprehensive but would suggest consideration be given to the inclusion of the following into Table 4.2 to provide further information:

- Hilmar Hinz, Lee G. Murray, Fiona Gell, Laura Hanley, Natalie Horton, Holly Whiteley, Michel J. Kaiser (2009). Seabed habitats around the Isle of Man. Fisheries & Conservation report No. 12, Bangor University. pp.29.
 - http://sustainable-fisheries-iom.bangor.ac.uk/documents/government-reports/ecosystem/2009/BangorFisheriesReport_No12.pdf
- White, S. (2011). An investigation of biotope distribution and susceptibility to fishing pressure in Manx territorial waters for the development of management recommendations for conservation.
 - http://sustainable-fisheries-iom.bangor.ac.uk/documents/theses/2011_White.pdf

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?;

No. In tables 4.6 & 4.7 reference is made to other Irish Sea projects and how the impacts were approached but this seems inconsistent. For example Impact BE-05 (Increase in INNS) is scoped out and states that "*This aligns with the approach taken in similar, recent Irish Sea projects.*" and "*8 (statutory consultees agreed with this approach on recent nearby projects)*" However, this impact was scoped in for the Morgan and Morecambe Transmission Assets project and was also scoped in for all the Round 4 Windfarm Generation asset projects.

In particular we would suggest the following should be scoped in to agree with other recent Irish Sea Projects:

- BE-05 - Increase in INNS
- BE-09 – Electromagnetic fields
- BE-11 – Changes in physical processes.

It is noted that the justification for scoping out BE-11 only refers to buried cables and does not mention booster stations and cable protection. As the booster stations and cable protection are the very features that may cause changes in physical processes it is possible that this is why it has been scoped out.

Para 4.3.3.12 states that "sediment quality was not considered to be of concern" it would be useful to provide a summary of the data to come to this conclusion.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to benthic subtidal and intertidal ecology?;

We agree the proposed commitments to reduce/eliminate LSEs to benthic subtidal and intertidal ecology are suitable, subject to further detail/information being made available within the proposed project plans.

Question 5: Do you agree with the assessment of transboundary effects in relation to benthic subtidal and intertidal ecology?;

Although limited in detail the approach seems acceptable.

Question 6: Do you agree with the assessment of cumulative effects in relation to benthic subtidal and intertidal ecology?;

It is unclear why it is proposed to only consider BE-03 - Increase in SSC and not any other impacts. If receptors are being impacted by this project and by other developments then there is a potential for cumulative effects and this should be assessed. Para 4.5.1.2 states that impacts "*which do not have an effect on designated species, site or feature are scoped out*" but nowhere in this chapter is there any discussion or assessment of this. Given the interconnectivity of the marine environment it is considered that all scoped in impacts for the project should be assessed for cumulative effects. As per answer to question 1 it would be worth considering a regional study area to properly assess cumulative effects.

Question 7: Do you agree with the proposed assessment methodology for benthic subtidal and intertidal ecology?

The proposed methodology appears appropriate.

5. Fish and Shellfish Ecology

Question 1: Do you agree with the Study Area that has been identified for fish and shellfish ecology?;

Although the defined study ZoIs are considered suitable for direct impacts it is noted that other projects in the Irish Sea (e.g. Round 4 wind projects) have also considered a wider "Regional" study area to take account of the interconnectivity of the marine environment and incorporate indirect impacts on identified receptors. This would also ensure appropriate consideration of Manx-equivalent designated sites such as Manx Marine Nature Reserves although it is recognised that they are included in this chapter.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the fish and shellfish baseline? are there any other data sources that should be considered?;

Information from Bangor University Isle of Man Fisheries Science Research & Advice <http://sustainable-fisheries-iom.bangor.ac.uk/index.php.en> should also be included.

It is also worth noting that although Para 5.3.3.9 mentions spawning/nursery grounds for shellfish there appears to be no discussion of these in the text nor are they represented on figs 5.2-5.11.

Question 3: Do you agree with the proposed list of species of conservation importance?;

Yes. However, Figure 5.11 doesn't appear in the document, it seems figure 6.1 is included in it's place.

It is noticed that in table 5.7 some of the qualifying features for the IoM MNRs are incorrect/incomplete. For example Langness should include Herring spawning and European Bass isn't a designation feature for the West Coast.

See: https://www.gov.im/media/1388366/guidance-notes-for-marine-nature-reserve-designations-v4_25-uploaded-280425.pdf

It is also worth noting the statutory herring spawning closure in Manx waters. This was originally included within EU Council Regulations (EC) No 850/98 (amended by EC 2723/1999), and has since been rescinded. However, the closure remains in place under

Manx law : https://www.gov.im/media/1364592/sea-fisheriestechnicalmeasuresbye-laws2000_7.pdf (byelaw 18).

Question 4: Do you agree with which impacts have been scoped in and scoped out of the EIA for fish and shellfish ecology within section 5.4 and Volume 5, Annex 1: Impacts Register?;

It is suggested that the following impacts should be scoped in to agree with other recent Irish Sea Projects:

- FS-09 – Electromagnetic fields
- FS-10 - Increase in INNS
- FS-11 – Direct damage and disturbance from vessel traffic (relevant for disturbance)

Consideration should also be given to the inclusion of Colonisation of hard structures which is neither scoped in or out but could have impacts on fish and shellfish receptors.

See also comments to Benthic Ecology chapter.

Question 5: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to fish and shellfish ecology?

The proposed commitments to reduce/eliminate LSEs to fish and shellfish seem suitable, subject to further detail/information being made available within the proposed project plans.

Question 6: Do you agree with the approach of assessing transboundary effects in relation to fish and shellfish ecology?;

Although limited in detail the approach seems acceptable.

Question 7: Do you agree with the approach of assessing of cumulative effects in relation to fish and shellfish ecology?;

Para 5.5.1.2 seems to only consider very limited impacts with regard to cumulative effects. It would be considered appropriate that all identified and scoped in impacts for the project alone should be assessed for potential cumulative effects.

Question 8: Do you agree with the proposed assessment methodology for fish and shellfish ecology?

The proposed methodology appears appropriate.

6. Marine Mammals and Megafauna

Question 1: Do you agree with the approach and rationale for defining the site-specific and regional Study Areas for marine mammals?

It is noted that in the Mogan and Morecambe Transmission Assets project a 10km buffer was used on the advice of SNCBs rather than the 4km suggested to be used here.

It is also unclear where the Regional Area is as there doesn't seem to be a single defined area on Fig 6.1. If the intention is to use the extents of the various MUs etc shown on Fig 6.1 does this mean that Pinipeds in Manx Waters will not be considered? This seems to be suggested by paras 6.3.1.7 & 6.3.1.8 which is unacceptable.

Given the proximity to Isle of Man waters Table 6.1 should include the IoM Wildlife Act 1990.

Question 2: Do you agree that the key baseline data sources have been identified and are sufficient to adequately characterise the marine mammal baseline?

Yes, although it should be noted that the Manx Whale and Dolphin Watch (MWDW) annual reports are issued each year and are currently available up to 2024 not the 2022 stated in Table 6.2.

Question 3: Do you agree that all key marine mammal species to be scoped into the assessment have been identified?

Yes, although the data in the MWDW reports could clarify/correct some of the assertions in the sections covering the various species. e.g: the reports show Minke whales observed in Sept-Nov whereas para 6.3.3.33 states they absent in the Irish Sea from August and the reports show significant Risso's dolphin sightings which could add to the very limited information on this species.

It also needs to be clarified whether pinipeds in IoM waters will be considered, Table 6.4 suggests that only those in UK waters will be considered although it is noted that IoM MNRs are included in Table 6.5.

Question 4: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

It is suggested that additional impacts that should be scoped in are:

Injury and noise from survey activities – This may be included in MM-01 to MM-03 but this is unclear.

MM-07 – indirect impact due to changes in prey abundance is currently scoped out but given there are potential impacts from the project on fish and benthic ecology it would seem prudent to have this scoped in. It is also noted that Para 6.6.2.6 suggests that this will be considered and therefore scoped in.

Question 5: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to marine mammals?

Yes

Question 6: Do you agree with the approach to the assessment of cumulative effects in relation to marine mammals?

Yes although disturbance from vessels should be added to the activities to be considered in section 6.5.1.1.

Question 7: Do you agree with the approach to the assessment of inter-related effects in relation to marine mammals?

Yes

Question 8: Do you agree with the approach to the assessment of transboundary effects in relation to marine mammals?

Yes

Question 9: Do you agree with the proposed assessment methodology for marine mammals?

Yes

7. Commercial Fisheries

Question 1: Do you agree with the Study Areas that has been identified for commercial fisheries?

The study area includes the Eastern Irish Sea (ICES Statistical Rectangles 37E6, 37E5, 36E7, 36E6 and 35E6). For the purposes of the transmission project specifically, we agree this is an appropriate study area.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

The VMS data provided by the MMO should include data for vessels 12-15 m. Data for vessels over 12 m is displayed on the publicly accessible GOV.UK Explore Marine Plans webpage. It is unclear why the MMO would make this publicly available but withhold it for marine infrastructure EIA purposes. Indeed, it appears to be available for this fleet segment for EU vessels.

Question 3: Do you agree with which impacts have been scoped in and scoped out of the EIA for commercial fisheries within section 7.4 and Volume 5, Annex 1: Impacts Register?

We note that 2 impacts (additional steaming to alternative fishing grounds due to presence of infrastructure, and increased vessel traffic within fishing grounds leading to interference with fishing activity) have been classed no LSE and scoped out. We accept the justification provided for this.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to commercial fisheries?

We agree the proposed commitments to reduce/eliminate LSEs to commercial fisheries are suitable, subject to further detail/information being made available within the proposed Fisheries Co-existence and Liaison Plan.

Question 5: Do you agree with approach of assessing transboundary effects in relation to commercial fisheries?

Section 7.5.3 (Transboundary effects) is limited in detail, but as a general approach, the proposal to scope-in and consider potential displacement of fishing activity into Manx territorial waters and Irish EEZ seems appropriate. We would add that there is potential for some vessel displacement within the study area and also to the western Irish Sea (in UK waters) as well as other ICES areas within UK waters.

Question 6: Do you agree with the approach of assessing cumulative effects in relation to commercial fisheries?

Yes.

Question 7: Do you agree with the proposed assessment methodology for commercial fisheries EIA?

The proposed methodology is appropriate.

Question 8: Do you have any other matters or information sources that should be considered during the EIA?

No.

8. Shipping and Navigation

The TSC notes the acknowledgement of both the Isle of Man Steam Packet Company and Mezeron services within the shipping and navigation study area of the proposed transmission project. The TSC would request continued engagement with both these companies as work continues on the project to ensure that there are no detrimental impacts to the sailings as part of the laying programme.

With regards continued engagement with stakeholders, as identified in para 8.3.5.3, it might also be useful to engage with the Northern Lighthouse Board as the Lighthouse Authority for the Isle of Man given the shipping and navigation study area crossed into Manx territorial waters.

Question 1: Do you agree that the application can be assessed with the submission of an NRA in line with MGN 654?

Yes, this is seen as appropriate as is within UK jurisdiction being adjacent to IOM territorial waters.

Question 2: Do you agree with the Study Area that has been identified for shipping and navigation?

Yes

Question 3: Do you agree that the baseline data sources identified are sufficient to adequately characterise the shipping and navigation baseline? Are there any other data sources that should be considered?

8.3.3.19 refers to pilot vessels out of Liverpool. It would be appropriate to also consider vessels that take/drop pilots off the East Coast of the IOM to and from Liverpool when the weather precludes boarding or alighting off Liverpool. The IOM also has its own voluntary pilotage for vessels arriving and departing Douglas, Ramsey and Peel

Question 4: Do you agree with the further data collection outlined in section 8.3.5 for informing the NRA?

Yes with the addition of Northern Lighthouse Board as mentioned above; consideration to Manx Fish Producers Organisation noting some Manx vessels fish in the Western section of the project and the addition of Ramsey as the IOM's second commercial port in section 8.3.5.3.

Question 5: Do you agree that all receptors (users) related to shipping and navigation have been identified?

Yes

Question 6: Do you agree with which impacts have been scoped in for this EIA topic?

Yes

Question 7: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to shipping and navigation?

Yes

Question 8: Do you agree with the approach of assessing transboundary effects in relation to shipping and navigation?

Yes

Question 9: Do you agree with the approach of assessing cumulative effects in relation to shipping and navigation?

Yes

Question 10: Do you agree with the proposed assessment methodology for shipping and navigation?

Yes and noted that this is in line with similar projects.

Question 11: Are there any additional shipping and navigation stakeholders beyond those listed in section 8.3.5 that you recommend be consulted?

Northern Lighthouse Board; Manx Fish Producers Organisation

9. Seascape, Landscape and Visual Impact Assessment

No Comments

10. Offshore Archaeology and Cultural Heritage

No Comments

11. Military and Civil Aviation

No Comments

12. Other Marine Users

No Comments

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JNCC Reference: OIA-11023
PINS Reference: EN0210008
Date: 11 September 2025

By email: eastirishseata@planninginspectorate.gov.uk

To whom it may concern,

**East Irish Sea Transmission Assets, Ørsted East Irish Sea Transmission Limited,
Environmental Impact Assessment (EIA) Scoping Report (Ref: EN0210008)**

Thank you for consulting Joint Nature Conservation Committee (JNCC) on the East Irish Sea Transmission Assets Environmental Impact Assessment (EIA) Scoping Report from Ørsted East Irish Sea Transmission Limited (hereafter referred to as the Applicant), which we received on 14 August 2025.

The advice contained within this minute is provided by JNCC as part of our statutory advisory role to the UK Government and devolved administrations on issues relating to nature conservation in UK offshore waters (beyond the territorial limit). We have subsequently concentrated our comments on aspects of the documents that we believe relate to offshore waters and defer to comments provided by Natural England (NE) for aspects relating to inshore waters (within 12nm).

The advice below relates to marine ornithology, marine mammals, offshore benthic ecology, and marine physical processes. The following chapters were reviewed in providing this response:

Environmental Impact Assessment (EIA) Scoping Report:

- Volume 1, Chapter 1: Introduction
- Volume 1, Chapter 3: Project Description
- Volume 1, Chapter 4: Site Selection and Consideration of Alternatives
- Volume 1, Chapter 5: EIA Methodology
- Volume 1, Chapter 6: Consultation
- Volume 2, Chapter 1: Marine Geology, Oceanography and Physical Processes
- Volume 2, Chapter 3: Offshore and Intertidal Ornithology
- Volume 2, Chapter 4: Benthic Subtidal and Intertidal Ecology
- Volume 2, Chapter 5: Fish and Shellfish Ecology
- Volume 2, Chapter 6: Marine Mammals and Megafauna
- Volume 5, Chapter 1: Impacts Register
- Volume 5, Chapter 2: Commitments Register
- Volume 5, Chapter 3: HRA Screening
- Volume 5, Chapter 4: MCZ Screening

Please note that while JNCC have reviewed the above chapters of the EIA Scoping Report, we have provided responses to consultees questions only where appropriate. Where the

consultees questions lie outside of JNCC's remit, we have provided more general comments on the specific chapter.

Headline Statements

Throughout the EIA Scoping Report, there is little distinction between inshore and offshore, distinguished by the 12nm/territorial waters limit. Given the remit of Statutory Nature Conservation Bodies (SNCBs) is divided based on this factor, it would be helpful to have impacts broken down into these remits. In particular, it would have been useful to have this delineation identified on all maps provided.

JNCC would like to highlight that in order to fully assess impacts to the environment, we would expect to have all pressures listed within each chapter and cross-referencing between chapters should be limited or, if used exceptionally, clearly stated.

Designated Sites

The project Scoping Boundary overlaps with the West of Walney Marine Conservation Zone (MCZ) and sits adjacent to the West of Copeland MCZ. We take this opportunity to emphasise the importance of assessing all potential impact-pathways in combination with the Site Information Centre documents on the JNCC website available at: <https://jncc.gov.uk/our-work/offshore-mpas/>.

The West of Walney MCZ is a jointly managed site between JNCC and NE which is designated for two broad-scale habitats (subtidal sand and subtidal mud) and for sea-pen and burrowing megafauna communities. The West of Copeland MCZ is a JNCC managed site which is designated for the broad-scale habitats of subtidal coarse sediment, subtidal sand, and subtidal mixed sediments.

The Conservation Objective for the sites is that the protected features:

- So far as already in favourable condition, remain in such condition; and
- So far as not already in favourable condition, be brought into such condition, and remain in such condition.

To clarify, the condition and General Management Approach (GMA) for the features within the West of Walney MCZ is as follows:

- Subtidal sand: The feature is in unfavourable condition. The GMA is to recover the feature to favourable condition.
- Subtidal mud: The feature is in unfavourable condition. The GMA is to recover the feature to favourable condition.
- Sea-pen and burrowing megafauna communities: The feature is in unfavourable condition. The GMA is to recover the feature at favourable condition.

The condition and General Management Approach (GMA) for the features within the West of Copeland MCZ is as follows:

- Subtidal coarse sediment: The feature is in unfavourable condition. The GMA is to recover the feature to favourable condition.
- Subtidal sand: The feature is in unfavourable condition. The GMA is to recover the feature to favourable condition.
- Subtidal mixed sediments: The feature is in favourable condition. The GMA is to maintain the feature at favourable condition.

JNCC strongly advise that the Applicant follow the mitigation hierarchy and avoid routing export cables through any designated sites. Routing the cable through designated sites may move the site further away from its conservation objectives and hinder features from achieving favourable condition.

Where avoidance is not possible, we advise the mitigation hierarchy to be applied as follows:

- Avoid or minimise crossings within sites;
- Minimise the length of cable routes through the site;
- Where cable installation cannot do this, it is likely that a Stage 2 MCZ assessment will be required and consideration of Measures of Equivalent Environmental Benefit (MEEB).

Volume 1: Introductory Chapters

Chapter 3: Project Description

We understand that the offshore component of the Proposed Development consists of up to four export cables in four circuits and up to three Offshore Booster Stations, wholly within English waters, connecting the Moir Vannin Generation Assets from the edge of the Offshore Array to the Transition Joint Bays at Terrestrial landfall in England. Scour and cable protection, and cable crossings have also been included within the Proposed Development. JNCC's preferred scenario, as advised above, would be to avoid impact to any designated sites by routing cables outside of the sites.

The Applicant has identified 22 subsea cables which intersect with the Scoping Boundary, several of which intersect at multiple locations. As cable crossings will require external cable protection, JNCC advice that the Applicant should select a cable route which minimises crossings, particularly within the West of Walney MCZ so as to limit the potential permanent habitat loss within a designated site with a conservation objective to recover features to Favourable Condition. Section 1.5.2.1 identifies "*rock, concrete mattresses or similar*" will be used as a hard-protective layer for cable crossings and JNCC would welcome further details from the Applicant on what "similar" materials could be deployed.

Chapter 4: Site Selection and Consideration of Alternatives

Please refer to our previous comments above regarding selection of offshore export cable routes (Section 4.4.4) through designated benthic sites.

We note that in Section 4.4.6.2, the Applicant has stated that the extent of the Offshore Booster Station (OBS) Search Area is based on "*the midpoints of the total export cable route lengths along with some key constraints*" which includes avoidance of MPAs. We would like to highlight that the OBS Search Area overlaps with Liverpool Bay/Bae Lerpwl Special Protected Area (SPA), and we recommend that Offshore Booster Stations are installed outside of the SPA, to minimise disturbance to designated features of this site.

Chapter 6: Consultation

JNCC would welcome early consultation once the Applicant has refined the cable route option to a single route. This would allow better understanding between JNCC and the Applicant on potential environmental impacts and constraints, and to discuss options on their avoidance and minimisation. We would like to highlight that JNCC launched its Discretionary Advice Service (DAS) in April 2020. Several activities are now captured as part of the JNCC

DAS, including where operators require **verbal or written advice** from JNCC prior to submitting a formal application through Regulators.

For more information on DAS, please visit <https://jncc.gov.uk/our-work/discretionary-advice-service/>.

Volume 2: Offshore Chapters

Chapter 1: Marine Geology, Oceanography and Physical Processes

General Comments

We note that in Table 1.4: ‘Relevant commitments to marine processes’, ‘Co9’ states *“specification of additional cable protection will be determined by the Applicant in a Cable Specification and Installation Plan (CSIP) following a Cable Burial Risk Assessment”*. JNCC would like to highlight that efforts should be made during selection of cable protection materials to match the surrounding environment, or if not possible then deployment of cable protection that is recoverable upon decommissioning should be prioritised.

We agree with the impacts that have been scoped in and out of the EIA for marine processes. Site-specific data and modelling should be used to better understand the distance from the cable corridor over which this impact pathway may occur. We advise that the applicant should look at the sensitivity of designated features within the West of Copeland and West of Walney MCZ sites, in order to understand the magnitude and significance of any effects.

JNCC have no further comments on this section.

Chapter 3: Offshore and Intertidal Ornithology

General Comments

We advise the applicant to consider the terminology used throughout the EIA and Habitats Regulations Assessment (HRA). On multiple occasions there appears to be HRA based terminology used within the EIA scoping sections.

Response to Questions

Note that there are two questions in the document labelled “Question 4” therefore, we have denoted the first as “Question 4a” and the second as “Question 4b”.

Question 1: Do you agree with the Study Areas that have been identified for intertidal and offshore ornithology?

We recommend that the Study Area is defined as the entire Scoping Boundary seaward of Mean Low Water Springs (MLWS) plus a 4km buffer, rather than a 2km buffer, in order to assess the impact of disturbance from the Offshore Booster Stations.

Question 2: In the absence of site-specific data, do you agree that the baseline data sources identified are sufficient to adequately characterise the OOSA baseline?

We agree that the baseline data sources identified are sufficient to adequately characterise the Offshore Ornithology Study Area (OOSA) baseline.

Question 3: Do you agree with the list of data sources provided to characterise the offshore and intertidal baselines, and to inform the assessment? If not, please state which additional data sources are recommended for inclusion.

We advise that the following sources of data are also used for an assessment of Liverpool Bay/Bae Lerpwl SPA:

- An assessment of the numbers and distributions of wintering waterbirds and seabirds in Liverpool Bay/Bae Lerpwl area of search: <https://hub.jncc.gov.uk/assets/9db17cf5-ddc2-4097-b8c1-8db6298dfd2a>
- Densities of qualifying species within Liverpool Bay/Bae Lerpwl SPA: 2015 to 2020 (NECR440): <https://publications.naturalengland.org.uk/publication/6479755512381440>
- Quantifying usage of the marine environment by terns *Sterna* sp. around their breeding colony SPAs: <https://hub.jncc.gov.uk/assets/926cdbbd-c384-42a9-b9e5-81abd778bbd0>
- Quantifying foraging areas of little tern around its breeding colony SPA during chick-rearing: <https://hub.jncc.gov.uk/assets/fadf0b75-9651-4204-9eb0-1049e461c9ba>

Please see answer to Question 7 for proposed methodology using some of this data.

Question 4a: Do you agree with the scoping out of the Operation and Maintenance phase on the basis that it would be sufficiently temporally and spatially limited therefore LSE can be confidently ruled out?

We disagree with the scoping out of the Operation and Maintenance phase as we advise that LSE cannot be confidently ruled out for this stage.

It is not entirely understood what the mechanism of displacement from offshore wind farms is, therefore, it is not beyond reasonable scientific doubt that the same mechanism may exist for Offshore Booster Stations. However, Offshore Booster Stations will not contain the same moving parts as offshore wind farms. In the absence of any other information, we propose that a possible approach to assessment of displacement of red-throated diver and common scoter from Offshore Booster Stations is to assume a 4km buffer around them. We advise the Applicant to seek pre-application advice from SNCBs on a methodology for assessing displacement from Offshore Booster Stations.

In addition, the disturbance from any operation and maintenance vessels should also be considered, as well as vessels associated with construction and decommissioning. Please see answer to Question 7 for details on methodology.

These assessments are required for both EIA and HRA; for HRA where any or all of the Offshore Booster Stations are within the Liverpool Bay/Bae Lerpwl SPA or within 4km of the SPA, and where any of the cable goes through the SPA or within 2km of the SPA. This is particularly pertinent for assessment of Liverpool Bay/Bae Lerpwl SPA given the conservation objectives to restore the distribution of the red-throated diver feature and to minimise the frequency, duration, and/or intensity of disturbance affecting the feature (NE, Natural Resources Wales (NRW) and JNCC, 2022). References to conservation objectives should be made throughout the assessment.

Question 4b: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

See answer to Question 4a.

Question 5: Do you agree with the scoping out of transboundary impacts in relation to offshore and intertidal ornithology?

We agree with the scoping of impacts to designated sites within the UK. We advise that the relevant bodies outside of the UK are consulted on the scoping of transboundary impacts.

Question 6: Do you agree with the scoping out of cumulative effects in relation to offshore and intertidal ornithology?

We disagree with the scoping out of cumulative effects in relation to offshore and intertidal ornithology. As mentioned in response to Question 4a, operational displacement due to the Offshore Booster Stations and vessel disturbance during operation also needs to be considered. There is the potential for impacts cumulatively with the displacement due to the Offshore Booster Stations, vessel disturbance associated with installation of the cables, and vessel disturbance associated with operation and maintenance. There are multiple other sources of disturbance to sensitive species, such as operational offshore wind farms, and vessel activity, such as that associated with ENI partial decommissioning works, and Hynet carbon capture and storage works. We therefore advise that a cumulative assessment of disturbance is undertaken for the construction, decommissioning and operational phases.

Question 7: Do you agree with the proposed assessment methodology for offshore and intertidal ornithology?

We agree with the use of the source-pathway-receptor model, however there is very little detail on the specific methods to be used. We recommend that an assessment of vessel disturbance due to installation of the cable and Offshore Booster Stations, and the operation of Offshore Booster Stations, is carried out.

We advise the Applicant to seek pre-application advice from SNCBs on a methodology for assessing displacement from Offshore Booster Stations.

In terms of carrying out a vessel disturbance assessment, we recommend that the following steps are taken. In light of evidence for vessel-induced displacement, we advise that a 2km buffer around each vessel is used for the assessment of 100% displacement of red-throated diver (Burt *et al.*, 2022, Burger *et al.*, 2019). For common scoter, we advise that a 2.5km buffer around each vessel is used (Fliebsbach *et al.*, 2019). We advise that the area of impact is calculated and put into context of the SPA area by calculating the proportion of the SPA area impacted. We also advise that numbers of birds impacted are calculated. Crucially, this should be done by using distribution maps of the relevant features in the relevant SPA. The distribution maps per species should be overlaid with the area of impact per species to calculate the number of birds potentially impacted. This can then be put into context of the SPA population by calculating the proportion of the SPA population impacted. This should be done for each vessel present.

For an assessment of the Liverpool Bay/Bae Lerpwl SPA, we advise that the distribution maps within HiDef Aerial Surveying Limited (2023) are used. The data contained within HiDef Aerial Surveying Limited (2023) consists of six distribution maps per species from six survey days (January 2015, February 2015, January 2018, February 2018, January 2019, February 2019, February 2020, March 2020). Therefore, a vessel disturbance assessment should be made using data from each of the six surveys days, and a mean and range of number of birds potentially impacted by displacement presented. Note that this data only covers the region of the original extent of the SPA. The SPA was extended in 2017 for the designation of little gull. The data used to define the original extent of the SPA plus more recent surveys

do however also cover the extension. The distribution maps within Lawson *et al.* (2015) should therefore be used for assessing vessel disturbance within the SPA extension. The data contained within Lawson *et al.* (2015) consists of individual distribution maps per species from a combination of data from multiple surveys. The data contained within Lawson *et al.* (2015) is available on the JNCC resource hub (<https://hub.jncc.gov.uk/assets/288de5a0-e109-4005-978a-d4bf22f8dd72>). Therefore, a vessel disturbance assessment should be made using data from the individual species distribution maps and a number of birds potentially impacted by displacement presented.

The number of vessel movements, the dates that vessels will be present, and the indicative routes through the SPA should also be provided. These should also be put into context of baseline vessel movements at the relevant locations.

Question 8: Do you agree with the offshore ornithology receptors identified for assessment?

We agree with the offshore ornithology receptors identified for assessment.

Question 9: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE relevant to offshore and intertidal ornithology?

As stated in caselaw (CJEU C-323/17 People Over Wind and Peter Sweetman vs Coillte Teoranta), any mitigation measures specifically designed to avoid or reduce effects to a European site cannot be considered at the screening stage, unless these are measures which are incorporated into the design of a project.

We cannot comment on the suitability of the proposed commitments to reduce or eliminate Likely Significant Effect (LSE) relevant to offshore and intertidal ornithology until a full assessment is undertaken. Particularly where visual disturbance is concerned, until the cable route, siting of Offshore Booster Stations, timing and duration of works, and number of vessels involved is better understood, it is difficult to recommend what specific mitigation is required.

As a matter of best practice, it is advised to:

- Restrict vessel movements where possible to existing navigation routes.
- Where it is necessary to go outside of established navigational routes, avoid rafting birds.
- Where it is necessary to go outside of established navigational routes and where possible, avoid disturbance to areas with consistently high red-throated diver and common scoter density.
- Where it is necessary to go outside of established navigational routes use slow vessel speeds.
- Avoid over-revving of engines.

However, if it is the case that cable installation is to go through the Liverpool Bay/Bae Lerpwl SPA or 2km buffer and, for example, in areas with little existing shipping traffic, during the winter, for a long duration, then we may recommend that cable installation is restricted to outside of the sensitive period (1 November to 31 March, inclusive). Similarly, if the Offshore Booster Stations are to be installed within the SPA or 4km buffer, and with a level of associated vessel activity, then we may recommend that the Offshore Booster Stations are to be installed outside the SPA or 4km buffer.

In light of the conservation objectives to restore the distribution of the red-throated diver feature and to minimise the frequency, duration, and/or intensity of disturbance, we may

recommend that these measures are required in order to rule out adverse effect on site integrity. We recommend that when further detail is known on various aspects of the project design, further advice is sought from SNCBs.

Question 10: Do you agree that the proposed approach to EIA is sufficiently set out to enable a robust assessment allowing likely significance to be ascertained?

Noting the caveats above around operational displacement, cumulative effects, and vessel management, we agree that the proposed approach to EIA is sufficiently set out to enable a robust assessment allowing likely significance to be ascertained.

Chapter 4: Benthic Subtidal and Intertidal Ecology

Response to Questions

Question 1: Do you agree with the Study Area that has been identified for benthic subtidal and intertidal ecology?

We note that the study area encompasses the Offshore Export Cable Corridor (ECC) plus a buffer of the wider Zone of Influence (Zoi) which extends 10km from the Offshore Booster Station and Offshore ECC. JNCC agrees that this is appropriate for benthic subtidal ecology. We defer to NE for comments on the Study Area for the intertidal component.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the benthic subtidal and intertidal ecology baseline? Are there any other data sources that should be considered?

In relation to the West of Copeland MCZ and West of Walney MCZ, JNCC advise that site-specific survey information is available through our Site Information Centres and that these may be used as an evidence base layer over any broadscale distribution modelling. The West of Copeland MCZ Site Information Centre can be found at <https://jncc.gov.uk/our-work/west-of-copeland-mpa/>, and the West of Walney MCZ SIC can be found at <https://jncc.gov.uk/our-work/west-of-walney-mpa/>. This information can also be viewed on the JNCC Marine Protected Area (MPA) Mapper available at <https://jncc.gov.uk/mpa-mapper/>. Directed surveys by the Applicant are welcome and will be considered.

We also recommend that developers use the Marine Pressures-Activity Database (PAD) available at <https://hub.jncc.gov.uk/assets/97447f16-9f38-49ff-a3af-56d437fd1951> to understand and assess the potential impacts on specific habitats and species. We note that the Applicant has indicated that sensitivity information based upon the Marine Evidence-Based Sensitivity Assessment (MarESA) framework will also be used.

JNCC note that the EUSeaMap 2021 has been used to support the seabed sediment modelling data across the Study Area from Cefas. Please note the EUSeaMap 2023 is the latest version available and should be used for all future documents associated with this application. The latest version is available here: <https://emodnet.ec.europa.eu/en/seabed-habitats>.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

JNCC note that jack-up vessels may be required for foundation installation of the Offshore Booster Stations. Jack-up events may require extra stabilisation through additional rock placement, particularly in areas with softer seabed conditions and/or within high dynamic environments. We would like to clarify with the Applicant whether additional rock placement is anticipated for jack-up operations and if so, impacts from this should be scoped in for long-term habitat loss, unless the Applicant plans to remove stabilisation materials.

The Applicant has highlighted long-term habitat loss associated with the presence of infrastructure such as foundations, scour protection, and cable protection, however, does not specifically mention cable crossings. We further note that in Table 12.6: 'Impacts proposed to be scoped out of the EIA for other marine users and activities', the Applicant states "*Any cable crossing or proximity agreements are commercial in nature and sit outside of the EIA process*". JNCC seeks confirmation on whether this exclusion has also been applied to potential impacts to Benthic Subtidal and Intertidal Ecology. If so, JNCC disagree with this statement and would like to highlight that where cable crossings occur within sites that are designated for soft sediments, impacts should be scoped in.

We note that Unexploded Ordnance (UXO) clearance has not been included within Table 4.6 for impacts to benthic subtidal and intertidal ecology. We understand this may be due to the Applicant's intention to apply for a separate licence for UXO clearance should this be necessary (as noted in Footnote 32 on Page 281). We would expect the Applicant to assess a worst-case scenario for benthic impacts from UXO clearance, based on data collected during site-specific geophysical surveys.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to benthic subtidal and intertidal ecology?

JNCC would expect all infrastructure to be removed at decommissioning in line with current guidelines. The recently published guidelines by Offshore Energies UK (OEUK, 2024) for 'Designing for Decommissioning of Offshore Wind' states that:

"Assets should be designed to be decommissioned with a technology available at the time of commissioning"

The Examining Authority for Five Estuaries Offshore Wind Farm Limited ([project EN010115](#)) has requested from the Applicant that:

"Decommissioning is required to be assessed in order that the Examining Authority (ExA) and Secretary of State can have regard to the likely significant effects of the whole project over its lifecycle in making a recommendation and determination."

This is in-line with '[The Decommissioning of Offshore Renewable Energy Installations under the Energy Act 2004: Guidance notes for industry](#)' (2019)¹ for England and Wales' which sets out that, at the end of a wind farm's operational life, all infrastructure is expected to be fully removed. This can be achieved by following the OEUK 'Designing for Decommissioning of Offshore Wind' guidelines and assessing decommissioning of all infrastructure based on available technologies now and not in the future. JNCC consider that without assessing decommissioning now, it is not possible to determine the likely significant effects of the project as a whole for the offshore environment. Table 4.5: 'Relevant commitments to benthic subtidal and intertidal ecology', Co17 states "*the plan will consider the potential for*

¹ www.gov.uk/government/publications/decommissioning-offshore-renewable-energy-installations

infrastructure to remain in-situ where appropriate". JNCC would expect any infrastructure within an MPA to be removed upon decommissioning.

Question 5: Do you agree with the assessment of transboundary effects in relation to benthic subtidal and intertidal ecology?

We agree with the assessment of transboundary effects in relation to benthic subtidal and intertidal ecology. We advise that the relevant bodies outside of the UK are consulted on the scoping of transboundary effects.

Question 6: Do you agree with the assessment of cumulative effects in relation to benthic subtidal and intertidal ecology?

JNCC agree with the inclusion of temporary increase in suspended sediment concentrations and sediment deposition for further consideration within the Cumulative Effects Assessment (CEA).

We disagree with the scoping out of long-term habitat loss or alteration due to the addition of infrastructure for the Operational and Maintenance (O&M) phase. There are numerous offshore windfarms proposed and consented within the Liverpool Bay area, along with numerous other marine sectors which has already resulted in significant habitat loss, particularly within the West of Walney MCZ. Given that the site has a conservation objective to recover its features to favourable condition, we advise that cumulative assessment of habitat loss is undertaken for the O&M phase of the project.

Question 7: Do you agree with the proposed assessment methodology for benthic subtidal and intertidal ecology?

Within Section 4.6.2.7, the Applicant states that the sensitivity assessment of species or habitats will consider "*the current status of the species, and its importance (locally, regionally, nationally or internationally)*". JNCC advise that within an MPA, the conservation objectives do not allow for distinguishing between the value of a feature. Based on previous applications, JNCC would like to highlight that we consider the features of MCZs (sometimes considered as 'national value') to have equal value as features of Special Areas of Conservation (SACs) and SPAs (sometimes considered as 'international value') and therefore, it would be inappropriate to score receptors of 'national value' lower than those of 'international value'. JNCC would also recommend that the Applicant consider the condition of features within protected sites, as features in unfavourable condition are likely to be more sensitive to impacts from proposed activities and have a different conservation objective in order to achieve site integrity, regardless of their recovery time.

Chapter 6: Marine Mammals and Megafauna

Response to Questions

Question 1: Do you agree with the approach and rationale for defining the site-specific and regional Study Areas for marine mammals?

We note that the site-specific study area encompasses the Scoping Boundary plus a 4km buffer, which, as noted in the Scoping Report, is a widely adopted buffer for EIAs. The

regional study area is comprised on the species-specific Management Unit (MU). JNCC agree that both are appropriate for the project.

Question 2: Do you agree that the key baseline data sources have been identified and are sufficient to adequately characterise the marine mammal baseline?

A considerable number of data sources have been proposed to inform the baseline, including 15 providing full (and a further three providing partial) coverage of the site-specific study area for cetaceans. Five provide full and 20 provide partial coverage of the regional Study Area. For sea turtles, there are four sources providing full coverage of the site-specific study area (there were none providing partial coverage), with one source providing full (and four providing partial) coverage of the regional study area. JNCC advise key data sources that we would expect to be used have been included, and these are suitable to characterise the marine mammal baseline. However, should additional suitable evidence become available in the near future, e.g. before beginning work on the impact assessment, we would expect those to also be considered.

Question 3: Do you agree that all key marine mammal species to be scoped into the assessment have been identified?

Based on the information provided in the Scoping Report, JNCC agree that the key marine mammal species to be scoped into the assessment have been identified. We defer to Natural England regarding requirements for territorial waters. Regarding sea turtles, we agree that the species of the most relevance that may be recorded in UK waters is the leatherback turtle.

Question 4: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

JNCC agree with the impacts that have been scoped in and out of the assessment.

Question 5: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to marine mammals?

JNCC note the question here refers to commitments to reduce LSE whereas the text in the scoping report (Section 6.4.2) is more generalised, referring to reducing effects on the environment. We highlight this as LSE is a specific term with specific meaning which would not apply to the generalised text provided in the scoping report.

Co28: We agree with the commitment to produce an outline piling and UXO Marine Mammal Mitigation Protocol (oMMMP), however no reference is made to noise reduction methods for piling, or the Defra Noise Policy Paper published in January 2025. This paper requires developers in English waters to demonstrate they shall use methods aimed at reducing noise levels during impact piling, such as noise abatement systems and/or alternative hammer types. Whilst the Mooir Vannin windfarm is in Isle of Man waters, the transmission assets in this application are in English waters and the design envelope includes two options which involve impact piling, including one of an 18m monopile. Therefore, low noise methods are required to be considered.

We also highlight that we would expect to see discussions regarding the use of supplementary mitigation methods discussed in the MMMP, such as the use of Marine

Mammal Observers (MMOs) and acoustic monitoring, and reference to the relevant JNCC marine mammal mitigation guidelines in addition to ramp up procedures.

Question 6: Do you agree with the approach to the assessment of cumulative effects in relation to marine mammals?

JNCC agree that including noisy activities for projects that shall overlap spatially and temporally with the proposed operations is a suitable approach for the cumulative effects assessment, as it shall consider those activities that are most likely to have an adverse effect upon marine mammals. We also agree there is insufficient information at this stage to consider cumulative impacts from decommissioning, and we therefore agree that this may be scoped out.

We disagree with scoping out the impact disturbance from vessel activity during the Operational & Maintenance (O&M) phase. Within the Liverpool Bay area, there are a total of four offshore windfarms proposed (one of which is already consented), which shall result in a considerable amount of additional vessel traffic throughout the lifetimes of all projects as all will require vessel transits during their respective O&M phase. Consequently, we recommend that this impact is scoped in.

Question 7: Do you agree with the approach to the assessment of inter-related effects in relation to marine mammals?

JNCC agree that this is a suitable approach as it will consider secondary impacts that are presented in other sections of the report.

Question 8: Do you agree with the approach to the assessment of transboundary effects in relation to marine mammals?

JNCC are currently unable to provide an answer to this question as Volume 5 Annex 6 does not present the information clearly, and it is therefore difficult to accurately ascertain the methodology for the assessment of transboundary effects. However, transboundary effects in the context presented are the responsibility of the appropriate government.

Question 9: Do you agree with the proposed assessment methodology for marine mammals?

The proposed assessment methodology as detailed in Volume 1, Chapter 5, appears to follow the method that is generally used in EIAs for assessing impacts, by assessing the magnitude and severity of an impact and then using a significance matrix to determine whether there will be an LSE.

The use of the cetacean MUs and the species densities using published data from the most recent SCANS surveys (SCANS IV, or SCANS III if there is no SCANS IV data for a particular area, or if SCANS III is more precautionary) is a suitable starting place for identifying magnitude. However, where other, more regional data sources are available, these should also be considered owing to the snapshot nature of the SCANS surveys, and the most precautionary density used.

Underwater noise modelling is suitable for assessing the risk of auditory injury and we therefore agree with this method. For disturbance, we note it is stated that this shall be

quantified, “by assessing changes in marine mammal distribution, behaviour, and habitat use, using predefined response thresholds based on available literature and regulatory guidance (e.g., JNCC, 2020).” However, no detail has been provided regarding how this would be assessed, i.e. what data will be used to assess the changes. We highlight the example reference provided is in relation to harbour porpoise SACs and therefore may not be appropriate for other species, and Southall et al. (2021) does not recommend the use of response thresholds. JNCC welcome discussions with the Applicant at a later stage regarding this assessment.

JNCC also note very little specific information has been provided regarding potential impacts to sea turtles or how they will be assessed. The beginning of the marine mammal chapter states the term “marine mammals” is used in a catch-all context, however, we question where these species can be assessed in the same manner as described for marine mammals i.e. a quantitative assessment. Again, JNCC welcome discussions with the applicant at a later stage regarding this part of their assessment.

Volume 5, Annexes

Annex 1: Impacts Register

Marine Ornithology Comments

ID O-01: Disturbance and displacement due to vessel activity is screened in during construction and decommissioning, however as the levels of vessel activity for maintenance during the operational phase is currently unknown, we advise that this is also scoped in for the operational phase.

ID O-04: The Project Activity and Impact is described as “*Disturbance and displacement due to Construction and presence of Offshore Booster station(s)*”, and the Maximum Design Scenario is described as “*Presence of up to 3 Offshore Booster Stations*”, and this is scoped in. However, it is only scoped in for the construction and decommissioning phases. If disturbance and displacement due to the presence of booster stations is possible during construction, then is it also possible during operation. Therefore, we advise that this should also be scoped in for the operational phase.

Benthic Subtidal and Intertidal Comments

ID BE-02: Long-term habitat loss or alteration due to the addition of infrastructure has been scoped in for the Operation and Maintenance phase of the project however, JNCC advise that should stabilisation materials be required for jack-up operations then this should also be scoped in for the Construction and Decommissioning phases, unless the Applicant plans to remove this prior to the O&M phase.

Annex 3: HRA Screening Report

Marine Ornithology Comments

O-04: “*Disturbance from offshore and onshore maintenance activities – primarily from vessels and vehicles accessing the site*” associated with the Offshore Booster Stations is mentioned, however disturbance from the Offshore Booster Stations themselves is not. We advise that disturbance and displacement due to the presence of Offshore Booster Stations during operation is also screened in.

Benthic Subtidal and Intertidal Ecology

The only SACs designated for subtidal benthic features in offshore waters are located within the 12nm limit and therefore, we defer to NE for comments regarding impacts to these sites.

Marine Mammal Comments

The only SACs with marine mammal features in offshore waters are those designated for harbour porpoise, therefore our comments are restricted to these sites.

JNCC note species-specific Marine Mammal Management Units have been used for the screening in of sites into the HRA. JNCC prefer a route to impact approach to screening in sites. Despite the wide-ranging nature of marine mammal species, a site that is more than 50km away from a development is unlikely to be influenced by underwater noise. JNCC recommend Effective Deterrence Ranges (EDRs; <https://hub.jncc.gov.uk/assets/2e60a9a0-4366-4971-9327-2bc409e09784>) are used to scope harbour porpoise sites into the HRA.

In addition, Table 3.16 of Volume 5 Annex 3, states the North Anglesey Marine SAC is 100.4km from the Scoping Boundary. However, Volume 2 Chapter 6 Table 6.5, states this distance is 42.75km. This is a considerable difference, and therefore the correct distance, or the reason for such a difference, should be identified.

Volume 5, Annex 4: MCZ Screening

Benthic Subtidal and Intertidal Ecology

JNCC note the designated sites which have been scoped into the MCZ Assessment: West of Copeland MCZ and West of Walney MCZ. All features within the West of Walney MCZ and two of the three features within the West of Copeland MCZ are considered to be in unfavourable condition and have a recover objective, therefore impacts to these sites must be assessed per feature and not as a whole site. As mentioned above, we strongly advise that these sites be avoided in the first instance and where not possible, the introduction of hard substrate be avoided.

We defer to NE for comments regarding inshore MCZs.

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Please contact me with any questions regarding the above comments.

Yours sincerely,

██████████

Offshore Industries Advisor

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Phone:	
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Your Ref:	EN0210008
Our Ref:	
Date:	15/09/2025

Dear [REDACTED],

East Irish Sea Transmission Project

Thank you for your letter dated 14th August 2025, identifying Lancashire County Council as a consultation body as defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, in relation to the proposed development.

