



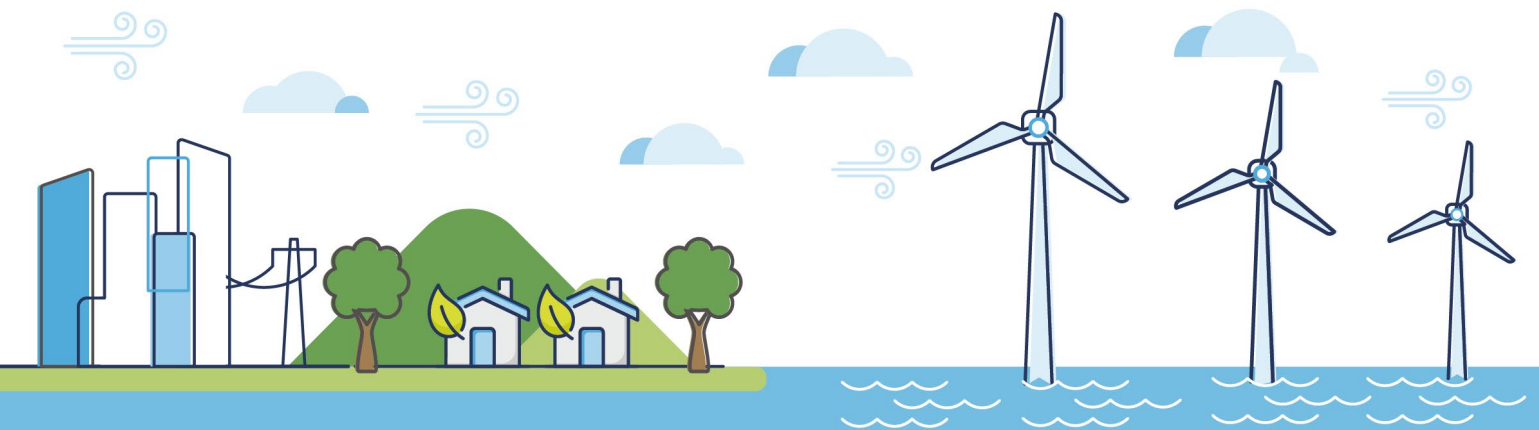
# Morecambe Offshore Windfarm: Generation Assets Examination Documents

## Volume 9

### Statement of Common Ground with Ørsted Interested Parties

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## Document History

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## Glossary of Acronyms

AfL	Agreement for Lease
DCO	Development Consent Order
ES	Environmental Statement
IP	Interested Party
MCA	Maritime Coastguard Agency
MNEF	Marine Navigation Engagement Forum
MOD	Ministry of Defence
MMO	Marine Management Organisation
NPS	National Policy Statement
OSP	Offshore substation platform
PEIR	Preliminary Environmental Information Report
PSR	Primary Surveillance Radar
SoCG	Statement of Common Ground
VTMP	Vessel Traffic Management Plan
WTG	Wind turbine generator

## Glossary of Units

km <sup>2</sup>	Square kilometre
MW	Megawatts

## Glossary of Terminology

Agreement for Lease (AfL)	Agreements under which seabed rights are awarded following the completion of The Crown Estate tender process.
Applicant	Morecambe Offshore Windfarm Ltd.
Application	This refers to the Applicant's application for a Development Consent Order (DCO). An application consists of a series of documents and plans which are published on the Planning Inspectorate's (PINS) website.
Generation Assets (the Project)	Generation assets associated with the Morecambe Offshore Windfarm. This is infrastructure in connection with electricity production, namely the fixed foundation wind turbine generators (WTGs), inter-array cables, offshore substation platform(s) (OSP(s)) and possible platform link cables to connect OSP(s).
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects.

Windfarm site	The area within which the WTGs, inter-array cables, OSP(s) and platform link cables would be present.
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# The future of renewable energy

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# 1 Introduction

## 1.1 Overview of the Project

1. The Morecambe Offshore Windfarm is a proposed offshore windfarm located in the Eastern Irish Sea, which when fully operational, would have an anticipated nominal capacity of 480 megawatts (MW) and would have the potential to generate renewable power for over 500,000 homes in the United Kingdom.
2. The windfarm was one of six projects selected by The Crown Estate in its Offshore Wind Leasing Round 4 in 2021. The Agreement for Lease (AfL) for the windfarm was received in 2023.
3. The AfL comprises an area of up to 125km<sup>2</sup> and reflects the windfarm site assessed in the Preliminary Environmental Information Report (PEIR). Following design development, surveys, assessments and consultation on the PEIR, the proposed windfarm site development area has been reduced to approximately 87km<sup>2</sup>.
4. The 'Project' relates to the Generation Assets of the Morecambe Offshore Windfarm (including wind turbine generators (WTGs), inter-array cables, offshore substation platforms (OSP(s)), and possible platform link cables to connect OSP(s)).
5. A separate consent for the Transmission Assets associated with the Morecambe Offshore Windfarm and the Morgan Offshore Wind Project (another proposed windfarm to be located in the Irish Sea) is being sought.

