

24 April 2024

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol, BS1 6PN

Dear Sir / Madam,
Planning Act 2008
The proposed Morgan Offshore Wind Farm Generation Assets
Planning Inspectorate Reference Number: EN010136

Morgan Offshore Wind Limited (the Applicant) encloses an application for an Order granting development consent (the Application) pursuant to section 37 of the Planning Act 2008 (the 2008 Act).

1. Subject of the application

- 1.1. The Application is for development consent to construct and operate the proposed Morgan Offshore Wind Farm Generation Assets (the Project) located in English waters in the east Irish Sea. The Project comprises up to 96 wind turbines and associated offshore infrastructure.
- 1.2. At its closest point the Project's array area will be located approximately 58.5 km (31.6 nm) from the Anglesey coastline, 37.13 km (20.1 nm) from the northwest coast of England, and 22.22 km (12 nm) from the Isle of Man.
- 1.3. Development consent is required to the extent that development is, or forms part of, a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(a) and 15(3) of the 2008 Act. As the Project will have an overall capacity greater than 100 megawatts (MW) and is located in English waters, it is an NSIP for the purposes of the 2008 Act. It is for this reason that the Project falls within the remit of the Secretary of State.

2. Documentation enclosed and application fee

- 2.1. We have transferred the following documents to the Planning Inspectorate:
 - a) The completed and signed application form;
 - b) The Environmental Statement (ES); and
 - c) Each of the other documents listed in the Guide to the Application (application ref: A4).
- 2.2. As agreed with the Planning Inspectorate, the Applicant will only send the documents electronically.

- 2.3. A fee in the sum of £8,796 has already been submitted to the account of the Planning Inspectorate, using reference “Morgan Offshore”.

3. Application Formalities

- 3.1. The Application is made in the form required by section 37(3) of the 2008 Act. The Application documentation complies with the overall requirements of section 37 and the requirements set out in:
- a) The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
 - b) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
 - c) Guidance published by the former Department for Communities and Local Government (DCLG); and
 - d) The Planning Inspectorate’s Advice Note 6 (version 11) on the preparation and submission of application documentation (September 2021).
- 3.2. The Applicant confirms that the Planning Inspectorate will be able to publish the Application (with any necessary redactions) on the Planning Inspectorate’s webpage following acceptance.

4. Description of the project

- 4.1. The Application seeks consent for the development outlined in paragraph 1.1 above and described in full in Schedule 1 to the draft Development Consent Order (draft Order) (application ref: C1) and in the ES including the Project Description chapter (application ref: F1.3).
- 4.2. The proposed DCO will, among other things, authorise:
- a) The construction and operation of up to 96 offshore wind turbine generators and their foundations;
 - b) The construction of up to four offshore substation platforms (OSP) and their foundations;
 - c) The construction of a network of subsea inter-array cables connecting the wind turbine generators and a network of interconnector cables connecting the OSPs.

5. Consent flexibility

- 5.1. The draft Order provides for flexibility in relation to the generating station and its associated development. The Applicant has given careful consideration to the guidance in the National Policy Statements and the Planning Inspectorate’s Advice Note 9: “Rochdale Envelope”. In the Applicant’s view, the inclusion of the flexibility provided for in the draft Order is fundamental to whether or not the draft Order is fit for purpose, and therefore whether or not the Project will proceed.
- 5.2. The Environmental Impact Assessment (EIA) which has been carried out in support of the Application has considered the flexibility which is sought in the draft Order. This matter is addressed in the ES and in all cases the parameters referred to in the draft Order have been adopted in the ES.
- 5.3. Further explanation on the Applicant’s approach to the Rochdale Envelope is contained within the EIA Methodology chapter of the ES (application ref: F1.5).

6. Draft development consent order

- 6.1. The draft Order includes deemed marine licences (dML) for the Morgan generation works, which are wholly outside 12 nm. The draft Order will include the following dMLs:

Morgan Generation dML 1 - to cover wind turbines, foundations, inter-array cables, OSPs and inter-connector cables.

Morgan Generation dML 2 - to cover OSPs (including foundations) and interconnector cables.

- 6.2 The draft Order, including the dML, has been the subject of consultation with various interested parties. Where possible or appropriate, the Applicant has taken comments into account in the documents submitted. However, the Applicant expects to have further discussions to refine some aspects of the detail of the draft Order after acceptance, as has taken place with other accepted NSIP applications.