We confirm receipt of the Scoping Report submitted by the applicant and understand that the Planning Inspectorate is seeking views on the scope and any additional information that should be provided in the Environmental Statement (ES).

Having reviewed the Scoping Report, the County Council considers that the topic areas set out in the report are adequate to assess the environmental impacts of the proposal.

I trust this response will assist in the preparation of the Scoping Opinion.

Should you require any further information, please do not hesitate to contact me.

Yours faithfully,

[REDACTED]

Head of Development Management and Planning Policy

Background Information

Manx Cable Company (MCC) owns and operates on behalf of the Manx Utilities Authority, a submarine power cable, referred to as the Isle of Man interconnector [Manx 1], which runs between Douglas Head on the Isle of Man and Bispham, Blackpool. With an undersea section of approximately 104km (65 mi), it is one the longest AC undersea cables in the world and is an essential means of maintaining efficient and secure supplies of electricity to the residents of the Isle of Man.

Sub-sea cables are vulnerable to third-party damage from marine activities, and these risks are constantly being monitored and assessed, as the impact from third-party damage can result in significant repair and business interruption costs to the Authority.

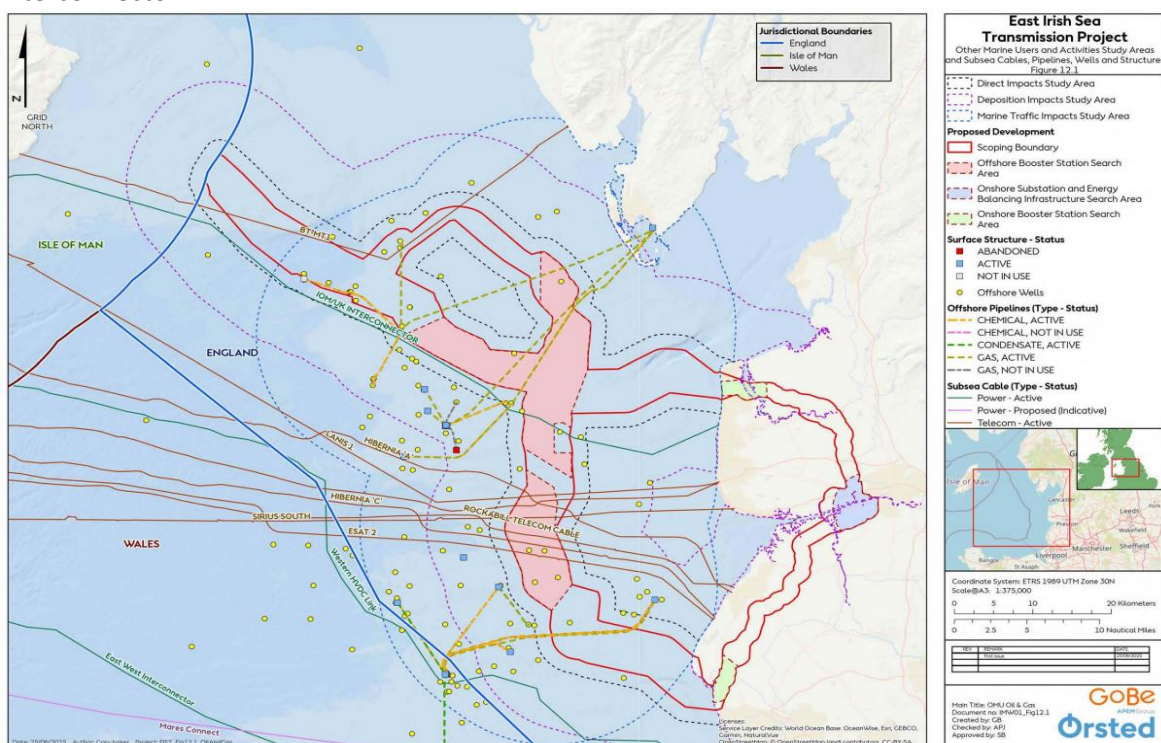
In addition to third-party damage the introduction of fixed structures and associated export, collector and/or array cables on or buried in the seabed, can through their proximity present an ongoing operational risk to maintenance and repair works over the life of the asset.

Considering the interconnector's asset value, and its strategic importance to our business and the wider Manx economy, Manx Utilities welcomes the opportunity to engage in the consultation process.

Interpretation of Wind Farm proximity to the Interconnector and associated export cables

The proposed wind farm is sited inside IOM territorial waters between the Isle of Man and the west coast of GB and to the north of Douglas.

Transmission route/s for export cables between the windfarm and the UK connection point may be positioned near the existing IOM-UK interconnector and where the southern landfall is utilised, as part of the project, then transmission export cables will cross the route of the IOM-UK interconnector.



Comments and Feedback below are in relation to the project and the IOM Interconnector.

Item	Risk Category	Potential Increase in Risk	Level of Concern	Comments
1	Third-Party Damage	Vessels engaged in the construction and maintenance utilise Douglas Harbour increasing the potential for vessels anchoring in the vicinity of Douglas Bay.	Medium	Request developer ensures robust protocols are in place to highlight the existence and positioning of the interconnector to all vessels engaged in the supply chain.
2	Third-Party Damage	Displacement of fishing activity increases fishing interaction, from present levels, over the cable route.	Low	The impact of displaced fishing activity may present an increase in risk considering the collective impact of Eastern Irish Sea in the future.
3	Third-Party Damage	Survey works [Geotechnical] which are invasive and interacts with the sea bed in close proximity to the IOM interconnector	High	Request developer engages as soon as it is practicable with MCC to review any survey within 1NM and assess the risk presented by the proposed survey works due to its nature and proximity.
4	Third-Party Damage	Cable installation [export and inter-array cables]	High	Request developer engages as soon as it is practicable with MCC to review any cable installation activities within 1NM and assess the risk presented by the proposed works due to its nature and proximity.
5	Third-Party Damage	Fixed Structure installation [wind turbines and offshore sub-stations]	High	Request developer engages as soon as it is practicable with MCC to review any offshore construction activities within 1NM and assess the risk presented by the proposed works due to its nature and proximity.
6	Operational Risk	Close proximity of fixed structures such as turbines and offshore sub-stations	Medium	Request developer engages as soon as it is practicable with MCC to open dialogue on determining a suitable proximity limit where the planned proximity of any fixed structure is within 1NM of the IOM interconnector
7	Operational Risk	Third-party cable crossings	Medium	Request developer avoids, wherever possible, multiple crossings of the IOM interconnector by export, collector and/or array cables. Where multiple cable crossings are necessary, the crossing of cables should be spaced and agreed so that, timely and economical repairs to both the crossing and crossed cables can be undertaken.

In addition to the above, and for the purpose of transparency, it is appropriate to share an outline of Manx Utilities plans relating to a second interconnector for the Isle of Man.

Several options for future interconnection, via a second sub-sea interconnector cable, are currently being considered with one potential offshore cable route/corridor running to the south of the proposed Wind farm towards the west coast of GB.

Plans and co-ordinates of the route being considered are available on request.

At present these plans and options are still in the high-level feasibility stage, but it is considered appropriate to highlight and share our plans for information purposes at this stage.



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Planning Inspectorate
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(By email only)

Your Reference: EN0210008
Our Reference:
DCO/2025/00007

09 September 2025

Dear ██████████

RE: Scoping consultation request under Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11 for the proposed East Irish Sea Transmission Project.

Thank you for your scoping opinion consultation request of 14 August 2025 and for providing the Marine Management Organisation (MMO) with the opportunity to comment on the East Irish Sea Transmission Project Environmental Impact Assessment (EIA) Scoping Report August 2025.

The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the 2009 Act) to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence¹. Inshore waters include any area which is submerged at mean high water spring (MHWS) tide. They also include the waters of every estuary, river, or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. In the case of Nationally Significant Infrastructure Projects (NSIPs), the Planning Act 2008 (the 2008 Act) enables Development Consent Order's (DCO) for projects which affect the marine environment to include provisions which deem marine licences².

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction,

¹ Under Part 4 of the 2009 Act

² Section 149A of the 2008 Act



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deposit, or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (DML) enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO's website³. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note⁴.

Please find attached the scoping opinion of the MMO. In providing these comments, the MMO has sought the views of our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the MMO Coastal Office – North West Area.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval, or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely,

[Redacted Signature]

[Redacted Name]

Marine Licensing Case Officer

D [Redacted]

E [Redacted] [@marinemanagement.org.uk](mailto:[Redacted]@marinemanagement.org.uk)

³ <https://www.gov.uk/planning-development/marine-licences>

⁴ <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>



Scoping Opinion

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)

Title: East Irish Sea Transmission Project

Applicant: Ørsted

MMO Reference: DCO/2025/00007



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1. Proposal

Thank you for your letter dated 14 August 2025 consulting the MMO on the EIA Scoping report submitted by Orsted in respect to an application for development consent under the 2008 Act for the East Irish Sea Transmission Project.

1.1 Project Description

The East Irish Sea Transmission Project is proposed to deliver power from the Moir Vannin Generation Project to the National Grid at Penwortham.

The Moir Vannin Generation Project is located within the Isle of Man territorial seas and on the Isle of Man and will comprise of the Offshore Array, Offshore Platforms (including Offshore Substation(s)), Array Cables, Interlink Cables, Offshore Electrical Connection Cable to the Isle of Man, as well as the landfall assets on the Isle of Man. The Moir Vannin Generation Assets will generate in the region of 1,400 Megawatts (MW) with an expected installed capacity of 1,499 MW of which between 80 MW and 100 MW is expected to be delivered to the Isle of Man.

The East Irish Sea Transmission Project (hereafter the Proposed Development) will be located wholly in English waters and England land territory and will deliver approximately 1,300 MW to 1,320 MW of energy from the Moir Vanning Generation Project to the National Grid at Penwoertham.

The Proposed Development includes up to four Offshore Export Cables and 12 Onshore Export Cables (in four circuits), up to three Offshore Booster Stations and up to one Onshore Booster Station, an Onshore Substation (OnSS) and Electrical Balancing Infrastructure (EBI).

Ørsted East Irish Sea Transmission Limited, a subsidiary of Ørsted (hereafter the Applicant), is proposing to develop the East Irish Sea Transmission Project. Two potential offshore cable corridor routes and landfall locations (Sefton or Fleetwood) are currently under consideration. The final number, location, and detailed design of the Offshore Booster Stations, as well as the exact cable route are yet to be determined.



2. Location

The Proposed Development is located in the East Irish Sea between the territorial waters of the Isle of Mann and the North-West coast of England. The scoping report includes potential landfall locations at Sefton and Fleetwood. The Scoping area is displayed in Figure 1 below.

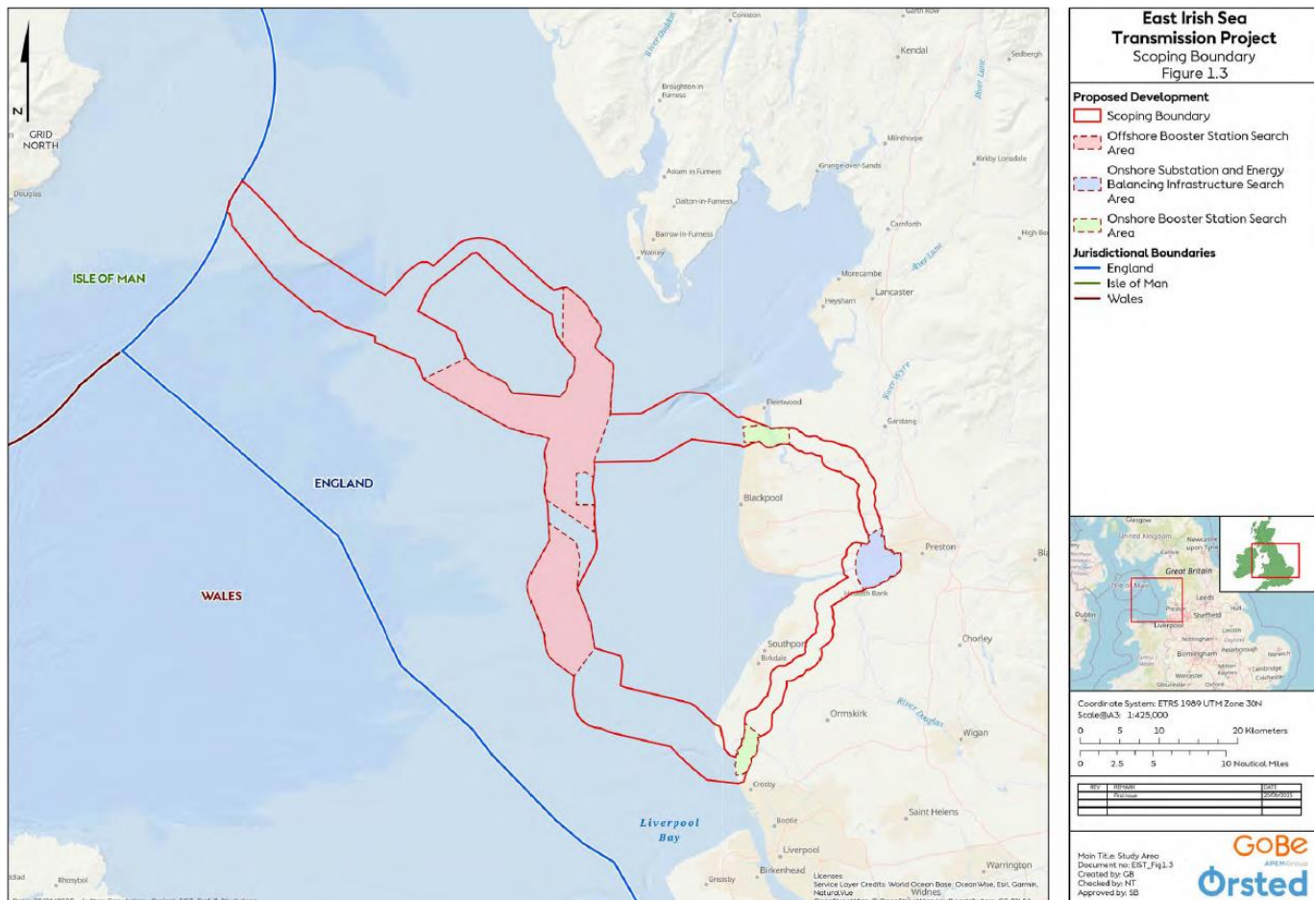


Figure 1: The Scoping Boundary of East Irish Sea Transmission Project



3. Scoping Opinion

Pursuant of regulations 10 and 11 of the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), the Planning Inspectorate has requested a Scoping Opinion from the MMO.

A Scoping Report entitled 'East Irish Sea Transmission Project Environmental Impact Assessment (EIA) Scoping Report August 2025' has been reviewed by the MMO.

The MMO agrees with the topics outlined in the Scoping Report and in addition, we outline that the following aspects be considered further during the EIA and must be included in any resulting Environmental Statement (ES).

3.1 General Comments

- 3.1.1 The MMO supports the inclusion of a DML within any application for a DCO for the Proposed Development; we recommend that the Applicant engages with the MMO to agree the content of the DML prior to any eventual DCO application submission.
- 3.1.2 The MMO notes that very little detail has been provided at this stage of the application in regard to the proposed dredging (including dredge depth and volume) for activities such as seabed preparation and sandwave levelling. The MMO requests that this is discussed and presented in detail in the forthcoming EIA and Preliminary Environmental Information Report (PEIR).
- 3.1.3 The MMO notes that the report does not appear to mention whether a disposal site will be designated for the Proposed Development. In line with The Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) and the London Convention and London Protocol (LCLP), any deposition of material within the marine environment must be within a licenced disposal area, and therefore the MMO requests consideration is given to this during the EIA and a Site Characterisation Report is provided.
- 3.1.4 The MMO is unable to find a definition of the Marine and Coastal Access Act 2009 within the EIA Scoping Report. The MMO requests this is included in future documents for clarity.
- 3.1.5 Similarly, the MMO were also unable to find a definition of Mean High Water Springs (MHWS) within the EIA Scoping Report and requests this is also included.
- 3.1.6 The MMO notes that within the EIA Scoping Report, Volume 1: Introductory Chapters, Abbreviations and Acronyms table, the term MHWS is used to refer to both "*Mean High Water Spring*" and "*Mean High Water Springs*". While the MMO does not consider this inconsistency to affect the outcome of the EIA Scoping Report, we request that the Applicant adopts a consistent usage throughout the documents, specifically using "*Mean High Water Springs*".
- 3.1.7 Within the EIA Scoping Report Volume 1: Volume 1: Introductory Chapters, Chapter 3: Project Description comment 3.5.4.11 states "*A temporary access*



track may be required for beach access during Construction for personnel and construction related vehicles and plant. This may require upgrading existing access or creating a new access. In addition, equipment may also need to be brought to the Landfall by sea by utilising and beaching a barge, or similar vessel, throughout the Construction period.” The MMO would like to make the Applicant aware that this may itself be a Marine Licensable activity and that it is the Applicant’s responsibility to identify what activities may or may not require a marine licence and be assessed within the application.

- 3.1.8 The MMO notes that within the Glossary table of the EIA Scoping Report, Volume 2: Offshore Chapters, the definition of *Cable Corridor* is blank. The MMO requests that this is corrected to ensure clarity throughout.
- 3.1.9 Additionally, within the Glossary table of the EIA Scoping Report, Volume 2: Offshore Chapters, the definition of *Design Envelope* states “*A description of the range of possible elements that make up the East Irish Sea Transmission Project design options under consideration, as set out in detail in the Project Description. This envelope is used to define the East Irish Sea Transmission Project for Environmental Impact Assessment (EIA) purposes when the exact engineering parameters are not yet known. This is also often referred to as the “Rochdale Envelope” approach.*” The MMO appreciates that the Applicant has referenced the Rochdale Envelope in this definition, but the MMO would expect the definition to include mention of the Design Envelope being the worst-case scenario.
- 3.1.10 The MMO notes that within Table 1.3 of the EIA Scoping Report, Volume 2: Offshore Chapters, Chapter 1, Fylde MCZ is incorrectly labelled as “*Flyde*”. The MMO considers this is likely a typographical mistake, but requests this is corrected to ensure consistency and transparency throughout.
- 3.1.11 In addition, the scoping document contains multiple volumes and chapters and hence up to in excess of 1000 pages, with multiple duplicated section numbers (e.g. there are four sections labelled 2.3.2.1 across the document). The MMO considers that it would be beneficial to have a functioning index tab for navigation for all chapters, which the documents do not appear to have.

3.2 Marine Planning

- 3.2.1 The MMO notes and welcomes the Applicant’s consideration of the North West Inshore and Offshore Marine Plan areas within each relevant chapter of the ES.
- 3.2.2 The MMO would expect a full review of all plans and policies within the Policy and Legislative Chapter of the ES. This should be a full assessment of all policies within a table format with more detail than ‘see chapter XX’ so that a full review of the marine plans can be undertaken at once.

3.3 Conservation of Habitats and Species Regulations 2017

- 3.3.1 The MMO defers to Natural England (NE) as the Statutory Nature Conservation Body (SNCB) on the suitability of the scope of the assessment with regards to the Habitat Regulation Assessment.



3.4 Other Nature Conservation

- 3.4.1 The MMO defers to Natural England (NE) as the Statutory Nature Conservation Body on the suitability of the scope of the assessment with regards to the Marine Conservation Zone assessments and other nature conservation topics.

3.5 Benthic Ecology

- 3.5.1 The MMO considers that the proposed baseline data sources appear to be broadly appropriate as outlined in Section 4.3.2 of Volume 2 of the EIA Scoping Report however, clarification from the Applicant is required on several points.
- 3.5.2 The Applicant has identified appropriate existing data sources to support baseline characterisation (see Table 4.2 of the EIA Scoping). The MMO welcomes the inclusion of OneBenthic but notes that the reference provided is from 2020 and that more recent data are now available. The MMO requests that the Applicant commits to using the most up-to-date OneBenthic data available for the study area when characterising the benthic ecology baseline for the PEIR and ES.
- 3.5.3 In characterising the benthic ecology baseline, it is unclear whether the Applicant has applied a time limit to data usage. As a general principle, data less than 10 years old are appropriate for defining the present-day baseline, while older data should be used only to provide historical context unless a robust justification is provided for their inclusion in baseline characterisation. The MMO requests that the Applicant clarifies the temporal scope of data used in the Scoping Report and, if applicable, amend the approach so that the PEIR and ES focus on contemporary (<10-year-old) data.
- 3.5.4 The proposed site-specific subtidal and intertidal surveys are appropriate and should form the primary basis of the benthic ecology baseline characterisation (see Sections 4.3.2.2 and 4.3.5 of Volume 2 of the EIA Scoping Report). However, as no survey design or methodology details are provided, the MMO is unable to comment on whether the resulting data will be adequate at this stage. The MMO requests that the Applicant confirms whether they intend to provide this information to the MMO and its advisors for review prior to survey implementation, this is best practice for offshore wind farms.
- 3.5.5 Regarding benthic receptors, the MMO considers the impacts on benthic ecology receptors that have been scoped in are appropriate (see Table 4.6 and Annex 1 of the EIA Scoping Report). The MMO does not consider there to be any additional impacts requiring consideration beyond those already identified and either scoped in or out by the Applicant at this stage.
- 3.5.6 The MMO generally agrees with the conclusions and justifications for scoping out impacts on benthic ecology receptors (see Table 4.7 and Annex 1 of the EIA Scoping Report). However, the MMO requests that one element of a scoped-out impact is retained for assessment. While it is reasonable to scope out invasive non-native species (INNS) introduction via vessel traffic, provided standard mitigation is applied, the potential for introduced hard structures (e.g. Offshore Booster Station(s) and cable protection) to act as stepping stones for INNS should be considered (Adams et al., 2014), either under '*Colonisation of*



hard structures’ or as a separate pressure. This assessment should account for the fact that the larvae of some species can disperse over distances ranging from tens to more than a hundred kilometres (Álvarez-Noriega et al., 2020). Connectivity should therefore be evaluated at this spatial scale.

- 3.5.7 The MMO agrees that the commitments to mitigate impacts on benthic ecology receptors are appropriate (see Table 4.5 and Annex 2 of the EIA Scoping Report). However, the MMO requests that another commitment is made by the Applicant. There is currently no commitment to routing or micro-routing the export cable corridor to avoid sensitive or protected benthic ecology features. While this may reflect the current absence of detailed baseline data, the MMO requests that the Applicant commits to applying such measures should said features be identified during surveys. The MMO also notes that the current route options (including buffers) overlap with several designated sites (see Table 4.3 of the EIA Scoping Report). The Applicant should clarify whether they can commit at this stage to selecting a route that minimises risks to the conservation objectives of designated sites. However, the MMO defers to the relevant Statutory Nature Conservation Bodies (SNCBs) for what constitutes a significant risk in this context.
- 3.5.8 The MMO considers that the Applicant has correctly identified Manx waters as an area where transboundary impacts on benthic ecology receptors may occur, leading them to appropriately scope these impacts into the assessment. The MMO agrees that transboundary impacts in other areas do not require assessment.
- 3.5.9 The Applicant has correctly *identified ‘Temporary increase in suspended sediment concentrations and sediment deposition’* as an impact that should be included in the cumulative effects assessment (CEA) for benthic ecology receptors. However, the CEA should also assess the potential for the Proposed Development to act in combination with other projects to facilitate the spread of INNS in the region (see comment 3.5.6 above).
- 3.5.10 Regarding appropriate mitigation measures, as mentioned in comment 3.5.7 above, the MMO requests a commitment to route the export cable corridor to avoid sensitive or protected benthic ecology features wherever practicable. The need for any additional mitigation measures should be determined once data from the planned site-specific benthic ecology surveys are available.
- 3.5.11 The key issues for benthic ecology to be addressed through the Evidence Plan Process are:
- (i) survey design and methodology;
 - (ii) the need for, and approach to, mitigating impacts on sensitive and protected benthic ecology features; and
 - (iii) the potential role of the development in facilitating the spread of INNS.
- 3.5.12 The Scoping Report includes a question “*Do you agree with the proposed assessment methodology for benthic subtidal and intertidal ecology?*” The MMO agrees with the assessment methodology outlined in the benthic ecology section (Volume 2, Section 4.6.2) and with the broader EIA methodology set



out in the Introductory Chapters (Volume 1, Section 5) of the of the Scoping Report.

3.5.13 In summary of the Benthic chapters, the proposed study area, baseline data sources, scoped-in impacts, and assessment methodology are broadly appropriate. However, the Applicant should:

- (i) provide detailed survey designs and methodologies for the MMO to review;
- (ii) commit to routing the export cable corridor to minimise impacts on sensitive or protected benthic ecology features as far as practicable; and
- (iii) assess the potential for hard structures to facilitate the spread of INNS in the region, including cumulatively with other developments.

3.6 Coastal Processes

3.6.1 The MMO understands that the offshore scoping boundary is six kilometres (km) wide to allow for four cable circuits, narrowing to 2km wide inshore of MHWS tidal level. The Scoping Boundary presented has two landfall options (Fleetwood and Sefton), which will be reduced to one for the final application – hence the cave corridor at scoping takes two possible pathways.

3.6.2 The physical processes Zone of Influence (ZOI) (EIA Scoping Report Volume 2 Chapter 1, Figure 1.1) is defined with a fixed additional width of 10km around the scoping boundary based on the tidal excursion (and linked to suspended sediment transport distance and interaction with receptors in EIA Scoping Report Chapter 5 Section 5.7.2.1). This physical scale (tidal excursion) is likely to vary slightly across the length of the cable corridor (i.e., not fixed at 10km everywhere) and the assumed scale of influence is not linked to any potential cumulative, long-term reach of sediment systems (for example, the potential disruption caused by sandwave clearance). The MMO considers that the ZOI could, theoretically, and in practice should, be expanded if necessary, should a specific process be found, with further data, to extend effects further than the 10km envelope. For the present the ZOI appears to be reasonable, and it is the MMO's current expectation that it is unlikely to require amendment.

3.6.3 The MMO notes that it is not explained in EIA Scoping Report Volume 1 Section 3.5.2.5 why the Applicant proposes bathymetric surveys (2025-26) that will not cover the whole scoping boundary and how the sub-selection of surveyed areas will be determined (for what reasons). The MMO raises that this should be explained in survey reporting and/or for the project PEIR, but it would be helpful to explain the reasons at the scoping stage to ensure the data selection is appropriate for regulator's needs.

3.6.4 The MMO notes that baseline data sources (EIA Scoping Report Volume 2 Table 1.2) are mostly broad scale, so probably lacking specific site detail, though the sources include site-specific detailed assessments for previous Irish Sea windfarm and transmission assets assessments. The given sources are numerous and likely to be adequate for baseline environmental characterisation. EIA Scoping Report Volume 2 paragraph 1.3.5.1 recognises the future need for site-specific data to be collected.



- 3.6.5 For example, the scoping presentation and description is considered reasonable, but the graphic illustration of tidal flow (EIA Scoping Report Volume 2 Figure 1.6 and Figure 1.7) represent flow magnitudes, but not direction or residual flows. These would be useful for comparison with interpreted sediment transport patterns of Figure 1.4, for example. The MMO believes this should be provided where substantial bedform disruption may be proposed.
- 3.6.6 Therefore, the MMO considers that baseline data presentation may need to be amended to support specific assessments in the PEIR and final ES submission.
- 3.6.7 The MMO notes that the impacts scoped in (EIA Scoping Report Volume 2, Table 1.5) include Suspended Sediment Concentration changes and transport, deposition and bed and sandbanks morphology change during construction, plus modification of littoral transport and subsequent effect on coastal morphology and behaviour at the landfall. This appears to encompass the potential specific impacts that are likely from construction - these same impacts are scoped out for the Operations and Maintenance (O&M) phase.
- 3.6.8 The scoping (EIA Scoping Report Volume 2, Table 1.6) has ruled out assessing the physical impacts listed to bed, bank and coastal morphology during the O&M phase, alongside any hydrodynamic and sediment dynamic impacts arising from the presence of the booster stations, on the basis of the proportional assessment methods outlined by the applicant in Volume 1 of the EIA Scoping Report and in previous meetings held with the MMO and our technical advisors, Cefas. The MMO considers that this is reasonable for direct impact assessment but has further comments. See comments below at 3.6.13.
- 3.6.9 The proportional assessment method was introduced and in principal agreed prior to submission of the scoping in an expert topic group meeting held on 11 August 2025 with the Applicant, MMO and Cefas present, assuming that the scoping was supported by sufficient data to demonstrate proportionality when scoping out impacts. In the present case, the scoping does not present data specifically relating to the scoped out process and relies mostly on reasonable expectation of magnitude and duration of impacts. For the most part the MMO does not consider the scoping to be unacceptable but has further comments. See comments below at 3.6.13.
- 3.6.10 The commitments made relating to physical process effects are Co9 and Co11 (EIA Scoping Report Volume 2, Chapter 1, Table 1.4). These are basic commitments seen as typical or standard for Offshore Wind Farms (OWFs), measures which do not address project-specific effects at this stage i.e., cable burial risk assessment (CBRA) and scour protection management plans (SPMP) documents outlining known methods for managing these risks and impacts, which would be expected. EIA Scoping Report Volume 2 Chapter 2 (Water Quality) adds a third Construction Project Environmental Management and Monitoring Plan (CPEMMP, commitment Co13) which is again a standard and expected mitigation. As such, the MMO considers that these measures are suitable at this stage of the application.
- 3.6.11 The Impact Register impact comments for MP-11 that seabed changes due to scour at the booster stations is scoped out because a scour management plan will be in place to prevent it. Scour management often involves rock (or similar,



concrete) block protection placement over the existing finer (erodible) sediment – so is in itself a seabed sediment change, of similar if not larger magnitude than the scour itself (i.e., being a whole new substrate type). This is a very localised physical change with minimal impact on processes (pathways) but may provide a local habitat change so should be considered by ecology advisors (e.g., in terms of biofouling and habitat connectivity, for example). The MMO requests that the physical process changes are not scoped out for these in other topics.

- 3.6.12 The scoping report commits to conducting transboundary assessment (for the Isle of Man jurisdiction boundary) (EIA Scoping Report Volume 2, Section 1.6.3) but reference a long list of guidance documents rather than outlining the project-specific approach. At this stage, the approach is not fully defined. Therefore, the MMO anticipates that the PEIR will define in more detail the impact pathways that will be assessed, and the data used for each.
- 3.6.13 As with the transboundary assessment, cumulative assessment scope and methods are not explained in detail. The MMO highlights that the only major concern currently arising from the scoping out of bed and morphology impacts from the O&M phase activities lies in the potential scenario that repeated operational maintenance works are required on specific areas, e.g., potentially mobile beds in which burial is repeatedly compromised by sediment (most plausibly bedform) movement. Repeated interventions at a location may lead to a locale in ‘non-equilibrium’ for long periods, such as reforming bedforms, with potential for impacts on downstream physical processes and habitats in disrupted states. The MMO considers that this could be a concern if these downstream areas are specific habitats that never fully recover and so it will be necessary to ensure that benthic/ecology assessments are also content that no impacts will arise by this, which could be unlikely, cumulative pathway.
- 3.6.14 Under the banner of climate change assessment (EIA Scoping Report Volume 4 Chapter 2) the Applicant has proposed scoping out the impact of carbon emissions from land use change and specifically states (Table 2.7) that *“the baseline environment ... is not a significant carbon store [and] would be restored at the Decommissioning phase”*. On the other hand, seabed sediments are a potentially very large total store of carbon, and the full area affected by the whole project, including all cabling and turbine locations over the project, is quite large. The MMO considers that this quantity should be approximated as a justification for scoping out (as a comparative value for carbon accounting of this general development).
- 3.6.15 The scoping suggests that the major physical process concerns will be carried forward for further discussion –
- (i) the quantity and bed mobility context of seabed levelling requirements, and the associated sediment disposal options
 - (ii) requirement for scour protection (and the mitigation undertaken to minimise this need), and
 - (iii) the options to minimise disturbance and risk to morphological processes at the landfall site.



The MMO requests this is undertaken as suggested.

- 3.6.16 Regarding the Impact Register, the MMO considers that the impacts are described adequately, in broad terms e.g., changes to coastal morphology are noted, but not exactly what changes, which could be several – these would be specific to the coastal processes at the locations concerned, which are not detailed in the scoping. The MMO considers that this is appropriate and would be expected at the PEIR stage.
- 3.6.17 Regarding whether the commitments proposed are sufficient to support “Scoping Out” of impacts, in general the MMO expects this to be the case. However, the scoping has not provided estimates of cable maintenance allowances for the O&M phase to be included in the licence, and it remains possible that the Applicant proposes substantial further works (in the plans mentioned in Co9 and Co11) that would imply scoping them back in. At present it is reasonable to assume that this will not be the case, and this could be addressed as part of the required review of the CBRA and SPMP (and the CPEMMP, for Co13).
- 3.6.18 Figure 1.3 (EIA Scoping Report Volume 1) presents the development scoping boundary with substantial shaded areas delineating the Offshore Booster Station search areas, shown again in Figure 2.1 (EIA Scoping Report Volume 2). Subsequent figures in Volume 2 presenting the physical process parameters e.g., Figures 2.2 onward, showing seabed sediment or suspended sediment concentrations etc as shaded maps are all confounded by retention of the shaded search areas, i.e., distorting the colours as shown on the Figure keys. The MMO requests that the shading of the search areas should be removed from all data presentation plots where it is not relevant – at the least this should be done at the PEIR stage, when presenting actual impact assessment data.
- 3.6.19 Regarding the physical/coastal processes sections, the MMO considers that the scoping is comprehensive and, as anticipated, does not contain detailed assessments of the data to support scoping out of certain impacts. For the most part this is considered acceptable for coastal process impacts, on the basis that the scoped out impacts from the O&M phase can be reasonably expected to be negligible. However, the MMO notes that this could be revisited in future should unexpected operational constraints be revealed at a later stage of the process entailing substantial provision for rework in the final licence application.

3.7 Seascape / Landscape

- 3.7.1 The MMO defers to Historic England (HE), NE (as the SNCB) and relevant Local Planning Authorities (LPA) on the suitability of the scope of the assessment with regards to Seascape and Landscape.

3.8 Fish Ecology and Fisheries

- 3.8.1 The MMO requests that the potential impacts of noise and vibration as a barrier to species movement be included under the ID: FS01.
- 3.8.2 Regarding disturbance due to electro-magnetic fields, the maximum permanent corridor width is 1200m x 60km which equates to 70,000,000 metres squared



(m²) or 72 kilometre squared (km²). This is a large area and should be scoped in or justification provided why it has not due to the potential barrier to species movement.

- 3.8.3 Additionally, considering the Morgan and Mona route will have a similar scale, the MMO requests clarification on why this has not been considered as a cumulative impact.
- 3.8.4 Bass are a diadromous species that migrate from deeper waters into the estuaries and coastal areas of the Irish sea during the summer months. The MMO is aware that fishers in the North-West are concerned that wind farms may be preventing or reducing the migration of bass into the Irish sea. This may not be caused by the electro-magnetic fields, however scoping this in for further consideration may alleviate some concerns.
- 3.8.5 The MMO understands that the Zol for underwater noise (UWN) will be determined from UWN modelling, to identify the area over which increases in UWN may affect fish species. The largest impact ranges of UWN are anticipated to result from the percussive piling of foundations for the Offshore Booster Station(s).
- 3.8.6 The extent over which UWN may affect fish species will be determined using the noise effect thresholds set out in Popper et al. (2014). For the purpose of Scoping, the UWN Zol has been set to 50 km buffering the Offshore Booster Station Seach Area, based on the maximum UWN impact ranges predicted for the Moir Vannin Generation Project. The MMO supports the use of a separate Zol for the effects of UWN on fish and agrees that the noise thresholds set out in Popper et al. (2014) are appropriate for use in the noise modelling to determine the range of effect for impacts to fishes. Noting that the Manx herring (*Clupea harengus*) spawning ground is located within the south and east of the Isle of Man, the MMO requests that the Applicant also models the 135 decibel (dB) single strike sound exposure level (SELss) threshold as per Hawkins et al. (2014) to determine the range of effect for behavioural responses in herring at the Manx herring spawning ground. Given the wide-reaching effect of UWN, particularly from percussive piling, the MMO anticipates that the Zol may need to be expanded beyond 50 km, but this can be reviewed once the noise modelling is complete.
- 3.8.7 The MMO considers that the data sources for fish ecology listed are suitable for characterising the baseline environment of the East Irish Sea, sources include fisheries survey data from the Northern Irish Groundfish Survey and North-West Ground Fish (beam trawl) survey, and the Northern Irish Northeastern Larvae (NINEL) survey. Information on the spawning and nursery grounds of fish in British and Manx waters will be identified based on Aires et al. (2014); Campanella and van der Kooij (2021); Coull et al. (1998); Ellis et al. (2010, 2012), which is appropriate.

The Applicant will also incorporate evidence acquired from other OWF developments in the vicinity of the project such as pre- and post-construction trawl survey data sets and supporting application documents from Irish Sea OWF developments that are already in the planning or consented stages such as Moir Vannin, Morgan and Morecambe OWFs. These additional sources of



evidence are suitable to inform the characterisation of the study area, however, the MMO requests that limitations associated with third party data should be acknowledged, such as the vintage of the data, the timing of the surveys, and the gear types used.

- 3.8.8 The Applicant considers that no dedicated fish surveys are deemed necessary to inform the EIA, which the MMO is inclined to agree with. However, data on sediment types across the study area will be acquired as part of the benthic ecology baseline surveys and will be used to inform the habitat suitability assessments for sandeel and herring, which the MMO considers appropriate.
- 3.8.9 Regarding impacts, on the whole, the impacts proposed to be scoped into the EIA in Table 5.6 of the EIA Scoping Report (Volume 2, Chapter 5) are appropriate. However, in respect of Impact FS-08 - Permanent and / or long-term habitat loss/ alteration due to the addition of structures. The MMO requests that this impact should be assessed during the decommissioning phase (in addition to the O&M phase), unless the Applicant removes all seabed infrastructure on decommissioning.
- 3.8.10 In reference to Impact FS-09 - Disturbance due to Electro-Magnetic Fields (EMF) from subsea cables, the MMO agrees that this impact can be scoped out for the construction and decommissioning phases of the development. For the operational phase of development, the MMO considers it may be appropriate to scope this impact in as there is a potential risk to EMF-sensitive fish receptors, particularly diadromous species in locations where the cable route crosses with nearshore and estuarine habitats being used during migrations of diadromous fishes. This is especially relevant that the two landfall options given are located next to estuaries; landfall at Sefton is situated on the Mersey, and Fleetwood is situated on the river Wyre, and close to the river Lune.
- 3.8.11 The MMO does not have any major concerns regarding significant impacts to other EMF-sensitive fish receptors (e.g. elasmobranchs) in the wider offshore area, as whilst there is clear evidence of behavioural responses in EMF-sensitive fish receptors such as attraction or avoidance of EMF, there is a currently a lack of evidence to suggest that significant changes to populations or distributions of species have occurred as a result of EMF from subsea cables. Whilst commitments Co9 (Cable Specification and Installation Plan (CSIP) and Cable Burial Risk Assessment) and Co11 (development of and adherence to a SPMP) mean that where possible cables will be buried to an appropriate depth, there may still be a risk to diadromous species that utilise estuaries during migrations, if the cable route crosses or enters an estuary, or runs in close proximity to a known migratory route.
- 3.8.12 The MMO notes that clearance of unexploded ordnance (UXO) will be subject a separate licence application and thus is not scoped in/out of the forthcoming EIA and the MMO welcomes this.
- 3.8.13 The MMO agrees with the general approach and data gathering used in the scoping report, however, there are a few points which require actioning prior to the EIA being carried out. The Applicant proposes to use MarineSpace (2024a) / Kyle-Henney et al., (2024) *'Identifying and Mapping Atlantic Herring Potential Spawning Habitat: An Updated Method Statement'* to inform their herring



spawning habitat suitability assessment. However, the Applicant should note that following the Kyle-Henney et al., (2024) approach using NIHLS data is not possible as the abundance of herring larvae recorded in the NIHLS data is not comparable to those observed in the International Herring Larvae Surveys (IHLS) data and the confidence scoring used in this approach will not be suitable.

- 3.8.14 The MMO understands that the Applicant will be referring to supporting application documents from Irish Sea OWF developments such as Morgan (DCO/2022/00003), Morecambe (DCO/2022/00001) and Mona (DCO/2022/00004), therefore, the MMO requests that the Applicant follows a similar approach to that used by these projects for determining areas of potential Manx herring spawning habitat, in which the NIHLS point data are weighted at each station according to the relative abundance of larvae across the study area grid, then the points should be smoothed to remove noise in the data and generate areas of higher and lower density/heat. The MMO notes that the Applicant has already taken steps in the use of NIHLS data in Figure 5.2 – Herring Spawning Grounds and Larval Density. The approach should follow Reach et al. (2013) and include the use of site-specific particle size analysis (PSA) data, EMODnet seabed sediment data and the most recent 10 years of the NIHLS data to determine herring spawning habitat suitability.
- 3.8.15 Regarding the commitments within the Fish chapter, the MMO considers the relevant commitments in Table 5.5 (Co9, Co11, Co13, Co25, and Co28) are appropriate ‘best-practice’ measures for reducing some of the risks to fish receptors.
- 3.8.16 In relation to transboundary effects, the MMO considers that given that the Proposed Development sits at the border between Manx waters and UK waters, transboundary impacts on fish receptors are to be scoped into the assessment. The assessment will take an Important Ecological Features (IEF) approach to determine which fish species to take forward to the impact assessment stage. IEFs may include factors such as ecological, conservation, social, and economic value. On the whole, the MMO considers the proposed approach and way in which the magnitude of impact and sensitivity of fish receptors will be assessed is appropriate.
- 3.8.17 The approach to the CEA appears appropriate. The CEA for fish and shellfish ecology will consider the maximum design scenario for each of the projects, plans and activities. For the UWN CEA, a 100 km ZoI will be used to identify projects with the potential to cause cumulative underwater noise impacts and will consider other offshore projects which may have overlapping piling schedules, as well as the project-specific UWN modelling. The CEA for changes in Suspended Sediment Concentration (SSC) and sediment deposition and potential effects on fish will be guided by the outcomes of the Marine Geology, Oceanography and Physical Processes assessment, which the MMO supports.
- 3.8.18 Regarding the Evidence Plan Process, the MMO considers the major issues that should be carried through are the following:



- i. Impacts from UWN from piling, particularly on those species with the highest hearing capabilities which have spawning grounds in the region (such as herring, cod (*gadus morhua*) and European seabass (*Dicentrarchus labrax*).
- ii. Impacts of seabed habitat disturbance from seabed preparation and cable laying activities to demersal dwelling species, primarily sandeel.
- iii. As the point made in comment 3.8.10 above, there is potential for the effects of EMF to affect diadromous species in locations where the cable route crosses with nearshore and estuarine habitats being used during migrations of diadromous fishes. However, this is dependent on the final location of the cable landfall site.

3.8.19 The MMO notes that Commitment Co28 proposes the development of a piling and UXO Marine Mammal Mitigation Protocol which will be implemented during construction which includes the use of soft-start procedures. The MMO requests the Applicant must consider including noise abatement systems such as piling hammer cushions and big bubble curtains as part of this commitment as these methods can reduce noise emittance during piling and UXO clearance. As per the Department for Environment, Food & Rural Affairs (Defra) 2025 policy – noise abatement/mitigation systems will be required going forward and a commitment should be made at the earliest stage.

3.8.20 The MMO notes that many of the fishing vessels that will be impacted by the scope of the works are under 10 metres (m) vessels that do not use Automatic Identification System (AIS). The MMO requests that the Applicant ensures that these vessels are included in the surveys when collecting further evidence and early engagement with the fishing industry is encouraged.

3.8.21 The MMO understands that commercial vessels typically launch from Dee sailing club in Thurstaston, New Brighton, Lytham St Annes, Fleetwood, Barrow-in-Furness, Whitehaven and Maryport as well as other locations. Many of these commercial vessels are dependent on good weather conditions and do not have many options for diversification. Therefore, disruption to fishing grounds access or to commercially important fish can have significant impacts to their incomes and should be taken into account in the assessments.

3.8.22 When considering commercially important species, the MMO requests that the Applicant considers the species that are landed by the under 10m vessels, such as bass, dover sole and shrimp. These are often not considered as the value generated by these species is smaller compared to others. However, these are particularly important to smaller vessels, which as mentioned previously do not have many options for diversification.

3.8.23 There are also a considerable number of recreational vessels that also fish from many more locations along the coast and the MMO requests that impacts to these vessels are also considered.

3.9 Shellfish

3.9.1 Regarding the baseline data for shellfish ecology, the Applicant has identified a range of appropriate, timely data sources that are expected to adequately



characterise the baseline. The data sources identified include site specific surveys, regional monitoring data and commercial landing statistics for the area covered by the proposed project.

- 3.9.2 However, the Applicant has also stated that it will use benthic monitoring (drop down camera surveys) to identify potential Nephrops grounds along the cable corridor route. The MMO has concerns around the validity of this method for identifying Nephrops ground due to the verticality of the camera angle from drop down cameras, noting, that Nephrops surveys are usually undertaken using a camera sledge which have an oblique camera angle. The MMO requests the methodology to be included, and where possible referenced, alongside any data presented in any future documentation to allow full evaluation.
- 3.9.3 Further to the baseline data sources identified, the MMO would expect to see consultation with local fishers, noting that artisanal fisheries are not accurately represented in landing statistics. This will be of value in the case of any inshore shellfish beds identified, e.g. Cockle. Therefore, the MMO requests this is undertaken for the forthcoming EIA.
- 3.9.4 Regarding impacts on Shellfish ecology, the MMO requests '*direct removals/direct damage*' to be included for all species within the proposed project area, noting that shellfish species are generally of a sessile nature and therefore have limited capability to avoid direct impact.