## 1.2 Purpose of this document

6. This draft Statement of Common Ground (SoCG) has been prepared by Morecambe Offshore Windfarm Ltd (the Applicant) with input from Ørsted Interested Parties (IPs). This identifies topic areas where there is agreement, areas of disagreement, and areas which remain under discussion in relation to the Development Consent Order (DCO) application ('the Application') for the Morecambe Offshore Windfarm Generation Assets (hereafter 'the Project').
7. Ørsted operate a number of offshore wind projects in the Irish Sea, and the term Ørsted IPs is used to include relevant Ørsted projects. Through discussions with Ørsted IPs it has been agreed that a combined SoCG will be submitted for the following IPs (this document).
  - Barrow Offshore Wind Limited
  - Burbo Extension Ltd
  - Walney Extension Limited



- Morecambe Wind Limited
  - Walney (UK) Offshore Windfarms Limited
  - Ørsted Burbo (UK) Limited
  - Morecambe Wind Limited (West of Duddon Sands Windfarm)
8. The need for a SoCG between the Applicant and existing wind farm operators is set out in section 1 of Appendix G of the Rule 6 letter issued by the Planning Inspectorate on 23rd September. The SoCG will be updated during the Examination and submitted at the Deadlines indicated in the Rule 6 letter.
  9. This draft SoCG has been structured to reflect topics of the Application which are of interest to Ørsted IPs.
  10. Matters that are not yet agreed will be the subject of ongoing discussion ('In Discussion') between the Applicant and Ørsted IPs to reach agreement on each matter wherever possible or refine the extent of disagreement between parties.
  11. Throughout the draft SoCG the phrase 'Agreed' identifies any point of agreement between the Applicant and Ørsted IPs. The phrase 'Not Agreed' identifies any points not agreed between the Applicant and Ørsted IPs.
  12. **Table 1.1** lists topics and documents of the Application which are of key interest to Ørsted IPs.

*Table 1.1 Topics included in the draft SoCG*

Topic/chapter	PINS reference
Draft DCO	APP-012
Chapter 16 - Civil and Military Aviation and Radar	APP-053
Chapter 17 - Infrastructure and Other Users	APP-054
Chapter 14 - Shipping and Navigation	APP-051
Chapter 12 - Offshore ornithology	APP-049

## 1.2.1 Consultation with Ørsted IPs

### 1.2.1.1 Pre-Application

13. The Applicant has engaged with the Ørsted IPs on the Project during the pre-application process, both in terms of informal non-statutory consultation and statutory consultation carried out pursuant to Section 42 of the Planning Act 2008.

14. Ørsted IPs provided comments on the PEIR on 2<sup>nd</sup> June 2022 as part of the statutory consultation process. The Applicant had regard to the comments and is presented in Volume 4 - Consultation Report Appendices Part 4 (I) (APP-019). Further detail on engagement undertaken with Ørsted IPs is presented in **Table 2.1**.
15. The Applicant had also engaged with shipping and navigation consultees, including a representative from Ørsted, in extensive regional consultation throughout the pre-application process via the Marine Navigation Engagement Forum (MNEF) and hazard workshops as described in **Table 2.1** in co-ordination with the Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets. Further details of this topic and relevant consultation held to date can be found in the Consultation Report (APP-015).
16. For further information on the consultation process please see the Consultation Report (APP-015).

#### 1.2.1.2 Post-Application

17. Ørsted IPs submitted Relevant Representations in August 2024. These comprised of:
  - Barrow Offshore Wind Limited - RR-008
  - Burbo Extension Ltd – RR-014
  - Walney Extension Limited – RR-089
  - Morecambe Wind Limited – RR-056
  - Walney (UK) Offshore Windfarms Limited – RR-088
  - Ørsted Burbo (UK) Limited – RR-093
  - Morecambe Wind Limited RR-056
18. A Relevant Representation (RR-076) was also made by ScottishPower Renewables (West of Duddon Sands Windfarm) Ltd who jointly own the West of Duddon Sands Windfarm with Ørsted. ScottishPower Renewables and Ørsted have agreed that this SoCG should addresses comments made by the joint entity.
19. The Applicant is committed to further engagement with Ørsted IPs as described to date in **Table 2.1**.