7. Habitat regulations

- 7.1. The Application documents include a Report to Inform an Appropriate Assessment as required by regulation 5(2)(g) of the APFP Regulations. This identifies all relevant European sites and provides sufficient information for the competent authority to determine whether the Project is likely to have an adverse effect on the integrity of any European site.
- 7.2. It concludes that the Project, together with mitigation and monitoring as proposed, is not expected to have an adverse effect on the integrity of any site. The Report to Inform an Appropriate Assessment (application ref: 5.2) has been discussed in detail with Natural England as part of the Evidence Plan process. In preparing the report, the Applicant has been mindful throughout of the Planning Inspectorate's Advice Note 10: "Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects".

8. Other consents

- 8.1. The application form (application ref: A3) sets out brief details of the various consents not forming part of the draft Order which the Applicant will be seeking in relation to the Project. Further information on these consents, and the disapplication of certain legislation, is contained within the Other Consents and Licences document (application ref: J1).

9. Pre-application consultation

- 9.1. The Applicant has had careful regard to the pre-application consultation requirements of the 2008 Act, the guidance on pre-application consultation issued by DCLG and the Planning Inspectorate, and its pre-application discussions held with the Planning Inspectorate, as required by section 50 of the 2008 Act.
- 9.2. As required by section 37(3)(c) of the 2008 Act, the Application is accompanied by a Consultation Report (application ref: E3), which provides details of the Applicant's compliance with sections 42, 47, 48 and 49 of the 2008 Act. The responses of statutory and non-statutory consultees are listed and summarised in the Consultation Report, and these have informed the evolution of the Application and the Project overall.

10. Other matters

- 10.1. Under Regulation 6(b)(i) of the APFP Regulations, an applicant is required to provide details of the proposed cable route and the method of installation for any cable. Whilst this application only pertains to the generation asset (and not the wider transmission works), the information relevant to the cable works associated with generation asset can be found in the Cable Statement (application ref: J3).
- 10.2. Under Regulation 6(b)(ii) of the APFP Regulations, an applicant is required to provide a statement in respect of Safety Zones. This information can be found in the Safety Zone Statement (application ref: J5).
- 10.3. Under regulation 5(2)(l) of the APFP Regulations an applicant is required to provide a plan of certain nature conservation sites and features and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under regulation 5(2)(m) in relation to certain historic sites and features. The

plans are attached as separate documents (application ref: B6 and B7) but the assessments are provided in the Environmental Statement and not as stand-alone documents.

10.4 Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 sets out a list of documents to accompany an application for development consent. As set out in Regulation 5, some of those documents are only to be submitted 'where applicable' to the development consent order being applied for. There are a number of documents that are not applicable to the development consent order sought for the Project and are therefore not submitted with the application. These are set out below for reference:

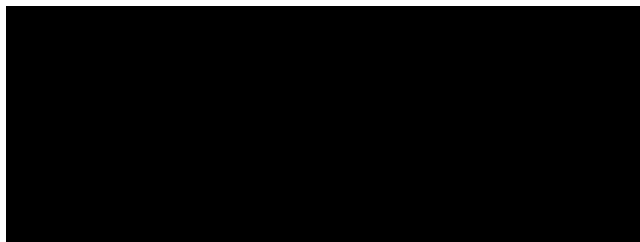
10.4.1 Compulsory acquisition and land documents - the Draft DCO (Document Reference C1) does not contain any articles that give powers to compulsory acquire land or rights in land. The following documents are only of relevance to an application where compulsory powers are sought and are therefore not applicable to, and are not submitted with, the application: book of reference (reg.5(2)(d)), statement of reasons and funding statement (reg. 5(2)(h)), access and rights of way plan (reg.5(2)(k)), Crown land plan (reg. 5(2)(n)).

10.4.2 Flood risk assessment (reg.5(2)(e)) – as the Project is located entirely in the marine environment, no flood risk assessment is required or has been undertaken as part of the application.

10.4.3 The Applicant is required to submit a draft Order in both a word version and PDF, together with a SI template validation report for the draft Order at submission.

We look forward to hearing from you in relation to the formal acceptance of the Application. If we can be of any assistance in that regard, please do not hesitate to contact Jamie Grant, Project Consents Lead at [REDACTED] or [REDACTED]

Yours faithfully,



Jamie Grant

Morgen Generation Consent Lead