3.10 Archaeology / Cultural Heritage

- 3.10.1 The MMO defers to HE on the suitability of the scope of the assessment with regards to Archaeology and Cultural Heritage impacts.

3.11 Navigation / Other Users of the Sea

- 3.11.1 The MMO defers to the Maritime Coastguard Agency (MCA) and Trinity House (TH) on the suitability of the scope of the assessment with regards to navigation of vessels.
- 3.11.2 As mentioned previously in comment 3.8.23 above, the MMO understands there are also a considerable number of recreational vessels that also fish from many more locations along the coast and the MMO requests that impacts to these vessels are also considered and the Royal Yachting Association (RYA) and local clubs and marinas are part of the consultation.

3.12 Air Quality & Climate

- 3.12.1 The MMO defers to the LPA, Environmental Agency (EA) and the UK Health Security Agency (UKHSA) on the suitability of the scope of the assessment with regards to air quality and climate.

3.13 Water Quality

- 3.13.1 The MMO defers to the EA on the suitability of the scope of the assessment with regards to water quality.



3.14 Seabed / Land / Soil Quality

- 3.14.1 The MMO considers the baseline data sources for marine sediment quality appear appropriate, comprising relevant offshore monitoring data such as those submitted by the UK to OSPAR, and sediment quality data available from other construction projects such as the various Irish Sea offshore wind farms under application and construction. Contaminant data are accompanied by detailed seabed sediment classifications which aids the characterisation of the sediment quality. The MMO considers this is appropriate to inform the baseline.
- 3.14.2 The MMO notes Table 2.9 details that one impact relevant sediment are scoped in, these being: Release of sediment-bound contaminants from disturbed sediments resulting from seabed preparation, cable installation, cable repair/replacement and decommissioning. The MMO considers this impact is appropriate to scope in.
- 3.14.3 Each impact that has been scoped out relevant to sediment quality is located in Table 2.10 of the EIA Scoping Report. Various impacts relating to the deterioration of water quality due to various specific activities such as scour and cable installation. The MMO considers these are adequately justified and has no further comments regarding impacts that are scoped out at this stage.
- 3.14.4 The MMO notes that Section 2.6 of the EIA Scoping Report states that the Study Area will be characterised for its chemical (contaminant) conditions to assess marine water and sediment quality in its own right as a receptor. The MMO considers this is an appropriate action, however the report is very low detail in terms of the survey specifications. There are no specific guidelines to advise on the sampling effort required for sediment quality other than general best practice (e.g. OSPAR) and more specific guidelines such as those for the management of dredged material which are sometimes used as a proxy. Ultimately given the early stage of the project, the MMO does not expect the Applicant to know the exact specification of all of their baseline data collection. However, the MMO strongly requests that the Applicant ensures that contaminant samples are sufficiently representative of the Study Area in terms of spatial location and especially the number of samples. Surveys comprising less than ten contaminant samples are likely to carry extreme sampling error and will provide a weak baseline. The Applicant should also be considerate of which contaminants to test for, providing justification for their selection when the data are available. The MMO would be happy to provide further comments through a direct consultation should the Applicant request this.
- 3.14.5 Typically, contaminant surveys make opportunistic use of benthic grab sampling, this is appropriate so long as the MMO guidelines for sampling are adhered to. Sample plan guidance and templates can be found at : <https://www.gov.uk/guidance/marine-licensing-sediment-analysis-and-sample-plans#sample-plans-and-sediment-analysis>. Samples which are almost exclusively coarse sand/gravel are not required for contaminant analysis – however the Applicant should evidence this through particle size analysis rather than visual descriptions or desk-based data.
- 3.14.6 The MMO notes Commitment 13 (Co13) states that the CPEMMP will include: *“A chemical risk review to include information regarding how and when*



chemicals are to be used, stored and transported in accordance with recognised best practice guidance". The MMO requests that the Applicant should ensure that the proposed chemical risk review aligns to expected requirements (which can be elucidated through consultation with the MMO), and that any reference to the assessment frameworks for oil and gas (notably, the Offshore Chemical Notification Scheme) should be explicitly avoided.

- 3.14.7 Section 2.3.3.14 of the EIA Scoping Report states that "*Sediments with a finer particle size...can act as adsorption surface for contaminants that may be released into the water column*" then states that coarser sediments carry a much lower risk of contamination. Technically all sediment types can act as adsorption surfaces, as the mechanism of adsorption relates to the propensity of substances to sorb (stick) to surfaces. The MMO considers phrasing would be better if it stated that finer sediments carry a higher risk of higher contaminant concentration due to their greater relative propensity for adsorption.
- 3.14.8 Additionally, Section 2.3.3.17 of the EIA Scoping Report refers to the UK Action Levels (ALs) as "*Guideline*" ALs. This misinterprets the role of the UK ALs, which is not to provide guidance similar to – often non-binding – Sediment Quality Guidelines, but rather, the UK ALs comprise the binding legal standard for disposal of dredged material at sea under the London Protocol.

3.15 Underwater Noise

- 3.15.1 The MMO considers the Study Area is appropriately defined using a Maximum Design Scenario (MDS) approach, which considers the worst-case spatial extent of underwater noise impacts. The ZoI includes areas where Permanent Threshold Shift (PTS), Temporary Threshold Shift (TTS), and behavioural disturbance may occur in marine mammals such as harbour porpoise and bottlenose dolphin.
- 3.15.2 The MMO notes that for underwater-noise assessment purposes, Chapter 6 from Volume 2 of the EIA Scoping Report defines a site-specific area tied to the cable and Offshore Booster Station(s) footprints and a regional study area sized to mobility and ecology of relevant species. The MMO considers the site-specific area (Scoping Boundary plus 4 km buffer) is suitable for assessing nearfield noise effects, while the regional area, using Management Units (MUs), is critical for evaluating population-level noise disturbance, especially for wide-ranging species like harbour porpoise.
- 3.15.3 The MMO considers the EIA Scoping Report compiles the right core datasets and recent guidance for marine mammal baselines used in noise risk assessment, and also notes it identifies project-adjacent aerial survey products. For cetaceans and seals, these include SCANS-IV (Gilles et al., 2023) and SCANS-III (Hammond et al., 2021) for densities/abundance, IAMMWG MU framing, Carter et al. (2022) at-sea predictions for seals. Furthermore, Digital Aerial Survey data from HiDef (2023) for the Moir Vannin area (overlapping the regional study area) are identified to inform local densities. From an underwater noise perspective, the MMO considers these sources appear to be sufficient to characterise densities and distributions for noise impact modelling.



However, ambient noise baselines could be supplemented with site-specific hydroacoustic surveys if modelling reveals uncertainties in propagation.

- 3.15.4 The MMO considers the Impacts Register lists the right construction-phase pathways for marine mammals, with underwater noise (impulsive and non-impulsive) clearly scoped in. Auditory injury (PTS/TTS) and behavioural disturbance from construction noise (e.g., pile driving, UXO clearance, geophysical surveys, cable installation methods) and decommissioning are appropriately scoped in. The key parameters for noise assessment and the MDS reflect noise-critical activities, including impact piling hammer energies up to 6,600 kilojoules (kJ) for monopile foundations with a maximum pile diameter of 18 m.
- 3.15.5 Additionally, the MMO considers the marine mammal disturbance from vessel presence and activity is to be handled qualitatively, which appears appropriate.
- 3.15.6 The MMO notes scoped-out impacts like low-level operational noise (e.g., from cables) are justified by their negligible sound levels (e.g., sub-threshold intensities compared to relevant impact criteria) and lack of evidence for impacts on marine mammals, especially with mitigation like cable burial.
- 3.15.7 The MMO considers the proposed assessment approach appears appropriate for noise assessments, with quantitative underwater noise modelling auditory injury zones and a quantitative/qualitative hybrid approach for disturbance, overlaying propagation outputs with population density layers to estimate numbers exposed above the cumulative Sound Exposure Level (SEL_{cum}) and peak Sound Pressure Level (SPL_{peak}) thresholds. The relevant assessment criteria include Popper et al. (2014) for turtles and Southall et al. (2019) as well as the latest update from NMFS (2024) for marine mammals.
- 3.15.8 However, for the ongoing Evidence Plan Process, the MMO requests the data gathering implementation should document source characterisation for each activity (e.g., source levels for piling, UXOs, impact piling hammer energies schedules, as well as site-specific environmental inputs for propagation (bathymetry, geoacoustics, sound speed profiles) consistent with the project's Physical Processes baselines.
- 3.15.9 Regarding the commitments proposed by the Applicant, from the underwater noise perspective, the MMO does not fully agree that the proposed commitments are sufficient. Commitments like Co28 (Marine Mammal Mitigation Protocol [MMMP] with soft-starts, marine mammal observers, and Joint Nature Conservation Committee [JNCC] adherence) are a good start for reducing noise Likely Significant Effects (LSE) from activities such as geophysical surveys and UXO clearance, but they insufficiently address primary abatement for impact piling during construction of the up to three offshore booster stations (as described in the EIA Scoping Report Volume 1, Chapter 3).

The MMO understands the booster stations may involve piled jacket or monopile foundations, with a maximum hammer energy of 6,600 kJ for monopiles and pile diameters up to 18 m. These parameters are highly relevant because they directly influence noise footprints and impact radii, with potential injury and disturbance zones extending to tens of kilometres for sensitive



species like harbour porpoise, without noise abatement. Recent UK government measures introduced in January 2025 emphasize curbing underwater noise in offshore renewables through low-noise methods to accelerate development while protecting marine life, making noise abatement systems (NAS) (e.g., bubble curtains or hydro sound dampers) a best-practice expectation rather than optional. To enhance suitability and ensure LSE elimination, the MMO requests the commitments should be updated to mandate evaluation and implementation of NAS where modelling indicates benefits, as demonstrated in recent offshore wind projects.

3.15.10 Regarding mitigation, the MMO considers mitigation like soft-starts, Acoustic Deterrent Devices (ADDs), and observers is appropriate for deterrence, but for source reduction, it appears inadequate without NAS for piling.

3.15.11 The MMO considers the major issues that should be carried through into the Evidence Plan Process for from the underwater noise perspective, are the following:

- Source characterisation completeness for noise modelling: impact piling scenarios (monopiles / jacket pin-piles; number of piles, blow counts, hammer energy schedules, durations); UXO low-order, geophysical survey source levels and expected operational daily schedule.
- Noise abatement feasibility for the Offshore Booster Station(s) piling to align with Defra 2025 policy and reduce LSE.
- Ambient noise baselines: Site-specific data to validate/calibrate propagation in Irish Sea conditions.

3.15.12 The MMO considers the currently proposed commitments appear sufficient for the items scoped out at this stage (e.g., O&M auditory injury; vessel interactions where Vessel Management Plan [VMP] applies), with commitments clearly linked (e.g., Co13 VMP; Co9 burial). For high-energy piling/UXO, commitments support scoping in and will need the Evidence Plan Process to set abatement/MMMP specifics.

3.15.13 However, as mentioned previously in comment 3.15.9 above, the MMO requests the Applicant to amend Co28 to include evaluation and implementation of NAS (e.g., double bubble curtains and/or hydraulic hammer dampeners) for impact piling on booster station foundations, demonstrating "*best endeavours*" per Defra 2025 policy. The MMO considers this is crucial given the maximum hammer energy of 6,600 kJ and pile diameters up to 18 m for monopiles, which are conducive to very large noise footprints and potential impacts without noise abatement.

3.15.14 The MMO considers that while the scoping report appropriately defines study areas and uses suitable baseline data and assessment methods, there are critical gaps in mitigation commitments. Specifically, the current measures, such as soft-starts and marine mammal observers, are deemed insufficient to address the high-energy noise impacts from piling activities. As such, the MMO requests that the Applicant considers updating their commitments to include mandatory evaluation and implementation of NAS, such as bubble curtains, in



line with Defra's 2025 underwater noise policy. Overall, the MMO considers the report is methodologically sound, but enhanced mitigation is requested to ensure compliance and protect sensitive marine species.

3.16 Population and Human Health

3.16.1 The MMO defers to the LPA and UKHSA on the suitability of the scope of the assessment with regards to population and human health impacts.

3.17 Cumulative Impacts & In-Combination Impacts

3.17.1 The MMO has commented on cumulative impacts and in-combination impacts in each chapter where applicable and appropriate.

3.18 Risk of Major Accidents and Disasters Relevant to the Project (including those caused by Climate Change)

3.18.1 The MMO defers to the LPA, MCA, TH, UKHSA and the Civil Aviation Authority on the suitability of the scope of the assessment with regards to risk of major accidents and disasters.

3.19 Mitigation

3.19.1 The MMO have commented mitigation in each chapter where applicable and appropriate.

4. Conclusion

The topics highlighted in this scoping opinion should be assessed during the EIA process and the outcome of these assessments should be documented in the EIA report in support of the application to PINS. This statement, however, should not necessarily be seen as a definitive list of all EIA (and Habitats Regulations Assessment (HRA) and Marine Conservation Zone (MCZ) assessment) requirements. Given the scale and program of these planned works, other assessments may be required.

Yours Sincerely,

[Redacted Signature]

[Redacted Title]

Marine Licensing Case Officer

■
■

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3 September 2025

Via email: eastirishseata@planninginspectorate.gov.uk

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Application by Ørsted East Irish Sea Transmission Limited (the applicant) for an Order granting Development Consent for the East Irish Sea Transmission Project (the proposed development)

Scoping consultation

The MCA has reviewed the scoping report provided by Ørsted East Irish Sea Transmission Limited for the East Irish Sea transmission infrastructure associated with the Mooir Vannin offshore wind farm project. We acknowledge this consultation relates to the offshore elements of the proposed works in English waters. We would like to comment as follows:

The development area carries a high amount of traffic with several important ferry routes to/from UK ports and Isle of Man and Ireland. Attention needs to be paid to routing, particularly in heavy weather so that vessels can continue to make safe passage without large-scale deviations. The likely cumulative and in combination effects on shipping routes should be considered for this project. It should consider the proximity to other windfarm developments including those recently consented and under development, other infrastructure, and the impact on safe navigable sea room.

We note the commitment to complete a Navigation Risk Assessment (NRA), including a baseline study which will summarise the available background navigation data and focus on any key shipping routes and activity in the vicinity of the cable corridor route. With supporting marine traffic surveys, the NRA will establish how the phases of the project are managed to a point where risk is reduced and considered to be 'as low as reasonably practicable' (ALARP). It is noted that Automatic Identification System (AIS) shipping data will be collected for the cable route along with dedicated AIS, radar and visual surveys for the offshore booster station locations. The MCA is happy to discuss the traffic data requirements with the applicant in due course.

A range of potential impacts on shipping and navigation and other marine users have been identified which could occur during the construction, operation, and decommissioning phases of the project and will be scoped in to the assessment. We note the assessment will follow the International Maritime Organization (IMO) Formal Safety Assessment (FSA) methodology, which we welcome. This is the internationally recognised approach for assessing the impact to shipping and navigation users. The MCA would expect the NRA and EIA report to detail the possible impact on navigational issues for both commercial, fishing and recreational craft, specifically:

- Collision Risk.
- Navigational Safety.
- Visual intrusion and noise.
- Risk Management and Emergency response.
- Marking and lighting of site and information to mariners.
- Effect on small craft navigational and communication equipment.
- The risk to drifting recreational craft in adverse weather or tidal conditions.
- The likely squeeze of small craft into the routes of larger commercial vessels.

Attention should be paid to cabling routes and where appropriate burial depth for which a Burial Protection Index study should be completed and subject to the traffic volumes, an anchor penetration study may be necessary. If cable protection measures are required e.g., rock bags or concrete mattresses, the MCA would be willing to accept a 5% reduction in surrounding depths referenced to Chart Datum. The development of a Cable Burial Risk Assessment as mentioned in Table 8.3 is welcomed. It is noted that Horizontal Directional Drilling (HDD) may be used at landfall. An under keel clearance (UKC) assessment should be conducted for the maximum draughts of vessels anticipated in area in accordance with MGN654 Annex 3.

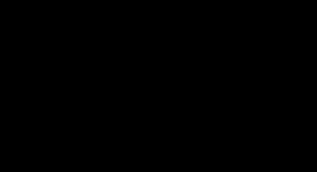
It is noted that HVDC transmission technology may be used. We would like to remind the applicant that consideration must be given to the effect of electromagnetic deviation on ships' compasses. The MCA would be willing to accept a three-degree deviation for 95% of the cable route. For the remaining 5% of the cable route no more than five degrees will be attained. If a HVDC cable is being used, we would expect the applicant to do a desk based compass deviation study based on the specifications of the cable lay proposed and assess the effect of EMF on ship's compasses. MCA may request for a deviation survey post the cable being laid; this will confirm conformity with the consent condition. The applicant should then provide this data to UKHO via a hydrographic note (H102), as they may want a precautionary notation on the appropriate Admiralty Charts (actions at a later stage depending upon the desk-based study and post installation deviation survey).

Consideration will need to be given to the implications on Search and Rescue (SAR) resources and Emergency Response Co-operation Plans (ERCoP). A SAR checklist will need to be completed in consultation with MCA, as per MGN 654 Annex 5 SAR requirements.

MGN 654 Annex 4 requires that hydrographic surveys of the installed cable(s) should fulfil the requirements of the International Hydrographic Organisation (IHO) Order 1a standard, with the final data supplied as a digital full density data set, and survey report to the MCA Hydrography Manager. Failure to report the survey or conduct it to Order 1a might invalidate the Navigational Risk Assessment if it was deemed not fit for purpose.

On the understanding that the Shipping and Navigation aspects are undertaken as per the above and in accordance with MGN 654 and its annexes, along with a completed MGN checklist, MCA is likely to be content with the approach for assessment.

Yours faithfully,



Offshore Renewables Lead
UK Technical Services Navigation



Defence Infrastructure Organisation

Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Reference: EN0210008

E-mail: DIO-safeguarding-statutory@mod.gov.uk

Our Reference: DIO10068585

The Planning Inspectorate
Operations Group 3
Temple Quay House
2 The Square
BRISTOL
BS1 6PN

11 September 2025

Dear Sir / Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Application by Ørsted East Irish Sea Transmission Limited (the applicant) for an Order granting Development Consent for the East Irish Sea Transmission Project (the proposed development)

Scoping consultation

Thank you for consulting the Ministry of Defence (MOD) on the Scoping Request for the above proposed development which was received by this office on 14 August 2025.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, technical sites such as the Military Low Flying System, or maritime defence assets and interests.

It is acknowledged that, at this time, details of the precise location, dimensions, and configuration of offshore and onshore infrastructure is not available and that a project design envelope (PDE) approach has been adopted for the Scoping Boundary. The offshore infrastructure is based within the Irish Sea between the Isle of Man and west of the Lancashire coast, the onshore infrastructure is based in Lancashire, England and the offshore and onshore infrastructure would include the following elements:

- up to three offshore Booster Stations with a maximum height of 75 metres (m);
- up to one onshore Booster Station with a maximum height of 15 m;
- up to one onshore substation with a maximum height of 30 m;
- up to one Energy Balancing Infrastructure with a maximum height of 45 m;
- up to four offshore export cables;
- landfall options at Fleetwood and Sefton;

- overhead power lines with pylon heights of up to 100 m; and
- grid connection at Penwortham.

The MOD has considered the contents of the East Irish Sea Transmission Project Environmental Impact Assessment (EIA) Scoping Report, Rev 01 dated 13 August 2025 (the EIA Scoping Report) and can provide the following advice on what the applicant will need to scope into their Environmental Impact Assessment (EIA).

The onshore element of this project occupies statutory safeguarding zones surrounding RAF Woodvale and Warton Aerodrome. In particular, the aerodrome height, technical and birdstrike safeguarding zones surrounding both aerodromes. It also has the potential to impact upon the MOD estate at Altcar Training Camp on Merseyside.

Offshore

There are defence maritime assets and navigational interests associated with the offshore scoping boundary area. These will need to be taken into account in the progression of the proposed development.

Part of the start of the scoping boundary of the offshore export cable from the proposed Mooir Vannin array encroaches into Eskmeals Range Danger Area D406C. This can be seen on the *Military Airspace and Airfields* plan at Figure 11.6 within Volume 2 of the EIA Scoping Report. D406C is a designated military danger area in place to protect the military testing activities undertaken at the Eskmeals Test and Evaluation Range.

At 11.3.4.2 of Volume 2 of the EIA Scoping Report, the applicant states that above sea level infrastructure will not overlap with the Eskmeals Range Danger Areas. The MOD is pleased to hear this, however, the MOD would also have concerns with any sub surface infrastructure such as an export cable within a danger area as their presence is incompatible with the firing activities that takes place within a danger area. This is due to the potential for the cable to be damaged by the live firing activities that take place within the danger areas, and the disruption the survey works, cable laying and periods of maintenance would cause to the Range. The MOD would therefore object to cables or any other sub-sea structures occupying D406C. We would also object to above surface infrastructure such as a booster station being located within a danger area. The offshore export cable therefore needs to be placed outside of the danger area D406C boundary. The EIA Scoping Report identifies that the impact to Practice and Exercise Area due to physical overlap with the Eskmeals Range Danger Areas has been scoped out due to above sea level infrastructure not being located with the danger area; the MOD does not support this approach. Impacts of the export cable on Eskmeals Range Danger Areas needs to be scoped in.

Option B for the offshore export cable landfall location comes ashore near Hightown on Merseyside. The option B landfall zone will occupy a military exercise area which is in place to protect training activities undertaken at the MOD's Altcar Range. This is known as Practice and Exercise Area (PEXA) X5306. The presence of any sub surface or above sea level infrastructure within X5603 would not be acceptable to the MOD. The onshore landfall zone also coincides with the Altcar Training Camp which is part of the MOD estate. Impacts on X5306 and the MOD's estate at Altcar Training Camp has not been considered within the EIA Scoping Report but will need to be scoped in.

The transmission project may also require the use of offshore Booster Stations should a HVAC system be used. The location of these offshore Booster Stations is unknown at this stage although a search area has been identified. If offshore Booster Stations are required, then the MOD would need to be consulted on their locations to ensure Defence surface and sub-surface navigation as well as other Defence maritime interests such as Highly Surveyed Routes are not impacted.

At Table 7.3 of Volume 2 of the EIA Scoping Report, the applicant has recognized that the offshore Booster Stations will require marking and lighting and has proposed a commitment to deploy aids to navigation on the advice of the MOD. The MOD would also require the prior notification of equipment and structures exceeding 50m used during construction to also be charted and lit for the reason of aviation safety. The MOD would support an approach that sets out an intention to address this potential impact through the use of a DCO Requirement for a Lighting Marking Plan (LMP).

The MOD acknowledges that the EIA Scoping Report recognizes the potential presence of Unexploded Ordnance (UXO) is a relevant consideration to the installation of cables and other intrusive works that may be undertaken in the maritime environment. The potential presence of UXO should be a consideration during the installation and decommissioning of cables, and any other infrastructure (both offshore and onshore), or where other intrusive works are necessary.

These defence maritime assets and navigational interests should be scoped in and taken into account when identifying the final export cable routes to ensure that any such development, during construction, operational maintenance and decommissioning phases, will be compatible with the defence activities conducted in these areas.

Onshore

Parts of the option B onshore scoping boundary and onshore booster station search area falls with Defence safeguarding zones surrounding RAF Woodvale. In addition, the option A and option B onshore scoping boundaries overlap with safeguarding zones in place to protect Warton Aerodrome, which the MOD safeguards on behalf of BAE Systems Ltd.

The aerodrome height safeguarding zone define areas around aerodromes to regulate the height of structures to prevent the obstruction of the critical air space above and surrounding the aerodrome in which the principal take-off, landing and circuiting procedures are contained. This airspace is known as the Obstacle Limitation Surface (OLS). Different elements of this project (both onshore and offshore) have the potential to cause a physical infringement of RAF Woodvale and Warton Aerodrome's OLS's. This has been recognised by the applicant in Chapter 11 Military and Civil Aviation and Table 11.5 includes RAF Woodvale and Warton Aerodrome's OLS's as a scoped in impact. The MOD agrees with this.

Technical safeguarding zones are in place to protect Communication, Navigation and Surveillance (CNS) infrastructure. These zones define areas within which the height of development, the materials used in construction, and the potential introduction of sources of electro-magnetic fields are of particular concern as they can impact the operation and capability of radars, radio transmitter/receiver sites and other types of technical installations supporting operational defence or national security requirements.

The onshore scoping boundary affects technical safeguarding zones which protect CNS at Warton Aerodrome. Impact of the development on Warton Aerodrome CNS as well as the construction and decommissioning phases has been scoped into the EIA (Table 11.5 in Volume 2 of the EIA Scoping Report). The MOD agrees with this.

Of particular concern to MOD safeguarding in relation to technical safeguarding, would be the route and height of the overhead power lines and electricity pylons, along with the location and design of the:-

- onshore Booster Station;
- onshore substation; and
- Energy Balancing Infrastructure.

The onshore scoping boundary overlaps with the birdstrike safeguarding zones surrounding RAF Woodvale and Warton Aerodrome. Within this zone, the principal concern of the MOD is that the creation of new habitats may attract and support populations of those large and/or flocking bird species hazardous to aviation safety close to an aerodrome.

The construction of new infrastructure along the onshore scoping boundary route and in particular any Biodiversity Net Gain proposals in the vicinity of RAF Woodvale and Warton Aerodrome, may have the potential to increase the birdstrike risk to aviation operations.

Of particular concern to MOD safeguarding would be applications for any element that introduced or contained proposals for a development that might provide an attractant environment for those large and/or flocking bird species hazardous to aviation safety. These may include plans for Landscaping and Planting, SuDS, Green and Brown Roofs as well as the construction/installation methods proposed for laying the onshore export cables, and the location and content of Biodiversity Net Gain proposals.

The EIA Scoping Report does not address this concern and the MOD will require that birdstrike safeguarding is scoped in for future consideration.

At this scoping application stage, where finalised details for the design and location of the proposed development are available, MOD representations are limited. In summary the MOD has concerns and should be consulted at all future stages for this proposed development to complete a full detailed safeguarding assessment. If the Applicant is able to provide co-ordinates of the export cable corridor (both offshore and onshore), offshore booster stations (if required) and for the landfall locations, the MOD would be able to refine this response and supply an updated position which may offer greater clarity about the concerns.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the "East Irish Sea Transmission Project Environmental Impact Assessment (EIA) Scoping Report, Rev 01" dated 13 August 2025. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely

[Redacted Signature]

[Redacted Name]

Assistant Safeguarding Manager
DIO Safeguarding

Submitted via email to: eastirishseata@planninginspectorate.gov.uk

Date: 10/09/2025

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Ørsted East Irish Sea Transmission Limited (the Applicant) for an Order granting Development Consent for the East Irish Sea Transmission Project (the Proposed Development)

I refer to your email dated 14/08/2025 regarding the above proposed DCO. This is a response on behalf of National Gas Transmission PLC (NGT). Having reviewed the scoping consultation documents, NGT wishes to make the following comments regarding gas infrastructure which may be affected by proposals.

NGT has 3 feeder mains located within or in proximity to the Order limits. Details of this infrastructure is as follows:

- Feeder Main – FM21 – Carnforth to Treales
- Feeder Main – FM21 – Treales to Burscough
- Feeder Main – FM15 – Lupton to Bretherton
- Cathodic Protection Groundbeds/TR
- Ancillary apparatus

Please note that NGT has existing easements for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

You should also be aware of NGT's guidance for working in proximity to its assets, further guidance and links are available as follows.

CATHODIC PROTECTION SYSTEM

To ensure a high level of safety and reliability in operation, National Gas Transmission's assets are protected by a cathodic protection system. It is essential that buried steel pipework associated with the transmission and distribution of natural gas is designed, installed, commissioned and maintained to withstand the potentially harmful effects of corrosion and that the corrosion control systems employed are monitored to ensure continued effectiveness. Installations in the vicinity of National Gas Transmission's assets which may potentially interfere with the cathodic protection system must be assessed and approved by National Gas Transmission, and appropriate control measures must be put in place where required.

Installations which have the potential to interfere with National Gas Transmission's Cathodic protection system include (but are not limited to):

1. High voltage cable crossings and parallelism
2. High voltage ac pylon parallelism
3. Battery Energy Storage Systems
4. Third party pipelines with cathodic protection systems
5. PV Solar arrays

Further information on D.C interference can be found in UKOPA/GPG/031 Edition C Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx

Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx (hold ctrl and click to access) Further information on A.C. interference can be found in UKOPA/GPG/027 UKOPA Good Practice Guide UKOPA Good Practice Guide (hold ctrl and click to access)

The safe limits for transfer voltage and impressed current that a high-pressure gas pipeline can be exposed to are outlined in T/PL/ECP/1, T/PL/ECP/2 and BS EN 50122-1. These are the safe limits for non-electrically trained personnel.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGT's apparatus, NGT will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.

Key Considerations:

- NGT has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.
- Please be aware that written permission is required before any works commence within the NGT easement strip. Furthermore a Deed of Consent will be required prior to commencement of works within NGT's easement strip subject to approval by NGT's plant protection team.
- Any large installations which may result in a large population increase in the vicinity of a high pressure gas pipeline must comply with the HSE's Land Use Planning methodology, and the HSE response should be submitted to National Gas Transmission for review.
- The below guidance is not exhaustive and all works in the vicinity of NGT's asset shall be subject to review and approval from NGT's plant protection team in advance of commencement of works on site.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGT's Dial Before You Dig Specification for Safe Working in the Vicinity of NGT Assets. There will be additional requirements dictated by NGT's plant protection team.

- NGT will also need to ensure that its pipelines remain accessible during and after completion of the works.
- Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGT representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of NGT High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGT representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGT's Plant Protection team is essential:
 - Demolition
 - Blasting
 - Piling and boring
 - Deep mining
 - Surface mineral extraction
 - Landfilling
 - Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
 - Wind turbine installation - minimum separation distance of 1.5x the mast/hub height is required, and any auxiliary installations such as cable or track crossings will require a deed of consent.
 - Solar farm installation
 - Tree planting schemes

Traffic Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- Permanent road crossings will require a surface load calculation, and will require a deed of consent.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGT prior to installation.

- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGT pipeline without the prior permission of NGT
- NGT will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGT.
- An NGT representative shall monitor any works within close proximity to the pipeline to comply with NGT specification T/SP/SSW22

New Asset Crossings:

- New assets (cables/pipelines etc) may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- The separation distance for a cable >33kV is 1000mm and pre and post energisation surveys may be required at National Gas Transmission's discretion. A risk assessment/method statement will need to be provided to, and accepted by National Gas Transmission prior to the deed of consent being agreed. Where a new asset is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.
- A new service should not be laid parallel within an easement strip
- Clearance must be at least 600mm above or below the pipeline
- An NGT representative shall approve and supervise any cable crossing of a pipeline.
- A Deed of Consent is required for any cable crossing the easement

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGT apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO. NGT requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection.

Adequate access to NGT pipelines must be maintained at all times during construction and post construction to ensure the safe operation of our network.

Yours Faithfully

Asset Protection Team

Further Safety Guidance

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<https://www.hse.gov.uk/pubns/books/hsg47.htm>

Working Near National Gas Assets

<https://www.nationalgas.com/land-and-assets/working-near-our-assets>

Specification for Safe Working in the Vicinity of National Gas High Pressure Pipelines and Associated Installations

<https://www.nationalgas.com/document/82951/download>

Tree Planting Guidance

<https://www.nationalgas.com/document/82976/download>

Excavating Safely

<https://www.nationalgas.com/document/82971/download>

Dial Before You Dig Guidance

<https://www.nationalgas.com/document/128751/download>

Essential Guidance:

<https://www.nationalgas.com/gas-transmission/document/82931/download>

Solar Farm Guidance

<https://www.nationalgas.com/document/82936/download>

From: [REDACTED]
To: [East Irish Sea TA](#)
Subject: FW: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification
Date: 03 September 2025 14:24:52
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[EN0210008 East Irish Sea Transmission Project Letter to Stat Cons.pdf](#)
[EN0210008 East Irish Sea Transmission Project Review of Scoping Report \(004\).pdf](#)

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Thank you for the opportunity to comment on the Scoping Opinion for the East Irish Sea Transmission Project.

National Highways has asked our spatial planning consultants to provide comments on the relevant sections of the Scoping Opinion that may affect the Strategic Road Network. (Please see attached review document).

NH has also within the document agreed to the responses being provided to the questionnaire set out in Section 3.7 relating to the proposed approach to assessing traffic and transport effects.

It is recognised that NH have had no previous consultation on this DCO and would suggest the applicant may wish to contact myself as the main contact for this DCO to discuss the options identified in this scoping report.

It is important to note that discussions are needed relating to the two corridor options and potential location of the onshore substation and energy balancing infrastructure near Penwortham, as these will potentially have a direct impact on the SRN.

As part of that discussion there is potential for impacts on the SRN from the construction of the East Irish Sea Transmission Project. NH suggests that the applicant should therefore engage with National Highways' structural and geotechnical teams to discuss and agree construction methods as part of ongoing work. If the route effects any element of the SRN and land this can be progressed at any future agreed meeting.

DfT's Circular 01/2022 states that "the policies may also be considered important and relevant to decisions on nationally significant infrastructure projects (NSIPS) in the absence of a stated position in the relevant national policy statement." NH supports the consideration of relevant legislation, policy and guidance referred to, including DfT Circular 01/2022. We would also support their consideration within the upcoming Preliminary Environmental Information Report including the updated version of the NPPF (December 2024).

I hope the attached statement provides enough detail in response of the consultation and as previously identified there is an urgent need to set up a

meeting with National Highways. I will write separately to the applicant.

Kind Regards

[REDACTED]

[REDACTED], PGCE,
[REDACTED]
Spatial Planner
Network Development & Planning Team
OD DI Lead

Please note new email address. Please update your address book to include this; [REDACTED]@nationalhighways.co.uk

National Highways | Piccadilly Gate | Store Street | Manchester | M1 2WD

Tel: [REDACTED] | **Mobile:** [REDACTED]

Web: <https://nationalhighways.co.uk/>

GTN: 0300 470 5117



For information and guidance on on planning and the Strategic Road Network in England please visit:

Web: <https://nationalhighways.co.uk/our-roads/planning-and-the-strategic-road-network-in-england/>

Work Hours 8-4pm

From: East Irish Sea TA <eastirishseata@planninginspectorate.gov.uk>

Sent: 14 August 2025 11:16

Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification

You don't often get email from eastirishseata@planninginspectorate.gov.uk. [Learn why this is important](#)

Dear Sir/Madam

Please see attached correspondence on the proposed East Irish Sea Transmission Project.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 11 September 2025. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,



EIA Advisor
The Planning Inspectorate



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

Ensuring **fairness**, **openness** and **impartiality** across all our services

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DPC:76616c646f72



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Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ

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EAST IRISH SEA TRANSMISSION PROJECT

DATE:	26 August 2025	CONFIDENTIALITY:	Restricted
SUBJECT:	East Irish Sea Transmission Project - Review of Scoping Report		
PROJECT:	085	AUTHOR:	AJF
CHECKED:	ET	APPROVED:	NMK

PREAMBLE

National Highways have been appointed by the Secretary of State as a strategic highway company under the provisions of the Infrastructure Act 2015. National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) in England, in accordance with the License issued by the Secretary of State for Transport (April 2015) and Government policies and objectives.

National Highways' approach to engaging with the planning system is governed by the advice set out in:

- DfT Circular 01/2022 The Strategic Road Network and the Delivery of Sustainable Development ("the Circular).

The document is written in the context of statutory responsibilities as set out in National Highways' License, and in light of Government policy and regulation, including the:

- National Planning Policy Framework (NPPF); and
- Town and Country Planning Development Management (Procedure) Order (England) 2015 (DMPO).

As a statutory consultee in the planning system, National Highways have a regulatory duty to co-operate. Consequently, National Highways are obliged to consider all proposals received and to provide appropriate, timely and substantive responses.

National Highways' desire to be a proactive planning partner goes beyond the statutory role, but follows the spirit of the license which stipulates that National Highways should:

"Support local and national economic growth and regeneration."

National Highways encourages all parties promoting and preparing Plans that may have an impact on the SRN to engage with it as early as possible, to enable collaborative working and to deliver positive outcomes as quickly as possible.

National Highways are committed to working with local authorities and plan-making bodies prior to and between formal consultation periods to contribute to the thinking and support the analysis of options and development of strong plans and proposals that take full account of highways issues.

BACKGROUND

National Highways have been invited by PINS to provide an opinion on the Scoping Report dated August 2025 which has been prepared by a number of consultants on behalf of the Applicant Orsted.

National Highways have asked WSP to review the Scoping Report and latest information available on the project website and comment on the likely impacts of the proposed scheme on the strategic road network.



EAST IRISH SEA TRANSMISSION PROJECT

DATE:	26 August 2025	CONFIDENTIALITY:	Restricted
SUBJECT:	East Irish Sea Transmission Project - Review of Scoping Report		
PROJECT:	085	AUTHOR:	AJF
CHECKED:	ET	APPROVED:	NMK

WSP Comment: It is noted that there has been no prior consultation relating to this project with National Highways to date. National Highways and WSP would be keen to meet and engage directly with the Applicant's consultants moving forward, to discuss any issues of concern and work collaboratively to develop solutions.

SCOPE OF REVIEW

National Highways have provided WSP with a copy of the scoping request from PINS and a link to the project page on the PINS website, which currently only contains a Section 35 letter and the Scoping Report. ([EIST Scoping Report](#)):

The project information page on the PINS website also provides a link to developer's website ([The project](#)). The project website includes a programme document and a Community Information Booklet.

The focus of this review is the Scoping Report as there does not appear to be any additional information on the project website over and above what is already included in the Scoping Report itself. However it is noted from the programme document that the intended date for DCO submission is Q3 2027.

SCOPING REPORT

Project Description

Volume 1 Chapter 3 of the Scoping report describes the development, which comprises several onshore elements including underground or overhead cabling, an onshore substation, energy balancing infrastructure and works to connect into the National Grid.

Figure 3.2 shows the scoping boundary, noting that there are currently two landfall and onshore cable route options (Fleetwood or Sefton). Table 3.6 notes that trenchless techniques would be used for major road crossings, however it also refers to the potential for overhead lines.

WSP Comment: The Fleetwood landfall option onshore cabling route crosses both the M55 and A585 so would have a direct physical impact on the SRN. The Sefton landfall option does not have a direct physical impact on the SRN. Further information is requested from the Applicant relating to the proposed installation methodology where the potential route crosses the SRN.

It is also noted that the location of the onshore substation and energy balancing infrastructure is not yet known, although both are likely to be located within 5-10km of the NGET substation at Penwortham. It is requested that National Highways be consulted upon potential locations.



EAST IRISH SEA TRANSMISSION PROJECT

DATE:	26 August 2025	CONFIDENTIALITY:	Restricted
SUBJECT:	East Irish Sea Transmission Project - Review of Scoping Report		
PROJECT:	085	AUTHOR:	AJF
CHECKED:	ET	APPROVED:	NMK

Traffic and Transport Chapter

Volume 3 Chapter 3 of the Scoping Report sets out the potential traffic and transport impacts.

Relevant legislation, policy and guidance is referred to, including DfT Circular 01/2022.

Figure 3.1 sets out the key traffic and transportation study area infrastructure. This includes:

- A585 from M55 to its end point near Fleetwood
- Entire length of M55
- M6 J27-J33
- M58 J3-Switch Island
- A5036 Switch Island to A565

Sections 3.3.3 and 3.3.4 set out the relevant highway junctions and links which will be considered under each potential option and notes that key receptors will include Collision clusters and routes with highway safety concerns and Junctions and highway links at (or over) capacity. Section 3.3.5 notes that it is planned to collect ATC data over a continuous 7 day period, and that junction turning counts may also be commissioned at sensitive locations. Section 3.3.6 notes the used of TEMPro to derive future baseline traffic flows.

WSP Comment: It is requested the study area be extended to include the entire length of the M58, the M6 from J26 to J33 and M6/M61/M65 triangle. This is to enable a full assessment of all potential routes on the SRN under all potential options.

The M6/M61/M65 triangle should be considered as a sensitive location for the purpose of this assessment; this is consistent with advice given to Applicants of other NSIPs in this region.

National Highways request to be consulted upon the location, timing and specification of traffic count data collection.



EAST IRISH SEA TRANSMISSION PROJECT

DATE:	26 August 2025	CONFIDENTIALITY:	Restricted
SUBJECT:	East Irish Sea Transmission Project - Review of Scoping Report		
PROJECT:	085	AUTHOR:	AJF
CHECKED:	ET	APPROVED:	NMK

Section 3.4.2 and Table 3.3 detail the traffic and transport related commitments to eliminate or reduce environmental effects. This includes a commitment to develop a Construction Traffic Management Plan and Decommissioning Plan.

WSP Comment: National Highways wish to be consulted on the development of the Construction Traffic Management Plan and note that a Construction Worker Travel Plan is also likely to be required.

Tables 3.4 and 3.5 include the impacts proposed to be scoped in and out of the EIA for traffic and transport respectively.

WSP Comment: WSP and National Highways agree upon the proposed impacts to be scoped in as shown in Table 3.4 of Volume 3, Chapter 3 of the Scoping Report. Of particular interest are impacts TT02, TT04 and TT05 during the construction period.

Table 3.5 appears to imply that impacts TT02, TT04 and TT05 will be scoped out for the operation and maintenance and decommissioning periods. It is requested that these impacts are considered for the decommissioning period, given that there is currently a lack of information relating to the likely trip generation during either the construction or decommissioning periods.

Table 3.5 also implies that the consideration of cumulative traffic and transport effects in construction, operation and maintenance and decommissioning periods is scoped out. This is not agreed. Further information is requested on the trip generation for all phases, in particular the construction phase, before National Highways can form a view on the potential cumulative impact on the SRN.

It is further noted that paragraph 3.5.1.1 appears to be inconsistent with the information in Table 3.5, as it refers to the cumulative assessment of traffic and transport impacts.

National Highways wish to be consulted upon the screening process for the identification of developments to be included in the cumulative assessment, and would be willing to meet with the Applicant's consultant and share information to facilitate this process.



EAST IRISH SEA TRANSMISSION PROJECT

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Section 3.6 sets out the proposed assessment methodology for the derivation of construction vehicle and staff trips including AILs. For driver and passenger delay, this includes potential junction assessment at sensitive locations using standard software. For highway safety, this will include a review of collision data and consultation with the highway authorities. For AILs, reference is made to use of established procedures to manage this.

WSP Comment: The proposed high-level methodology for the assessment of driver and passenger delay, road safety and large loads is agreed. National Highways wish to be consulted on the emerging assessments and analysis and wish to work proactively with the Applicant's consultants to address any issue arising.

The proposed categorisation of impacts based on percentage change in traffic on highway links in Table 3.6 is noted. However, National Highways do not accept assessments based on percentage impact analysis alone. Further information is requested on baseline conditions within the study area and the forecast traffic associated with the construction phase before a conclusion can be drawn on the scale of likely impact on the SRN.



EAST IRISH SEA TRANSMISSION PROJECT

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Response to Questions for Consultees

Section 3.7 sets out questions for consultees relating to the proposed approach to assessing traffic and transport effects. WSP have drafted a *suggested response* based on the above review. It is also recommended that a query is raised relating to the two corridor options and potential location of the onshore substation and energy balancing infrastructure near Penwortham, as these will potentially have a direct impact on the SRN. Draft text is also included below.

- **Question 1: Do you agree with the Study Area that has been identified for traffic and transport?**

No. It is requested the study area be extended to include the entire length of the M58, the M6 from J26 to J33 and M6/M61/M65 triangle. This is to enable a full assessment of all potential routes on the SRN under all potential options.

- **Question 2: Do you agree that the existing and proposed baseline data sources identified are sufficient to inform the traffic and transport baseline?**

The use of DfT, WebTRIS and STATS 19 data is agreed. National Highways request to be consulted upon the location, timing and specification of traffic count data collection, noting that in addition to ATCs, it may also be necessary to obtain junction turning count and queue data at key locations, including sensitive areas of the SRN.

- **Question 3: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?**

No. WSP and National Highways agree upon the proposed impacts to be scoped in as shown in Table 3.4 of Volume 3, Chapter 3 of the Scoping Report. Of particular interest are impacts TT02, TT04 and TT05 during the construction period.

Table 3.5 appears to imply that impacts TT02, TT04 and TT05 will be scoped out for the operation and maintenance and decommissioning periods. It is requested that these impacts are also considered for the decommissioning period, given that there is currently a lack of information relating to the likely trip generation during either the construction or decommissioning periods.

Table 3.5 also implies that the consideration of cumulative traffic and transport effects in construction, operation and maintenance and decommissioning periods is scoped out. This is not agreed.

Further information is requested on the trip generation for all phases, in particular the construction phase, before National Highways can form a view on either the specific development impact or the potential cumulative impact on the SRN.



EAST IRISH SEA TRANSMISSION PROJECT

DATE:	26 August 2025	CONFIDENTIALITY:	Restricted
SUBJECT:	East Irish Sea Transmission Project - Review of Scoping Report		
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CHECKED:	ET	APPROVED:	NMK

- **Question 4: Do you agree on suitability of the proposed commitments described in section 3.4.2 to reduce or eliminate LSE to traffic and transport receptors?**

Yes, National Highways agree to these commitments in principal. National Highways wish to be consulted on the development of the Construction Traffic Management Plan and note that a Construction Worker Travel Plan is also likely to be required.

- **Question 5: Do you agree with the approach of scoping out transboundary effects in relation to traffic and transport?**

Yes.

- **Question 6: Do you agree with the approach of assessing cumulative impacts in relation to traffic and transport?**

No. Table 3.5 implies that the consideration of cumulative traffic and transport effects in construction, operation and maintenance and decommissioning periods is scoped out. This is not agreed.

It is further noted that paragraph 3.5.1.1 appears to be inconsistent with the information in Table 3.5, as it refers to the cumulative assessment of traffic and transport impacts.