#### 1.2.2 Summary of ‘Agreed’, ‘Not Agreed’ and ‘In Discussion’ matters

20. In order to easily identify whether a matter is ‘agreed’, ‘not agreed’ or ‘in discussion’, the colour coding system set out in **Table 1.2** has been used.

21. Details on specific matters that are ‘Agreed’, ‘Not Agreed’ or ‘In Discussion’ are presented in **Table 2.2**.

*Table 1.2 Summary of ‘Agreed’, ‘Not Agreed’ and ‘In Discussion’ matters*

Position status	Position colour coding
<b>Agreed</b> The matter is considered to be agreed between the parties.	<b>Agreed</b>
<b>Not Agreed – no material impact</b> The matter is not agreed between the parties; however, the outcome of the approach taken by either the Applicant or Ørsted IPs is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG.	<b>Not Agreed – no material impact</b>
<b>Not Agreed – material impact</b> The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or Ørsted IPs is considered to result in a materially different impact to the assessment conclusions.	<b>Not Agreed – material impact</b>
<b>In Discussion</b> The matter is neither ‘agreed’ nor ‘not agreed’ and is a matter where further discussion is required between the parties	<b>In Discussion</b>

## 2 Statement of Common Ground

22. A summary of the consultation undertaken to date with Ørsted IPsis set out in **Table 2.1**. The matters agreed, in discussion, or not agreed (based on discussions and information exchanged between the Applicant and Ørsted IPs) are set out in **Table 2.2**.

*Table 2.1 Summary of consultation with Ørsted IPs*

Date	Contact type	Owner	Topic
<b>Pre-application</b>			
19 <sup>th</sup> April to 4 <sup>th</sup> June 2023	Statutory consultation	Applicant	Statutory consultation. Email notification was sent at the launch of the statutory consultation, which took place between 19 April and 4 June 2023.
29 September 2023	ES Hazard Workshop	Applicant	In-person hazard workshop to inform the updated NRA/ CRNRA for the Environmental Statement (ES), attended by representatives from ferry operators, regulators, commercial bodies, oil and gas, ports, fishing communities and recreational users.

Date	Contact type	Owner	Topic
25 October 2023	Online meeting	Applicant	Online meeting delivered collectively with the Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets. The collective projects discussed the topics set out in consultation feedback, to better understand any potential project interactions. Each project also provided information on project changes, consideration and commitments following the publication of the respective PEIR's for each project.
08 February 2024	MNEF Online Meeting	Applicant	MNEF online meeting to provide Project updates.
<b>Post-application</b>			
1 <sup>st</sup> July 2024	Online meeting	Ørsted IPs	Meeting to discuss key areas of concern from the Ørsted IPs with the Applicant
11 October 2024	Email	Applicant	Email noting response to the relevant representation made were provided by Procedural Deadline A (15 October 2024), and next steps to progressing a SoCG.

Table 2.2 Topics agreed, in discussion or not agreed with Ørsted IPs

Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
<b>Project Wide Considerations</b>				
OIP 1	Consultation	The Applicant has undertaken the requisite statutory consultation with the Ørsted IPs on matters to date.	There are aspects of the Applicant's application that we do not feel the Applicant has consulted on adequately in particular their obligations to engage with Orsted in respect of wake loss under NPS-EN3.	Not Agreed – material impact
OIP 2	Baseline environment	<p>Sufficient data has been collated to appropriately characterise the baseline environment.</p> <p>At the shortest point, the distances between the Project and the Ørsted IPs' projects are as follows:</p> <ul style="list-style-type: none"> <li>• West of Duddon Sands Windfarm – 12.9km</li> <li>• Walney Extension 4 OWF – 18.8km</li> <li>• Walney 1 OWF – 20.3km</li> <li>• Barrow OWF – 21.0km</li> <li>• Walney 2 OWF – 22.7km</li> <li>• Burbo Bank Extension OWF – 29.1km</li> <li>• Walney Extension 3 OWF – 30.7km</li> <li>• Burbo Bank OWF – 33.4km</li> </ul> <p>The distance between the Rhyl Flats Wind Farm and the Awel y Môr</p>	<p>Following review of the ES, the Ørsted IPs seek engagement with Morecambe Offshore Windfarm Ltd to discuss a number of environmental concerns relating to ornithology and the cumulative impact assessment. The Ørsted IPs are not convinced that the assessments are robust and require to analyse this further and engage with Morecambe Offshore Windfarm Ltd.</p> <p>More specifically, Barrow Offshore Windfarm does not require new consent to continue operations past 2030. Exclusion of an operational offshore windfarm on the grounds set out in the Applicant's position goes</p>	Not Agreed – material impact

Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
		<p>Offshore Wind Farm (which contained a DCO requirement regarding wake effect assessment) was 5.1km.</p> <p>The Barrow OWF was screened out from the cumulative assessment as this project is scheduled to be decommissioned by 2030, and therefore there would be no overlap between the operation of the Project and Barrow. In the event that the operation of Barrow was extended, it's the Applicant's position that this would require further consent (e.g. a new Marine Licence), and it would be expected that updated assessment (including consideration of cumulative and in-combination effects) would be required. In its advice to the Applicant regarding the 'gap-filling' of historic projects, Natural England stated that <i>'It is of note that some OWFs screened into the assessments may be nearing end-of-life with limited (or no) overlap with the proposed project. It would be appropriate to consider timelines and determine if any of these sites can be screened out.'</i> The Applicant therefore considers it appropriate and logical to</p>	<p>against precautionary principle.</p>	

Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
		exclude Barrow from its cumulative and in-combination estimates.		
OIP 3	Policy and planning	The Applicant has identified and considered all appropriate plans, policies and guidance.	The Ørsted IPs are not currently in a position to verify whether all plans, policies and guidance have been identified and considered. The Ørsted IPs consider that the Applicant has correctly identified key regulatory instruments which apply to the Project, including the National Policy Statement EN-3 and the Infrastructure Planning (EIA) Regulations 2017, however, do not agree with the Applicant's interpretation and application of such instruments in relation to issues raised.	Not Agreed – no material impact
OIP 4		The Applicant has correctly identified the relevant National Policy Statements in relation to coexistence between offshore wind development and other infrastructure and users including existing operational offshore windfarms in their response to Ørsted IPs relevant representation	The Ørsted IPs agree that the National Policy Statement EN-3 is the primary National Policy Statement relevant to this point. (For the avoidance of doubt, the Orsted IPs do not agree with the Applicant's interpretation/application of the NPS EN3 in several respects).	In Discussion

Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
<b>Wake effects</b>				
OIP 5	Wake effects	<p>The Applicant has given due consideration to wake effects in accordance with National Policy Statement EN-3 which outlines the expectation that the Applicant to works with the impacted sector to minimise negative impacts and reduce risks to as low as reasonably practicable (para. 2.8.344). As concluded in Chapter 17 Infrastructure and Other Users (APP-054), no significant effects in Environmental Impact Assessment terms were identified in the relation to existing offshore wind farms.</p> <p>The Project's boundary requirements comply with The Crown Estate's Round 4 Information Memorandum. This specified that no offshore wind projects could be located within 7.5km of an existing offshore wind farm.</p> <p>As noted by the Ørsted IPs NPS EN-3 required that an assessment of the potential effects is required where a potential offshore windfarm is proposed close to existing operational offshore infrastructure (para 2.8.197). It is the position of the Applicant that as the Project has complied with The</p>	<p>Ørsted IPs understand that the Project will interfere with wind speed or direction at its assets causing reduction in energy output.</p> <p>Ørsted IPs consider this requires to be properly assessed by the Applicant and appropriately mitigated/compensated.</p> <p>Ørsted IPs considers the terms of NPS EN-3 are unambiguous in their requirement for the Applicant to carry out such an assessment. NPS EN-3, in particular paragraph 2.8.197-2.9.198, requires that, where a potential offshore wind farm is proposed close to existing operational offshore infrastructure or has the potential to affect activities for which a licence has been issued by government, the applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities. It is also relevant to</p>	<p><b>Not Agreed – material impact</b></p>



Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
		<p>Crown Estate's Round 4 Information Memorandum siting criteria that no offshore wind project be located within 7.5km of an existing offshore windfarm, and considering the findings of the Frazer-Nash Report (section 3.3, pg. 18) which confirms that beyond 10km wake loss 'levels off' and beyond 20km wake loss is 'vanishingly small', the Project is not close to existing operational offshore infrastructure and that therefore no assessment is required. The Applicant considers that the Ørsted IPs have not explained or demonstrated why their wind farms are close enough for an assessment to be proportionate in this case.</p>	<p>the Applicant's EIA assessment in terms of the benefits in terms of climate change. Such an assessment has not been properly undertaken for the Project. Ørsted IPs do not consider that the Applicant can rely on compliance with the boundary requirements in TCE's Round 4 Leasing Information Memorandum to justify not carrying out this detailed assessment. The necessary data and modelling tools to undertake such an analysis is available to the Applicant."</p> <p>The Frazer-Nash report states that "<i>Beyond approximately 10km separation between wind farms, the TurbOPark model indicates a levelling off of total interaction loss with buffer distance</i>" and that "<i>For separations much larger than 20km, farm-to-farm wake losses will become vanishingly small</i>", The Frazer-Nash study should be interpreted as saying that, relative to the internal wake losses, the neighbour wake losses are not as significant</p>	

Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
			<p>for separations much larger than 20km. The study does not comment on whether wake losses extend beyond 20km. In fact, in section 2.2 of the report it mentions that “Ørsted ... have shown evidence from their own portfolio of offshore wind production data that the method reproduces long range wakes well up to 50km separation”.</p>	
<b>Radar</b>				
OIP 6	Warton Airfield Primary Surveillance Radar (PSR)	<p>The Applicant has received a relevant representation from the (Ministry of Defence (MOD) Defence Infrastructure Organisation dated 19 August 2024 (RR-021) in relation to the Air Traffic Control radar at BAE Warton, and the Applicant is seeking further discussion with the MOD on this matter.</p> <p>The Applicant has secured the production of an instrument flight procedures scheme to address the potential impact of the turbines on the instrument flight procedures of Warton Aerodrome in the draft DCO (APP-012) (Schedule 2 Condition 9(1)).</p>	<p>Burbo Extension Ltd and Walney Extension Limited are implementing appropriate mitigation in relation to potential impacts on the Warton Airfield Primary Surveillance Radar. Burbo Extension Ltd and Walney Extension Limited require assurance that the Morecambe Generation Assets will not adversely affect or increase the cost of such mitigation and that, in the event that MOWL makes use of this mitigation, MOWL will contribute to the</p>	<b>In Discussion</b>

Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
		<p>The Applicant continues to engage with the MOD who would engage with BAE Systems (Operations) Ltd regarding potential mitigation solutions for the Project, as appropriate to Warton PSR.</p> <p>PSR CAPEX cost sharing is dependent on the underlying terms of individual PSR agreements.</p> <p>The Applicant considers that any arrangements Burbo Extension Ltd and Walney Extension Limited have in place are primarily a matter between them and the MOD. Similarly, any mitigation required as a result of the Project would also primarily be a matter between the Applicant and the MOD.</p>	<p>purchase, installation and maintenance costs.</p> <p>It is widely acknowledged that PSR CAPEX cost sharing is standard practice in addressing aviation concerns, in both the defence and civil aviation sector.</p>	
<b>Shipping and Navigation including search and rescue</b>				
OIP 7	Vessel Traffic Management Plan (VTMP)	The Applicant has secured the production of a VTMP in line with the Outline VTMP (APP-153) in the draft DCO (APP-012) (Schedule 6 Condition 9(1)(j)). Engagement with existing operators on the VTMP would be undertaken, as appropriate, with approval required from the Marine Management Organisation (MMO),	On review of the Outline VTMP, Morecambe Wind Limited and Barrow Offshore Wind Limited are not content that the wording highlighted commits the Applicant to adequate consultation and does not provide sufficient certainty. The Orsted IPs	In Discussion

Topic/ref	Discussion point	Applicant's position	Ørsted IPs	Position summary
		Trinity House and the Maritime Coastguard Agency (MCA).	request more robust commitments for engagement.	
OIP 8	Emergency Response Cooperation Plan (ERCoP)	The Applicant has secured the production of a ERCoP in the draft DCO (APP-012) (Schedule 6 Condition 9(12)). Engagement with existing operators on the ERCoP would be undertaken, as appropriate, with approval required from the MMO and consultation with the MCA.	The Orsted IPs request more robust commitments for engagement.	In Discussion

### 3 Signatures

23. The above draft SoCG is agreed between Ørsted IPs and the Applicant on the day specified below.

Signed:	
Print Name:	
Job Title:	
Date:	
Duly authorised for and on behalf of the Ørsted IPs	
Signed:	
Print Name:	
Job Title:	
Date:	
Duly authorised for an on behalf of the Applicant	

## 4 References

DESNZ (2024) Overarching National Policy Statement for Energy (EN-1)

DESNZ (2024) Overarching National Policy Statement for Renewable Energy Infrastructure (EN-3)

Morecambe Offshore Windfarm Ltd (2024) Consultation Report (APP-015)

Morecambe Offshore Windfarm Ltd (2024) Draft DCO (APP-012)

Morecambe Offshore Windfarm Ltd (2024) Chapter 16 Civil and Military Aviation and Radar (APP-053)

Morecambe Offshore Windfarm Ltd (2024) Chapter 17 Infrastructure and Other Users (APP-054)