National Highways wish to be consulted upon the screening process for the identification of developments to be included in the cumulative assessment, and would be willing to meet with the Applicant's consultant and share information to facilitate this process.

- **Question 7: Do you agree that the assessment should utilise baseline traffic data captured for neutral traffic periods?**

Yes. National Highways request to be consulted upon the location, timing and specification of traffic count data collection, noting that in addition to ATCs it may also be necessary to obtain junction turning count and queue data at key locations, including sensitive areas of the SRN.

- **Question 8: Can you provide details of any junctions in the traffic and transport Study Area that are particularly sensitive to an increase in traffic or any junctions at or over capacity?**

The M6/M61/M65 triangle should be considered as a sensitive location for the purpose of this assessment; this is consistent with advice given to Applicants of other NSIPs in this region.



EAST IRISH SEA TRANSMISSION PROJECT

DATE:	26 August 2025	CONFIDENTIALITY:	Restricted
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CHECKED:	ET	APPROVED:	NMK

- **Question 9: Do you agree with the proposed assessment methodology for traffic and transport?**

Yes, in principal, noting responses to question 1-8 above. National Highways wish to be consulted on the emerging assessments and analysis and wish to work proactively with the Applicant's consultants to address any issues arising.

The proposed categorisation of impacts based on percentage change in traffic on highway links in Table 3.6 is noted. However, National Highways do not accept assessments based on percentage impact analysis alone. Further information is requested on baseline conditions within the study area and the forecast traffic associated with the construction phase before a conclusion can be drawn on the scale of likely impact on the SRN.

- **Scheme Design and Options in Context of SRN**

It is noted that the Fleetwood landfall option onshore cabling route crosses both the M55 and A585 so would have a direct physical impact on the SRN. The Sefton landfall option does not have a direct physical impact on the SRN. Further information is requested from the Applicant relating to the proposed installation methodology where the potential route crosses the SRN.

It is also noted that the location of the onshore substation and energy balancing infrastructure is not yet known, although both are likely to be located within 5-10km of the NGET substation at Penwortham. It is requested that National Highways be consulted upon potential locations.

From: [REDACTED]
To: [East Irish Sea TA](#)
Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification NRW Response
Date: 11 September 2025 16:25:10
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

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Dear [REDACTED]

Many thanks for your scoping consultation dated 14th August 2025 for the application by Ørsted East Irish Sea Transmission Limited (the applicant) for an Order granting Development Consent for the East Irish Sea Transmission Project (the proposed development).

In relation to EN0210008, Natural Resources Wales (NRW) Advisory are deferring all matter pertaining to the development to Natural England (NE)/the Joint Nature Conservation Committee (JNCC).

Kind Regards,

[REDACTED]

[REDACTED]
Uwch Gynghorydd Morol (Rhaglen Ynni Adnewyddadwyr ar y Mor) / Senior Marine Advisor (Offshore Renewable Energy Programme)
Tim Cyngor a Rheoli Ardaloedd Morol / Marine Area Advice and Management Team
[REDACTED]

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi.

Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.



From: East Irish Sea TA <eastirishseata@planninginspectorate.gov.uk>

Sent: 14 August 2025 11:45

To: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>

Cc: [REDACTED] <[\[REDACTED\]@cyfoethnaturiolcymru.gov.uk](mailto:[REDACTED]@cyfoethnaturiolcymru.gov.uk)>; [REDACTED]

[REDACTED] <[\[REDACTED\]@cyfoethnaturiolcymru.gov.uk](mailto:[REDACTED]@cyfoethnaturiolcymru.gov.uk)>; [REDACTED]

[REDACTED] <[\[REDACTED\]@cyfoethnaturiolcymru.gov.uk](mailto:[REDACTED]@cyfoethnaturiolcymru.gov.uk)>; [REDACTED]

[REDACTED] <[\[REDACTED\]@cyfoethnaturiolcymru.gov.uk](mailto:[REDACTED]@cyfoethnaturiolcymru.gov.uk)>

Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed East Irish Sea Transmission Project.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 11 September 2025. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

[REDACTED]



[REDACTED]
Environmental Advisor
Planning Inspectorate
www.gov.uk/pins

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DPC:76616c646f72



From: [NATS Safeguarding](#)
To: [East Irish Sea TA](#)
Cc: [NATS Safeguarding](#)
Subject: RE: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification [SG39976]
Date: 20 August 2025 09:49:51
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.jpg](#)

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NATS do not have any particular concerns with the proposal but as the scoping boundary passes close to a number of our critical radio sites NATS would like to continue to be consulted as the design evolves. We would expect the ES to expand on the descriptions of the infrastructure being deployed as well as the construction methodology to be followed.

Regards,

NATS Safeguarding

NATS Internal

From: East Irish Sea TA <eastirishseata@planninginspectorate.gov.uk>
Sent: 14 August 2025 11:16
Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed East Irish Sea Transmission Project.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 11 September 2025. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,




EIA Advisor
The Planning Inspectorate



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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Date: 11 September 2025
Our ref: Case 33574 Consultation 523730
Your ref: EN0210008 EIA Scoping for East Irish Sea Transmission Project



██████████
Temple Quay House
2 The Square
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BS1 6PN

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Crewe Business Park
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Cheshire CW1 6GJ T

0300 060 3900

BY EMAIL ONLY

Dear ██████████

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Orsted, trading as Orsted East Irish Sea Transmission Limited (the 'Applicant') for an Order granting Development Consent for the East Irish Sea Transmission Project (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter dated 14th August 2025 consulting Natural England on the East Irish Sea Transmission Project Environmental Impact Assessment (EIA) Scoping Report. The following constitutes Natural England's formal statutory response; however, this is without prejudice to any comments we may wish to make in light of further submissions on the presentation of additional information.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The advice contained within this letter is provided by Natural England, which is the statutory nature conservation body within English territorial waters (0-12 nautical miles). As the application is located partially outside English territorial waters, it should be noted that pursuant to an authorisation made on the 9th of December 2013 by the JNCC under paragraph 17(c) of Schedule 4 to the Natural Environment and Rural Communities Act 2006, Natural England is authorised to exercise the Joint Nature Conservation Committee's (JNCC) functions as a statutory consultee in respect of applications for offshore renewable energy installations in offshore waters (0-200 nm) adjacent to England. This application was included in that authorisation and therefore Natural England will be providing statutory advice in respect of that delegated authority.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Summary of Main Points

1. Approach to scoping

It is noted that due to the timing of the scoping report, the information contained within it is extremely high level and based on a large area of search. The rationale for the inclusion of these large boundaries is due to substantial components of the projects remaining undetermined at the point of scoping, but also other aspects including incomplete data collection.

This makes it difficult to provide targeted advice on the scope of the assessments at this stage. Given the EIA scoping opinion from PINS is binding as regards the scope of the Environmental Statement (ES), this creates consenting risks further down the line with identifying and resolving environmental impacts/concerns.

Additionally, we highlight that because we are unable to confirm with a high level of confidence that the data collection proposed will be sufficient to inform the assessments, we are also unable to advise on the potential scale and level of risk this project may pose to nature conservation receptors. Without having this understanding, it is unclear to Natural England how this project will now progress towards submission and ensure that there is sufficient time in the pre-application phase to identify and address all of the potential environmental concerns.

There is a risk with premature scoping, and submission of the Preliminary Environmental Information Report (PEIR) prior to the completion of the data collection and analysis, that consenting issues are identified late in the day and are not resolved in advance through pre-application discussions or data collection, and that Examinations are then unable to resolve these issues. This runs counter to the increased emphasis on 'front-loading' issues in the NSIP process, and the ambition of the British Energy Security Strategy as regards speeding up the consenting process.

In addition, Natural England highlight the risk that any additional data analysis has the potential to change the conclusions of the ES from those set out in the PEIR, which could cause potential delays to the project both during consenting and/or in the pre-construction phase.

2. Proposed separate applications for generation and transmission assets

Natural England has potential concerns regarding the consenting process and separate applications for the generation and transmission assets. Natural England has encountered such issues previously during the separate examinations of the Triton Knoll, Morgan and Morecambe generation and transmission assets. We highlight that this issue is particularly pertinent for this project given that the proposal passes through two jurisdictions; Isle of Man and English Territorial Sea's. Please see the attached paper in relation to our initial advice on this matter.

¹ *Harrison, J in R. v. Cornwall County Council ex parte Hardy (2001)*

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities Office of the Deputy Prime Minister (April 2004) available from*
<http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/>

The advice within this letter is provided with respect to the transmission assets scoping report provided, but we consider that the generation assets are an integral part of the project and therefore the ES should, at the point of submission, be in a position to consider the project as a whole. Therefore, the final ES, when considering the project as a whole, will include additional impacts and designated sites than those mentioned within this scoping report.

3. Focus of the Scoping Report

When scoping a project, developers, or their consultants, should satisfy themselves that they have addressed all the potential impacts and the concerns of all organisations and individuals with an interest in the project. Due to the capacious scoping envelope it is challenging to scope impacts out at this stage and therefore difficult for Natural England to comment meaningfully. Further consideration is likely needed in relation to the cable corridor and need for further scoping or ongoing discussions. However, due the timing of 'the scoping' we have focused our advice the known issues of greatest importance/risk taking into account the likelihood of significant effects on the environment.

In these scenarios we also advise that the focus of the EIA consultation to be on the characterisation survey methodology and approach to the assessment as there is insufficient evidence presented to enable us to agree impacts being scoped out

4. Transmission assets

Natural England notes that the Applicant acknowledges that the scoping report only considers the transmission infrastructure required for the Project's grid connection, and not any interconnectivity that may be required as a result of the recommended coordinated approach for the Northwest Region outlined in the National Grid Electricity System Operator (ESO)'s Holistic Network Design (HND). However, if circumstances should change and a more coordinated/joined up approach for energy transmission for multiple NSIP projects is taken forward; we advise that thorough consideration will need to be given to consenting implications from infrastructure and interdependency and assessing in-combination/cumulative impacts. All of which may have implications for project timelines. Natural England would encourage the Applicant to give further consideration to the Holistic Network Design (HND) to ensure alignment and maximise wider benefits. Please also see section 18 of Annex A of this response letter for our comments on this matter.

5. Impacts to designated sites

Because the project's offshore cable corridor and landfall option is currently undecided, the scoping boundary shows that there is a possibility of the cable route going through multiple designated sites as outlined in Annex A, section 2.5. If the proposal is considered to have lasting impacts or hinder the Conservation Objectives of the designated sites in question, then without prejudice compensation or MEEB is likely to be required. We strongly recommend that this project gives due consideration to DEFRA's Marine Recovery Fund, to ensure there is a clear understanding of what may be required should strategic compensation through the scheme be necessary. Please see Annex A for more information.

6. Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards

Natural England has been leading the 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' project, funded by Defra's Offshore Wind Enabling Actions Programme (OWEAP).

The project is providing up-front best practice advice on the way data and evidence is used to support offshore wind farm development and consenting in English waters, focussing on the key ecological receptors which pose a consenting risk for projects, namely seabirds, marine mammals, seafloor habitats and species and fish.

The project aims to facilitate the sustainable development of low impact offshore wind by increasing clarity for industry, regulators and other stakeholders over data and evidence requirements at each stage of offshore wind development, from pre-application through to post-consent. However, we advise that this best practice guidance is also applicable to other marine major casework

The advice documents are currently stored on a SharePoint Online site, access to the SharePoint site needs to be requested from neoffshorewindstrategicsolutions@naturalengland.org.uk. Please allow up to three working days for requests to access the site to be granted. Natural England is currently reviewing ways of making the advice more accessible and open access.

The application should be fully informed by the recommendations in the Best Practice Advice, and we will increasingly be appraising applications with respect to the extent to which the guidance has been followed.

In addition we refer the applicant to our [Cabling Lessons Learnt guidance](#) and joint [NE and JNCC advice on offshore wind farm cabling](#).

Please see **Annex A** for guidance on EIA requirements. In **Annex B** we provide detailed comments on the project-specific aspects of the scoping report.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again if the proposal is amended in any way which significantly affects its impact on the natural environment.

Please note that Natural England must be consulted on Environmental Statements/Application documents. And advise that sufficient time should be given to thoroughly assess the survey data, have ETG consultation on and implement actions where necessary prior to submission.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

For any queries relating to the specific advice in this letter please contact us using the details below.

Yours sincerely,



Senior Officer – Marine
Cheshire to Lancashire Area Team – Natural England

Annex A – Advice related to Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 / Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (Regulation 10) sets out the necessary information to assess impacts on the natural environment to be included in an Environmental Statement (ES), specifically:

- A description of the development – including physical characteristics and the full marine and land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape/seascape, and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects.
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided.³
- Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the ‘in combination’ effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure and activities should be included within the assessment.

Natural England’s advice on the scope and content of the Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

³ [1] National Infrastructure Planning [Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements](#)

1.1 Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk. This includes Marine Conservation Zone GIS shapefiles.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local Wildlife Trust, local geo-conservation group or other recording society.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. [Guidelines](#) for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The [National Planning Policy Framework \(NPPF\)](#) sets out guidance on how to take account of biodiversity interests in planning decisions and the framework that the responsible authority should provide to assist developers. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

2.2. Use of EIA Matrices

Natural England notes that the approach to the assessment is proposed to align with EIA approaches used on other projects. This matrix approach has been used throughout ESs to date to support the assessment of the magnitude and significance of impacts. Natural England notes numerous instances where significance has been presented as a range (i.e., slight, or moderate, or large) and it is nearly always the lower value that has been taken forward. Indeed, to date no offshore windfarm has identified ecological impacts that are assessed as significant in EIA terms, either cumulatively or in-combination which is surprising. In the absence of evidence to support the use of the lower value in a range, Natural England's view is that the higher value should always be assessed in order to ensure that impacts on features are not incorrectly screened out of further assessment. This is in line with the principles of the Rochdale envelope approach.

2.4 Impact Risk Zones

Natural England advises that scoping area should be based on the potential for species to be present within the area, the Impact Risk Zone (IRZ) for designated sites as available on Magic, the ecology, i.e., foraging areas of designated species of sites in proximity to the proposed development area.

2.5 Designated Sites – Special Protection Areas (SPAs), Special Areas of Conservations (SACs) and Ramsar Sites

The application documents should thoroughly assess the potential for the proposal to affect designated sites. Internationally designated sites (e.g., designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition, paragraph 181 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential, or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017).

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Regulation 28 of the Conservation of Offshore Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/> the JNCC website or for Ramsar sites the Ramsar Information Sheet.

The area of search for the Transmission Assets of the project overlaps with or could impact the following the following designated nature conservation sites broken down into respective landfall locations:

Both Landfall Options:

- Liverpool Bay / Bae Lerpwl SPA
- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar
- Shell Flat and Lune Deep SAC

Northern Landfall Only:

- Morecambe Bay and Duddon Estuary SPA
- Morecambe Bay Ramsar
- Morecambe Bay and Duddon Estuary SPA
- Morecambe Bay SAC
- Bowland Fells SPA

Southern Landfall Only:

- Sefton Coast SAC
- Mersey Narrows and North Wirral Foreshore SPA
- Mersey Narrows and North Wirral Foreshore Ramsar
- Martin Mere SPA
- Martin Mere Ramsar

Please note: As the cable corridor is currently an area of search, at this stage we are unable to provide a more definitive list of sites relevant to the Transmission assets.

The application documents should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.

Internationally designated site conservation objectives are available on our internet site: [Conservation Objectives](#). Where available, Supplementary Advice to the conservation objectives should be used in the assessment.

2.6 Habitats Regulations Assessment

If the proposal outlined within the scoping document has the potential to significantly affect features of the designated sites and the activity is not directly connected to the management of any designated site it should be assessed under regulation 63 the Conservation of Species and Habitats Regulations (2017)/ regulation 28 of the Conservation of Offshore Species and Habitats regulations (2017). Should a Likely Significant Effect on an Internationally designated site be identified or be uncertain, the competent authority (e.g., the Marine Management Organisation or Local Planning Authority or Government Department) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA/Application process.

If during the EIA/Application process the potential for a Likely Significant Effect on the conservation objectives of the sites cannot be ruled out the competent authority for the licence/consent (MMO / Government Department/LPA) should undertake an Appropriate Assessment of the implications for the site in view of its conservation objectives. Noting recent case law (*People Over Wind*⁴) measures intended to avoid and/or reduce the likely harmful effects on an internationally designated sites cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site, therefore consideration is required at Appropriate Assessment. Natural England wishes to be consulted on the scope of the Habitats Regulations Assessment and the information that will be produced to support it and should be formally consulted on any Appropriate Assessment provided for the proposal (Regulation 63/28).

The consideration of Likely Significant Effects should include any functionally linked habitat outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically. Further guidance is set out in Planning Practice Guidance on appropriate assessment here: <https://www.gov.uk/guidance/appropriate-assessment>

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/>; and the Joint Nature Conservation Committee (JNCC) website [About Marine Protected Areas | JNCC - Adviser to Government on Nature Conservation](#). For Ramsar sites, you should use the Ramsar Information Sheet.

2.7 Highly Protected Marine Areas (HPMAs), Sites of Special Scientific Interest (SSSI) and Marine Conservation Zones (MCZs)

Marine Conservation Zones (MCZs)

Marine Conservation Zones are areas that protect a range of nationally important, rare, or threatened habitats and species. You can see where MCZs are located and their special interest features on www.magic.gov.uk. Factsheets that establish the purpose of designation

⁴ *People Over Wind and Sweetman vs Coillte Teoranta* (ref: C 323/17).

and conservation objectives for each of the MCZ's are available at <https://www.gov.uk/government/collections/marine-conservation-zone-designations-in-england>

The red line boundary of the Project is within or adjacent to the following MCZs

Both Landfall Options:

- West of Copeland MCZ
- West of Walney MCZ
- Fylde MCZ
- Ribble Estuary MCZ

Northern Landfall Only

- Wyre-Lune MCZ

The ES should consider including information on the impacts of this development on MCZ interest features, to inform the assessment of impacts on habitats and species of principle importance for this location. Further information on MCZs is available via the following link: <http://publications.naturalengland.org.uk/category/1723382>.

Further information on the special interest features, the conservation objectives, and relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/>

Please note: As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites relevant to the project, but these should be identified and fully considered within an Environmental Statement (ES) / Application documents.

If impacts are found to cause lasting change, then without prejudice compensation or Measures of Equivalent Environmental Benefit (MEEB) is likely to be required.

Highly Protected Marine Areas (HPMAs)

The red line boundary of the Project does not fall within or adjacent to any HPMA

Sites of Special Scientific Interest (SSSIs)

Further information on the location of SSSIs and their special interest features can be found at www.magic.gov.uk. The application should include a full assessment of the direct and indirect effects of the development on the features of special scientific interest and should identify such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.

The red line boundary of the Project is within or could impact the following SSSIs

- Wyre Estuary SSSI
- Ribble Estuary SSSI
- Newton Marsh SSSI
- Downholland Moss SSSI
- Sefton Coast SSSI
- Martin Mere, Burscough SSSI
- Hesketh Golf Links SSSI

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within **the SSSIs** and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

Details of the notified features of each designated site can be found on [Designated Site Viewer](#).

Please note: As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites relevant to the project, but these should be identified and fully considered within an Environmental Statement (ES).

2.8 Regionally and Locally Important Sites

We welcome that regionally and locally important sites have been identified within the Environmental Scoping Report.

We advise the ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local sites are identified by the local Wildlife Trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.

2.9 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)

The ES/Application should assess the impact of all phases of the proposal on marine and terrestrial protected species (including, for example, pinnipeds (seals), cetaceans (including dolphins, porpoises, and whales), fish (including seahorses, sharks, and skates), marine turtles, birds, marine invertebrates, bats, etc.). Information on the relevant legislation protecting these species can be reviewed on the following link <https://www.gov.uk/government/publications/protected-marine-species>. Natural England does not hold comprehensive information regarding the locations of species protected by law but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, [NBN Atlas](#), groups, and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#). The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information, there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants.

Applicants should check to see if a mitigation licence is required using Natural England guidance on licensing [Natural England wildlife licences](#). Applicants can also make use of Natural England's charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. Natural England then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation

to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) for details of the LONI process.

Natural England notes that the Scoping Report considers impacts on projected species and advises the ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats).

Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

Natural England has adopted [standing advice](#) for terrestrial protected species, which includes guidance on surveys and mitigation measures. A separate protected species licence from Natural England or Defra may also be required. All other information on marine protected species can be found in 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards'.

Natural England will only provide bespoke advice on terrestrial protected species where they form part of a designated site in exceptional circumstances.

2.10 Habitats and Species of Principal Importance

The ES/Application should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely. Natural England welcome the applicant has identified and mapped the nearby priority habitat within the Scoping Report.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)

- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

2.11 Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 186 of the National Planning Policy Framework (NPPF) sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

As set out in sections 5.4.14 and 5.4.15 of [National Policy Statement EN-1](#) the government is committed maintaining and enhancing existing area of ancient woodland and the existing resource of known ancient and veteran trees.

Natural England maintains the [Ancient Woodland Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland. The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

2.12 Biodiversity net gain (BNG)

The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

Natural England welcomes that, in line with emerging policy and best practice, a BNG assessment will be undertaken for the proposed development using Defra's Biodiversity Metric, and the project will achieve a 10% uplift in BNG.

We advise that the biodiversity baseline included within the metric is based upon all land within the development's order limits (red line boundary). This includes all areas required for environmental mitigation. This presents a 'worst case scenario' approach and is consistent with the approach taken for other types of development, including TCPA.

The baseline area will likely be refined over time and subsequent iterations of the metric calculations can then be used. We encourage developments to continue to maximise their potential biodiversity outcomes throughout the detailed design process.

To encourage best practice, we can also direct developers to the following: [BS 8683:2021 Process for designing and implementing Biodiversity Net Gain](#) and CIEEM/IEMA/CIRIA good practice [principles](#) (2016) and [guidance](#) (2019).

3. Landscape/Seascape Character

3.1 Landscape/Seascape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site, as well as any relevant management plans or strategies pertaining to the area. The EIA/Application should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

The Application should include a full assessment of the potential impacts of the development on local landscape character using [landscape/seascape assessment methodologies](#). We encourage the use of Landscape and Seascape Character Assessment (LCA/SCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA/SCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment. For National Parks and Areas of Outstanding Natural Beauty (AONBs), we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

In order to foster high quality development that respects, maintains, or enhances, local landscape / seascape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context, Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The National Infrastructure Commission has also produced [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

Links for Landscape / Seascape Character Assessment at a local level are also available on the same page.

<https://www.gov.uk/government/publications/seascape-assessments-for-north-east-north-west-south-east-south-west-marine-plan-areas-mmo1134>

<https://data.gov.uk/dataset/3fed3362-2279-4645-8aaf-c6b431c94485/mmo1037-marine-character-areas>

4. Terrestrial Access and Recreation

The submitted ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 104 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

4.1 England Coast Path

The England Coast Path (ECP) is a new National Trail that will extend around all of England's coast with an associated margin of land predominantly seawards of this, for the public to access and enjoy. Natural England takes great care in considering the interests of both landowners/occupiers and users of the England Coast Path, aiming to strike a fair balance when working to open a new stretch. We follow an approach set out in the approved Coastal Access Scheme and all proposals must be approved by the Secretary of State. We would encourage any proposed development to include appropriate provision for the England Coast Path to maximise the benefits this can bring to the area. We suggest that the development includes provision for a walking or multi-user route, where practicable and safe. This should not be to the detriment of nature conservation, historic environment, landscape character or affect natural coastal change. Consideration for how best this could be achieved should be made within the Environmental Statement.

As part of the development of the ECP a 'coastal margin' is being identified. The margin includes all land between the trail and the sea. It may also extend inland from the trail if:

- it's a type of coastal land identified in the Countryside and Rights of Way Act 2000 (CROW Act), such as beach, dune, or cliff
- there are existing access rights under section 15 of the CROW Act
- Natural England and the landowner agree to follow a clear physical feature landward of the trail

Maps for sections of the ECP and further proposals for adoption are available here: <https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

5. Soils and agricultural land quality

The following issues should be considered and, where appropriate, included as part of the submitted ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

Further information regarding soils is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

Agricultural Land Classification (ALC) Surveys

Natural England welcome that the applicant has used the ALC Provisional Dataset in Volume 3, Chapter 2 to identify areas of best and most versatile (BMV) land. We advise based on the ALC provisional data set that further soils surveys will be required including a detailed ALC survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The submitted ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The submitted ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Deep peaty soils

Natural England utilises the [England Peat Status Greenhouse Gas and Carbon Storage](#) open data source which identifies that part of the onshore export cable route is situated within deep peat for both cable route options.

In light of Natural England's statutory purpose (see s.2 of the Natural Environment and Rural Communities Act 2006) and the [Environmental Improvement Plan 2023 - GOV.UK \(www.gov.uk\)](#) which states that *degraded lowland peat accounts for 3% of England's overall greenhouse gas emissions. Reducing these emissions, by rewetting our agricultural peat soils, is essential to meeting legally binding net zero targets*, **Natural England do not support the principle of developing on restorable peat.**

Consequently, Natural England advise that further information is required to determine if restorable peat is present at this location.

Natural England advise that it may be useful to refer to existing borehole data from the [British Geological Survey \(BGS\)](#) but if there is a lack of data across the proposal site then a peat survey may be required. A peat survey should be undertaken by a soils scientist and should determine the presence of peat, it's depth and the presence of any spoil/waste materials that would impact the restoration ability. Natural England advise that peat surveys should be carried out in line with the Peatland Survey Guidance 2017 ([Guidance on Developments on Peatland](#)).

If it is determined the restorable peat is present, then the applicant will need to consider the impacts of the proposal on this restorable deep peat, following the mitigation hierarchy, including designing the cable route to avoid areas of restorable peat.

This includes any areas of surrounding peat deposits, as any ground works that such as cutting a trench in the peat or drift deposits under, or adjacent to the peat will have impacts both on ground water and water levels within the peat. Peat habitat is very sensitive to modification to water levels which means these works can impact a wide area of the peat mass.

6. Water Quality

Increases in suspended sediment concentrations (SSC) during construction and operation (e.g., future dredging works) have the potential to smother sensitive habitats. The ES/Application should include information on the sediment quality and potential for any effects on water quality through suspension of contaminated sediments. The EIA/Application should also consider whether increased suspended sediment concentrations resulting are likely to impact upon the interest features and supporting habitats of the designated sites as listed above.

The ES/application should consider whether there will be an increase in the pollution risk as a result of the construction or operation of the development.

For activities in the marine environment up to 1 nautical mile out at sea, a Water Framework Directive (WFD) assessment is required as part of any application. The ES should draw upon and report on the WFD assessment considering the impact the proposed activity may have on the immediate water body and any linked water bodies. Further guidance on WFD assessments is available here: <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>

7. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example, over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001](#). We advise the principles in this document can be applied to all impacts to air quality generated by the proposal, not just road traffic emissions.

8. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 174), which should be demonstrated through the ES.

9. Contribution to local environmental initiatives and priorities

Natural England is aware the Local Nature Recovery Strategies (LNRS) for the [Liverpool City Region](#) and [Lancashire](#) are to be published in due course. We advise the applicant should consider how the project would interlink with these LNRSs, including using the data gathered as part of the LNRS to inform their ecological assessments, and identify if there are any environmental opportunities the project can contribute to in order to support nature recovery.

10. Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects
- b. approved but uncompleted projects
- c. ongoing activities
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

The Planning Inspectorate uses a four staged approach to Cumulative Effects Assessment (CEA) with the applicant required to fill in templates [4 Stage CEA Process](#).

11. Use of the Rochdale Envelope

Natural England recognises the need to use a Rochdale Envelope approach to allow flexibility in project design to ensure that changes in available technologies and project economics can be considered post consent. However, Natural England has concerns over the extent to which uncertainty in ground conditions is driving the extent of the project envelope, and that the Rochdale Envelope approach is resulting in the provision of insufficient baseline information to inform both project design and assessment of impacts. The lack of understanding of the ground conditions results in the use of Maximum Design Scenarios (MDSs) that are conservative enough to make up for that lack of understanding and allow for all eventualities. This in turn translates into a vast number of variables, causing difficulties in assessment, as it is difficult to identify and assess a realistic worst-case scenario for each of the relevant receptors with any certainty, which in turn necessitates precautionary assessments given this uncertainty. That presents challenges when it comes to identifying appropriate mitigation measures.

12. Ecological join up between marine receptor assessments

Natural England advises that changes to marine processes and benthic ecology could cause an indirect impact on mobile interest features from designated sites through changes to supporting habitats and prey availability. Ecosystem impacts should be thoroughly considered within the relevant receptor chapters throughout the ES/Application documents.

13. Landfall

Coastal environments are subject considerable historic and future change. Therefore, should trenchless techniques be considered then a feasibility study informed by geotechnical

investigations will be required at the time of consent, particularly within the boundary of a designated site. We would also advise that the Applicant should consider how the coast may alter throughout the lifetime of the project, both in terms of vertical change in beach profile and coastal retreat. In other words, how will cable burial and siting of infrastructure be managed throughout the lifespan of the project?

We advise that the landfall assessment needs to consider the effects on the hydrodynamic regime due to the presence of cable protection, equipment such as jack-up rigs, cable-laying vessels, and cofferdams etc. Plus, potential impact of intertidal access and/or vehicle traffic on foreshore profile change or cliff erosion over all phases of the project.

14. Cable protection – including secondary scour

In addition, Natural England's position provided for Hornsea Project Three, Norfolk Vanguard and Norfolk Boreas in relation to Adverse Effects on Integrity from the placement of cable protection remains unchanged and therefore cable protection within marine protected areas should be avoided and where that is possible every effort should be made to mitigate the impacts. In order to achieve this, we advise that a cable burial risk assessment is undertaken as part of the application process informed by comprehensive geotechnical and geophysical surveys. If cable protection is required options that have the greatest success of removal with least impact to interest features should be taken forward. A site integrity plan could then be used to determine the risk to the conservation objectives for the site and determine the requirements for any compensation measures.

Please note that impacts from secondary scouring around cable protection should also be factored into both marine processes and benthic assessment.

15. Marine Mammals impact assessments

If not already considered we advise Applicants to include reference to the following

- IAMMWG. 2022. *Updated abundance estimates for cetacean Management Units in UK waters (Revised 2022)* <https://hub.jncc.gov.uk/assets/3a401204-aa46-43c8-85b8-5ae42cdd7ff3>
- *Scientific Advice on Matters Related to the Management of Seal Populations: 2021* <http://www.smru.st-andrews.ac.uk/files/2022/08/SCOS-2021.pdf>
- Carter et al. (2022) <https://www.frontiersin.org/articles/10.3389/fmars.2022.875869/full>

16. Red Throated Divers

Natural England highlights our increasing concerns in relation to disturbance and/or displacement of red-throated divers features from the more persistent presence of offshore wind farm and oil and gas related vessel activity which could make a meaningful contribution to in-combination effects to the Liverpool Bay/ Bae Lerpwl SPA. As such, we advise appropriate consideration of both seasonal timing of construction and O&M works and vessel transit route is included within the application.

Natural England recommends that where possible, any construction and O&M activities avoid the months of November to March inclusive. Vessel transit routes outside of existing navigation routes through the Liverpool Bay SPA should also be avoided during these winter months. Natural England advises as minimum use of best practice measures between 1st November and 31st March to mitigate and therefore minimise disturbance to red-throated diver namely:

- Selecting routes (when transiting to site) that avoid aggregations of red-throated diver and common scoter, where practicable.
- Restricting (to the extent possible) vessel movements when transiting to the site to existing navigation routes (where the densities of divers are typically relatively low).
- Avoidance of over-revving of engines (to minimise noise disturbance); and
- Briefing of vessel crew on the purpose and implications of these vessel management practices (through, for example, tool-box talks).

Although, we do highlight that dependent on the level of proposed activity across the designated site the best practice protocol as set out above still may not minimise the in-combination impacts to an acceptable level.

17. Outline Plans

Natural England advises that outline documents and/or assessment will need to be included in the Application to ensure that all impacts have been considered and appropriately managed.

18. Holistic Network Design and Consideration of Alternatives

In line with national policy and best practice for sustainable infrastructure development, it is imperative that the Environmental Impact Assessment (EIA) demonstrates a comprehensive and transparent assessment of all reasonable alternatives to the proposed transmission infrastructure. This includes, but is not limited to, alternative grid connection points, cable corridor routes (onshore and offshore), landfall locations, and river or estuary crossings.

18.1 Holistic Network Design

The project should be clearly situated within the context of the Holistic Network Design (HND) approach adopted by the National Electricity System Operator (NESO) and reflected in the [Offshore Transmission Network Review](#) (OTNR). This ensures that infrastructure is not brought forward in isolation, but rather as part of a coordinated and strategic system that minimises cumulative environmental effects and maximises efficiency in both engineering and ecological terms.

18.2 Demonstration of Alternatives Considered

The EIA must provide a detailed assessment of all reasonable alternatives, in line with the requirements of the EIA Regulations (2017, as amended). This includes alternatives that could have a lower environmental impact, and for each, a clear and evidence-based explanation as to why it was not pursued. This includes, but is not limited to:

- Alternative grid connection points
- Alternative offshore/ onshore cable routes
- Alternative landfall locations
- Alternative river crossing methods

Failure to adequately consider alternatives at this stage may compromise the ability of the EIA to demonstrate that impacts have been avoided or minimised to the greatest extent practicable, which is a key principle of environmental protection and a statutory duty under the Habitats Relations and related policies.

Annex B: Detailed Comments

Table 1: East Irish Sea Transmission Project – Onshore Comments

Point No.	Section	Para	Comments	Recommendations
1.	Vol 1, Chapter 3 page 53	Sections 3.5.4, 3.5.5 and 3.5.6	Based on the maximum design scenarios for the landfall options onshore export cables and onshore substation, it is not clear if the calculations for the maximum design scenarios are the combination for both route options, or if they are the maximum design parameters for one option.	We advise that the maximum design scenarios for both route options are set out clearly.
2.	Vol 3. Chapter 1	Table 1.4	<p>Download Holland Moss SSSI is not mentioned within onshore chapters.</p> <p>As the southern landfall cable route goes directly through the area of this SSSI, we have significant concerns regarding potential impacts from the project on the notified features of Download Holland Moss SSSI.</p>	We advise that the impacts on Downholland Moss SSSI are assessed within the ES. Any construction works within the proximity to the site which have the potential to alter its current formation could damage/destroy the notified features of the site. We advise the cable route should be designed to avoid this SSSI.
3.	Vol 3. Chapter 1, & Vol 3, Chapter 5	Section 1.6.11, Section 5.6.2.2 5 to 5.6.2.2 6	Noise assessment methodology scope.	<p>We advise the noise report should include the existing baseline noise levels and what the predicted noise levels will be (measured in LAeq and LAm_{ax}). A noise contour map should also be provided. Please note that as a rule of thumb we consider that an increase of 3dB from baseline to predicted noise levels should be considered significant.</p> <p>We further advise it will be useful to have an indication when the noisiest, and therefore most disturbing works, will be carried out and details of what these works will include.</p>
4.	Vol 3. Chapter 2	Sections 2.3.3.1 6 &	Detailed peat surveys need to be undertaken.	Natural England advise that further information is required to determine if restorable peat is present at this location. Natural England advise that it may be

		2.3.3.1 7		<p>useful to refer to existing borehole data from the British Geological Survey (BGS).</p> <p>If there is a lack of data across the proposal site, then a peat survey will be required. A peat survey should be undertaken by a soils scientist to determine the presence of peat, it's depth and the presence of any spoil/waste materials that would impact the restoration ability. Natural England advise that peat surveys should be carried out in line with the Peatland Survey Guidance 2017 (Guidance on Developments on Peatland). This includes any areas of surrounding peat deposits.</p>
5.	Vol 3. Chapter 2	2.3.316 2.3.5.2	The Applicant will need to undertake further soil and ALC surveys.	We advise based on the ALC provisional data set that further soils surveys will be required including a detailed ALC survey if one is not already available.
6.	Vol 3. Chapter 2	Table 2.10	Impacts on deep peaty soils should be scoped into this table.	Natural England advise that impacts on deep peaty soils should be included within Table 2.10.
7.	Vol 3. Chapter 2	Table 2.13	This table mentions impacts on geological SSSIs but does not mention Download Holland Moss SSSI which is a geological SSSI.	An assessment of impacts on Download Holland Moss SSSI needs to be included in ES.
8.	Vol 3. Chapter 6	Table 6.5	Table 6.5 lists a range of construction activities that could result in the release of fugitive emissions. This table should also include consideration of vehicle movements on site.	Natural England advises that these activities should also include the movement of vehicles within the construction site as well as consideration of additional vehicles on the existing road network.
9.	Vol 3. Chapter 6	Section 6.6.2.1 0	Natural England do not agree with approach to only considering impacts on SSSI alone, assessment also needs to consider impacts <i>for cumulative effects</i> .	Natural England do not concur with this approach, and we advise that all impacts that the project could have alone and in-combination need to be assessed for nationally designated sites including SSSIs.
10.	Vol 3. Chapter 7	Table 7.6	The following impact has been scoped out: <i>accidental spillages and leakages of oils, fuel and other polluting substances which could potentially enter the water environment due to implementation of best practice measures</i> .	An assessment is required for any water quality impacts the proposal will have on internationally and nationally designated sites. This assessment should inform any required mitigation measures.

			Natural England does not agree with this approach or justification. It's also noted that the HRA screening concludes LSE for this impact pathway.	Assessments in the submitted ES chapters should draw the same conclusions as the HRA, to ensure there is consistency across documents.
11.	Annex 3 (HRA)	Table 3.10	<p>Table 3.10 does not include all terrestrial habitats, plants and invertebrate receptors. Sefton Coast SAC – Petalwort is missing.</p> <p>This table also does not include Dee Estuary SAC which has terrestrial habitat features. However, this site is then also included in Table 3.23 - <i>Screening results for terrestrial habitats, plants and invertebrate receptors</i>.</p>	Table 3.10 should be updated to include Petalwort for Sefton Coast SAC and Dee Estuary SAC.
12.	Annex 3 (HRA)	Table 3.20	Table 3.20 does not include all sites for terrestrial non-ornithological species – it misses out Ribble & Alt Ramsar which is designated for natterjack toads and Sefton Coast SAC which is designated for GCN and key distinctive species. These features are also missing from sections 1.3.3.37 to 1.3.3.40.	Natural England advises that all relevant sites, and their designated features are included in the assessment. Here we are referring to Sefton Coast SAC and Ribble & Alt Estuaries Ramsar.
13.	Annex 3 (HRA)	Table 3.23	The southern landfall option, along the Sefton Coast, could result in lasting habitat loss/change within the SAC. This has the potential to hinder the conservation objectives of the SAC.	Natural England strongly advise the project should be designed to avoid Sefton Coast SAC due to the potential lasting habitat loss/change within the site, following the mitigation hierarchy.
14.	Annex 3 (HRA)	Table 3.27	Table 3.27 does not include Ribble & Alt Estuaries Ramsar.	This site should be included here for consistency.

Table 2: East Irish Sea Transmission Project – Intertidal and Coastal Habitats

Point No.	Section	Para	Comments	Recommendations
1.	Vol 1. Chapter 1 & Chapter 3	1.5.2.1 and Table 3.5	<p>The project description notes “The location where the TJB(s) will house joints between the Offshore Export Cables and the Onshore Export Cables. The Offshore Export Cables will make landfall either by open-cut or trenchless installation methods, or a combination of both.” This is repeated in Table 3.5 which sets out a summary of the proposed installation methodology.</p> <p>We understand that the project design will continue to be developed, with the PEIR presenting data from forthcoming ecological and geophysical surveys. Key to this, for coastal habitats, in both the intertidal and terrestrial Landfall Zone (between MLWS and the landward side of the TJBs) will be the feasibility of trenchless cable installation methods.</p>	<p>The applicant should continue to develop and finalise the project design and construction methods (in particular the feasibility of trenchless cable installation methods) using the forthcoming baseline survey data and analysis.</p> <p>The use of trenchless cable installation will help minimise impacts of cable installation in the sensitive intertidal zone. However, the applicant should also assess /consider the worst-case scenario <i>i.e.</i> open-cut methods in their assessment.</p> <p>Natural England is aware from past experiences that the use of HDD relies heavily on local site and environmental conditions and so cannot be guaranteed.</p> <p>To facilitate this, we support the undertaking of feasibility studies and ground investigations including undertaking baseline habitat surveys of coastal habitats in a timely way to inform the methodology and environmental assessments. A key output of this will be providing a Landfall HDD (trenchless cable installation methods) Feasibility report.</p> <p>The applicant should take into consideration lessons learned from other projects that have made landfall along the Lancashire coast and elsewhere nationally.</p>
2.	Vol 1. Chapter 3	3.5.4 Table 3.5 & para	Table 3.5 provides the Maximum Design Scenario: Landfall. This includes several parameters that need to be considered further including – the extent of the temporary landfall area (landwards of MHWS) being	Review and finalise the project design including determining the extent of land required for the temporary and permanent land-take at Landfall.

		3.5.4.7- 3.5.4.9	<p>97ha and the permanent landfall area (landwards of MHWS) being 51.2ha – which seems a considerable area of land-take. Clarity is required as to whether this includes the temporary landfall construction compound mentioned in para 3.5.4.6.</p> <p>Also, the installation methodology mentions the potential need for a cofferdam, and that dewatering maybe needed subject to the position of the local water table.</p>	<p>The installation of the cofferdam and the dewatering need to be considered as part of the assessment – particularly the potential effects of dewatering in/adjacent to Sefton Coast SAC and the Annex I sand dunes. The presence of groundwater dependant terrestrial ecosystems <i>i.e.</i> dunes slacks are highly sensitive to changes in the water table. Data should be presented on the water table and the assessment should include a Hydro-ecological Risk Assessment.</p>
3.	Vol 1. Chapter 3	3.5.4.1 1	<p>The landfall description notes that “A temporary access track may be required for beach access during Construction for personnel and construction related vehicles and plant. This may require upgrading existing access or creating a new access. In addition, equipment may also need to be brought to the Landfall by sea by utilising and beaching a barge, or similar vessel, throughout the Construction period. Whilst installation is ongoing, access to working areas on the beach, from MLWS to the Landfall compound, will need to be managed for operational, and health and safety reasons.”. Further information on this including the route location, number of vehicles requiring access, vehicle type, is required.</p> <p>Paragraph 3.5.4.8 also mentions the use of beach rollers/ or skids to enable the movement of equipment across the beach. Further information on this is required.</p>	<p>Further details will be required relating to this activity.</p>
4.	Vol 1. Chapter 3	3.5.4.9	<p>Depending on the landfall option chosen and the onshore route selection, clarity is needed as to how the River Wyre will be crossed (<i>i.e.</i> whether HDD/ trenchless construction measures will be used) as the River Wyre channel supports saltmarsh habitat (although not directly on the open coast).</p>	<p>Habitat surveys of coastal habitats both at the landfall location and the crossed tidal rivers (<i>i.e.</i> River Wyre) should be undertaken at a suitable time of year <i>i.e.</i> May to August.</p>

				The area of survey should extend sufficiently to cover the Study Boundary (including areas that may be avoided by trenchless cabling so that all above ground habitats can be adequately assessed should cable method installation change <i>i.e.</i> open cut is used, but also to ensure impacts such as dust, air quality and hydrology are considered. For the above reasons the survey area should also consider any Priority Habitats in the vicinity of works.
5.	Vol 1. Chapter 4	4.4.3.2- 4.4.3.4 and 4.4.5.3	Natural England understand that three potential landfall locations were originally considered, including making landfall at Blackpool Airport but this has been discounted due to various constraints including the area being ear-marked for the Morgan and Morecambe Transmission Project.	From a coastal habitats perspective making landfall at Fleetwood will avoid the highly sensitive area of Sefton Coast SAC, SSSI.
6.	Vol 2. Chapter 1	1.3.2 Data sources inc. Table 1.2	<p>Additional key sources of data the applicant should consider:</p> <ul style="list-style-type: none"> • MAGIC – for protected sites • North-west Regional Coastal Monitoring Programme available - https://coastalmonitoring.org/ including bathymetry, coastal habitat mapping, lidar, aerial imagery, tides/ wave data • NCERM2 (updated since NCERM) and available through https://environment.data.gov.uk/shoreline-planning - includes data on Shoreline Management Plans, flood assets, coastal erosion • Local reports e.g. Wyre Beach Management Plan which would provide data on the nearshore 	Consider the inclusion of the additional data sources.
7.	Vol 2. Chapter 1	1.3.4	With regards to ecological receptors the applicant should consider how potential changes to physical processes may influence coastal habitats above MHWS - the availability of sand for dune building along the	Ensure coastal geomorphology is considered for both landfall sites, but particularly at Sefton Coast SSSI/ SAC. This should be provided as a Supporting Study (para 1.6.2.1).

			Sefton Coast SAC/ SSSI. This may be picked up as part of the onshore assessment but the availability of sand from sub-tidal sandbanks should be considered <i>i.e.</i> coastal geomorphology.	
8.	Vol 3. Chapter 1	1.3.3.2 9	UK Important Plant Areas (IPA). Sefton Coast is listed as Important Plant Area by Plantlife – it is shown on the interactive map as a point rather than a polygon.	Update text to reflect IPA status.
9.	Vol 3. Chapter 1	1.3.2 Dat sources – Table 1.2	<p>Additional key sources of data the applicant should consider:</p> <ul style="list-style-type: none"> • North-west Regional Coastal Monitoring Programme available - https://coastalmonitoring.org/ including bathymetry, coastal habitat mapping, lidar, aerial imagery, tides/ wave data • EA saltmarsh extent and zonation mapping https://www.data.gov.uk/dataset/0e9982d3-1fef-47de-9af0-4b1398330d88/saltmarsh-extent-zonation • CASI and LIDAR Habitat Map • BSBI Plant Atlas 2020 	Consider the inclusion of the additional data sources.
10.	Vol 3. Chapter 1	Tables 1.3 and 1.4 ecological designated sites And Table 3.28	<p>Wyre Estuary SSSI is missing from table under <i>national – important statutory sites non-avian</i> for its saltmarsh and estuary habitat – this could be crossed by the cable depending on the landfall option chosen and needs assessment.</p> <p>Ensure areas of saltmarsh along the River Wyre (Wyre Estuary SSSI) are captured and reported – this should include NVC level surveys (as set out in the Onshore Ecology Chapter – paragraph 1.3.5.4).</p>	<p>Ensure the ecological designated sites tables are clear – currently the tables separate out features by their importance (international, national, local) and whether they support avian/ non-avian features which means that sites with both avian/non-avian features need to be included twice (or potentially more). The applicant should ensure no designated sites (and their features are missed).</p> <p>The submitted ES should provide details on the published SSSI citation and provide information (incl. condition) on the monitored SSSI features.</p>

				Note Table 3.28 Summary of sites screened in for further assessment – needs to be comprehensively reviewed for example Sefton Coast SAC should include Great Created Newts. In addition, Petalwort (associated with dune slacks) is also an Annex II species and should be included.
11.	Vol 3. Chapter 1	1.3.3.3 0	<p>Irreplaceable and priority habitats. The study area includes areas of coastal habitats <i>i.e.</i> sand dunes that are considered irreplaceable (<i>i.e.</i> that are difficult or take significant time to restore, recreate or replace due to their age, uniqueness, species diversity or rarity).</p> <p>In addition, the current study area contains significant areas of coastal habitats including Coastal saltmarsh (1701ha) and Coastal sand dunes (364ha) (as well as Coastal and floodplain grazing marsh – which has potential to have high ecological value). The applicant should continue to refine the route options and installation methods, so to minimise both temporary and permanent coastal habitat loss from the final design. Loss of these habitats at the extents noted above would be considered as having a likely significant effect and is likely to have an adverse effect on the integrity of sites.</p>	The applicant should continue to refine the route options and installation methods, so to minimise both temporary and permanent coastal habitat loss from the final design.
12.	Vol 3. Chapter 1	1.3.3.4 1- 1.3.3.4 2	<p>Reptiles – The Sand Lizard (<i>Lacerta agilis</i>) is a rare and strictly protected species under the Wildlife and Countryside Act 1981. It is a designated feature of the Sefton Coast SSSI and Hesketh Golf Links SSSI. Sand Lizards across the Sefton Coast are monitored annually as part of the National Reptile Survey which is run by ARC Trust who also hold the data. Sand Lizards are mentioned in para 1.3.5.8 under the survey methods. They rely on open sand dune habitats with sparse vegetation for basking, foraging, and egg-laying.</p>	The Sand Lizard is a designated feature of the Sefton Coast SSSI. Given the Sand Lizard's strict habitat requirements and its status as a Protected Species, it is essential that detailed ecological surveys and thorough site characterisation are undertaken prior to any development. Without robust, site-specific data, it is not possible to accurately assess the presence, distribution, or habitat suitability for Sand Lizards, nor to evaluate the potential direct and indirect impacts of the proposed transmission infrastructure. Such surveys are also critical to inform appropriate mitigation and

				<p>compensation measures, where necessary, ensuring compliance with statutory protections.</p> <p>Natural England would expect at least two years of sand lizard visual surveys to be undertaken with a minimum of 20 visits carried out, focussing primarily on the months of April and May for adults <u>and</u> August to October for hatchling observations. Refugia mats could also be used to support the visual surveys.</p>
13.	Vol 3. Chapter 1	1.3.5.4	<p>Habitats and flora – with regards to coastal habitats it is important that areas of coastal sand dune, coastal saltmarsh, and strandline vegetation (both at landfall and along tidal rivers crossed by the proposed route) are captured in sufficient detail (<i>i.e.</i> to NVC standards with supporting quadrats and species-lists; undertaken at the most appropriate time of year) even where the installation is likely to use trenchless cable installation methods. If the sand dunes at Sefton Coast SAC/ SSSI are crossed, a baseline bryophyte/lichen survey should be undertaken this should include checks for Petalwort (an Annex II species).</p> <p>Natural England is aware from past experiences that the use of trenchless cable installation methods relies heavily on local site and environmental conditions and so cannot be guaranteed. Our experience has shown that despite the best planning and a commitment to using this method it is not always possible and often this is not identified until late in the project planning stage. Therefore, having the available ecological survey data and presenting this as an alternative worst-case scenario helps minimise risk to the project later on and allows where needed mitigation and compensation measures to be developed.</p>	<p>The area of survey should extend sufficiently to cover the Study Boundary (including areas that may be avoided by trenchless cabling so that all above ground habitats can be adequately assessed should cable method installation change <i>i.e.</i> open cut is used, but also to ensure impacts such as dust, air quality and hydrology (particularly important with regards to sand dunes) are considered. For the above reasons the survey area should also consider any Priority Habitats in the vicinity of works.</p>

14.	Vol 3. Chapter 1	1.3.5.5	With regards to BNG, loss of coastal habitats can be difficult to provision through habitat enhancement or creation as many areas are highly designated and space at the coast is at a premium. In addition, as noted (para 1.3.3.30) several vegetation types are considered irreplaceable. Where there is a loss of coastal habitats the applicant should engage early with potential BNG providers.	Early engagement in the BNG process is vital especially in complex coastal areas.
15.	Vol 3. Chapter 6	6.3.4.5	Air quality with regards to designated sites. NE have undertaken air quality monitoring relating to atmospheric Nitrogen (N) along the Sefton Coast SAC (as part of the Dynamic Dunescapes project) to determine if this is having an effect on sand dune vegetation. An early indication of the data (report is not yet available) is that atmospheric N exceeds Critical Levels in locations along the coast. The Air Quality assessment should therefore consider local air quality data, in particular how it may affect dune vegetation during construction. Dispersion modelling should be used to assess changes. Note the assessment should also refer to Bobbink, Loran and Tomassen (2022) Review and revision of empirical critical loads of nitrogen for Europe – which provides more up-to-date data on critical loads (often lowering the lower limits).	Ensure Air Quality assessment uses latest habitat data on critical loads, and that local data atmospheric N where available is used.
16.	Vol 3. Chapter 1 Vol 3. Chapter 7	1.3.5.4 7.3.3.3 9 (and Table 7.3)	Where sand dunes are being crossed (<i>i.e.</i> at the Sefton Coast SAC) a hydro-ecological study should be undertaken. This should consider: <ul style="list-style-type: none"> • dewatering activities during construction excavations potentially in hydraulic continuity; • construction activities relating to the trenchless installation; and • the effect of the permanent location of the cables beneath dune habitat (especially with regards to climate change). 	The applicant should undertake a hydro-ecological study. The applicant should identify Groundwater Dependant Terrestrial Ecosystems including sand dunes along the proposed routes.

		7.3.5 And Table 7.5	<p>The hydro-ecological study should consider the potential groundwater pathway or pathways that may exist between the landfall and the key groundwater dependant features of the sand dunes. It should consider the risks that the construction and operational activities may have on those pathways should they be identified, and the potential consequences on those features. This may include provision of a hydrogeological conceptual model that should inform the HRA. This forms part of the required evidence for 7.3.5.</p> <p>These effects should be considered in Table 7.5 Impacts proposed to be scoped into the EIA for hydrology, hydrogeology and flood risk.</p>	
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Table 3: East Irish Sea Transmission Project – Physical Processes

Point No.	Section	Para	Comments	Recommendations
1.	Vol 1. Chapter 3	3.5.2.5	The Applicant states “It is anticipated that the geophysical survey campaign will take place in 2025 and/ or 2026 to collect data on seabed conditions, bathymetry, and seabed targets, including boulders, wrecks and suspected debris to further inform the RPSS process.” Other surveys are not mentioned or the scope of the survey design.	<p>Survey design should comply with best practice advice for evidence and data standards, and also take into account impacts in the intertidal.</p> <p>We advise that to further understand the impacts of cable protection in the nearshore and whether any burial depth is sufficient to avoid cable exposure, the depth of closure needs to be defined. Additionally, the vertical variability of the beach and nearshore profile and any predicted future changes in these, taking into account climate change.</p>
2.	Vol 1. Chapter 3	3.5.2.7	It is noted that the Offshore Export Cable Corridor (ECC) may need to be dredged prior to installation, to level any sand waves that may hinder installation.	We advise that a commitment is included to minimise sandwave level clearance and deposit material within close proximity of where it is removed (this also applies to boulders if boulder clearance is needed).
3.	Vol 1. Chapter 3	3.5.3.3 3.5.3.10	NE notes that the location of the booster stations is still being finalised. The location of the offshore booster stations will influence the impact of the booster stations on wave and tidal dynamics, further information on the location of the offshore booster stations is needed before scoping out MP07-10.	Where practical the applicant should avoid sensitive designated sites in the placement of the booster stations and design of foundations. Walking jack-ups should be avoided as they can have a long-lasting impact on the seabed.
4.	Vol 1. Chapter 3	3.5.4.1 Table 3.5 3.5.4.7	Open-cut or trenchless installation (such as HDD or similar), or a combination of both, may be used at Landfall.	<p>The use of trenchless cable installation will help minimise impacts of cable installation in the sensitive intertidal zone. However, the applicant should also assess /consider the worst-case scenario <i>i.e.</i> open-cut methods in their assessment. The applicant should take into consideration lessons learned from other projects that have made landfall.</p> <p>The installation depth of cables needs to take into account natural beach variation; Sensitivities of intertidal habitats (is buffer needed between TJB and coastal habitat); recovery of</p>

				beach in monitoring and temp storage of excavated material; and potential impact on sediment transport pathways.
5.	Vol 1. Chapter 3	3.8.1.1- 2 and 6	Decommissioning	<p>Natural England strongly advises that the proposed development secures a commitment to remove all infrastructure at the time of decommissioning to avoid irreversible (permanent) habitat loss and ensure the seabed is returned to its pre-developed baseline status as required by OSPAR. (Please also see our comment 3. in Table 4 Benthic and Subtidal Ecology)</p> <p>We advise that an Outline Decommissioning Plan should be provided as part of the consent phase to detail the approach to decommissioning.</p>
6.	Vol 1. Chapter 4	4.4.1.3	<p>We note that Route Planning and Site Selection (RPSS) commitments have been presented in the Commitments Register (see Volume 5, Annex 2: Commitments Register).</p> <p>NE welcomes Co9 for Cable burial being the preferred method of cable protection.</p>	Natural England would welcome further engagement around securing additional commitments that have been made by similar offshore wind applications and should be considered for inclusion where relevant by the Applicant.
7.	Vol 2. Chapter 1	1.3.6.1	When undertaking impact assessments, it will be necessary to place any potential impacts in the context of the envelope of change that might occur naturally over the lifetime of the Proposed Development.	<p>For impact assessments need to consider what the intention is at decommissioning, the impact may need to be considered for longer than the project lifetime.</p> <p>For climate change impacts UKCP18 should be used at the 95% to present the worst case scenario (the National Coastal Erosion Risk Map produced by the Environment Agency is an open access resource for this information regarding possible erosion rates https://environment.data.gov.uk/shoreline-planning)</p>
8.	Vol 2. Chapter 1	1.4.3.4 Table 1.5 MP- 05	Modifications to littoral transport at the Intertidal Landfall Area as a result of the installation and decommissioning of cables at the Intertidal Landfall Area (pathway).	Impact ID MP-05 also needs to include installation and decommissioning of cable protection.

9.	Vol 2. Chapter 1	1.4.4.1 Table 1.6	Impact pathways MP-05 and MP-06 - Operation and Maintenance Subsequent effects of modification to sand transport on coastal behaviour and morphology at the Intertidal Landfall Area.	NE recommend these are screened in at this stage Further information around recovery of the intertidal area following onshore works, and details of cable protection is needed.
10.	Vol 2. Chapter 1 & Vol. 3 Chapter 2	1.6.3.1 & 2.3.2 Table 2.2 Data Source s	<p>Best Practice Guidance: Natural resources Wales (2025) Marine Physical Processes Guidance to inform Environmental Impact Assessment (EIA) Guidance note Reference number: GN41 https://cdn.cyfoethnaturiol.cymru/0ctp0id1/gn41-marine-physical-processes-guidance-to-inform-eia.pdf</p> <p>Parker <i>et al.</i> (2025) Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards. Phase 1.</p> <p>Additional key sources of data:</p> <ul style="list-style-type: none"> • North-west Regional Coastal Monitoring Programme available - https://coastalmonitoring.org/ including bathymetry, coastal habitat mapping, lidar, aerial imagery, tides/ wave data • EA saltmarsh extent and zonation mapping • CASI and LIDAR Habitat Map • Designated Site View for information on site condition • NCERM2 (updated since NCERM) and available through https://environment.data.gov.uk/shoreline-planning - includes data on Shoreline 	Consider the inclusion of the additional best practice guidance and data sources.

			<p>Management Plans, flood assets, coastal erosion</p> <ul style="list-style-type: none"> • Local reports e.g. Wyre Beach Management Plan • The North West Estuaries Reports provide useful background to coastal processes. Found under 'Latest' and 'Latest Data' • Cell Eleven Tidal and Sediment Transport Study (CETaSS) and • Appendix C of the North West England and North Wales Shoreline Management Plan 2 Microsoft Word - Annex C3 - Post Consultation Addendum FINAL.doc 	
11.	Vol 2. Chapter 12	12.3.4.1 Table 12.3	We urge the Applicant to consult with the MMO with regards to the capacity and appropriateness of the listed marine disposal sites.	N/A
12.	Vol 2. Chapter 12	12.4.2 Table 12.4	CoT10 states that where scour protection is required, MGN 654 will be adhered to with respect to changes greater than 5% to the under keel clearance in consultation with the MCA.	This should also be referred to in the physical processes chapter as it restricts the height of cable protection in the nearshore.
13.	Vol 3. Chapter 1	1.3.3.7 (p544)	Update list to include Wyre-Lune MCZ, Morecambe Bay SSSI, Dee Estuary SSSI, Mersey Narrows SSSI and North Wirral Foreshore SSSI as separate sites.	Update list to include the relevant designated sites.
14.	Vol 3: Chapter 1	1.6.1	Landfall assessment methodology.	Additional study is needed to assess coastal change at landfall as this will determine whether cables will remain buried or become exposed.
15.	Vol 3: Chapter 2	2.3.4.1	The Applicant will use RCP 8.5 predictions. RCP 8.5 will be used as the operational lifetime of the Proposed Development is 35 years.	<p>This should consider the higher range scenario (95%) as a worst case)</p> <p>Consideration of climate change impact should be for the duration of the structure's lifetime if to remain <i>insitu</i> after decommissioning rather than the project lifetime</p>

16.	Vol 3: Chapter 2	2.4.1.1	Key parameters for assessment in relation to infrastructure and their resilience to climate change.	Ensure assessment includes links to marine processes chapter and considers variation of the beach profile.
17.	Vol 3: Chapter 2		Co13 Construction Project Environmental Management and Monitoring Plan (CPEMMP) Co16 Development of, and adherence to, a Code of Construction Practice (CoCP).	These commitments should include adhering to best practice for access/ vehicle management plan.
18.	Vol 2. Chapter 1	1.7 Q5	Transboundary effects assessment for marine processes.	Natural England agrees with the approach presented.
19.	Vol 2. Chapter 1	1.7 Q6	Cumulative effects assessment for marine processes	<p>The zone of influence for marine processes should include-</p> <ul style="list-style-type: none"> - Maximum spring tidal excursion ellipses, - Littoral sediment cell or sub-cell boundaries to determine maximum extent of changes to nearby coastlines, - Numerical modelling or field evidence from analogous developments for changes to wave conditions. <p>Currently the zone of influence includes the modelled spring tidal excursion ellipse buffer of 10km around the offshore booster station(s) and offshore export cables which impacts the developments considered for the cumulative impact assessment. The cumulative impact assessment should also include plans and projects which are in the littoral sub-cell boundary. For the northern landfall this is sub cell 11c and for the southern landfall this is sub cell 11a and should include coastal defence works.</p>

References

Natural England (2018) Offshore wind cabling: ten years' experience and recommendations Available from: [EN010080-001240-Natural England - Offshore Cabling paper July 2018.pdf](#).

Natural England and JNCC (2019) Advice on key sensitivities of habitats and Marine Protected Areas in English Waters to offshore wind farm cabling within Proposed Round 4 leasing areas Available from [NE-JNCC-advice-key-sensitivities-habitats-MPAs-offshore-windfarm-cabling.pdf](#)).

Table 4: East Irish Sea Transmission Project – Benthic and Subtidal Ecology

Point No.	Section	Para	Comments	Recommendations
1.	General	General	<p>Avoiding MCZ/ SAC boundaries along the offshore cable corridor:</p> <p>It is essential that the routing of transmission infrastructure avoids designated site boundaries from the outset, where possible. This is particularly important for Marine Conservation Zones (MCZs) and Special Areas of Conservation (SACs). Without a clear commitment to avoid both physical infrastructure and secondary impacts, routing through these protected sites is not acceptable and should be avoided. The following designated sites currently lie within, or in close proximity to the proposed cable corridor:</p> <ul style="list-style-type: none"> • West of Copeland MCZ • West of Walney MCZ • Fylde MCZ • Shell Flat and Lune Deep SAC • Dee Estuary SAC 	<p>The preferred route should be the route with the lowest environmental impact.</p> <p>A comprehensive analysis of alternative route options should be presented if routing through designated sites is unavoidable.</p> <p>Where the cable route cannot avoid the sites listed here, a commitment must be secured from the outset that no cable protection or physical infrastructure will be installed within the boundaries of each site.</p> <p>A full Habitats Regulations Assessment (HRA) and MCZ assessment must be prepared early in the process where any overlap cannot be avoided.</p>
2.	3.8	3.8.1	The study area does not include the Ribble Estuary. Ribble Estuary SSSI is notified for its extensive intertidal sand-silt flats, mudflats and saltmarsh.	This area should be included within the benthic subtidal and intertidal study area.
3.	3.8	3.8.1.2	Decommissioning. It is noted that at the end of the operational lifetime of the proposed development, it is anticipated that all offshore structures above the seabed will be completely removed. However, buried cables will be left securely buried and cable rock protection and scour protection will be left <i>in situ</i> .	<p>Regardless of legislation or being outside of designated sites, Natural England strongly advises that the proposed development secures a commitment to remove all infrastructure at the time of decommissioning to avoid irreversible (permanent) habitat loss and ensure the seabed is returned to its pre-developed baseline status as required by OSPAR.</p> <p>Natural England advises that the Applicant considers using scour and cable protection which is more readily removable at the time of decommissioning.</p>

4.	4.3	4.3.1.2	<p>The Zone of Influence has been defined by the distance over which suspended sediment plumes may travel, using spring tidal excursion ellipse buffer of 10 km. The wider Zol determines the range over which indirect effects may impact on benthic ecology receptors.</p>	<p>Provide model-based justification for the 10 km Zol.</p> <p>NE advises extending the Zol if plume modelling shows >10 km influence.</p> <p>Where MCZ features lie within the predicted plume or footprint, specific mitigation should be developed.</p>
5.	4.3	4.3.2	<p>Natural England advises that the following data sources are used to inform the EIA:</p> <ul style="list-style-type: none"> - MAGIC map – for protected sites - North-west Regional Coastal Monitoring Programme available - https://coastalmonitoring.org/ including bathymetry, coastal habitat mapping, lidar, aerial imagery, tides/ wave data - EA saltmarsh extent and zonation mapping https://www.data.gov.uk/dataset/0e9982d3-1fef-47de-9af0-4b1398330d88/saltmarsh-extent-zonation - Avel y Mor Offshore Wind Farm Category 6: Environmental Statement (RWE, 2022) - The National Biodiversity Network (NBN) Gateway NBN Atlas - UK's largest collection of biodiversity information - Subtidal Ecology. Manx Marine Environmental Assessment 2nd Edition (2018) - Coastal Ecology. Manx Marine Environmental Assessment 2nd Edition (2018) - A review of the contaminant status of the Irish Sea CEFAS, 2005 - Rhiannon Offshore Wind Farm Benthic Ecology PEIR Data CMACS 2021 - Gwynt y Mor offshore wind farm Marine Benthic Characterisation Survey (2010) 	<p>The benthic ecology characterisation report should take into account all relevant data sources mentioned here.</p>

			<ul style="list-style-type: none"> - Walney Offshore Wind Farm Year 1 post-construction benthic monitoring technical survey report (2012) - Burbo Bank Offshore Wind Farm Benthic and Annex I Habitat Pre-construction Survey Field Report (2015) - Burbo Bank Extension Offshore Wind Farm Environmental Statement Volume 2 – Chapter 12: Subtidal and Intertidal Benthic Ecology - Broadscale seabed survey to the east of the Isle of Man (Holt <i>et al.</i>, 1997) - Offshore benthic communities of the Irish Sea (Mackie, 1990) 	
6.	4.3	4.3.3	<p>Description of the baseline environment: Natural England is concerned that no environmental baseline surveys have been carried out for the proposed development and therefore there is no site-specific baseline information for Natural England to provide comment on at this stage.</p> <p>This is of particular concern due to the potential for the project to intersect multiple marine protected areas designated for benthic species and habitats, including:</p> <ul style="list-style-type: none"> - West of Walney MCZ - Fylde MCZ - Shell Flat and Lune Deep SAC <p>The following sites, also designated for benthic species and habitats, are also located within the Benthic Subtidal and Intertidal Ecology Study Area:</p> <ul style="list-style-type: none"> - West of Copeland MCZ - Morecambe Bay SAC (Northern Landfall) 	The benthic ecology data that will be used to inform the baseline needs to be included within the ES along with the survey methodology. Without this, Natural England cannot provide further comment on the adequacy of the data and level of coverage.
7.	4.3	Table 4.3	Benthic subtidal and intertidal ecology designated sites.	Include the sites listed in the updated assessment.

			<p>The following sites are missing from Table 4.3 and should be included due to falling within the study area for the project:</p> <ul style="list-style-type: none"> - Sefton Coast SSSI is designated for intertidal mud and sandflats. - Ribble Estuary SSSI is notified for its extensive intertidal sand-silt flats, mudflats and saltmarsh. The mudflats are rich in invertebrates which supports waders and some wildfowl. - Wyre Estuary SSSI is notified for saltmarsh and the edge of the saltmarsh is dominated by those species specialised to colonising bare mud and withstanding frequent tidal inundation – the glassworts <i>salicornia</i> spp., annual sea-blite <i>Suaeda maritima</i> and common saltmarsh-grass <i>Puccinellia maritima</i>. - Dee Estuary SAC is designated for saltmarsh and intertidal mudflats and sandflats 	
8.	4.3	Table 4.3	Designated sites considered under benthic ecology should also include SPAs, which have benthic habitats designated as supporting habitats for bird features. E.g. Liverpool Bay SPA and Ribble and Alt Estuaries SPA	Include SPAs in the table of designated sites due to the supporting habitats for bird features.
9.	4.3	Figure 4.4	<p>Natural England reiterates that the proposed development should commit to avoiding all designated sites with benthic ecology designated features from the outset.</p> <p>In particular, from figure 4.4, project refinement should focus on removing the small sections of Shell Flat and Lune Deep SAC and Fylde MCZ from the offshore booster station search area and cable route around the area where the two route options diverge.</p>	<p>Designated sites should be avoided from the outset.</p> <p>Where this is not possible, for sites with designated benthic features or habitats, the application should commit to no cable protection or physical infrastructure being installed within the boundaries of each designated site.</p>

			The section of the offshore cable route that cuts through the West of Walney MCZ should also be removed as an option.	
10.	4.3.4	Table 4.4	<p>We note that the table of receptors does not include the following:</p> <ul style="list-style-type: none"> - Rocky reef (Annex 1 habitat) - Stony reef (Annex 1 habitat) - Sea pen and burrowing megafauna communities 	These receptors should be scoped into the EIA assessment.
11.	4.4.3	Table 4.6/ Table 4.7	<p>Natural England disagree with scoping out of the following impacts for benthic subtidal and intertidal ecology:</p> <ol style="list-style-type: none"> 1) 'Increased Risk of Introduction and/ or spread of INNS' Natural England advises that there is an increased risk of introduction and spread of INNS through vessel movements during all phases of the project 2) 'Changes in physical processes' Natural England advises that the presence of foundation structures, associated scour protection and cable protection may lead to localised changes to tidal flow and wave climate which could impact sediment transport pathways that could then have associated effects on benthic ecology receptors. 3) 'Accidental pollution events during construction, O&M and decommissioning stages' Whilst following good practice and guidelines will reduce the likelihood of an accident occurring, it is not guaranteed that no accidents will occur, and therefore potential impacts 	Natural England advise that these impacts are scoped into the assessment.

			<p>should be considered accordingly and scoped into the assessment.</p> <p>4) 'Electromagnetic fields effects generated by export cables'</p> <p>The presence of the cables may lead to localised EMF affecting benthic subtidal and intertidal receptors during the O&M stage.</p>	
12.	4.5.1	4.5.1.3 4.5.1.4	<p>For the cumulative effects assessment (CEA), it is noted that the only impact that has been included for further consideration is 'Temporary increase in suspended sediment concentrations and sediment deposition'</p>	<p>Natural England disagrees with ruling out all other impacts for the CEA.</p> <p>There is potential for other cumulative effects to occur on benthic subtidal and intertidal ecology from other project or activities within the proposed development's benthic subtidal and intertidal ecology study area. Therefore, the CEA should consider all relevant impacts.</p>
13.	4.6	4.6	<p>EIA Assessment Methodology</p> <p>The following guidance documents may help inform the assessment for benthic subtidal and intertidal ecology:</p> <ul style="list-style-type: none"> • Guidance on Environmental Considerations for Offshore Wind Farm Development (OSPAR, 2008). • Best Methods for Identifying and Evaluating <i>Sabellaria spinulosa</i> and Cobble Reef (Limpenny et al., 2010). • Defining and Managing <i>Sabellaria spinulosa</i> Reefs (Gubbay, 2007). • Identification of the Main Characteristics of Stony Reef Habitats under the Habitats Directive (Irving, 2009).Advances in assessing <i>Sabellaria spinulosa</i> reefs for ongoing monitoring (Jenkins et al., 2018). 	<p>Review the guidance documents mentioned here and use to inform the benthic subtidal and intertidal ecology assessment.</p>
14.	1.4.2	Table 1.4	Scour protection management plan	<p>Natural England would like to see a clear description and assessment of the pros and cons of the scour and</p>

				<p>cable protection methodologies considered to ensure the best environmental option is chosen. Any assessment should clearly present the full and realistic extent scour protection required across the whole development. This will be needed to establish a realistic worst-case scenario against which impacts from such activities can be assessed. Until this information is known it will not be possible to fully assess potential impacts on benthic ecology and coastal processes. The applicant should consider lessons learned from other offshore wind farms in relation to the requirement for cable protection.</p> <p>Natural England would welcome early discussions on scour protection with the applicant.</p>
15.	Annex 2	3 HRA Screening Table 3.1 Impacts register	From section 3.8.1.2, it is noted that for decommissioning cable rock protection and scour protection will be left <i>in situ</i> . Without the commitment to remove all rock protection and scour protection, this will result in long term habitat loss during the decommissioning phase of the project.	Long term habitat loss or alteration, due to the addition of infrastructure, should be considered for the decommissioning stage of the project.

Table 5: East Irish Sea Transmission Project – Onshore Ornithology

Point No.	Section	Para	Comments	Recommendations
1.	General		Data sources	Ensure that BirdTrack data is used from the BTO.
2.	General		As this project may include permanent infrastructure, Natural England does not agree with scoping out the Operation and Maintenance phase.	The Operation and Maintenance phase of this project should be screened in for intertidal and onshore ornithology receptors.
3.	General		Natural England do not agree with scoping out of transboundary impacts in relation to offshore and intertidal ornithology due to the impact of this project on SPAs being unknown at this point.	NE advises that transboundary impacts are scoped in for intertidal and offshore ornithology receptors.
4.	General		Assessment methodology for large gulls.	Impacts on large gull species associated with the SPAs (breeding and over-wintering) need to be assessed due to potential foraging/ roosting habitat being inaccessible for the construction period.
5.	Vol 2. Chapter 3	3.2.2. 1	Guidance set out by NatureScot indicates that curlew can be affected by disturbance up to 650m away.	Consider curlew up to a distance of 650m from works in the intertidal.
6.	Vol 2. Chapter 3	Table 3.4	Liverpool Bay SPA also has Waterbird Assemblage as a designated feature.	Include the Waterbird Assemblage for Liverpool Bay SPA
7.	Vol 2. Chapter 3	Table 3.4	Morecambe Bay and Duddon Estuary SPA has Large Gulls as designated features in their own right. Therefore, these features need including.	While it is recognised that gulls can be resilient to disturbance from humans (ref paragraph 3.3.4.2) they will be excluded from foraging and roosting habitat for the duration of the construction in the affected areas they must be included in assessment.
8.	Vol 2. Chapter 3	Table 3.4	The list of species for Morecambe Bay RAMSAR is incorrect.	Please use species as described here: GB863RIS.pdf
9.	Vol 2. Chapter 3	Table 3.4	Ribble and Alt SPA, Redshank, Ringed Plover are non-breeding species and not just passage. No Seabird Assemblage or waterbird assemblage.	All features of the Ribble and Alt Estuaries SPA should be scoped in.
10.	Vol 2. Chapter 3	Table 3.4	Designated features: Martin Mere SPA Dee Estuary SPA Ribble and Alt RAMSAR Martin Mere RAMSAR	Include all designated species for each site. For Ribble and Alt Estuaries RAMSAR, use the species described here: Ribble and Alt Estuaries Final For Martin Mere RAMSAR, use the species as described here: UK027D93

11.	Vol 3. Chapter 1	Sections 1.3.3. 43 to 1.3.3. 47	<p>The birds listed here are incorrectly categorised, and the sections miss out some qualifying bird species of the associated designated sites.</p> <p>For example:</p> <ul style="list-style-type: none"> • Hen harrier and Merlin are categorised as non-qualifying species of interest identified. However, both these species are qualifying bird species of Bowland Fells SPA. • Snipe, Gadwall, Mallard and Avocet are listed as qualifying breeding bird species. However, they are not breeding bird qualifying species for any of the above designated sites. This section also does not identify all qualifying breeding bird species associated with the above designated sites such as Herring Gull, Little Turn, Sandwich Turn, Common Turn, Ruff, Hen harrier, Merlin and Turnstone. • The list for non-breeding species listed as qualifying interest species does not identify all species associated with the above designated sites such as Common Tern, Little Gull or Whooper Swan. <p>This section also does not identify all the waterbird and seabird assemblages for the above designated sites.</p>	Review these sections to ensure correct qualifying bird species are assessed and correctly categorised. Refer to Natural England's Conservation Advice packages and Ramsar Fact Sheets.
12.	Annex 3 (HRA)	Table 3.18	Table 3.18 does not include Martin Mere Ramsar or Dee Estuary Ramsar.	Ensure that all relevant sites are included within the documents.
13.	Annex 3 (HRA)	Table 3.6	It is unclear if the project has considered impacts on Functionally Linked Land (FLL) habitat.	There is not enough information to assess the likelihood of significant effects on functionally linked land.

Table 6: East Irish Sea Transmission Project – Offshore Ornithology

Point No.	Section	Para	Comments	Recommendations
1.	3.2	3.2.1.1 & 3.6.1	<p>The zone of influence has been determined the offshore ornithology study area plus a 2 km buffer. For fixed structures like offshore booster stations, a wider footprint will be required to capture disturbance/ avoidance due to the presence of the structure.</p> <p>Natural England agrees with the use of the source-pathway-receptor model being used. However, further detail is required on the specific methods that will be used for the proposed assessment methodology for offshore and intertidal ornithology.</p> <p>For displacement of red-throated diver and common scoter from waters around the offshore booster stations, at this stage of the project, we advise that both a 4 km and 10 km buffer should be assessed, in line with the advice in the Joint SNCB Interim Displacement Advice Note (2022) regarding arrays. We acknowledge that an offshore booster station is unlikely to have the same displacement effect as an offshore wind turbine. However, on the basis of there being insufficient evidence regarding the impacts of smaller, static structures to inform impacts, we advise that both buffer ranges should be presented at this stage. This should then be accompanied by a narrative setting out the available evidence and considering where the displacement impact is likely to lie within the scenarios considered. This assessment should also draw on information regarding the likely level of vessel activity associated with the offshore booster stations, as that may have some bearing on the level of displacement.</p>	<p>The submitted ES should set out in detail on the specific methods that have been used for the assessment of offshore and intertidal ornithology impacts.</p> <p>For the assessment of displacement from the offshore booster stations, Natural England would welcome further engagement with the relevant SNCBs to agree on the methodology.</p> <p>It is recommended that the following guidance notes are included and used to inform assessments:</p> <ol style="list-style-type: none"> 1) Joint SNCB Interim Displacement Advice Note (2022)

			<p>For the vessel disturbance assessment of the export cable route, we advise the following:</p> <ol style="list-style-type: none"> 1) A 100% displacement rate of red-throated diver within a 2 km buffer around vessels 2) A 100% displacement rate of common scoter within a 2.5 km buffer around vessels. <p>Distribution maps of relevant features and SPAs should be used to calculate the proportion of the SPA being impacted (expressed in km² and the % of the SPA over which displacement effects could arise) and also the number of birds being affected.</p> <p>For Liverpool Bay SPA, the reports from HiDef Aerial Surveying Limited (2023) and Lawson <i>et al.</i> (2016) should be used in assessing vessel disturbance. Please note that data from the HiDef (2023) report only covers the original SPA. The SPA was extended in 2017 to include the designation for little gull. However, the data from Lawson <i>et al.</i> (2016) may be used to assess vessel disturbance within the extension area.</p>	
2.	3.2	Table 3.2	<p>The following data sources should be included in Table 3.2.</p> <ol style="list-style-type: none"> 1) Lawson <i>et al</i> (2016) An assessment of the numbers and distributions of wintering waterbirds and seabirds in Liverpool Bay/Bae Lerpwl area of search. 2) Seabird Mapping and Sensitivity Tool (SeaMaST). SeaMaST provides evidence on the use of sea areas by seabirds and inshore waterbirds in English territorial waters, mapping their relative sensitivity to offshore wind farm and wave/tidal energy developments. 	Natural England advises that these data sources are included to inform assessments.

			<p>3) Parsons <i>et al.</i> (2015) Quantifying foraging area of little tern around its breeding colony SPA during chick-rearing.</p> <p>4) Wilson <i>et al.</i> (2014) Quantifying usage of the marine environment by terns <i>Sterna</i> sp. around their breeding colony SPAs</p> <p>5) Report to Inform Appropriate Assessment: Offshore Wind Leasing Round 4. Plan Level HRA (NIRAS 2021)</p> <p>6) Centre for Marine and Coastal Studies Ltd (CMACS) (2014) Walney offshore wind farm year 3 post-construction monitoring</p> <p>7) Celtic Array Ltd. (2012) Rhiannon offshore wind farm Preliminary Environmental Information Report (PEIR)</p> <p>Dong Energy (2013) West of Duddon Sands Offshore Windfarm Pre-Construction Monitoring Report – Appendix E.1: Bird Monitoring Report</p>	
3.	3.3.6	3.3.6.1	<p>Natural England notes that the 24 months of Digital Aerial Survey data that will be used for Mooir Vannin Generation Assets (from 2021-2023) will be used to inform the baseline characterisation for the offshore ornithology search area.</p> <p>However, the area that this data covers has not been presented in this report. Therefore, Natural England cannot comment on the level of coverage for the offshore transmission area.</p>	The offshore ornithology data that will be used to inform the baseline needs to be included within the ES along with the survey methodology. Without this, Natural England cannot provide further comment on the adequacy of the data and level of coverage.
4.	3.4	Table 3.7	<p>Offshore and intertidal ornithology commitments: Natural England welcomes the inclusion of a vessel management plan.</p> <p>This plan should include further detail to outline the measures whilst working within designated sites. For example, for Liverpool Bay SPA we would advise on including a commitment to implement a seasonal</p>	Natural England advises that a commitment is secured in the commitments register to include a seasonal restriction on all offshore pre-construction and construction activities with a potential to cause disturbance within Liverpool Bay SPA plus a 2 km buffer beyond the 2010 boundary, during the core overwintering period (November to March, inclusive).

			<p>restriction on pre-construction and constructions works during the key overwintering period.</p> <p>Measures intended to avoid or reduce the likely harmful effects on a European Site cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site. Where mitigation is used, an appropriate assessment will be required (noting the recent People Over Wind Ruling by the Court of Justice of the European Union).</p>	<p>Further detail is required on the number of vessel movements to and from port associated with the different phases of the development, times of year they will be present and indicative routes of travel from likely ports for each phase should be provided.</p>
5.	3.4	Table 3.8	<p>Impacts proposed to be scoped into the EIA assessment for offshore and intertidal ornithology</p> <p>Impacts occurring from the operation and maintenance (O&M) phase have not been scoped in or included here.</p> <p>For example, vessel movements to and from the structures during the O&M phase will also increase potential disturbance. See our detailed comment above on the advised assessment methodology for offshore booster station displacement.</p>	<p>All impact pathways that may occur during the operational and maintenance phase should be included here.</p> <p>Natural England would welcome further engagement with the Applicant on the displacement buffer used in assessing the impacts from the offshore booster stations.</p>
6.	3.6	Table 3.8	<p>We note that the impact pathway for temporary habitat loss and disturbance to sediments has not been screened in for any of the project phases.</p> <p>Though it may be temporary in nature, this impact pathway may affect foraging efficiency for diving birds as well as indirect effects from impacts on fish and shellfish prey.</p>	<p>Impacts associated with temporary benthic habitat loss and disturbance to sediments as a result of activities during all phases of the project (seabed preparation, UXO clearance, drilling, cable installation, repair/ reburial and removal of infrastructure) should be screened in.</p>
7.		Table 3.9	<p>Natural England disagree with scoping out “Reduced prey availability due to indirect effects on prey species and habitats”</p> <p>As well as loss/disturbance to habitats along the cable route, potential impacts to prey species may occur as a</p>	<p>Potential indirect effects on prey species and habitats should be scoped into the assessment for offshore and intertidal ornithology.</p>

			<p>result of construction and decommissioning activities such as:</p> <ul style="list-style-type: none"> - UXO detonation - Pre-construction geophysical surveys <p>Pile-driving at the offshore booster stations</p>	
8.	3.5	3.5.1.1	<p>Cumulative effects have been scoped out from further assessment for the proposed development with the reason that the construction and decommissioning phases are unlikely to overlap with other projects.</p>	<p>Natural England disagrees with scoping out cumulative effects on this basis.</p> <p>A full cumulative assessment should be undertaken with all projects or plans that could act collectively to affect offshore and intertidal ornithology receptors. This applies to all stages of the project, including the operations and maintenance phase which has not been mentioned in this section.</p>
9.	5.0	3 HRA Screening Table 3.1	<p>We note that impacts occurring from the operation and maintenance (O&M) phase have not been scoped in or included in this table.</p> <p>For example, vessel movements to and from the structures during the O&M phase will also increase potential disturbance.</p>	<p>All impact pathways that may occur during the operational and maintenance phase should be included here.</p>

Table 7: East Irish Sea Transmission Project – Fish and Shellfish Ecology

Point No.	Section	Para	Comments	Recommendations
1.	Vol 2. Chapter 5.3	Table 5.2	<p>The Offshore Wind specific datasets provided are at least 11 years old.</p> <p>The fish ecology site characterisation is reliant upon data from existing offshore windfarms (as detailed in Table 5.2 and paragraph 5.3.3.10). This appears to be the only way the applicant intends to inform the baseline characterisation for fish within the study area as it is unclear whether the Applicant proposes to undertake any additional fish or shellfish surveys (see paragraph 5.3.3.1 and comment below).</p>	Natural England maintains that the presence of site-specific data from other offshore wind farm (OWF) developments does not negate the requirement for current, site-specific fish and shellfish surveys to be undertaken in support of this proposed development.
2.	Vol 2. Chapter 5.3	Table 5.4	River Dee & Bala Lake SAC – Bullhead missing as a feature.	The designated features list for this site should be updated.
3.	Vol 2. Chapter 5.3	Table 5.4	Solway Firth MCZ is missing as a designated site, despite being within the 100km Zol for sound. Solway Firth MCZ is designated for Smelt	The table should be updated to include Solway Firth MCZ and its sole designated feature, Smelt.
4.	Vol 2. Chapter 5.3	Paragraph 5.3.3.1	It is unclear whether the baseline characterisation for the fish and shellfish technical baseline report will be desk-based or <i>in situ</i>	Further information is required on how the detailed baseline characterisation of fish & shellfish resources will be acquired.
5.	Vol 2. Chapter 5.4	Table 5.7	Release of sediment-bound contaminants from disturbed sediments resulting from seabed preparation, cable installation, cable repair/ replacement and Decommissioning is not expected in O&M stages	Natural England advise that release of sediment-bound contaminants from disturbed sediments is scoped in for the operation and maintenance stage.
6.	Vol 3. Chapter 1	1.3.3.56	Smelt have not been included here.	Smelt should also be considered in addition to sea lamprey and river lamprey as they are a designated feature of Wyre-Lune MCZ and Ribble Estuary MCZ.
7.	Annex 4	Table 4.1	The wrong distance to location for Ribble and Wyre-Lune MCZ has been presented in Table 4.1 as they are both within the project boundary.	Ensure that the correct distances to relevant designated sites are presented.

Table 8: East Irish Sea Transmission Project – Marine Mammals

Point No.	Section	Para	Comments	Recommendations
1.	6.2	Table 6.1	<p>The following guidance notes should be used to inform the marine mammal assessment:</p> <ul style="list-style-type: none"> • Unexploded ordnance clearance Joint Position Statement • Joint Statement from Statutory Advisors on Noise Abatement Systems <p>Guidance documents that are used to inform the assessment should be reviewed regularly throughout the application process to ensure the most up-to-date versions are used.</p>	Natural England advises that the advice notes on UXO and Noise Abatement Systems are used to inform the marine mammal assessment.
2.	6.2	Table 6.1	Natural England's best practice guidance should also be referenced in table 6.1.	Refer to Natural England's Best Practice Guidance for Offshore Wind and Cable Projects .
3.		3.5.2.5	It is noted that site characterisation surveys may involve pre-construction geotechnical surveys. Such surveys have the potential to cause injury and/or disturbance to cetaceans and, therefore, mitigation measures may be necessary. Depending on the duration of the surveys, an assessment of the need for a European Protected Species (EPS) licence may also be required.	It is advised to adhere to the JNCC marine mammal mitigation guidelines for geophysical surveys and submitting relevant data to the JNCC Marine Noise Registry: https://mnr.jncc.gov.uk/
4.	6.3	Figure 6.1 & 6.3.1	<p>Marine Management Units (Cetaceans):</p> <ul style="list-style-type: none"> - Celtic and Irish Sea MU: Harbour Porpoise - Irish Sea MU: Bottlenose Dolphin - Celtic and Greater North Sea MU: Short-beaked dolphin; Risso's dolphin and minke whale (also for white-beaked dolphin which is not mentioned in the EIA report) <p>For Pinnipeds, The Scoping Boundary falls within the north-west England SMU and the regional Study Area also considers the following neighbouring SMUs:</p>	Natural England agrees with the Marine Management Units used. We also agree with the receptors scoped into the assessment. However, we highlight that white-beaked dolphin are also a part of the Celtic and Greater North Seas Management Unit.

			- South-west Scotland SMU; and Wales SMU	
5.	6.3	6.3.3.6	<p>Natural England notes that the 24 months of Digital Aerial Survey data that will be used for Moir Vannin Generation Assets (from 2021-2023) will be used to inform the baseline characterisation for the marine mammal search area.</p> <p>However, it's also noted that this study was not designed to cover the site-specific study area and the actual survey coverage has not been presented in this report. Therefore, Natural England cannot comment on the level of coverage for the offshore transmission area.</p>	<p>The marine mammal data that will be used to inform the baseline needs to be included within the ES along with the survey methodology. Without this, Natural England cannot provide further comment on the adequacy of the data and level of coverage.</p> <p>We advise that a minimum of 24 consecutive months of data, covering the scoping area for the transmission assets, is presented within the ES.</p>
6.	6.3.2	Table 6.2	<p>We note the following data sources have not been included in the list of sources for marine mammal data:</p> <ul style="list-style-type: none"> - Inter-Agency Marine Mammal Working Group (2022) Updated abundance estimates for cetacean Management Units in UK waters (Revised March 2022) JNCC Resource Hub - Awel y Mor Offshore Wind Farm. Category 6: Environmental Statement (2022) - Walney Offshore wind farm construction monitoring CMACS 2010-2011 - Burbo Bank Extension offshore wind farm Environmental Statement 2013 	Consider the inclusion of the additional data sources.
7.	6.4.2	Table 6.6	<p>We note that there is a commitment to produce a Marine Mammal Mitigation Plan (MMMP) for piling and UXO clearance.</p>	<p>Natural England advises that an MMMP would be required for any investigative geophysical/ seismic surveys undertaken along the cable route. Such surveys would be required to identify any UXOs requiring clearance, and whether any high-order contingency clearance would be required.</p> <p>We also advise that UXO clearance falls under a separate Marine Licence to the DCO.</p>

				<p>It's also recommended that any pre- or post-clearance data be uploaded to the Marine Noise Registry: https://mnr.jncc.gov.uk/</p> <p>Defra have recently published their Marine Noise package, which as well as their Marine Noise Policy paper, includes several updated guidance documents in relation to the clearance of UXO, namely;</p> <ul style="list-style-type: none"> - An updated Unexploded Ordnance (UXO) Joint Position Statement, which can be found here - Marine environment: unexploded ordnance clearance Joint Position Statement - GOV.UK - UXO clearance supporting guidance providing more detail for Supporting minimising environmental impacts from unexploded ordnance clearance - GOV.UK <p>JNCC have also published new mitigation guidelines for UXO clearance, which can be found here - JNCC guidelines for minimising the risk of injury to marine mammals from unexploded ordnance (UXO) clearance in the marine environment JNCC Resource Hub</p>
8.		Table 6.8	MM-07 Indirect effects due to change in prey abundance/ distribution has been scoped out.	<p>Natural England advises that this impact pathway should be scoped in due to the potential for construction, operation and maintenance, and decommissioning activities to impact on the ability of marine mammals to forage in the area.</p>

Natural England initial draft advice in relation to taking into account all aspects of offshore windfarm projects which may be subject to determination across multiple separate NSIPs with different owners for the array ('generation assets'), cable ('transmission assets') or other offshore windfarm NSIP where there are joint/shared infrastructure which may have cumulative impacts to nature conservation features.

Natural England welcomes the potential progression of an 'coordinated' approach to grid connection. In reducing the number of cables required for energy transmission, we recognise the potential for significantly reducing the area of impact created from multiple projects, thereby increasing options available to the projects to avoid, reduce and mitigate impacts to designated site features and the wider marine environment.

However, Natural England notes the potential consenting challenges this new approach is likely to have for offshore windfarms where there is likely to be separate NSIP applicants for the generations assets (offshore windfarm arrays), but also for the transmission asset. Should there be a requirement to sell the cable linking the array to the transmission asset to an Offshore Transmission Owner (OFTO) post-construction, this could present additional complexities. We observe such a scenario could potentially result in up to three Development Consent Orders (DCOs) and five deemed Marine licences being intrinsically linked.

Therefore, we advise that prompt consideration is required by the relevant parties to consider how the National Grid 'Coordinated Approach' can be implemented and robustly consented to ensure that OWF projects impacts can be considered and consented holistically (rather than 'salami sliced'), the risk of stranded assets can be avoided, and that offshore windfarm energy can be delivered in a timely manner.

Drawing from our experiences of the consenting process for both the Triton Knoll offshore windfarm 'array' NSIP and the Triton Knoll Electrical System NSIP, we provide the following advice on a without prejudice basis. This is with a view to identifying and helping to address the challenges that may be faced by offshore windfarm projects where i) multiple NSIPs are required but timeframes are unlikely to align, ii) the merits of the applications are unlikely to be considered by the same examining authority and iii) there are subsequent implications for DCO requirement and marine licence discharge.

Consideration of indirect, secondary and cumulative impacts

Natural England advises that in order for any one of the examining authorities to assess the direct, indirect, secondary and cumulative impacts from multiple NSIPs there will need to be sufficient information submitted on the indirect, secondary and cumulative impacts of the grid connection works. We draw your attention to paragraph 4.9.3 of the overarching National Policy Statement for Energy EN-1 (“EN-1”) which provides that Applicants:

“must ensure they provide sufficient information to comply with the EIA Directive including the indirect, secondary and cumulative effects, which will encompass information on grid connections. The IPC must be satisfied that there are no obvious reasons why the necessary approvals for the other element are likely to be refused.”

Natural England accepts that EN-1 provides for a scenario where the grid connection and offshore array consents do not come forward in the same consenting process – that is clear from para. 4.9.1. However, it is Natural England’s case that EN-1 envisages a situation where the Applicant has a detailed grid connection scheme worked up, but for administrative or other reasons does not join the two consents and progress them through the same process, but instead brings them forward via separate consenting processes.

However, unless the transmission assets consent is progressed in advance of the generation assets, it is anticipated in such cases that the Applicant will have a fully worked up scheme for the grid connection works, with complete assessments of its individual impacts and those cumulative impacts with the offshore array/s. Natural England draws support for this reading of EN-1 from the fact that para. 4.9.1 states that:

“it may be the case that the applicant has not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application, although it is likely to have applied for one and discussed it with them.” (emphasis added).

Nevertheless, it remains unclear to Natural England how this would work in practice when the generation asset applicant is not the same as the transmission asset applicant. There is a risk that due to timeframes the coordinated approach may well result in a detailed offshore array scheme, but may not have detailed proposals relating to the transmission assets. This would not comply with EN-1.

Natural England advises that it cannot be reasonably contended that a cumulative assessment does not need to be carried out of a project that is not only intrinsically linked to the proposed development but is necessarily required to come forward for the proposed development to have any meaningful existence, resulting in a stranded asset - be that the generation asset or the transmission asset. This aligns with para. 4.9.3. of EN-1.

Consenting of associated NSIPs

In relation to the second requirement in para. 4.9.3 of EN-1 (where it must be satisfied that there are no obvious reasons why the necessary approvals for the other elements are likely to be refused), we highlight is that it is difficult for stakeholders such as Natural England to advise the ExA whether there were, or were not, any obvious reasons why the necessary approvals would be likely to be refused. This was certainly our experience at Triton Knoll OWF.

For Triton Knoll OWF, Natural England also advised that a condition was required that prevented the offshore works associated with the generation asset commencing until the necessary grid connection consents had been obtained. Such an approach could ensure that any significant indirect, secondary, and cumulative impacts that were identified during the consideration of the grid connections works effectively prevent the authorised development coming forward, as they would result in the necessary grid connection consents being refused.

Natural England considers that without such a condition being included in the relevant DCOs, it is very difficult to see how decision-makers could robustly consent the generation asset applications. This is because the ExA/decision-maker wouldn't have before it sufficient information on the indirect, secondary and cumulative effects of the proposed development with the grid connection works which the ExA is required to have under the EIA Regulations and EN-1. In addition, without the suggested condition, we are concerned it would theoretically allow the offshore works to be built without any means of connecting them to the grid.

Natural England highlights the risk that such a situation may pose to the ExA/decision-maker, as the rationality of the decision could be questioned were it to allow the Applicant to construct an offshore array that had no meaningful existence

because it could not be connected to the national grid. The proposed condition for Triton Knoll therefore ensured that such a perverse situation could not result.

DRAFT ADVICE

From: [REDACTED] on behalf of [Town Planning NWC](#)
To: [East Irish Sea TA](#)
Subject: PI-NSIP EN0210008 East Irish Sea Transmission Project EIA Scoping Notification roger
Date: 28 August 2025 13:34:13
Attachments: [image004.png](#)
[image002.png](#)

OFFICIAL

FAO Planning Inspectorate

Type of application: Electric Lines

Name of applicant: Orsted East Irish Sea Transmission Limited

Infrastructure to enable power from an offshore wind farm (Mooir Vannin Generation Project) in Isle of Man territorial seas, to be brought into the UK National Grid.

Network Rail Ltd notes the above proposal. We have no comments on the EIA but would advise the applicant that any requirement for access over, under, across the existing operational railway will require the consent of Network Rail. As the development comes forward and should the developer wish to contact Network Rail then please see the contact details of my colleague, Roger.

[REDACTED] MRICS
Senior Surveyor
Major Projects
Property (North West and Central Region)
Square One, 4 Travis Street,
Manchester, M1 2NY

Mobile: [REDACTED]
Email: [REDACTED]@networkrail.co.uk

From

[REDACTED]
Town Planning Technician NWC
Network Rail
TownPlanningNWC@networkrail.co.uk

From: East Irish Sea TA <eastirishseata@planninginspectorate.gov.uk>
Sent: Thursday, August 14, 2025 11:41 AM
To: DCO/CPO <DCO_CPO@networkrail.co.uk>
Cc: [REDACTED]@networkrail.co.uk>; Town Planning NWC

<TownPlanningNWC@networkrail.co.uk>

Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed East Irish Sea Transmission Project.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 11 September 2025. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,



Environmental Advisor
Planning Inspectorate
www.gov.uk/pins

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From: [REDACTED]
To: [East Irish Sea TA](#)
Subject: EN0210008
Date: 18 August 2025 10:40:22
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

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Good morning,

Further to your consultation letter dated 14th August 2025 ref: EN0210008, we have no comments to make.

Kind Regards

[REDACTED]

[REDACTED]

Assistant Head of Planning Services (interim)
Planning

My working days are: Mondays, Wednesdays and Thursdays.



☐ [REDACTED]

☐ [REDACTED]@rochdale.gov.uk

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Proposed DCO Application by Orsted for the East Irish Sea Transmission Project

Royal Mail response to ES Scoping Consultation

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail's advisor BNP Paribas Real Estate has reviewed the ES Scoping Report for this scheme dated August 2025. We have identified 21 operational Royal Mail properties within 10km of the scoping area boundary. Furthermore, the ES Scoping Report outlines a potential for impacts upon the SRN during the construction phase of the scheme, which could affect Royal Mail's key road transport routes in the region.

Whilst the ES Scoping Report outlines a potential for impacts, it is considered that at this time, Royal Mail is not able to provide a consultation response due to insufficient information being available to adequately assess the level of risk to its operation and the available mitigations for any risk. Consequently, at this point Royal Mail wishes to reserve its position to submit a consultation response/s at a later stage in the consenting process and to give evidence at any future Public Examination, if required.

In the meantime, any further consultation information on this infrastructure proposal and any questions of Royal Mail should be sent to:

████████████████████@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited

████████████████████@struttandparker.com), Planner, Strutt & Parker/ BNP Paribas Real Estate

Please can you confirm receipt of this holding statement by Royal Mail.

End

Merseyside Environmental Advisory Service
The Barn, Court Hey Park
Roby Road, Huyton, L16 3NA
Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: [REDACTED]
Email: measdcconsultations@sefton.gov.uk

NSIP EIA SCOPING ADVICE

To: [REDACTED]
Organisation: Development Management
Sefton Council

From: [REDACTED]

Your Ref: DC/2025/01318
File Ref: SF25-083
W/P Ref:
Date: 8th September 2025

East Irish Sea Transmission Project EIA Scoping Opinion

1. Thank you for seeking discretionary advice from Merseyside Environmental Advisory Service on your proposal for the East Irish Sea Transmission Project.
2. Having reviewed your proposal and available environmental information, our advice on archaeology and historic environment, biodiversity and ecology, Environmental Impact Assessment, Habitats Regulations, Minerals and Waste is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes.
 - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 91. There is no Part Two.

Part One

3. The applicant has submitted an EIA Scoping Opinion Report (Orsted, August 2025) which has been reviewed and forms the basis for this response. This response relates to the Introductory Chapters relating to EIA Methodology, Onshore chapters relating to land use and ground conditions and archaeology and overarching chapters on climate change, materials and waste and major accidents and disasters. There are several chapters which span marine, intertidal and terrestrial ecology, these have also been

reviewed including: Vol 2: Chapters 3-6; Vol 3: Chapters 1; Vol 5 Annexes: Annex 3 and 4.

4. Habitats Regulations Assessment advice is also provided below. I would be happy to provide further more detailed comment once micro-routing of the preferred option and booster station locations are confirmed.

Volume 1: Introductory Chapters

5. The applicant anticipates further refinements to the design of the Proposed Development based on feedback received during the pre-application consultation, as well as considering environmental and engineering constraints identified throughout the EIA and iterative design processes. The application for a Development Consent Order will include comprehensive details of the Proposed Development and will be supported by a robust ES, detailing the findings of the EIA. The EIA will adhere to the EIA Regulations 2017.
6. Chapter 3 sets out the project detail and covers the scope of the EIA including construction, operation and decommissioning. The EIA Scoping includes a design envelope allowing flexibility as more detailed assessment and survey is undertaken to determine final landfall location based on least environmental impact, engineering technicalities and cost. Maximum design parameters are set out in section 3.3.1.3. This is reasonable and consistent with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
7. Chapter 4 covers route planning and site selection (RPSS) and consideration of alternatives which is based on a robust BRAG rating system to deselect and finalise the route and site selection. The process is set out in Figure 2 of the EIA Scoping Report.
8. Commitments specific to the RPSS have been made to eliminate or reduce potential impacts of Likely Significant Effect (LSE). These LSE impacts are identified in the Impacts Register. These commitments become Black or Red constraint areas identified as part of the BRAG appraisal to deliver mitigation to specific features (e.g. species/habitats). ' The approach appears to be reasonable and consistent with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
9. Chapter 5 sets out the EIA Methodology, covering proportionality of the EIA, technical competence, assessment of effects, transboundary effects, cumulative effects and residual effects. I consider that the approach is consistent with EIA Regulations and an appropriate overall methodology. Details for each topic are considered in later chapters.
10. Section 5.3.3.5 indicates that a Proportionate EIA Position Paper details the tools that will be utilised throughout the consenting process to deliver a proportionate EIA. This includes:
 - An Impacts Register (Volume 5, Annex 1): which lists all potential impacts (LSE and No LSE) identified as part of the Construction, Operation and Maintenance and Decommissioning of the Proposed Development; and

- A Commitments Register (Volume 5, Annex 2): throughout the Proposed Development the Applicant will make commitments to mitigate, where possible, against the impacts identified in the Impacts Register’.

11. This is welcomed.

Question 1: Do you agree with the Applicant’s assessment of the pre-consultation requirements?

Yes, but will be guided by LPA colleagues.

Question 2: Do you agree that the proposed consultation timeline is sensible and adequate?

It is noted that the consultation and engagement process is in line with the Planning Act 2008. Section 45 of the Planning Act indicates that a minimum of 28 days consultation from receipt of the consultation documents. I note that Table 6.3: Compliance with Moor Vannin Consultation Principles and Actions that the Applicant intends to hold statutory consultation for a minimum of six weeks, which exceeds the 28-day statutory minimum, and in all cases (including targeted consultation, if necessary) for the statutory minimum.

Question 3: Do you agree with the Applicant’s proposals for early and statutory consultation?

Yes

Question 4: Do you agree with the Applicant’s Evidence Plan Process?

Yes

Volume 2: Offshore Technical Chapters

Chapter 3 – Offshore and Intertidal Ornithology

12. I address questions 1 to 10 within my response below.

13. The study areas for offshore and intertidal ornithology are shown on Fig 3.1 and are acceptable. They include the red line boundary area plus 2km buffer for offshore and 500m for intertidal from the ‘onshore booster station search area’ at the Alt Estuary. Proposed data sources are set out at Table 3.2 and include LERC, BTO WeBS and County Bird Recorder data. I advise that GreenSefton (John Dempsey) undertake annual waterbird surveys within the area of Altmouth and recommend that the applicant liaises with the Council to access this data.

14. Additionally, relating to Vol 2: Chapter 1, Sefton Council is the lead authority for North West Shoreline Management Plan monitoring and hold a wealth of data on coastal geomorphology and physical processes.

15. A desktop study is set out within Chapter 3. Table 3.3 identifies national and international sites of importance to common scoter and red-throated diver within scope of ornithological study:

- Liverpool Bay SPA;
- Ribble and Alt Estuaries SPA and Ramsar.

16. I advise the scope should also consider other marine and intertidal SPA qualifying and assemblage features such as cormorant. Sites and their features which have functional links to the study area should also be in scope. For example, common tern which forage over Liverpool Bay are a feature of Mersey Narrows and North Wirral Foreshore SPA and Dee Estuary SPA. Sites within our area are interlinked and this should be fully recognised within the scope of this study.
17. The offshore area around Liverpool Bay (Sefton Coast and North Wirral Foreshore) is a highway for migratory and passage seabirds which are not SPA or Ramsar features (e.g. sandwich tern and great crested grebe) but do move through this area in significant numbers. Impacts to these features should also be assessed and mitigated appropriately.
18. With regard to common scoter, red-throated diver and great crested grebe, offshore areas north of Freshfield are considered to be most important for these birds (John Dempsey, pers comms, Sept 2025).
19. Regarding the intertidal study area, Table 3.4 outlines those SPA and Ramsar sites and features in scope. This is accepted. Table 3.5 shows those SSSI and NNR sites and their relevant bird features. This is also accepted.
20. I advise that Local Wildlife Sites (LWSs) should also be considered. These sites overlap and add to the national and international sites designations but also include areas of functionally linked habitat supporting qualifying bird species e.g. pink-footed goose.
21. A summary of intertidal ornithological receptors is provided at Table 3.6. This is accepted.
22. Further data collection is outlined at section 3.3.6. Intertidal bird surveys will be undertaken September 25 to August 26 (1 year) and winter bird surveys October 25 to March 26 (1 winter).
23. Bird numbers vary year to year therefore the applicant should confirm through consultation with Natural England that a single years survey effort supported by a detailed desktop study is sufficient to characterise the offshore and intertidal ornithological baseline. In my experience, works of this scale within the marine/coastal environment require multiple years of survey effort.
24. Winter bird survey must be undertaken from September to March inclusive¹. Two survey visits per month should be undertaken during this time and the level of survey effort completed should total no less than 36 hours in line with best practice SNH (2017)² or WeBS core count methods. The applicant should confirm the method(s) of primary data collection proposed.

¹ Wintering flocks of pink footed geese typically build in significant from September onwards in our area

² SNH (2017). Guidance Note: Recommended bird survey methods to inform impact assessment of onshore windfarms <https://www.nature.scot/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>

25. The applicant confirms no offshore seabird survey will be undertaken. The report states the offshore survey area for the 24 months of Digital Aerial Survey data used for the Mooir Vannin Generation Assets (offshore windfarm located in Isle of Mann waters) overlaps with part of the study area and will be used to inform baseline characterisation.
26. Looking at the location of Mooir Vannin I have concerns that this data has sufficient geographic scope to fully characterise the offshore study area for this proposal. The applicant should provide further information to justify this approach. If gaps are significant, then I advise seabird surveys should be undertaken to baseline assemblages of offshore ornithological receptors.
27. Table 3.8 outlines construction impacts to be scoped in. These are broadly accepted but I would add the operational impact of the offshore booster station (including operational and maintenance vessels) and also electro-magnetic fields from the transmission cables which could be audible or cause a disorientating disturbance effect. Whilst this may not be significant, and depth of cable burial may render this non-significant, this impact pathway should be scoped in for EIA and HRA purposes.
28. Table 3.9 outlines impacts scoped out. Whilst I accept construction impacts on prey availability and habitats will be temporary and short duration, operational impact of the booster station and transmission cables should be considered in scope for the reasons outlined above.
29. A Construction Project Environmental Management and Monitoring Plan (CPEMMP) is proposed mitigation for pollution transfer from the proposal. This impact pathway is therefore scoped out. I accept this. For HRA purposes, the CPEMMP would be considered embedded mitigation.
30. Cumulative effects assessment should consider existing and pipeline projects within the offshore and intertidal zone including dredge and disposal operations, vessel movements and the Mersey Tidal Barrage, for example.
31. Transboundary effects on Liverpool Bay SPA which stretches from Anglesey to south Cumbria should and has been scoped into the impact assessment.

Chapter 4 – Benthic Subtidal and Intertidal Ecology

32. Questions 1 to 7 are addressed in my comments below.

33. The study area set out in Fig 4.1 covers a significant proportion of the offshore marine environment and is accepted. Key sources of intertidal and subtidal data and modelling are set out in Table 4.2. This draws upon studies of offshore windfarms in the Irish Sea. These data will be used to produce a detailed baseline benthic ecology study. Fig 4.2 shows modelled sediment from Cefas (2015) data and Fig 4.3 Apem (2024) data.

34. I advise that benthic studies undertaken for other recent/pipeline projects in and around Liverpool Bay such as dredge and disposal activities and Mersey Tidal Barrage should also be considered where accessible to strengthen the baseline.

35. A detailed review of sediment and benthic communities designated sites e.g. Fylde MCZ has been undertaken and set out in chapter 4. This is accepted. A summary of key receptors is provided (Table 4.4) and additional data collection is outlined at 4.3.5.
36. This will include subtidal/intertidal benthic sampling and habitat/biotope mapping. This is welcomed and full scope and methods of this survey effort should be confirmed at EIA stage.
37. Table 4.6 and 4.7 outline impacts scoped in/out. Those impacts scoped in are accepted. For pollution transfer and increased spread of invasive species, this is accepted and as previously stated, a CPEMMP is proposed and control measures would ensure impacts are non-significant.
38. Again, cumulative effects assessment should consider existing and pipeline projects within the offshore and intertidal zone including dredge and disposal operations, vessel movements and the Mersey Tidal Barrage.

Chapter 5 – Fish and Shellfish Ecology

39. Comments below address questions 1 to 8.
40. The study area identifies a 10km sediment buffer and 50km noise buffer zone of influence around the red line boundary. This is accepted.
41. Table 5.2 outlines key data which will be used to characterise the baseline. This again draws upon national, regional data and draws upon studies of offshore windfarms in the Irish Sea. From this, a description of the baseline is set out in chapter 5 including spawning and nursery grounds is provided. Commercial fisheries data is considered separately under chapter 7 and will also inform characterisation of baseline.
42. Table 5.3 outlines fish and shellfish of conservation importance within the study area and those qualifying features of MCZs and SACs are outlined in Table 5.4. These receptors are accepted and comprise a range of important demersal, pelagic, sand eel, elasmobranch, migratory and shellfish species.
43. Section 5.3.5 outlines that no additional survey is proposed as the existing data is sufficiently comprehensive for distribution and population of fish and shellfish ecology. My experience is that fish data can be coarse, gappy and often lacks the detailed structured sampling to definitively establish distribution and population. I would therefore recommend that following analysis of existing data and studies and update of the red line boundary, the need for targeted additional survey be reviewed given the extent of offshore and intertidal environment with the study area. Survey of local commercial fisherman may provide additional data if this is not already captured within the existing data.
44. Table 5.6 and 5.7 scope in/out potential impacts. Impacts associated with maintenance and operation are largely scoped out. This is accepted. Pollution transfer is again scoped out and measures outlined in the embedded CPEMMP would ensure impacts are not significant.

45. The timescales for construction and demolition are not currently known therefore it is difficult to accept scoping out of impacts such as permanent loss of habitat due to addition of structures. Further, detail of the scale of those structures is currently unknown. It is expected that this will be confirmed at EIA stage and I will comment further at that stage.

Chapter 6 – Marine Mammals and Megafauna³

46. I address questions 1 to 9 below.
47. Fig 6.1 shows the 4km study area around the red line boundary and wider regional study areas for marine mammals. This is accepted.
48. Table 6.2 outlines key sources of data to characterise the baseline which are accepted as best available.
49. Key receptors are set out at section 6.3.4. They are accepted.
50. No additional survey is outlined in chapter 6. Several of the key datasets have no or partial coverage of the study area therefore I would recommend that following analysis of existing data and studies and confirmation of red line boundary, the need for targeted additional survey be reviewed.
51. Marine mammal survey associated with existing pipeline projects within Liverpool Bay may help supplement data gaps within those data outlined in Table 6.2.
52. Table 6.7 and 6.8 scope in/out potential impacts. These are accepted. Previous comments regarding cumulative effects would also apply.

Volume 3 Onshore Technical Chapters:

Chapter 1 – Ecology

53. Comments below address questions 1 to 11.
54. The four study areas outlined for avian; non-avian; statutory local designated sites; and non-statutory sites are acceptable and reasonably take into account functionally linked habitats.
55. Key data sources are outlined in Table 1.2. Sources listed are limited to national datasets and should include LERC data (Merseyside BioBank and LERN) and search of WeBS core count and County Bird Recorder data. I would additionally recommend liaison with GreenSefton and the Shoreline Management Plan team who hold species (notably birds) and habitat data. An Arc Trust data request would also inform herptile impact assessment.
56. A description of the baseline ecology for option B is provided from paragraph 1.3.3.14. This is restricted to statutory designated sites and does not consider LERC species and habitat data nor does it outline Local Wildlife Sites and Local Geological Sites which may be impacted. The report acknowledges this information has yet to be obtained, and can be provided by the LERCs to inform full EIA stage.

57. Table 1.3 outlines ornithological designated sites and is considered correct. Other non-avian statutory sites are set out in Table 1.4 and also considered correct.
58. Whilst no Important Plant Areas lie within the study area, the Sefton Coast SAC is of national significance for its botanical diversity. The Hightown dunes form part of this designation as well as SSSI, LWS and LGS designations.
59. Regarding irreplaceable habitats, the LCR Ecological Network provides habitat data to inform assessment and North Merseyside's Ancient Woodland Inventory has recently been updated and now includes a greater number of Ancient and Long-Established Woodlands. This data will be made available via MAGIC maps in due course and the applicant should seek to access this.
60. Chapter 1 states further desktop study and UKHab survey will inform whether targeted botanical survey is required within the non-statutory designated sites study area. For the avoidance of doubt, I advise desktop and UKHab survey would be required for the redline boundary and micro-routing of the transmission cable (not just the non-statutory designated sites study area).
61. A summary of key receptors is set out at section 1.3.4. The species groups and sites scoped in are accepted. We would additionally add red squirrel as option B cuts through the red squirrel buffer zone and lies south of the main refuge at Formby.
62. Table 1.7 outlines proposed further data collection confirming LERC data will be accessed. Adding to this list I recommend consultation with Dr Phil Smith (an expert on Sefton Coast) and NMARG. Contact with the WeBS coordinator for Sefton Coast would also be advantageous to assist with interpretation of data and GreenSefton who undertaken annual bird surveys at Altmouth as previously stated.
63. The report states a suite of desk and field based bird surveys are proposed the scope of which to be agreed with Natural England. Intertidal and winter bird surveys are proposed. Further, nocturnal, flight activity (vantage point), breeding bird, breeding/roosting raptor and species specific (e.g. barn owl) surveys will be undertaken. This is welcomed.
64. As advised for offshore ornithological surveys, the need for multi-year surveys in line with best practice (SNH) should be confirmed once more detail of the site-specific red line boundary is known.
65. The red line scoping boundary stretches from Alt Mouth wrapping around the south of Hightown/Formby and continuing northeast through areas of mostly arable land and Formby Moss. These areas are notable for being important functionally linked habitat for wildfowl and waders.
66. This area is also important for breeding birds, red squirrel, water vole and otter. The River Alt cuts through this corridor and is most notable for riparian mammals and European eel. Himalayan balsam is widespread.

67. Scope of habitat and botanical survey is set out at paragraph 1.3.4.4 and accepted. The extent of these surveys will be confirmed once site-specific details of the booster station and cable route is known.
68. Paragraph 13.5.5 helpfully clarifies, Biodiversity Net Gain (BNG) for NSIPs is not a statutory requirement, however, a Statutory Biodiversity Metric will be used to quantify baseline units and inform design of habitat interventions to support a minimum 10% net gain. This is welcomed.
69. A range of proposed and notable species surveys of the key receptors is proposed at paragraph 1.3.5.8. This is accept with addition of red squirrel.
70. Tables 1.9 and 1.10 scope in/out potential impacts. I would additionally scope in 'disturbance and displacement of protected and notable species' across all phases.
71. The LCR Local Nature Recovery Strategy (LNRS) is in final draft stage and planned for publication by the end of 2025. I advise that BNG and species/habitat compensation measures seek to align to LNRS priorities and measures where appropriate.
72. Section 1.6.3 confirms a separate Habitats Regulations Assessment (HRA) will be required. I advise the HRA should demonstrate clearly what alternatives have been considered and the criteria and weighting used to determine the version 3 cabling route shown for option B. I provide further comment on HRA screening below.

Annex 3: HRA Screening

73. A HRA screening (hereafter referred to as shadow HRA screening) has been provided encompassing all phases of development across on and offshore environments, habitats and species.
74. In summary, the shadow HRA screening (section 3.6) finds that alone there is potential for likely significant effects on:
- Subtidal benthic ecology;
 - Terrestrial habitats;
 - Marine migratory fish and shellfish;
 - Marine mammals;
 - Ornithology; and
 - Terrestrial non-ornithological mobile receptors (e.g. great crested newt).
75. Further, the report states that all these sources can be considered as having the potential to be impacted in-combination and will therefore be assessed as part of Stage 2 (Appropriate Assessment). This is accepted and a Report to Inform the Appropriate Assessment (RIAA) will be drafted following scoping stage.
76. Relevant stakeholders will be involved in this process. This is welcomed and MEAS would be happy to have further discussions on the proposed development.
77. The shadow HRA screening sets out the assessment of likely significant effects following a source pathway receptor method. This is broadly accepted with minor

limitations, noting that detail of cable routing and booster station and extent of likely impact are not yet confirmed.

78. Table 3.18, for example, excludes Mersey Estuary SPA and Ramsar from scope but this site is likely functionally linked to those sites identified with interchange of birds species known.

79. Table 3.20 and Table 3.27 should scope in Sefton Coast SAC qualifying feature great crested newt being within the red line scoping boundary. Sand lizard is also considered to be a key distinctive species of the Sefton Coast SAC and should be considered through HRA. This would also apply to northern dune tiger beetle.

80. Table 3.23 does not consider likely significant effect to petalwort – a qualifying feature of Sefton Coast SAC.

81. I would advise addition of lapwing and black-tailed godwit as a Martin Mere SPA relevant feature to Table 3.26.

Annex 4: MCZ Screening

82. Within our area, Fylde MCZ and Ribble Estuary MCZ have been screened in. Regarding the latter, smelt is a migratory species and relatively little is known about their nursery/spawning grounds within the Ribble Estuary and River Douglas. If impact assessment shows a potential pathway, then I advise fish surveys may be required to categorise the scale of impact.

Other comments

83. Option B as proposed, would see cable routing landfall at Hightown dunes. The coastline at this point is eroding and GreenSefton is currently preparing schemes to address coastal protection including rock armour near the rubble beach and a dune replenishment project proposed at Altmouth. These schemes appear to be in close vicinity to the version 3 cable route which will require careful design and a robust monitoring and maintenance strategy in perpetuity. We strongly recommend the applicant works closely with GreenSefton to overcome these issues should option B be the chosen route.

84. Given the scale of proposals, marine/coastal interface, need for several consents and multiple stakeholders involved, we recommend the proposal proceeds following Coastal Concordat principles [A coastal concordat for England - GOV.UK](#)

Chapter 2 Land Use and Ground Conditions

85. Volume 4 Chapter 3 Materials and Waste scopes out the requirement for a separate chapter on materials and waste because it will be covered in Chapter 5 Land Use and Ground Conditions. However, this does not appear to be the case. Either it needs to be covered in this chapter or a standalone chapter.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?;

There is a generic reference to Local Plans but does not appear to be reference to Sefton Local Plan and relevant minerals policies (NH8 Minerals) or policies protecting BMV land. There is no reference to Merseyside and Halton Joint Waste Local Plan.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?;

Waste has been scoped out in terms of a separate chapter but links to this chapter, but has not been covered/discussed. This needs amending.

LUGC-06 Sterilisation of mineral deposits has been scoped out, but surely this depends on the method of trenching along the cable route, which has not yet been determined. Can it be scoped out at this stage.

Question 8: Do you agree that all relevant legislation, policy and guidance has been identified for the land use and ground conditions assessment, or are there any additional documents that should be considered?;

There does not appear to be reference to Sefton Local Plan and relevant minerals policies (NH8 Minerals) or policies protecting BMV land. There is no reference to Merseyside and Halton Joint Waste Local Plan.

Chapter 4 Onshore Archaeology

86. This consultation is for onshore archaeology only. The setting of heritage assets is a matter for Historic England and the relevant Conservation Officer.

87. Onshore Archaeology and Cultural Heritage is considered in Chapter 4 of Volume 3 Onshore Chapters of the Environmental Impact Assessment (EIA) Scoping Report prepared by Orsted (August 2025).

Section 4.7 Questions for Consultees

Question 1: Do you agree with the Study Area that have been identified for onshore archaeology and cultural heritage?

I agree with the Scoping Report that a 1km study area is sufficient to capture all known heritage receptors (4.3.1.3). To this I would add it is also sufficient to determine the potential for previously unknown archaeological receptors to be present.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

The data source quoted as having been used to inform the chapter (*Table 4.2*) is the NHLE. This is sufficient for the identification of statutory designated heritage assets. For further data collection *Table 4.4* identifies the additional data sources to be consulted including the Merseyside HER. Taken together these sources are sufficient.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

Table 4.6 lists project phase construction groundworks as being a direct impact causing the removal/truncation of buried archaeological remains. This is also applied to hedgerows qualifying under the historic criteria. I agree this should be scoped in.

Table 4.7 states no direct impacts on archaeological assets are anticipated during Operation and Maintenance, as all intrusive groundworks will be completed during

Construction and therefore no further ground disturbance is expected. This is also applied to hedgerows qualifying under the historic criteria. I agree this should be scoped out.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to onshore archaeology and cultural heritage?

Table 4.5: presents relevant commitments to onshore archaeology and cultural heritage. ID Co2 refers to the removal of hedgerows prior to topsoil removal. However, this should include an archaeological strategy for the investigation of any earthen bank or ditch that could be part of the hedgerow and the investigation of soils buried by the hedgerow.

ID Co34 *Development of, and adherence to, an Onshore Written Scheme of Archaeological Investigation (WSI) which will include a protocol for Archaeological Discoveries (PAD). This is to ensure the undertaking of appropriate archaeological evaluation and mitigation.*

A protocol for archaeological discoveries is neither recognised archaeological terminology nor the standard terminology that would be expected in a WSI. This should more properly read a proposed scheme of investigation. Furthermore, the purpose of the WSI is also to ensure the assessment, analysis, publication and dissemination of the archaeology. The author should refer to ClfA *Universal Guidance for Archaeological Field Evaluation* (December 2023) and *Universal Guidance for Archaeological Field Excavation* (December 2023).

Question 5: Do you agree with the approach of assessing transboundary effects in relation to onshore archaeology and cultural heritage?

4.5.3.1 *No transboundary impacts on onshore archaeology and cultural heritage are anticipated to occur as a result of the Proposed Development activities during Construction, Operation and Maintenance, or Decommissioning. Due to the localised nature of any onshore archaeology and cultural heritage impacts, transboundary impacts are unlikely to occur and therefore it is suggested that this impact will be scoped out from further consideration within the EIA. Table 6.2 states the Study Area does not extend beyond the limits of UK territorial waters and any effects are expected to be highly localised.*

It is agreed that onshore archaeology is of a localised nature and transboundary effects are unlikely.

Question 6: Do you agree with the approach of assessing cumulative effects in relation to onshore archaeology and cultural heritage?

4.5.1.2 *The CEA for onshore archaeology and cultural heritage will consider the maximum design scenario for each of the projects, plans and activities in line with the methodology outlined in Volume 1, Chapter 5: EIA Methodology.*

For onshore archaeology and cultural heritage, cumulative effects may be both direct or indirect. Direct cumulative effects could arise where ground disturbance from proposed or consented (but not built out) schemes overlaps with that of the Proposed Development, resulting in a combined impact on archaeological remains.

This approach is agreed.

Question 7: Do you agree with the proposed assessment methodology for onshore archaeology and cultural heritage?

4.6.1 The assessment will be supported by technical appendices, including an archaeological Desk-Based Assessment (DBA), which will evaluate the potential impacts on buried archaeological remains. Where available, the DBA will be informed by the results of evaluation fieldwork undertaken prior to the completion of the assessment.

This statement is incorrect - in accordance with ClfA *Standards and Guidance for Historic Environment Desk-based Assessment* (2020) the DBA..."will establish the impact of the proposed development on the significance of the historic environment (or will identify the need for further evaluation to do so) and will enable reasoned proposals and decisions to be made on whether to mitigate, offset or accept without further intervention that impact".

The DBA should be submitted prior to any evaluation fieldwork having taken place and present strategies for non-intrusive or intrusive evaluation where warranted. The DBA should assess the potential for archaeological heritage assets to survive within the study area and assess their significance which for the DBA and in accordance with ClfA guidance is to be judged in a local, regional, national or international context.

Furthermore, not all archaeological remains are *buried* or below-ground. Archaeological earthworks should be considered here.

Section 4.6.2.1 states *The Design Manual for Roads and Bridges approach to the EIA is outlined in Volume 1, Chapter 5: EIA Methodology of the Scoping Report. Whilst that chapter provides an overarching assessment matrix applicable across topics, it also acknowledges that detailed assessment methodologies will be tailored to reflect the latest guidance specific to each technical discipline.*

The latest ClfA guidance should be considered here.

Table 4.9: Sensitivity of receptors (Design Manual for Roads and Bridges, 2019).

At assessment stage the typical description for the value of the receptor shown in this table should be supported by the evidence on which this value has been based.

Question 8: Do you agree that all relevant legislation, policy and guidance documents have been identified for the onshore archaeology and cultural heritage assessment, or are there any additional legislation, policy and guidance documents that should be considered?

I agree that the contents of *Table 4.1 (Legislation, policy and guidance applicable to onshore archaeology and cultural heritage)* are suitable. To these I would add *The Historic Environment of North West England: A Resource Assessment and Research Framework* (2021) which identifies what is important or significant archaeologically across the region.

Question 9: For those impacts scoped in, do you agree and/or have any specific requirements for the assessment methodology?

The assessment methodology for direct impacts from earthworks and the removal of hedgerows should comprise an archaeological desk-based assessment and where

warranted non-intrusive, intrusive archaeological and geoarchaeological investigation. The significance of the archaeology should be judged in a local, regional, national or international context (ClfA *Standards and Guidance for Historic Environment Desk-based Assessment*, 2020), which should be informed by *The Historic Environment of North West England: A Resource Assessment and Research Framework* (2021).

Question 10: At this stage, do you have any comment on the necessity for predetermination fieldwork?

I would suggest that it is too early in the design stage to determine the necessity for predetermination fieldwork. Further archaeological assessment including an impact assessment detailing the onshore elements of the scheme would be required to allow such a determination to be made.

Volume 4: Overarching Chapters

Chapter 2 Climate Change

88. This chapter identifies two study areas; the GHG study area which includes emissions to atmosphere that have global effect and the Climate Change Study Area which covers impacts from climate change on the project (all elements within the scoping boundary).
89. The GHG study area will include all emissions generated by the project through construction, operation and decommissioning including the positive impacts from the generation of renewable energy itself. It is noted that the energy balancing infrastructure may include BESS (Battery Energy Storage Systems) and/or Long duration energy storage (LDES).

Question 1: Do you agree with the Study Areas that have been identified for climate change?;

Yes, the proposal is to cover both GHG impacts from the project via emissions to the global system and climate change impacts on the project scoping area itself. This is a thorough approach and welcomed.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?;

Yes

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?;

Yes

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to climate change?

The proposed commitments of a Code of Construction Practice, Decommissioning plan and Supply Chain Strategy are suitable for helping to reduce or eliminate LSE to climate change.

Question 5: Do you agree with the assessment of cumulative effects in relation to climate change?

Yes, if this approach were not adopted, then the assessment would have to take account of every consented development within the study area/scoping boundary which would be unfeasible.

Question 6: Do you agree with the proposed assessment methodology for climate change?

Yes, this follows a similar approach to other climate change assessments I have recently reviewed.

Question 7: Do you agree with the climate change projections used (UKCP18)?

Yes

Chapter 3 Materials and Waste

90. It is proposed that material and waste are scoped out of further assessment as a standalone chapter and /or covered by other impact assessment chapters such as Volume 3: Land Use and Ground Conditions and Volume 4 Chapter 2 Climate Change. However, having reviewed Volume 3 Land Use and Ground Conditions there is no reference to waste. This needs to be addressed.

91. There is a commitment to produce a CPEMP and SWMP, which is welcomed. I have considered the information included in the Impacts Register (Annex 1).

Question 1: Do you agree that all impacts/ effects that could arise from all stages of the Proposed Development have been identified within Volume 5, Annex 1: Impacts Register?

Yes, from a waste perspective it is considered that all impacts/effects that arise from all stages in relation to waste have been identified in Volume 5 Annex 1.

Question 2: Do you agree with the proposed approach set out in this chapter that all potential impacts and receptors for major accidents and disasters are covered elsewhere in the other referenced chapters, and that therefore a standalone assessment of major accidents and disasters can be scoped out?

From the perspective of Major Accidents and Disasters in relation to Volume 4 Chapter 2 Climate Change, I agree that this is suitably covered in this chapter. It is likely that the other technical chapters, Shipping and Navigation, Military and Civil Aviation and Traffic and Transport, are also the best places to discuss Major Accidents and Disasters for these topics, however I will be guided by the relevant experts on this matter.

Our advice is based on our understanding of your proposal. If there are any subsequent changes to your proposal, or to legislation, policy and/or statutory guidance, when your planning application is considered, our advice to Sefton Local Planning Authority may change or raise additional matters.

Please let me know if you have any specific queries regarding the advice provided.


Environment Manager

From: [Planningsouth](#)
To: [East Irish Sea TA; Planningsouth](#)
Cc: [REDACTED] [\[REDACTED\]@spenergynetworks.co.uk](mailto:[REDACTED]@spenergynetworks.co.uk)
Subject: RE: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification
Date: 10 September 2025 16:26:44
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[SPM Network Plan 1.pdf](#)
[SPM Network Plan 2.pdf](#)
[SPM Network Plan 3.pdf](#)

Thank you for the opportunity to comment on the information made available as part of the recent EIA Scoping consultation for the above project.

I have reviewed the proposals and provide comments for SP Energy Networks who operate and manage the electricity network up to 132kV on behalf of the licenced network operator, SP Manweb, as shown in the attached plans, noting that given the scale of the SPM network area impacted by the proposals which cover a very wide area, these plans show only the 132kV and not voltages below. SP Energy Networks comments at this stage relate to the existing network and proposed grid network upgrades.

Existing network

SP Energy Networks must ensure the avoidance of any adverse impact on its assets as we all drive to maintain a network that is capable of meeting the increase in demand from an all-electric economy. The next decade will be crucial in preparing the grid for these changes and this is why we are very interested in being able to comment on the proposals which may undermine maintaining and operating and developing a suitable grid network.

SP Energy Networks requires there are measures in place to protect SP Manweb network assets and ensure safe working around the affected SPM network. At this stage, it is suggested plans of the proposed development and required environmental impact assessment include a plan showing all of the SPM network and an assessment of the impact of the proposals on this network. The proposed connections cross areas where there are many existing above and below ground utilities. The SPM network is critical national infrastructure that must not be impacted on. The SPM network assets should be clearly taken into account in the EIA baseline assessment.

There should also be a draft construction management plan which has a section on utilities and explains how impacts on the existing network is to be managed and mitigated. SPM requires there to be adequate space to maintain and operate its network in accordance with statutory obligations.

SP Energy Networks is seeking to obtain from the promoter detailed plans of their proposals showing SPM assets and the proposed DCO limits. The promoter should contact SPEN to obtain network plans showing all SPM assets. Until a plan showing the proposed development in relation to all SPM network affected by the proposals is provided and

agreed, and protective provisions are drafted and discussed and agreed with SP Energy Networks, then objection is raised to there being no provision in the proposals to protect SPM assets.

The promoters assistance with this would help progress this matter. SP Energy Networks would like to resolve matters as much as possible and would like to see clarification on the crossover points/SPM assets as soon as further details can be provided.

Mitigation proposals will also need to take account of SPM assets and the operational requirements.

In addition, SPM benefits from numerous land rights interests across the proposed development area and these must be maintained for SPM to manage and operate a safe and reliable network.

Proposed Grid Connections

SP Energy Networks is currently preparing its investment programme for the period beyond 2028 and identifying proposals for network upgrades. SPEN will need to review the proposed onshore cable proposals against its own proposals and advise in due course.

Summary

There are a number of key areas to resolve in relation to SPM network, which is critical to protect as it is this network that will be relied upon to distribute the generation into local homes and businesses. Any adverse impacts on the SPM network impact on the benefits of delivering this proposed scheme. The promoter should discuss the above with SP Energy Networks as soon as possible in order to provide a robust EIA assessment. Given the extent of the information prepared and submitted, it is a reasonable expectation for there to be a plan produced showing the SPM assets as likely to be most affected and how, and an SPM network diversions worksheet that outlines how this network will be managed within the proposed development. This should be included in an infrastructure section in the EIA assessment.

SP Energy Networks will continue to review the proposals and may wish to raise further matters in due course and welcomes further engagement with the promoter at this stage of preparing their EIA assessment.

Regards



Senior Environmental Planner | Land & Planning
Tel: [Redacted] | Int: [Redacted] | Mob: [Redacted]

SP Energy Networks, 3 Prenton Way, Prenton Merseyside CH43 3ET
Follow us



Internal Use

From: East Irish Sea TA <eastirishseata@planninginspectorate.gov.uk>
Sent: 14 August 2025 11:58
To: Planningsouth <planningsouth@spenergynetworks.co.uk>
Cc: [REDACTED]@spenergynetworks.co.uk.
Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification

EXTERNAL SENDER: Be cautious, especially with links and attachments. Report phishing if suspicious.

Dear Sir/Madam

Please see attached correspondence on the proposed East Irish Sea Transmission Project.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 11 September 2025. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

[REDACTED]



Environmental Advisor
Planning Inspectorate
www.gov.uk/pins

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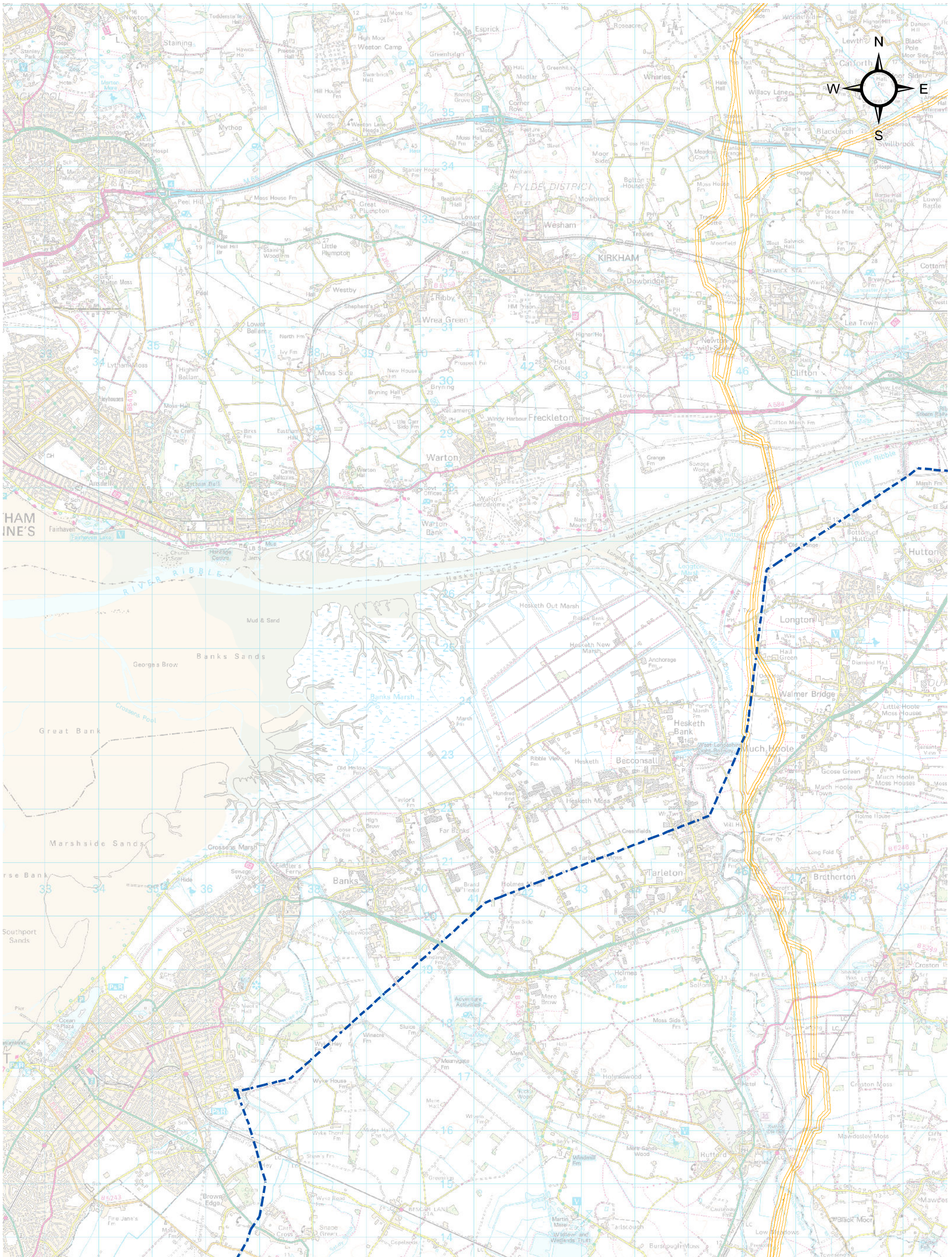


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Planning consultation East Irish Sea




The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. The depths may have changed if the land surface levels have altered. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to street lighting installations. The onus of locating the apparatus precisely before commencing any excavations or other works in the immediate vicinity therefore rests entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus and cables should therefore be ascertained by suitable means. In the event of an emergency or for further assistance please contact 0800-092-9290 (ScottishPower area) or 0800-001-5400 (SP Manweb area).

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SP ENERGY NETWORKS
On behalf of SP Manweb plc


SP Manweb plc
Registered Office: c/o PowerSystems
3 Preston Way, Preston, CH43 3ET
Registered in England and Wales No 2366937

OVERHEAD LINE 

UNDERGROUND CABLES

In Use 

Out of Use 

Assumed route 


VOLTAGE COLOUR KEY

EHV	132kV	BLUE
	33kV	GREEN
HV		RED
LV		BROWN

Where cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply to the tops of cables or ducts) UNLESS OTHERWISE SHOWN, but see comments (TO TOP OF CABLE, ADD 75mm FOR BOTTOM OF TRENCH)

	EHV	HV	LV
IN FOOTPATHS:	775	600	450
ACROSS ROADS:	775	700	600
ALONG ROADS:	775	700	600
AGRICULTURAL:	910	910	910

Your attention is drawn to the Health and Safety Executive Booklet HSG47, available from HSE.


DATE	08/09/2025
SCALE	1 : 64,640
MAP REFERENCE	341022,424371
0212. 825 850 1,275 1,700	
 Metres	

Planning consultation East Irish Sea 2




The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. The depths may have changed if the land surface levels have altered. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to street lighting installations. The onus of locating the apparatus precisely before commencing any excavations or other works in the immediate vicinity therefore rests entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus and cables should therefore be ascertained by suitable means. In the event of an emergency or for further assistance please contact 0800-092-9290 (ScottishPower area) or 0800-001-5400 (SP Manweb area).


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 **SP ENERGY NETWORKS**
On behalf of SP Manweb plc


SP Manweb plc
Registered Office: c/o PowerSystems
3 Prenton Way, Prenton, CH43 3ET
Registered in England and Wales No 2366937

OVERHEAD LINE 

UNDERGROUND CABLES

In Use 

Out of Use 

Assumed route 

VOLTAGE COLOUR KEY

EHV	132kV	BLUE
	33kV	GREEN
HV		RED
LV		BROWN

Where cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply (to the top of cables or ducts) UNLESS OTHERWISE SHOWN, but see comments. (TO TOP OF CABLE, ADD 75mm FOR BOTTOM OF TRENCH)


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ACROSS ROADS :	775	700	600
ALONG ROADS :	775	700	600
AGRICULTURAL :	910	910	910

Your attention is drawn to the Health and Safety Executive Booklet HSG47, available from HSE.

DATE **08/09/2025**

SCALE **1 : 64,640**


MAP REFERENCE **333497,412622**

0212, 825 850 1,275 1,700
 Metres



The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. The depths may have changed if the land surface levels have altered. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to street lighting installations. The onus of locating the apparatus precisely before commencing any excavations or other works in the immediate vicinity therefore rests entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus and cables should therefore be ascertained by suitable means. In the event of an emergency or for further assistance please contact 0800-092-9290 (ScottishPower area) or 0800-001-5400 (SP Manweb area).

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SP ENERGY NETWORKS
On behalf of SP Manweb plc

SP Manweb plc
Registered Office: c/o PowerSystems
3 Prenton Way, Prenton, CH43 3ET
Registered in England and Wales No 2366937

OVERHEAD LINE

UNDERGROUND CABLES

In Use -----

Out of Use -----

Assumed route -----

VOLTAGE COLOUR KEY

EHV	132kV	BLUE
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Where cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply to the tops of cables or ducts) UNLESS OTHERWISE SHOWN, but see comments. (TO TOP OF CABLE, ADD 75mm FOR BOTTOM OF TRENCH)

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IN FOOTPATHS :	775	600	450
ACROSS ROADS :	775	700	600
ALONG ROADS :	775	700	600
AGRICULTURAL :	910	910	910

Your attention is drawn to the Health and Safety Executive Booklet HSG47, available from HSE.

DATE	08/09/2025
SCALE	1 : 64,640
MAP REFERENCE	332616.402762

0212.825 850 1,275 1,700



Metres



St. Helens Council

Ørsted East Irish Sea Transmission Limited
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Town Planning

Town Hall
Victoria Square
St. Helens
Merseyside
WA10 1HP

Case Officer: [REDACTED]
Tel: [REDACTED]
Email: [REDACTED]@sthelens.gov.uk
Website: www.sthelens.gov.uk

9th September 2025

Dear Sir or Madam,

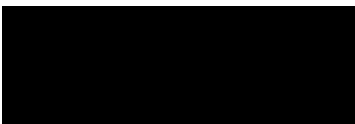
TOWN AND COUNTRY PLANNING ACT 1990

Our Reference Number: PRE/2025/0062/PRE
Your Reference Number: EN0210008
Proposal: Scoping consultation request from planning inspectorate for East Irish Sea Transmission Project
Location: East Irish Sea Transmission Project

Thank you for the opportunity for St Helens Council to comment on the East Irish Sea Transmission Project.

Given that the proposal is coastally based with some landfall either within Sefton and Fleetwood. The project does not come into the Borough of St Helens and should not affect St Helens. Therefore St Helens Council have no comment to make.

Yours sincerely,



Principal Planning Officer

From: [REDACTED]
To: [East Irish Sea TA](#)
Subject: RE: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification
Date: 05 September 2025 14:35:46
Attachments: [image006.jpg](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

You don't often get email from [REDACTED]@trinityhouse.co.uk. [Learn why this is important](#)

Good afternoon [REDACTED]

With reference to the above consultation, I can confirm that Trinity House would expect the following to form part of the Environmental Statement:

Navigation Risk Assessment

-

- Comprehensive vessel traffic analysis in accordance with MGN 654.
- In relation to potential Booster Station(s) locations, the possible cumulative, in-combination and trans-boundary effects on shipping routes and patterns must be adequately assessed.

Risk Mitigation Measures

-

- Booster Station infrastructure will require marking with aids to navigation, in accordance with Trinity House requirements.
- An assessment of impact on existing aids to navigation, to include both offshore and shore based (where any cabling reaches landfall) aids to navigation.
- If it is necessary for any part of the export cables to be protected by rock armour, concrete mattresses or similar protection which lies clear of the surrounding seabed, the impact on navigation and the requirement for appropriate risk mitigation measures needs to be assessed.

Kind regards,

[REDACTED]
Navigation Services Manager | Navigation Directorate | Trinity House
[REDACTED]@trinityhouse.co.uk | [REDACTED]
www.trinityhouse.co.uk



From: East Irish Sea TA <eastirishseata@planninginspectorate.gov.uk>
Sent: 14 August 2025 12:46
To: Navigation <navigation.directorate@trinityhouse.co.uk>
Cc: [REDACTED]@trinityhouse.co.uk
Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification

FAO [REDACTED] **Navigation Services Officer**

Dear Sir/Madam

Please see attached correspondence on the proposed East Irish Sea Transmission Project.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf

of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 11 September 2025. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

[REDACTED]



[REDACTED]
EIA Advisor
The Planning Inspectorate
[REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72



By email
eastirishseata@planninginspectorate.gov.uk

The ref EN0210008
Our ref DC/25/2107
Date 10-SEPT-25

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Application by Ørsted East Irish Sea Transmission Limited (the developer) for an Order granting Development Consent for the East Irish Sea Transmission Project (the proposed development).

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested

Thank you for allowing United Utilities Water Limited (UU) the opportunity to comment on the EIA Scoping consultation for the East Irish Sea Transmission Project.

United Utilities wishes to make the following comments at this early stage regarding the expectations for any future proposals and the scope of any Development Consent Order (DCO).

We request early engagement to ensure our concerns are adequately addressed and appropriate protective provisions are agreed prior to the determination of the DCO. In the interim, we wish to provide the following initial comments for the consideration.

It is important that we highlight that the costs for assessing the impact on our assets will be recoverable. We request that the developer engage with us as soon as possible so that we can discuss further.

SUMMARY

At this stage our advice is limited as the indicative plan is not detailed enough for us to carry out a comprehensive assessment. We would expect to see plans showing the proposals in relation to any existing United Utilities' assets and infrastructure as part of the DCO applications/any future public consultation. Once the final location of the onshore booster station, onshore substation, cable corridor route, landfall area and any other associated onshore development

are known, we would be grateful if the developer could provide these details in a .shp file format, to allow us to undertake a detailed assessment.

Following our review of the scoping boundary we can confirm we have numerous large and critical assets crossing the scoping boundary. Our water mains include large diameter trunk mains, high pressure water supply mains and raw water mains. There are also a range of public sewers crossing the site including large diameter rising main sewers and gravity sewers and outfalls including major wastewater interconnector tunnels and tanks. Preston Wastewater Treatment Works (WwTW), Fleetwood Marsh WwTW, Longton WwTW, Hillhouse WwTW, Mere Brow WwTW and Formby WwTW, along with numerous pumping stations also sit within the proposed site boundary. We would need to be afforded rights to access, repair and maintain these assets in accordance with our statutory powers. The review of assets will also need to include any sea outfalls, including long sea outfalls, which may not be visible on the map of public water mains and sewers as this could significantly impact the site selection process for the landfall arrangements.

Please note that within our wider asset base there may be assets, which may not be visible on the public sewer and watermain map. For example, pumping stations and tanks as well as assets transferred under private sewers legislation and assets associated with our treatment works. All such assets need to be considered and protected in the delivery of the project.

Further dialogue and agreement in respect of all these assets is required.

It is the developer's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. They should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the site selection process for the onshore booster station and onshore substation, the cable corridors and landfall arrangements. Critical infrastructure should not be sited in a reservoir flood path. Further information, including contact details for our Developer Services team, can be found in the 'Contact' section below.

We request continued engagement to ensure any of our concerns are adequately addressed and to ensure appropriate protective provisions are agreed. In the interim, we wish to provide the following initial comments for the consideration.

It is important that we highlight that the costs for assessing the impact on our assets will be recoverable. We request that the developer contacts us as soon as possible so that we can discuss this further.

Our Assets and Property

United Utilities will not allow building over or in close proximity to a water main and we will not normally allow building over or in close proximity to a public sewer.

We understand Ørsted are currently considering two potential cable route corridors through Fylde – one north of Blackpool in Fleetwood, and one between Crosby and Formby – with a final route to be selected later this year based on environmental, technical and community feedback.

Therefore, it is important the developer contacts us as soon as possible to discuss each cable route and each search area for the onshore booster station and substation so we can provide detailed feedback on any potential constraints. We request the developer provides the proposed indicative route of the onshore and offshore cables and location of the substation and any associated onshore development in a .shp file format to allow us to undertake a detailed assessment.

We would expect to see comprehensive plans showing the siting of onshore booster station and onshore substation, the cable corridors and landfall arrangements in relation to any existing United Utilities' assets and infrastructure submitted as part of the DCO application.

Water and Wastewater Assets

We would like to draw the developer's attention to the various water and wastewater assets that lie within and near to the proposed application boundary. It is important to highlight that these assets include critical assets. These assets would need to be given careful consideration when designing any development proposal.

Our water mains include large diameter trunk mains, high pressure water supply mains and raw water mains. There are also a range of public sewers crossing the site including large diameter rising main sewers and gravity sewers and outfalls including major wastewater interconnector tunnels and tanks. Preston Wastewater Treatment Works (WwTW), Fleetwood Marsh WwTW, Longton WwTW, Hillhouse WwTW, Mere Brow WwTW and Formby WwTW, also sit within the proposed site boundary. We would need to be afforded rights to access, repair and maintain these assets in accordance with our statutory powers.

The review of assets will need to include any sea outfalls, including long sea outfalls, which may not be visible on the map of public water mains and sewers and may be affected by the development proposal.

Please note that within our wider asset base there are a number of assets, which may not be visible on the public sewer and water main map. For example, various pumping stations and tanks as well as assets transferred under private sewers legislation and assets associated with our treatment works. All such assets need to be considered and protected in the delivery of the project.

Further dialogue and agreement in respect of all these assets is required.

We require access as detailed in our '*Standard Conditions for Works Adjacent to Pipelines*' (a copy is enclosed). The developer must comply with this document, and it should be taken into account in the final proposals, or a diversion may be necessary.

It is the developer's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. They should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the final route to be selected later this year.

The developer should be aware that diversion of the assets may be required. The developer should contact United Utilities at their earliest opportunity as they may find that a diversion is not possible. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover that the cost of a diversion is prohibitive in the context of their development scheme. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the developer's/developer's expense.

Where United Utilities' assets cross the proposed site boundary, the developer must contact United Utilities prior to commencing any works on site, including trial holes, groundworks or demolition.

Where United Utilities' assets exist, the level of cover to our pipelines and apparatus must not be compromised during construction, operation and maintenance and decommissioning phases and there should be no additional load bearing capacity on our assets without prior agreement with United Utilities. This would include earth movement and the transport and position of construction / decommissioning equipment and vehicles. The developer should carefully consider the implications of any changes in proposed land levels. Such changes will need to be agreed with United Utilities.

Our Standard Conditions document includes details of trees and shrubbery suitable for planting in the vicinity of our assets. Deep rooted shrubs and trees should not be planted near to our apparatus.

Consideration should also be applied to United Utilities' assets which may be located outside the site boundary. Any construction activities in the vicinity of our assets must comply with our *'Standard Conditions for Works Adjacent to Pipelines'* and national building standards.

The developer must contact United Utilities for advice if the proposal is in the vicinity of water or wastewater pipelines and apparatus. It is the responsibility of the developer to ensure that United Utilities' required access is provided within the layout and that our infrastructure is appropriately protected. You would be liable for the cost of any damage to United Utilities' assets resulting from the activity. See 'Contacts' section below.

Vibration, Loading and Settlement

United Utilities requests that the impact of the proposed development includes an assessment of any potential settlement and vibration on United Utilities' assets. Similarly, any loading on United Utilities' assets during construction, operation and maintenance and decommissioning phases requires further consideration with United Utilities.

Storage of Equipment and Materials within Easements / Offset Areas for Access and Maintenance

At this early stage, United Utilities has not undertaken a detailed assessment of where equipment and/or materials are proposed to be stored within a United Utilities' easement / area required for access and maintenance. As a general requirement, United Utilities does not usually allow the easement area, easement width or the necessary offset distance from our assets to be obstructed or impeded in any way. This is due to, but not limited to:

- loading implications of the asset and probability of asset failure;
- implications on access and maintenance of the asset, especially for critical assets;
- security of supply; and
- health and safety implications.

United Utilities reserves the right to instruct the removal of the equipment and materials located within the easement / access and maintenance offset area. United Utilities requires further consultation and supplementary information to discuss any affected assets.

Construction Compounds / Construction Traffic

Construction compounds should not be located on top of our apparatus. This is because we require unrestricted access for maintenance, repair and replacement to discharge our statutory duties. Similarly, detailed consideration will need to be given to any proposed construction traffic routes to assess the impact on our assets. It will be necessary to ensure that any approach to construction and decommissioning phases is the subject of a construction management plan to address a range of issues including the protection of our assets as well as any wider impact on our operations.

Ecological Mitigation and Biodiversity Net Gain

Ecological mitigation and the delivery of areas for biodiversity net gain should not be located on top of our apparatus. This is because we require unrestricted access for maintenance, repair and replacement to discharge our statutory duties.

Property Interests

Within the application boundary, we have a range of property interests which include land in the ownership of United Utilities, easements, rights of way. UU wish to discuss with the developer the implications for our land interests.

Please note that the any easement associated with our apparatus is in addition to our statutory rights for inspection, maintenance and repair under the Water Industry Act 1991. The easements have restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply with the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur, that may affect the integrity of the pipes or the legal right of United Utilities to 24 hour access. The developer should contact our property team to discuss how the proposals affect our land interests and to ensure no detrimental impact. United Utilities Property Services can be contacted at PropertyGeneralEnquiries@uuplc.co.uk.

We also wish to note that within our wider asset base there are a number of assets, which although owned and operated by United Utilities, are not always in our land ownership. For example, assets transferred under private sewers legislation.

Flood Risk

Existing drainage systems are often dominated by combined sewers. This method of sewer infrastructure is a result of the time it was constructed, with combined sewers taking both foul and surface water. If there is a consistent approach to surface water management, it will help to manage and reduce surface water entering the sewer network, decreasing the likelihood of flooding from sewers, the impact on residents and businesses, and the impact on the environment.

Whilst UU does all that it can to reduce the risk of flooding, there remains a residual risk, which is a source of flooding that should be considered in the ES. National policy is clear that flood risk from all sources, including sewers and reservoirs, must be considered in the delivery of new development. As such, it is important to ensure that the assessment of flood risk includes sewer and reservoir flood risk. Critical infrastructure should not be sited in a reservoir flood path. It should be ensured that the proposed development does not result in an increase in flood risk from the public sewer or from reservoirs as a result of:

- i) any proposed new drainage connections to the public sewer;
- ii) as a result of any changes in land or property which could materially change existing flood risk, for example, by altering any existing exceedance flood paths or losses from the public sewer, surface water flows, or a reservoir exceedance path;
- iii) by locating any above ground elements of the proposal in areas where there is an existing risk of sewer or reservoir flooding; or
- iv) as a result of any diversions / works to watercourses or existing sewers which could materially affect hydraulic performance and therefore change / increase any risk of flooding.

Impact on Watercourses

UU wishes to liaise with the developer to confirm the impact on any watercourses that interact with our assets to ensure that there are no detrimental consequences of these works in terms of asset operation, flood risk and changes to fluvial geomorphological processes.

Drainage - Foul and Surface Water

We request the developer provides details of any drainage proposals in respect of both foul and surface water. This should include rates of discharge, volumes of discharge, points of connection, the nature and extent of any contaminants, and details of any necessary pre-treatment prior to connection to the public sewer. We request further details of any approach for the storage and disposal of any hazardous fluids. We wish to understand whether there is any intention to connect such flows to our public sewerage network and to ensure any potential impact on water supply assets, including the groundwater environment, is fully considered and mitigated.

Surface Water Management Hierarchy

Directed by the principles set out in the National Planning Practice Guidance and the new National Standards for Sustainable Drainage Systems (2025) we require developers and Local Planning Authorities, to do all that they can to avoid surface water entering the public sewer, unless absolutely necessary. This applies to all proposed development.

All options for the sustainable management of surface water must be thoroughly investigated before we accept any surface water connections from new development to the public sewer.

Where a new surface water connection to the public sewer is proposed, we will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water.

Please note, UU is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

There should be no land drainage, including dewatering proposals, discharged to the public sewer.

Rights to Discharge to Watercourse or Other Receiving Water Body

Given the importance of surface water discharging to an alternative to the public sewer, we request that all land that is necessary to facilitate a discharge to a watercourse is fully identified within the limits of the DCO. This will ensure the site benefits from the requisite rights to discharge to more sustainable alternatives than the public sewer for the management of clean surface water, e.g., a right to discharge to a watercourse or other water body. For clarity, the extent of land should be sufficient to facilitate a surface water discharge to a watercourse / water body for all elements of the proposal. Ensuring that the extent of land within the Order Limits is sufficient for the purposes of the discharge of surface water is important as a sewerage company has limited powers to acquire the right to discharge surface water to a water body under the Water Industry Act. Therefore, the developer will need to ensure that this right is acquired via the proposed DCO.

Multi-functional Sustainable Drainage Systems (SuDS)

We request that surface water is managed via SuDS which are multi-functional and at the surface level in preference to conventional underground piped and tanked storage systems. Wherever practicable, SuDS should be implemented in accordance with the CIRIA SuDS manual. Managing surface water through the use of SuDS can provide benefits in water quantity, water quality, amenity and biodiversity.

If the developer intends to offer wastewater assets forward for adoption by UU, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in '*Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2*' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key factor in determining site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until a detailed drainage design has been assessed and accepted in writing by UU. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of SuDS

Without effective management and maintenance, SuDS can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the determining authority of this potential risk to ensure the longevity of the surface water drainage system and the service

it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend that you include details of a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

Please note that UU cannot provide comments on the management and maintenance of an asset owned by a third-party management and maintenance company. We would not be involved in the approval of the management and maintenance arrangements in these circumstances.

Geo Environmental / Geotechnical

Groundwater Environment and Water Resources

The scoping boundary extends to include sandstone rock, designated as a groundwater source protection zone (SPZ 3). These are used for the abstraction of water for public water supply purposes. We request that the approach to the assessment of the impact on the groundwater environment is considered and agreed with United Utilities prior to submission of the DCO.

As a nationally and regionally significant scheme, the developer should follow '*The Environment Agency's approach to groundwater protection*' POF1P (hereafter referred to as '*the Environment Agency's approach*') in relation to protection of drinking water supply from United Utilities' groundwater abstractions.

At the current time we do not have sufficient information in order to be able to assess the impact of the proposed development and associated proposals where these lie within a groundwater source protection zone, or directly overlie an abstracted aquifer, to ensure the proposals '*do not have the potential to cause pollution or harmful disturbance to groundwater flow*' and to ensure '*these risks can be reduced to an acceptable level*'.

We wish to draw attention to Position Statements C1 and C2 of '*The Environment Agency's approach*' which state:

'C1 - Nationally or regionally significant schemes

The Environment Agency requires the promoters of schemes of national or regional significance to protect groundwater when choosing the location for their activity or development. In cases where this is not possible due to national or regional interests,

the Environment Agency expects to be fully involved in the scheme development to mitigate groundwater risks via EPR where applicable. Promoters are expected (via the environmental impact assessment process) to identify all the potential pollution linkages and apply best available techniques to mitigate the risks.

C2 - Non-nationally significant infrastructure schemes

In SPZ1 and SPZ2, the Environment Agency will only agree to proposals for infrastructure developments of non-national significance where they do not have the potential to cause pollution or harmful disturbance to groundwater flow or where these risks can be reduced to an acceptable level via EPR if applicable.

Where the proposed development impacts on a sensitive location within a SPZ, relating to a drinking water abstraction resource (including those not currently in use for public water supply purposes but may need to be activated in the future), United Utilities may require a 'Hydrogeological Risk Assessment' for the specific borehole abstraction and intersection with the cable route. This risk assessment should form part of the Environmental Statement and identify the pollution and ground disturbance impacts on the SPZ and set out pollution prevention mitigation measures that will be needed, during construction, operation and maintenance and decommissioning phases of the proposed development. The risk assessment should fully consider any related development activities and mitigation.

The need for a risk assessment reflects the Environment Agency Position Statement N7 of the aforementioned groundwater protection document. This states:

'N7 - Hydrogeological risk assessment

Developers proposing schemes that present a hazard to groundwater resources, quality or abstractions must provide an acceptable hydrogeological risk assessment (HRA) to the Environment Agency and the planning authority. Any activities that can adversely affect groundwater must be considered, including physical disturbance of the aquifer. If the HRA identifies unacceptable risks then the developer must provide appropriate mitigation. If this is not done or is not possible the Environment Agency will recommend that the planning permission is conditioned, or it will object to the proposal.'

Sustainable Drainage Systems

The onshore drainage from the proposed scheme should also be assessed within the Environmental Statement for the risk to groundwater abstractions (G11).

G11 - Discharges from areas subject to contamination

Discharges of surface water run-off to ground at sites affected by land contamination, or from sites used for the storage of potential pollutants are likely to require an environmental permit. This applies especially to sites where storage, handling or use of hazardous substances occurs (for example, garage forecourts, coach and lorry parks/turning areas and metal recycling/vehicle dismantling facilities). These sites will need to be subject to risk assessment with acceptable effluent treatment provided.'

Storage of Hazardous Substances

The risks posed by storage and distribution of fuels, chemicals and wastes from the proposed development, should also be assessed for the risk to groundwater abstractions (Environment Agency Position Statement Section D). Confirmation is sought that no storage facilities are proposed within the Groundwater SPZs.

Following confirmation from the developer as to whether the high voltage cables will be filled with fluid, we will require an assessment of the hazards these substances pose to the environment, during installation and maintenance, and following any chemical alteration due high-voltage use.

The above Position Statements highlight the importance of including the drainage information as part of the Environmental Statement.

Significant earthworks and excavations

The risks posed within a SPZ, by removing Made Ground/ Topsoil and Superficial Deposits from an area up to 120m wide during cable laying operations piling towards Rockhead, or by the tunnelling of the River Ribble should be considered. If these create significant new pathways to the aquifer, a Hydrogeological Risk Assessment may be required for the relevant section of the cable route.

Groundwater Control

Short term dewatering or longer-term Groundwater Control may pose a risk of contaminant movement towards aquifer Rockhead, particularly where superficial deposits are shallow, or granular. A desk study should be targeted on proposed areas of tunnelling and the crossings of soft and compressible deposits, sensitive to changes in groundwater levels. Assurance is sought that granular and permeable Artificial and Superficial Deposits do not provide pollutant pathways to the aquifer, for surface contamination. Ground Investigation data indicates that Glacial Clay provides adequate protective cover over the abstracted aquifers.

Construction Environmental Management Plan

The developer should follow best practise in their use and storage of fuels, oils, chemicals and other wastes, to remove the risk of causing pollution during construction, operation and maintenance and decommissioning phases of the scheme. This should be included in a Construction Environmental Management Plan (CEMP). This will need to be specific to the environmental setting of the area and should fully reflect the implications of a location within a SPZ.

Contaminated Land

United Utilities requests that the assessment of potential environmental impact from contamination fully considers the impact on our assets, water resources and water quality as a result of construction of the proposed development.

Water Supply Requirements

We request that the developer provide details of any water supply requirements during construction, operation and maintenance and decommissioning phases as soon as possible. This should include details on rates of water supply required in litres per second and anticipated points of connection to the public water supply network. The details of water supply required should include details for any fire response purposes that may be necessary. For temporary related activities, such as construction compounds and workers accommodation, early consideration of any water supply requirements will also be required. If reinforcement of the water network is required to meet potential demand, this could be a significant project, and the design and construction period should be accounted for. The developer will need to ensure that the Environmental Statement fully considers any environmental impact of the water supply requirements.

General Advice

If the developer intends to request water and/or wastewater services from United Utilities, they should visit our website for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If any part of the proposed development site benefits from existing water and wastewater connections, they should not assume that the arrangements will be suitable for the new proposal. In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit [31t https://www.unitedutilities.com/my-account/the-bill/our-household-charges-20212022/31T](https://www.unitedutilities.com/my-account/the-bill/our-household-charges-20212022/31T) and go to section 7.7 for compulsory metering.

To avoid any unnecessary costs and delays being incurred by the developer or any subsequent developer, we strongly recommend the developer seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below

CONTACTS

Contact our **DEVELOPER SERVICES** team as follows:

Website (including 'Live Chat'): [Building & Developing - United Utilities](#)

Telephone (Monday-Friday, 8am-6pm): **0345 072 6067**

Email:

WATER (water mains, supply and metering): DeveloperServicesWater@uuplc.co.uk

WASTEWATER (public sewers and drainage): SewerAdoptions@uuplc.co.uk

SLUDGE PIPELINES: DeveloperServicesWater@uuplc.co.uk

GROUNDWATER PROTECTION ZONES:

Where the proposed site is located in a Groundwater Source Protection Zone, the developer should contact our Engineering team for advice, by email at Groundwater@uuplc.co.uk

PROPERTY SEARCHES (FOR ASSET MAPS):

The public water and sewer records can be viewed via our online viewing facility for free. Viewings are by appointment only. To book an appointment, the developer should email propertysearches@uuplc.co.uk or call **0370 751 0101**

Alternatively, a number of providers offer a paid for mapping service, including United Utilities. To purchase a sewer and water plan from United Utilities, visit [Property Searches | United Utilities](#)

UNITED UTILITIES LEGAL SERVICES (FOR EASEMENT DOCUMENTS):

Copies of relevant deeds may be purchased from United Utilities Legal Services. This information is also available from Land Registry.

To purchase a copy of easement documents from United Utilities, please email: LegalServices@uuplc.co.uk

We request that a copy of this letter and the Appendix is made available to the developer.

Yours faithfully

United Utilities' Planning Team

Standard Conditions for Works Adjacent to Pipelines

Document Ref. 90048

Issue 3.1 July 2015

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AMENDMENT SUMMARY

Amendment No. Date	Brief Description and Amending Action	Owner	Verifier
3.1 July 2015	'Easement Area' defined and legal clarifications made.	██████████	██████████
3.0 March 2015	Full review and update	██████████	██████████
2.0 May 2014	Full review and update. Appendix 1 incorporated to provide guidance on tree roots and planting. Improvements to document around vibration monitoring and discolouration	██████████	██████████
1.2 October 2007	Alterations into Distribution Manual	██████ ██████	
1.1 August 2007	Alteration to Guideline number 12	██████████	██████████
1 July 2003	First issue in standard format	██████████ ██████████	██████ ██████████

HISTORY OF THE DOCUMENT

The following table details the task team involved in the full review of the Standard Conditions:

Date and Issue Number	Task Team members
3.0 March 2015	<div>██████████</div> – UU Engineering <div>██████████</div> – UU Engineering <div>██████████</div> – UU Engineering <div>██████████</div> – UU Water Services (Network) <div>██████████</div> – UU Engineering <div>██████████</div> – UU Water Services (Network)

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1. SCOPE

This document sets out United Utilities Ltd (UU) standard conditions for work carried out over, under or adjacent to a UU Pipeline which can include multiple UU Pipelines laid adjacent to each other.

It is UU company policy not to allow any building over UU Pipelines or water mains. Any such building / structure would compromise UU's obligation to maintain a constant water supply and, in particular, would obstruct UU's ability to respond in the event of a failure of the Pipeline. Building over mains also has potential risks to the health and safety of anyone who might be affected by a failure, including the occupants of the building.

2. DEFINITIONS

Term	Definition
Pipeline	Means any aqueduct, trunk main, water distribution main, multiple pipes laid adjacent to each other or non-potable main vested in UU as water undertaker.
Easement Area	Means the easement specified in any relevant document, e.g. conveyance, transfer or deed of grant with such widths as specified therein.
Easement Width	<p>Means the Easement Width for any Pipeline laid under statutory powers. For large diameter Pipelines, unless otherwise specified, the Easement Width shall extend 5 metres to each side of the Pipeline from its centreline (10 metres total width).</p> <p>For small single Pipelines of up to and including 300mm diameter, unless otherwise specified, the Easement Width shall extend 3 metres to each side of the Pipeline from its centreline (6 metres total width)</p> <p>Contact UU for specific Easement Width limits and conditions.</p>
Street	The whole or part of any highway, any road, lane, footway, alley or passage, square or court, whether or not a thoroughfare. A Street can therefore be a footpath, cycle track, bridleway or full vehicular highway. Where a Street passes over a bridge or through a tunnel these are included as part of the Street.
PPV	Peak Particle Velocity
Shall or Must	Mandatory requirements are adopted through the use of 'shall' or 'must' or are otherwise specifically stated. The document also contains information and guidance that is not mandatory but is provided for consideration.
Stopping up Order	An order authorising the stopping up (removal of public rights of way) of any highway, if the Secretary of State is satisfied to do so, to allow development to be carried out in accordance to a valid and relevant planning permission granted under the Town and Country Planning Act 2008 as amended or re-enacted from time to time.
Promoter	Any utility company, self-lay organisation, developer, Highway Authority, Local Authority or any other organisation wishing to work adjacent to or cross over or under a UU Pipeline.

3. GUIDELINES

3.1. General Guidelines

3.1.1. The Standard Conditions are issued for the guidance of Promoters and others to reduce the risk of damage to the Pipeline and the consequent liability for such damage. They do not replace or alter any powers or rights exercisable by, or protection afforded to UU by virtue of: -

- a) Its ownership of the Pipeline or any rights or privileges in relation thereto;
- b) Any conveyance, lease, deed or grant, easement (see Figure 1 Easement Widths), licence, wayleave or other legal document relating to the Pipeline;
- c) Any statutory provision (including any provision in subordinate legislation) including but not limited to: -
 - i. The Water Industry Act 1991 as amended or re-enacted from time to time, will also apply.
 - ii. Any local statutory provision relating to a Pipeline and to any work of any other body or person which regulate, either generally or in relation to any specific crossing or work, the relations between UU and such other body or person, including any agreement or other document referred to in or incorporated with any such statutory provision.

In the event of any inconsistency between the provisions of these Standard Conditions and those of any document or statutory provision mentioned above, the latter shall prevail unless capable of variation by agreement and the substitution of the relevant provisions of these Standard Conditions is expressly agreed.

- 3.1.2. The Standard Conditions apply to all Pipeline(s). In the case of Pipeline(s) located in streets, the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, as amended or re-enacted from time to time, will also apply.
- 3.1.3. No work of any description shall take place on or within the Easement Area or Easement Width before full agreement has been reached with UU regarding the manner in which the work shall be carried out and consent to the same has been given in writing. At least 28 days' notice shall be given of any intention to carry out works in the Easement Area or Easement Width.
- 3.1.4. No vehicle, plant or machinery is to stand, operate or travel within the Easement Area or Easement Width of the Pipeline except as agreed by United Utilities.
- 3.1.5. UU reserves the right to supervise any work carried out on or within the Easement Area or Easement Width and to recover the costs incurred.
- 3.1.6. No buildings / structures of any description shall be erected within the Easement Area or the Easement Width.
- 3.1.7. No service shall cross the Pipeline at less than 1 metre in front of a socket face or at less than 300mm behind it. (See Figure 2)
- 3.1.8. No materials including spoil shall be placed on or stored within the Easement Area or Easement Width.
- 3.1.9. Access to and along the Easement Area or Easement Width shall be kept clear and unrestricted at all times. See Section 7, 'Easement Infringements'.

- 3.1.10. Sanitary arrangements approved by UU shall be provided for persons working on or within the Easement Area or Easement Width. Precautions shall be taken to avoid spillage of fuels, oils, paints, solvents or any other substance, which may damage the Pipeline or its protection.
- 3.1.11. Where construction of a new structure / building is proposed within 1m of the edge of the Easement Area or Easement Width, its foundations shall be designed to ensure that load from the structure / building is not transferred onto the Pipeline. The design shall also ensure that UU has full access to the lowest point of the bedding of the Pipeline for maintenance or construction purposes
- 3.1.12. No alteration to the existing ground levels or surface use of the Easement Area or Easement Width shall be made without prior written consent from UU. At least 28 days notice shall also be given of any proposal to alter ground levels or the surface of land adjoining the Easement Area or Easement Width. This includes increasing the ground level above the Pipeline by placing material to form a landscaping bund or road (or other) embankment, as this has the potential to cause settlement to the Pipeline that could damage it.
- 3.1.13. Persons or their Promoters working on or within the Easement Area or Easement Width shall be required to indemnify UU for the full cost of any damage caused to its Pipelines and for any costs, charges and expenses resulting from these operations.
- 3.1.14. In an emergency, contact shall be made immediately using the following telephone number:

The UU Response Manager is available on-

07713887302 and this number shall be used for EMERGENCIES ONLY

e.g. if the UU Pipeline is damaged / burst the UU response Manager must be contacted immediately.

Please supply the UU Response Manager with the following information:

Who you are (name and company)?

What is your contact number?

Exactly where you are (in order to quickly identify which main is damaged and potential risks to UU)?

What is the damage?

Is it causing flooding?

Is flood water entering a watercourse?

4 ISSUES AFFECTING A PIPELINE DURING CONSTRUCTION ACTIVITIES

4.1. Temporary Access

- 4.1.1. Movement of vehicles and plant with a total weight exceeding 6 tonnes across the unprotected Pipeline is forbidden. The repetitive movement of vehicles or plant of any weight over the unprotected Pipeline in the same position is forbidden. Where temporary or permanent access is required, the Promoter must consult with UU prior to gaining access.
- 4.1.2. Each proposed temporary crossing point of a Pipeline shall be considered on an individual basis. The Promoter shall submit the design of the proposed crossing point

to UU for acceptance. Work to construct the temporary crossing point shall not commence without prior written consent from UU.

- 4.1.3. The Promoter shall design any temporary crossing point such that the load from any vehicle or any item of construction plant that will use the crossing point creates a suitably factored bearing pressure of not more than 8.5kN/m² at the crown of the UU Pipeline. (N.B. *This load is approximately equivalent to the loading on a Pipeline with 900mm of cover when a 6 tonne excavator crosses above it.*) In order to achieve this, the Promoter may use substantial timber baulks, reinforced concrete slabs or proprietary ground protection systems (e.g. Eve Trakway). Where it is not possible to distribute the surcharge load from the plant to less than 8.5kN/m² at the crown of the Pipeline, then the design of the temporary crossing point shall consist of a suspended crossing which bridges over the Pipeline.
- 4.1.4. Temporary crossing points shall only be used to allow vehicles and plant to traverse across a Pipeline. Temporary crossing points are not to be used as working platforms for construction plant. Plant shall not be allowed to operate above a UU Pipeline unless specific written consent is given by UU. Any request by a Promoter for them to site working plant above a UU Pipeline must demonstrate that the platform which their plant is to be sited on has been designed as a working platform and will ensure that the maximum surcharge load from that plant is distributed to less than 8.5kN/m² at the crown of the Pipeline, or bridges over the Pipeline.
- 4.1.5. All parts of a temporary crossing point must be removed when the work is complete, unless written consent is obtained from UU for the crossing to be left in place. The design and construction of the temporary crossing point shall be such that it permits for its removal (and the reinstatement of the ground beneath it) without exposing the Pipeline to undue loading, vibration or risk.

4.2. Temporary Fencing

- 4.2.1. Fencing shall be erected by the Promoter when they are working in and around the Easement Area or the Easement Width to demarcate its location, to regulate vehicle movements and to confine the crossing of the Pipeline only to approved crossing points. The fencing shall be of substantial construction. It shall be adequately maintained at all times to the satisfaction of United Utilities.

4.3. Excavations within an Easement Area or Easement Width

- 4.3.1. Prior to general excavation, trial holes shall be dug by hand to determine the precise location of the Pipeline. UU reserves the right to carry out such excavations. The cost of all such excavations shall be borne by the Promoter.
- 4.3.2. Excavations shall be fully supported and shall be backfilled to the satisfaction of UU. All work shall be carried out during normal working hours, which shall have been previously agreed with UU. UU reserves the right to stop all work on or within the Easement Area or Easement Width which, in the opinion of its officers, places the Pipeline at risk. As a consequence of such action, UU shall not accept any claims for financial loss.
- 4.3.3. All excavations within the Easement Area or Easement Width shall be carried out by hand or may be carried out by mechanical excavator if under the supervision of UU personnel. Excavation within 1 metre of the Pipeline(s) must be carried out by hand and great care must be exercised to ensure that any protective wrapping is not damaged.
- 4.3.4. If a thrust block is discovered within any excavation adjacent to a Pipeline(s), then work shall be stopped and the excavation backfilled as soon as possible.

4.4. Ground Vibration

- 4.4.1. No blasting shall be carried out within 300 metres of the Pipeline(s) without prior written consent from UU, unless it can be demonstrated that ground vibration from such activities shall not exceed a peak particle velocity (PPV) of 5mm/s in any plane at the closest point of the Pipeline(s) to the blast.
- 4.4.2. Demolition, piling, tunneling or any other construction technique which induces significant vibration (not exceeding a peak particle velocity of 5mm/s) shall be permitted up to 10 metres away from the Pipeline(s). Permission will be granted by UU provided that the Promoter has accurately established the position of the Pipeline(s) and this has been verified by UU and a written statement of the precautions to be taken to ensure the safety of the Pipeline(s) has been submitted by the Promoter and received and consented to by UU prior to works being undertaken.
- 4.4.3. Should demolition, piling, tunneling or any other construction technique which induces significant vibration be proposed within 3.5 - 10 metres of the Pipeline(s) this shall be subject to seismic monitoring in order to prevent damage to the Pipeline(s). The Promoter shall accurately establish the position of the Pipeline(s). Seismograph readings shall be taken by the Promoter's specialist organisation on the line of the Pipeline at locations to be agreed with UU. Vibration monitoring shall be done under the supervision of a specialist organisation which has significant experience of similar monitoring work. The identity of the specialist organisation shall be proposed by the Promoter and approved by UU. This approval should not be unreasonably withheld or delayed. The cost of the seismic monitoring shall be borne by the Promoter. Vibration shall be measured in terms of peak particle velocity (PPV) and the Promoter shall employ suitable methods of construction in carrying out its works such that the PPV does not exceed 5mm/s. If the measured PPV does exceed 5mm/s then work shall cease immediately and a review of the monitoring data shall be undertaken between the Promoter and UU Engineering staff. If necessary UU shall notify the Promoter of any reasonable mitigation measures to protect the Pipeline(s) that it requires the Promoter to carry out. The Promoter shall comply with these reasonable mitigation measures in carrying out its works. A written statement of the precautions to be taken to ensure the safety of the Pipeline(s) shall be submitted by the Promoter and received and approved by UU prior to works being undertaken.
- 4.4.4. If UU identify that there is a risk of discolouration of the potable water supply the Promoter shall not excavate within 1m of the Pipeline(s) in any plane. Given the fact that there shall be significant excavation by hand, it may be more economical for the Promoter to consider directional drilling or another form of trenchless technique. UU would prefer this as an alternative construction technique.
- 4.4.5. Where practical, and when requested by UU due to the risk of discolouration, downstream turbidity monitoring should be undertaken for potable water Pipelines irrespective of Pipeline diameter. If UU reports to the Promoter that the turbidity levels measured in the main are very close to or exceeding the regulatory standards then work shall cease immediately and a review of the monitoring data shall be undertaken between the Promoter and UU Engineering staff. If necessary UU shall notify the Promoter of any reasonable mitigation measures to protect the Pipeline(s) that it requires the Promoter to carry out. The Promoter shall comply with these reasonable mitigation measures in carrying out its works.

5 ISSUES PERMANENTLY AFFECTING A PIPELINE OR EASEMENT

5.1. Permanent Access

- 5.1.1. Any proposed crossing of the Pipeline shall be considered on an individual basis. Any permanent access crossing the Easement Area or Easement Width shall be designed

and constructed by the Promoter to prevent any damage to the Pipeline. This may typically consist of mass concrete filled trenches constructed on either side of the Pipeline(s) with reinforced concrete slabs spanning between them. The Promoter shall submit the design of the proposed crossing point to UU for acceptance. Work to construct the permanent crossing point shall not commence without prior express written consent from UU.

5.2. Permanent Fences and Boundaries

- 5.2.1. Fences or other boundaries structures crossing the Easement Area or Easement Width shall be as near as possible perpendicular to the line of Pipeline and in no case shall be made at an angle of less than 45 degrees. Proposals for any new fences or other boundary structures shall be submitted to UU for approval. Where necessary a lockable gate shall be provided for UU for their sole use.

5.3. Installation of New Services within the Easement

- 5.3.1. Any pipes, drains, electricity cables or sewers crossing unmade ground over or under the Pipeline shall be laid in steel conduit or ductile iron pipe ideally jointed (or similar UU approved material) and adequately supported so as to be self-supporting over any subsequent excavation which may have to be carried out i.e. they should extend well into the undisturbed ground at each side of the Pipeline trench and shall cross as near as possible to 90 degrees to the Pipeline.
- 5.3.2. In no case shall any crossing be made at an angle of less than 45 degrees.
- 5.3.3. Provided that ground conditions are suitable, pipes crossing below the Pipeline shall be constructed by an approved tunneling method, and agreed by UU. The Promoter shall demonstrate that the predicted - and actual - ground settlement at the level of the invert of the Pipeline as a result of their pipes crossing below the Pipeline is not more than 20mm.
- 5.3.4. For UU Pipelines up to and including 300mm diameter, any pipes drains, electricity cables or sewers laid adjacent to the Pipeline must have a minimum clearance of 300mm from it. For UU potable water Pipelines over 300mm diameter (or for smaller diameter Pipelines where UU network operations have highlighted a risk of discoloration), there shall be a clearance between the pipes, drains, electricity cables or sewers and the Pipeline that is greater than or equal to the diameter of the Pipeline (ideally at least 1m clearance if possible to reduce the risk of discoloration). These clearances shall apply to crossings above or below the Pipeline, and include pipes, drains, electricity cables or sewers laid adjacent to the Pipeline.
- 5.3.5. The Promoter shall exercise suitable care when selecting and placing backfill material for any excavation dug within the Pipeline Easement to ensure that it is adequately compacted, provides sufficient support to the Pipeline and will not cause damage to the Pipeline. Reference should be made to the current version of 'Civil Engineering Specification for the Water Industry' (CESWI).

5.4. Cathodic Protection of Pipelines

- 5.4.1. Where cathodic protection is proposed for the Promoter's works, or where it exists in connection with UU's Pipeline, the Promoter shall take all necessary steps to ensure that the integrity of the system is maintained during the construction of the works. Where cathodic protection exists on UU's Pipeline, or is to be installed by the Promoter on his apparatus, interference tests shall be carried out on completion of the works at the Promoter's expense. Where such tests indicate that UU's Pipeline may be at risk, then the Promoter, at his own expense, must install suitable remedial measures, to be agreed by UU. UU must be consulted in the case of installation of electric tramways over Pipelines.

5.5 Mains Adjacent to Buildings in Streets

- 5.5.1 Water mains may be laid in a Street or an Easement Area. Sometimes this is immediately adjacent to a building. In the case of an Easement Area, new buildings and their foundations may not be built within 2.5m of an existing water main (5m for mains > 300mm). This is to facilitate repair and maintenance.

5.6. New Roads, Communal Parking and Driveways

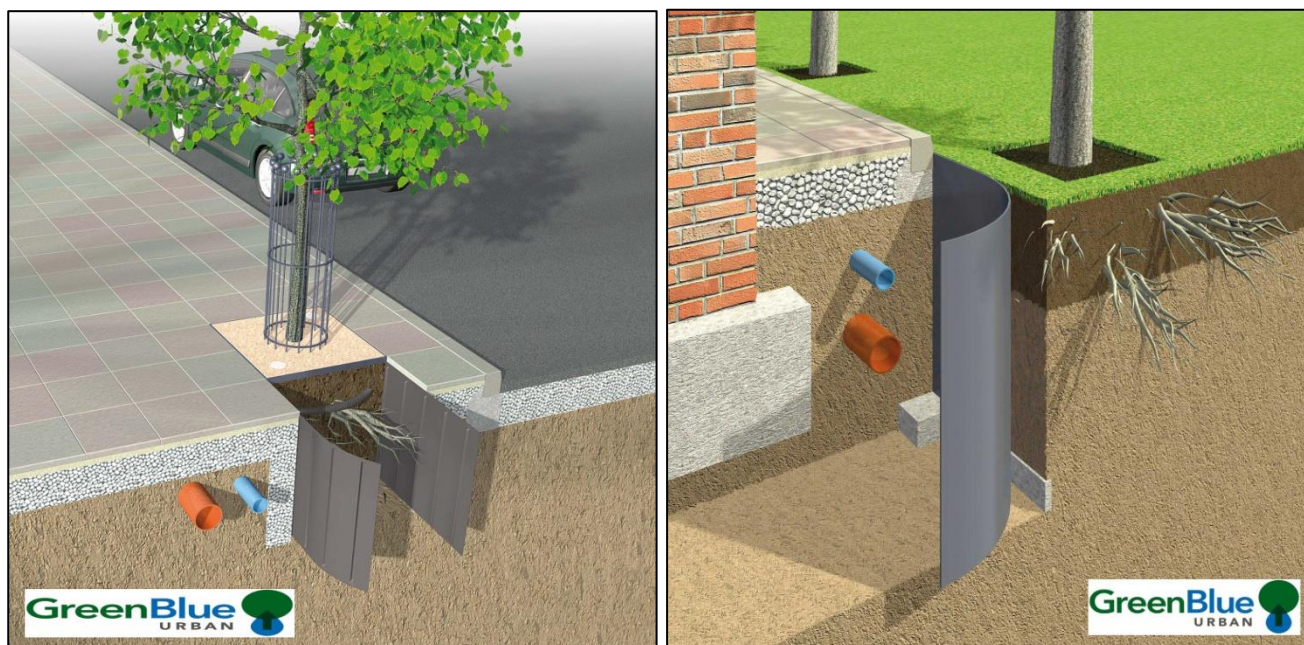
No alteration to the surface use of the Easement Area or Easement Width for the purpose of constructing a road, communal parking or private driveways (except for vehicular crossings at >45degrees) shall be made without prior written consent being obtained from UU.

6 PLANTING NEAR TO PIPELINES

- 6.1 Written consent must be obtained from UU before any tree or shrub planting is carried out. Any consent is subject to UU retaining the right to remove, at any time, all trees or shrubs that in its opinion becomes a danger or nuisance to the pipeline or asset.
- 6.2 Selection and planting of tree species should be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. Recommendation.
- 6.3 Planting of shallow rooted hedge plants, domestic soft fruiting bushes and ornamental shrubs shall be permitted however these shall not be permitted to develop as shrub trees and shall be maintained by the Promoter / Owner to a maximum height of 1.5m.
- 6.4 There shall be strictly no planting of Populus ssp. or Salix ssp. within 10 metres of a Pipeline.
- 6.5 Restrictions apply to all Easement Areas and Easement Widths see Appendix 1 for details. This includes a non-exhaustive list of trees and recommended planting distances.



- 6.6 United Utilities will consider the provision of specific tree root barriers where there is a need to establish trees closer to Pipeline(s) than would normally be acceptable best practice. Vertical or horizontal barriers can be effective and acceptable so long as they are professionally specified and installed following manufacturer's instructions and a suitable distance from the tree trunk to ensure tree stability at maturity. See the figures below for typical examples of these methods. These barriers shall be 1 – 2mm thick semi rigid type and be fitted by either a specialist installer or by very closely following the manufacturer's guidance. Further advice about root barriers can be found in BS8545.



Images supplied by GreenBlue Urban

- 6.7 A useful publication that can assist with planting near to utilities is “*NJUG Guidelines for the Planting, Installation and Maintenance of Utility Apparatus in Proximity to Trees*”

7 EASEMENT INFRINGEMENTS

- 7.1 UU acknowledges that there are situations where structures have been erected either directly above the Pipeline, or within an Easement Area or Easement Width. These encroachments should be assessed and recorded and appropriate actions taken. The assessment shall consider the potential risks to both UU's asset and the structure upon it.
- 7.2 The options available to UU are:-
- Notify owner of risks
 - Notify owner and consider mains diversion at owners cost with any required legal documentation to entered into
 - UU may take legal action to obtain a court order to instruct removal of the structure at the owners cost.

The key factors to be considered when selecting one of these options are:-

- a) Security of supply
- b) Health and safety
- c) Cost benefit
- d) Company reputation
- e) Probability of Pipeline failure and likely consequences. These will vary with the Pipeline material, diameter, depth below foundation, ground conditions and the operating regime of the Pipeline

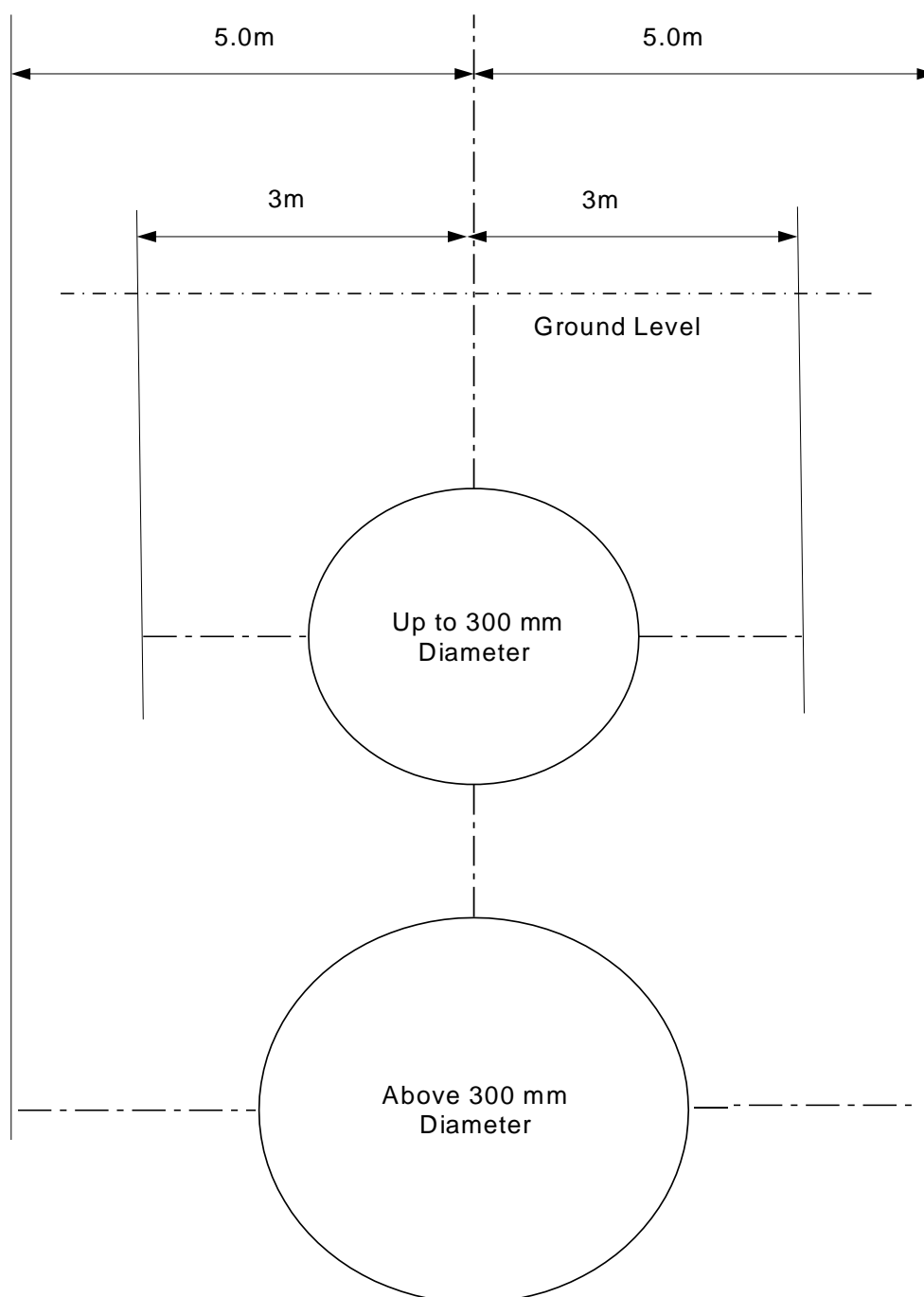
- 7.3 The notification given to the owner of the building shall state that, notwithstanding our Statutory Rights and those contained in any deed, UU shall not be liable for any costs whatsoever if damage is occasioned to the structure whilst carrying out our works.
- 7.4 In the case of structures of a temporary or easily removable character consent to such structures may after consideration be given by UU strictly on a case by case basis and the decision of UU being final. UU's access to any Easement Area or Easement Width should not be obstructed or impeded in any way

8 STOPPING UP ORDERS

- 8.1 UU has no objection to a Stopping up Order, provided that access remains for repair and maintenance of the network within the area affected.
- 8.2 If the proposed development will impede clear access, then the water main must be abandoned or diverted at the applicants cost.
- 8.3 Typically, there would be no objection if the water main remains within a Street to which there is vehicular access sufficient for UU to perform its statutory duties. It is not necessarily a problem if the Street is within a gated enclosure, e.g. alley gates are not a problem.
- 8.4 If the main does not remain within a Street, the developer must provide an easement according to UU standard conditions. Detailed information is available from the United Utilities Website
- 8.5 The following is specifically not permitted in relation to easements.
 - a) Any alteration to ground level which leaves the water main at a depth less than 900mm (750mm for PE pipes), or more than 1200mm.
 - b) Any building over the main, or within the Easement Area or Easement Width, such that an excavation of the main would threaten the stability of the building.
 - c) Planting of large trees (detailed information available in Appendix 1). This shows the distances that various trees and shrubs can be planted away from Pipelines and water mains. Root barriers can be used when planting closer to the mains; however trees root barriers need to be deep enough to stop roots from penetrating under the barrier.

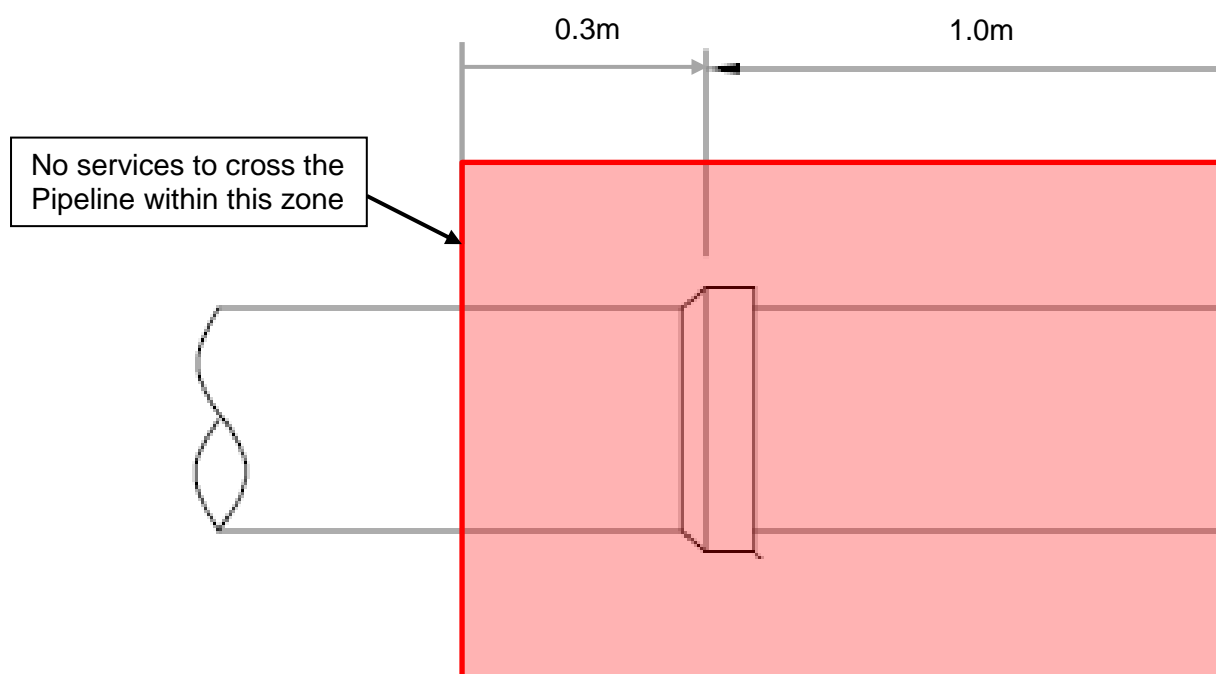
9 DRAWINGS

Figure 1: Easement Widths for Single Pipes



Note: This sketch is issued for guidance only (not to scale)

Figure 2: Service Crossing Restrictions in relation to Pipeline Sockets



APPENDIX 1: PLANTING NEAR TO PIPELINES

Latin Name	Common Name	Tree or shrub planting maintained as hedge (no higher than 1.5m height)	Individual trees planted from 3 metres of underground asset or pipe	Individual trees planted from 6 metres of underground asset or pipe	Group trees planted from 10 metres of underground asset or pipe
<i>Acer campestre</i>	Field Maple	Yes	Yes	Yes	Yes
<i>Aesculus hippocastanum</i>	Horse chestnut	✗	✗	✗	Yes
<i>Carpinus betulus</i>	Hornbeam	Yes	✗	✗	Yes
<i>Castanea sativa</i>	Sweet Chestnut	✗	✗	✗	Yes
<i>Corylus avellana</i>	Hazel	Yes	Yes	Yes	Yes
<i>Crateagus monogyna</i>	Hawthorn	Yes	Yes	Yes	Yes
<i>Fagus sylvatica</i>	Beech	Yes	✗	✗	Yes
<i>Ilex aquifolium</i>	Holly	Yes	Yes	Yes	Yes
<i>Larix decidua</i>	Larch	✗	✗	✗	Yes
<i>Ligustrum vulgare</i>	Privet	Yes	Yes	Yes	Yes
<i>Malus domestica</i>	Apple	✗	Yes	Yes	Yes
<i>Malus sylvestris</i>	Crab Apple	✗	Yes	Yes	Yes
<i>Pinus nigra</i>	Black pine	✗	✗	✗	Yes
<i>Pinus sylvestica</i>	Scots Pine	✗	✗	✗	Yes
<i>Platanus acerifolia</i>	London Plane	✗	✗	✗	Yes
<i>Prunus avium</i>	Wild Cherry	✗	Yes	Yes	Yes
<i>Prunus cerasifera</i>	Plum	✗	Yes	Yes	Yes
<i>Prunus lusitanica</i>	Laurel	Yes	Yes	Yes	Yes
<i>Prunus padus</i>	Bird Cherry	✗	Yes	Yes	Yes
<i>Prunus spinosa</i>	Blackthorn	Yes	Yes	Yes	Yes
<i>Pyrus communis</i>	Pear	✗	Yes	Yes	Yes

Latin Name	Common Name	Tree or shrub planting maintained as hedge (no higher than 1.5m height)	Individual trees planted from 3 metres of underground asset or pipe	Individual trees planted from 6 metres of underground asset or pipe	Group trees planted from 10 metres of underground asset or pipe
<i>Sambucus nigra</i>	Elder	Yes	Yes	Yes	Yes
<i>Sorbus aria</i>	Whitebeam	X	X	X	Yes
<i>Sorbus aucuparia</i>	Rowan	X	X	Yes	Yes
<i>Taxus baccata</i>	Yew	Yes	X	X	Yes
<i>Tilia cordata</i>	Lime	X	X	X	Yes
<i>Ulmus glabra</i>	Wych Elm	X	X	Yes	Yes



Memorandum

To Planning Inspectorate Ref: EN0210008
From Strategic Planning, West Lancashire Borough Council Our Ref: SPSCO/NSIP/BQ
Subject Infrastructure to enable power from an offshore wind farm (Mooir Vannin Generation Project) in Isle of Man territorial seas, to be brought into the UK National Grid.
Date 11 September 2025

I am responding to a request for comments to an Environmental Impact Assessment Scoping Opinion in respect of the East Irish Sea Transmission Project. These comments are an Officer-level response.

The following comments are limited to onshore impacts within West Lancashire Borough Council and the format of the comments follow the questions set out in the Scoping Report.

Ecology

Question 1: Do you agree with the Study Areas that have been identified for onshore ecology?

- The four study areas and on-shore buffers proposed are acceptable.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline? Are there any other data sources that should be considered?

- No, the following data sources will also need to be considered: Lancashire County Council Ancient Woodland Inventory, Provisional Agricultural Land Classification (England).
- It is noted at 1.3.3.28 that *details of Local Wildlife Sites (LWS) within the 2km non-statutory designated sites Study Area have not yet been obtained; these will be identified and mapped during the preparation of the PEIR.*
 - A large number of Biological Heritage Sites (BHS) (local wildlife sites in Lancashire) are identified to fall within the scoping area. The latest data of BHSs can be sought from Lancashire County Council / Lancashire Environmental Records Network.
- Birds: Environmental records indicate a number of areas considered functionally-linked land for migrating birds towards Martin Mere fall within the scoping boundary. This data can be sourced from the following Natural England report: Identification of Functionally Linked Land supporting Special Protection Areas (SPAs) waterbirds in the North West of England (NECR361).

Question 3: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

- ECO-02 states: "The construction of the onshore infrastructure will result in the permanent loss of some habitats. While this is anticipated to primarily affect arable land of relatively low ecological value, other habitat types, such as hedgerows, field ditches, and potentially other habitats, may also be impacted depending on the final location of infrastructure."
 - Onshore infrastructure within the scoping boundary in West Lancashire is identified to pass through significant areas of land identified to be BMV agricultural land and also present with deep peaty soils. The England Peat Action Plan (May 2021) identifies peat as an important carbon sequester as well as providing other benefits e.g. in terms of habitat and biodiversity. It is acknowledged that lowland deep peat is not included in the schedule of irreplaceable habitats listed in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, however officers have been advised that Natural England consider peat in West Lancashire to be an irreplaceable habitat.
- Impacts to non-designated sites have not been outlined to be scoped in or out of this EIA topic but should be scoped in.
- Impacts to Areas of Functionally Linked Land should be covered under disturbance and displacement of birds.
- Impacts from lighting for all project phases need to be considered and their likely effect on habitats and species.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to onshore ecology?

- The commitments should seek to replace any lost habitats/ecological features within the local area.

Question 5: Do you agree with the approach of assessing transboundary effects in relation to onshore ecology?

- Paragraph 1.5.3.1 proposes to scope out transboundary effects in relation to onshore ecology. We do not agree to this and consider that further consideration is necessary in regards to impacts to migratory birds.

Question 6: Do you agree with the approach of assessing cumulative effects in relation to onshore ecology?

- The assessment of cumulative effects is proposed to accord with standard EIA practice and PINS guidance document 'Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment (September 2024)'. This is a satisfactory approach.

Question 7: Do you agree with the proposed assessment methodology for onshore ecology?

- The proposed assessment methodology and guidance documents are acceptable.

Question 8: Do you agree that all statutory and non-statutory designated sites within the Potential Zone of Influence (Zol) have been properly identified?

- No, non-statutory designated sites have not been identified. As noted under paragraph 1.3.3.28, the details of Local Wildlife Sites (LWS) and Biological Heritage Sites within the 2km non-statutory designated sites Study Area have not yet been obtained.

Question 9: Given that impacts are expected to be temporary along the onshore ECC where above ground infrastructure is not proposed, do you agree that surveys for priority farmland bird species along the preferred cable route corridor are unnecessary?

- Paragraph 3.5.5.5 notes that preparation for the onshore ECC will involve vegetation clearance. Although no above ground infrastructure may be proposed, surveys may still be necessary depending on the level of site clearance.

Question 10: Do you have any feedback on the proposed scope and extent of further surveys for protected, priority, and notable species?

- No

Question 11: Do you agree that all potential impacts to key onshore ecological features, as listed in Table 1.9, have been identified?

- No, impacts to non-designated sites should also be identified as key features.

Land Use and Ground Conditions

Question 1: Do you agree with the Study Areas that have been identified for land use and ground conditions?

- The study area is considered acceptable.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

- The proposed data sources are sufficient, however local authorities should be asked to provide data held on sites affected by Contaminated Land that may fall within the scoping boundary.
- For inclusion under recreational routes, the Lancashire Local Cycling and Walking Infrastructure Plans (LCWIPs) should also be reviewed as a number of Cycling Proposal Lines and Aspirational Lines intersect with the scoping boundary.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

- No. Impacts to Peatland from groundworks including short term, long term, contamination and drainage need to be scoped in given the likely significant effects to large areas of deep peat.

Question 4: Do you agree with the suitability of the proposed commitments to reduce or eliminate LSE relevant to land use and ground conditions?

- The proposed commitments appear suitable.

Question 5: Do you agree with the assessment of transboundary effects in relation to land use and ground conditions?

- Paragraph 2.5.3.1 proposes to scope out transboundary impacts with regards to land use and ground conditions. This is considered acceptable.

Question 6: Do you agree with the assessment of cumulative effects in relation to land use and ground conditions?

- The cumulative effects in relation to land use and ground conditions also need to consider the temporary or permanent loss of peatlands and the likely effects to climate change given that peat is an important carbon sequester.

Question 7: Do you agree with the proposed assessment methodology for land use and ground conditions?

- Guidance published by the IEMA titled "A New Perspective on Land and Soil in Environmental Impact Assessment" February 2022 should also be utilised as part of the assessment methodology.
- Almost the entire area of the scoping boundary within West Lancashire is identified to be underlain by deep peaty soils and Grades 1 and 2 Agricultural Land, representing Best and Most Versatile (BMV) agricultural land. Targeted Agricultural Land Classification assessments and peat surveys should be undertaken to gather detailed information to inform the baseline of the soil environment.

Question 8: Do you agree that all relevant legislation, policy and guidance has been identified for the land use and ground conditions assessment, or are there any additional documents that should be considered?

- Other than considering the IEMA guidance referred to above, we agree that all relevant legislation, policy and guidance has been identified for this topic.

Question 9: Are there any specific sources of contamination of concern within the Study Area?

- West Lancashire Council's database on recorded contaminated land identifies a number of potentially contaminated parcels within the scoping boundary. Data can be shared on request by our Environmental Health team.

Traffic and Transport

Question 1: Do you agree with the Study Area that has been identified for traffic and transport?

- The study area needs to include M58 junction 26 (Orrell Interchange) as this is a key junction on the M6 for traffic from the south wanting to go in a westerly direction through the Borough.

Question 2: Do you agree that the existing and proposed baseline data sources identified are sufficient to inform the traffic and transport baseline?

- The Greater Manchester Combined Authority should also be requested to provide wider traffic and transport data at key junctions.
- The Lancashire Local Cycling and Walking Infrastructure Plans (LCWIPs) should also be utilised.

Question 3: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

- Potential impacts or distribution to planned network improvements or aspirations need to be also be scoped in.
- The impact of traffic through rural routes and villages and the potential for disruption, damage, and noise should also be considered.

Question 4: Do you agree on suitability of the proposed commitments described in section 3.4.2 to reduce or eliminate LSE to traffic and transport receptors?

- Additional commitments to develop Transport Assessments of the transport implications of development and a Travel Plan should also be produced.

Question 5: Do you agree with the approach of scoping out transboundary effects in relation to traffic and transport?

- Agree

Question 6: Do you agree with the approach of assessing cumulative impacts in relation to traffic and transport?

- Agree

Question 7: Do you agree that the assessment should utilise baseline traffic data captured for neutral traffic periods?

- Agree

Question 8: Can you provide details of any junctions in the traffic and transport Study Area that are particularly sensitive to an increase in traffic or any junctions at or over capacity?

- The M58 and M57 interchange ('Switch Island').

Question 9: Do you agree with the proposed assessment methodology for traffic and transport?

- Generally agree, however cumulative effects with other developments needs to be included within the methodology.

Onshore Archaeology and Cultural Heritage

Question 1: Do you agree with the Study Area that have been identified for onshore archaeology and cultural heritage?

- The study area which includes a 1km buffer around the scoping boundary is acceptable.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

- No. Local lists from Local Authorities of Locally Listed Buildings will also need to be considered. Historic England's Heritage at Risk Register and also any local Risk Registers should also be identified.
- Conservations Areas and Tree Preservation Orders (TPOs) should also be identified. The Great Altcar Conservation Area falls entirely within the scoping boundary and this has not been recorded under Appendix A - Onshore Archaeology and Cultural Heritage Gazetteer of Designated Heritage Receptors.
- Historic Town Surveys produced by LCC (2006) should be sourced.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

- Agree

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to onshore archaeology and cultural heritage?

- There should be commitments to produce detailed heritage statements that should be adhered to, along with commitments to mitigate any unavoidable harm to the setting of heritage assets.

Question 5: Do you agree with the approach of assessing transboundary effects in relation to onshore archaeology and cultural heritage?

- Agree that transboundary impacts are unlikely to occur due to the localised nature of potential impacts.

Question 6: Do you agree with the approach of assessing cumulative effects in relation to onshore archaeology and cultural heritage?

- Agree

Question 7: Do you agree with the proposed assessment methodology for onshore archaeology and cultural heritage?

- Agree

Question 8: Do you agree that all relevant legislation, policy and guidance documents have been identified for the onshore archaeology and cultural heritage assessment, or are there any additional legislation, policy and guidance documents that should be considered?

- Agree

Question 9: For those impacts scoped in, do you agree and/or have any specific requirements for the assessment methodology?

- Locally listed buildings should be accounted for within the methodology.

Question 10: At this stage, do you have any comment on the necessity for predetermination fieldwork?

- No

Noise and Vibration

Question 1: Do you agree with the Study Areas that have been identified for noise and vibration?

- The study area which includes a 2km buffer around the scoping boundary is acceptable.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

- The baseline data sources, along with baseline sound surveys, are considered sufficient.

*Question 3: Do you agree with which impacts have been scoped in and scoped out of the EIA for noise and vibration within section 5.4 and in **Volume 5, Annex 1: Impacts Register**?*

- Agree

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to noise and vibration?

- A commitment should be made to produce and adhere to a Construction Environmental Management Plan (CEMP) for each phase of development.

Question 5: Do you agree with the approach of assessing transboundary effects in relation to noise and vibration?

- Agree that transboundary impacts are unlikely to occur due to the localised nature of potential impacts.

Question 6: Do you agree with the approach of assessing cumulative effects in relation to noise and vibration?

- Agree to assessing cumulative effects related to concurrent developments.

Question 7: Do you agree with the proposed assessment methodology for noise and vibration?

- Agree

Air Quality

Question 1: Do you agree with the Study Area that has been identified for air quality?

- The proposed study area is acceptable.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

- AQMA locations should be confirmed by local authorities and reference should be made to the latest available Air Quality Action Plans relevant to the areas.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

- A risk of system failure to various elements of infrastructure during operation and maintenance could result in a thermal risk such as explosion or fire which would release harmful pollutants in to the air. This should be scoped in.

Question 4: Do you agree with the suitability of the proposed commitments to reduce or eliminate LSE to air quality?

- Commitments should be made to provide an Energy Storage System Safety Management Plan and fire suppression systems which would minimise the risk related to system failure, operation or design, and reduce any likely significant effects of pollution in the event of failure

Question 5: Do you agree with the approach of assessing transboundary effects in relation to air quality?

- Agree to scope out transboundary impacts with regards to air quality.

Question 6: Do you agree with the approach of assessing cumulative effects in relation to air quality?

- Agree

Question 7: Do you agree with the proposed assessment methodology for air quality?

- Agree

Question 8: Do you agree that all relevant legislation, policy and guidance documents have been identified for the onshore air quality assessment, or are there any additional legislation, policy and guidance documents that should be considered?

- Agree

Question 9: Do you agree that in combination screening for the purposes of the proposed road traffic screening assessment will only be undertaken in relation to international ecological designations?

- Agree

Hydrology, Hydrogeology and Flood Risk

Question 1: Do you agree with the Study Area that has been identified for hydrology, hydrogeology and flood risk?

- The study area which includes a 2km buffer around the scoping boundary is acceptable.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline? Are there any other data sources that should be considered?

- Accurate and up-to-date flood risk and climate change modelling data held by Local Authorities should be requested to also inform the baseline data.
- Historic borehole data could also be considered.

Question 3: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

- Changes to water drainage/surface water runoff need to be accounted for where they could result in impacts to the quality of peatland and agricultural land quality.

Question 4: For those impacts scoped in Table 7.5, do you agree that the methods described are sufficient to inform a robust impact assessment?

- Limited methods are set out under Table 7.5. The information set out is not thorough enough to inform a robust impact assessment.

Question 5: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to hydrology, hydrogeology, and flood risk for onshore receptors?

- The proposed commitments may reduce impacts but are unlikely to eliminate them.

Question 6: Do you agree with the approach of assessing transboundary effects in relation to hydrology, hydrogeology and flood risk?

- Agree that transboundary impacts are unlikely to occur due to the localised nature of potential impacts.

Question 7: Do you agree with the approach of assessing cumulative effects in relation to hydrology, hydrogeology and flood risk?

Agree

Question 8: Do you agree with the proposed assessment methodology for hydrology, hydrogeology and flood risk?

- Flood risk modelling and boreholes to inform hydrogeology should be undertaken where necessary.

Landscape and Visual Impact Assessment

Question 1: Do you agree with the Study Areas that has been identified for the LVIA?

- The proposed study area is acceptable given its provision of a larger buffer area where ground infrastructure is proposed.

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

- Conservation Area Appraisals should also be included where relevant.

Question 3: Do you agree with which impacts have been scoped in and scoped out of this EIA topic?

- Agree

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE in the LVIA?

- Any hedgerow or tree removal should be replaced locally.

Question 5: Do you agree with the assessment of transboundary effects in relation to the LVIA?

- Agree

Question 6: Do you agree with the approach to assessment of cumulative effects in relation to the LVIA?

- Agree

Question 7: Do you agree with the proposed assessment methodology for the LVIA?

- The proposed assessment methodology is acceptable.

Human Health and Wellbeing

*Question 1: Do you agree that all impacts/ effects that could arise from all stages of the proposed project have been identified within **Volume 5, Annex 1: Impacts Register**?*

- Generally agree

Question 2: Do you agree with the proposed approach set out in this chapter that all potential impacts and receptors for human health and wellbeing are covered elsewhere in the other referenced chapters, and therefore that a standalone human health a wellbeing assessment can be scoped out?

- Generally agree

Socio-economics, Tourism and Recreation

Question 1: Do you agree with the Study Areas that have been identified for socio-economic, tourism and recreation?

- Agree

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

- Sport England's Active Places Data Platform should be utilised as it contains information on sports sites nationwide, with details on 115,000 sports facilities.
 - The data set identifies two active sports/recreation sites within the scoping boundary in West Lancashire: Anchorage Farm (Hesketh Bank AFC) and Leisure Lakes Golf.
- Council's Open Space Studies and Playing Pitch Strategies should be included as data sources.
 - The West Lancashire Open Space Study 2018 is an assessment of open space, sport and recreational facilities in West Lancashire. The study considers current and future local open space needs, standards, and management.
 - The West Lancashire Playing Pitch Strategy 2018 is made up of two documents, an assessment report, and a strategy / action plan. The strategy / action plan has been agreed by the National Governing Bodies of Sport.
- Also refer to West Lancashire Borough Council's Health and Wellbeing Strategy.

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

- Agree.

Question 4: Do you agree with the suitability of the proposed commitments to reduce or eliminate LSE to socio-economics, tourism and recreation?

- Agree

Question 5: Do you agree with the assessment of transboundary effects in relation to socio-economics, tourism and recreation?

- Agree

Question 6: Do you agree with the assessment of cumulative effects in relation to socio-economics, tourism and recreation?

- Agree to cumulative effects considered at a regional scale.

Question 7: Do you agree with the proposed assessment methodology for socio-economics, tourism and recreation?

- Agree

Question 8: Is there relevant data available on recreational usage (e.g. PRow usage) within the scoping boundary?

- West Lancashire's Playing Pitch Strategy and Open Space Study provides information on relevant use and needs.

Question 9: Can published economic impact assessments of tourism economy be provided (e.g. destination research)?

- Not available

Climate Change

Question 1: Do you agree with the Study Areas that have been identified for climate change?

- Agree

Question 2: Do you agree that the baseline data sources identified are sufficient to adequately characterise the baseline?

- Agree

Question 3: Do you agree with which impacts have been scoped in and scoped out for this EIA topic?

- Impacts related to the disturbance of peat need to be scoped in. Any disturbances to peatland that changes the conditions controlling decomposition will influence whether they are absorbing or emitting carbon.

Question 4: Do you agree on the suitability of the proposed commitments to reduce or eliminate LSE to climate change?

- Agree

Question 5: Do you agree with the assessment of cumulative effects in relation to climate change?

- Agree

Question 6: Do you agree with the proposed assessment methodology for climate change?

- The assessment methodology also needs to assess impacts related to the disturbance of peat that could lead to carbon emissions.

Question 7: Do you agree with the climate change projections used (UKCP18)?

- Agree

Materials and Waste

*Question 1: Do you agree that all impacts/ effects that could arise from all stages of the proposed project have been identified **Volume 5, Annex 1: Impacts Register**?*

- No, see below.

Question 2: Do you agree with the proposed approach set out in this chapter that all potential impacts and receptors for materials and waste are either scoped out or are covered elsewhere in the other referenced chapters, and therefore that a standalone materials and waste assessment can be scoped out?

- No. Due to the scoping boundary covering large areas of Minerals Safeguarding Areas, a Minerals Resource Assessment should be considered along with opportunities for opportunistic or prior extraction to avoid mineral sterilisation.

Major Accidents and Disasters

*Question 1: Do you agree that all impacts/ effects that could arise from all stages of the Proposed Development have been identified within **Volume 5, Annex 1: Impacts Register**?*

- Yes

Question 2: Do you agree with the proposed approach set out in this chapter that all potential impacts and receptors for major accidents and disasters are covered elsewhere in the other referenced chapters, and that therefore a standalone assessment of major accidents and disasters can be scoped out?

- Agree

-ENDS-

From: [REDACTED]
To: [East Irish Sea TA](#)
Cc: [Validation and Customer advisors](#)
Subject: RE: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification
Date: 18 August 2025 08:38:01
Attachments: [image001.png](#)

You don't often get email from [REDACTED]@wigan.gov.uk. [Learn why this is important](#)

Morning [REDACTED]

Thank you for your consultation.

I can confirm that Wigan Council does not wish to make any comments.

Kind regards

[REDACTED]
Development Management Team Leader

Place Directorate
Wigan Council
Wigan Life Centre (South Site)
College Avenue
Wigan WN1 1NJ
Tel. [REDACTED] Mobile [REDACTED]

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-



From: East Irish Sea TA <eastirishseata@planninginspectorate.gov.uk>
Sent: 14 August 2025 11:36
Subject: EN0210008 East Irish Sea Transmission Project EIA Scoping Notification

You don't often get email from castirishseata@planninginspectorate.gov.uk. [Learn why this is important](#)

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Dear Sir/Madam

Please see attached correspondence on the proposed East Irish Sea Transmission Project.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 11 September 2025. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

[Redacted signature]



[Redacted name]
Environmental Advisor
Planning Inspectorate
www.gov.uk/pins

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■■■■■
Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

Ask for: ■■■■■
Email: ■■■■■@wyre.gov.uk
Tel No: ■■■■■
Our Ref: 25/00676/SCOP

Date: 10 September 2025

Sent via email only – to NIEnquiries@planninginspectorate.gov.uk & eastirishseata@planninginspectorate.gov.uk

Dear ■■■■■

Scoping Opinion Request Consultation, EN0210008, Orsted East Irish Sea Transmission Project for an Order granting development consent for the East Irish Sea Transmission Project.

Thank you for consulting Wyre Council on the above Environmental Impact Assessment (EIA) scoping request.

It is my view that the Environmental Statement (ES) should adequately cover the following matters;

Contaminated Ground

Although the cables being laid are not a particular sensitive “end use” from a contaminated land perspective, the proposed route passes through or close to a number of active landfills (e.g. Jameson Road, Fleetwood) and a large, historical industrial site known as Hillhouse International. Hillhouse is currently under investigation under Part 2A of the Environmental Protection act for the presence of carcinogenic PFAS (per- and polyfluoroalkyl substances) compounds. The large Hillhouse site is also known to be polluted with a wide range of soil and groundwater contaminants. From a contaminated land perspective consideration should be given to the potential impact of disturbance during development releasing or mobilising contaminants/ground gas. Furthermore the cable pathway could act as a potential route for transporting landfill gases considerable distances to potentially sensitive receptors. Similarly, when passing through areas with potential mobile groundwater contamination, the cable route could act as a pathway transporting soil and groundwater contaminants into sensitive waterways or aquifers. Finally, certain soil and groundwater contaminants such as solvents can directly damage buried cables and pipes. Plans would also need to be made for the appropriate and potentially costly disposal of contaminated arisings during excavation. As such, wherever possible, potentially contaminated sites and especially landfill sites should be avoided when

planning the route of the buried cables. In addition the following documents would be needed as an absolute minimum from a contaminated land perspective in association with any resulting planning applications.

A Phase 1 Desk Study completed by an experienced and reputable Contaminated Land Specialist. This should consider the final agreed route of the buried cable and all the potential historical contaminative uses along and close to it. In addition to covering the direct route of the buried cables it should also consider an agreed radius of potential impact from the cable itself. For example, landfill gases can travel as much as 250m from actively gassing landfills. Multiple Phase 1 Desk Studies may be required to cover the length and differing uses of land the cables pass through.

Phase 2 Site Investigation. If the phase 1 identifies potential land contamination, then a targeted intrusive investigation potentially including soil and groundwater sampling should be completed to identify what levels of contaminants are present.

Remediation Statement and final Validation reports. If the phase 2 identifies potentially harmful levels of contaminants then remediation may be required. Due to the nature of the buried cables a wide range of remedial options are available e.g. the use of contaminant resistant materials/linings, burying the cables in clean inert materials and methods to prevent ingress and transport of contaminated groundwater/landfill gases etc.

Because of the unusual nature of this project from a contaminated land perspective It is highly recommended employing a Contaminated Land Consultant with extensive previous experience of this type of project.

Noise and Vibration

It is assumed that the installation of cable infrastructure and associated booster stations will occur in areas where existing noise-sensitive receptors may be present. Please confirm what assurances and commitments can be given that noise and vibration will be effectively monitored and controlled, such that any adverse impact is kept to a minimum and in line with relevant British Standards. Consideration should be given to both the construction and operational phases.

- Will baseline noise and vibration assessments be undertaken in advance of works, in accordance with BS 5228: Code of Practice for Noise and Vibration Control on Construction and Open Sites, to establish appropriate thresholds and identify necessary mitigation measures?
- Will operational phase assessments be undertaken in accordance with BS 4142: Methods for Rating and Assessing Industrial and Commercial Sound?
- How will complaints regarding noise and vibration be investigated and resolved?
- Will noise and vibration be monitored throughout the construction phase, and if so, will this be undertaken directly by Ørsted or by an independent third party?
- Please confirm whether construction activities will be restricted to standard daytime working hours. If night-time or out-of-hours work is anticipated, please provide the justification and any additional mitigation measures that will be implemented.

Control of Dust

The project will involve cable laying, installation of booster stations, and associated vehicle movements. Please confirm what dust suppression and mitigation measures will be adopted, in line with the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction, to minimise emissions and prevent adverse impacts on nearby sensitive receptors.

Lighting

It is assumed that external lighting, such as security lighting and floodlighting, will be required during construction and operation. Please confirm what assurances can be given that external lighting will be designed and managed in accordance with the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light (GN01/21), to ensure that adverse impacts on sensitive properties are minimised.

Broader Environmental Issues in the Borough of Wyre

Two ongoing public health investigations are of significant concern to residents of Wyre:

1. Odour emissions from the Jameson Road landfill.
2. Land contamination associated with the ICI Hillhouse International site.

Please confirm how these existing environmental issues will be taken into account within the assessment for this project. In particular:

- Will the presence of contaminated land in the area be considered as part of the Environmental Impact Assessment process? If so the above comments apply
- What approach will be taken to ensure that contaminated land risks are sufficiently addressed and will not be exacerbated by project works?
- What assurances can be provided that construction and associated activities will not cause or contribute to an increase in odour emissions from the Jameson Road landfill?

Traffic Management Plan

Consideration to be given to the provision of a construction traffic management, to include the routing of construction traffic and other measures to protect sensitive residential premises from dust, noise and disturbance from the movement of construction traffic to and from the development sites.

Adopted Local Plan 2011-2031)

Wyre Council adopted the Wyre Local Plan (2011-2031) (incorporating partial update of 2022) in January 2023. The Local Plan forms part of the Development Plan for Wyre together with the Joint Lancashire Minerals and Waste Local Plan prepared by Lancashire County Council.

Emerging Wyre Local Plan 2022-2040

Wyre Council commenced work on a new Local Plan in 2022. The emerging Plan will cover the plan period 2022 to 2040. To date, the Council have published an Issues and Options (I&O) consultation document on 29th July 2024 which was prepared ahead of the General Election. The I&O document identified potential development site options that could accommodate circa 8,800 homes and 60 hectares of employment land on a total of 56 sites.

Since the publication of the I&O document, revisions to the Standard Method published in December 2024 now results in a significant increase in the scale of housing development that the new Local Plan must deliver. It is likely that the Council will now need to consider additional sites to that published in the I&O document.

There are a significant number of development sites being considered by the Council for residential and/or employment development located within cable search area, particularly located in and around Hambleton, Stalmine, Great Eccleston and Inskip. The route of the cable, both during construction and operation phases (due to easement) may impact on emerging site allocations and impact on the Councils emerging development strategy. This is particularly important as the council is progressing towards a Preferred Options consultation for spring 2026.

Morecambe Bay and Duddon Estuary SPA

We are aware through the development of the adopted and emerging Local Plan that Wyre is a particularly sensitive location and is a focus for Natural England. The cable search area could potentially impact on "Functionally Linked Land" associated with Morecambe Bay and Duddon Estuary SPA. The land itself being located outside of the designated site but considered to be potential providing habitats that are frequently used by SPA species and supports the functionality and integrity of the designated sites for these features. In particular, passage and over wintering birds are a key SPA species that may be using the land along the cable search area.

We are aware through the Councils engagement with Natural England on the emerging Local Plan, that recreational disturbance to the SPA is a potential impact pathway for development in Wyre. Both during the construction and operation phase for the onshore cable, there may be restrictions that impact on resident and visitor movements over land that alter behaviour and further exacerbate recreational disturbance both directly and indirectly on the SPA e.g. restriction on access to land may encourage residents and visitor to instead directly access the SPA or functional

linked land where normally there would have used land/routes within the cable construction area and/or easement corridor.

Together we make a difference....

I trust all of the above information is helpful to yourself in dealing with the scoping opinion request.

Yours sincerely,



Assistant Director of Planning and Building Control
Wyre Council