



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

Morgan Offshore Wind Farm: Generation Assets

**Appendix J1 to Natural England's Deadline 1 Submission**

**Natural England's Principal Areas of Disagreement Summary Statement  
(PADSS) at Deadline 1**

For:

The construction and operation of the Morgan Offshore Wind Project: Generation Assets located approximately 37 km from the Northwest English Coast in the Irish Sea.

Planning Inspectorate Reference: EN010136

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03 October 2024

## Principal Areas of Disagreement Summary Statement (PADSS) at Deadline 1

This PADSS should be read in conjunction with the Appendices of Natural England's Relevant Representations [RR-026], which provide further detail on the areas of disagreement as well as other areas of disagreement which require resolution. For ease of reference, we have added a RAG rating for each principal area.

The principal issue in question	The brief concern held by Natural England which will be reported on in full in WR / LIR	What needs to change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination	RAG rating D1
<b>Development Consent Order (DCO) and deemed Marine Licence (dML)</b>				
Maximum parameters of the works are not adequately captured	The DCO and dMLs do not accurately capture important metrics such as the maximum area and volume of scour and cable protection, and the number and size of UXOs that can be detonated.	The Applicant should update the DCO and dMLs to ensure the maximum parameters of all important metrics are appropriately secured.	Potential resolution	Yellow
Pre-construction documentation required at least six months prior to commencement	Due to the increasing complexity of construction of large offshore works, the proposed four month consultation period is no longer appropriate.	The Applicant should amend the dMLs to allow for documents to be submitted at least six months prior to commencement.	Potential resolution	Red
Conditions to require an updated Offshore Operations and Maintenance Plan (OOMP) and secure post construction time limits for cable protection	Currently, there is no condition requiring an updated OOMP to be submitted. The condition should also secure that no cable protection should be deployed later than 10 years post construction.	The Applicant should update the dMLs to require an updated OOMP and a maximum period of ten years post construction for cable protection.	Potential resolution	Yellow
Ecological monitoring conditions	The monitoring conditions included within the dMLs do not secure any ecological monitoring.	Monitoring of benthic, offshore ornithology and marine mammals should be conditioned.	Potential resolution	Yellow
<b>Offshore Ornithology</b>				
Cumulative Effects Assessment (CEA) methodology	The Applicant has undertaken a qualitative assessment of impacts from historic projects without considering quantitative impacts, which Natural England advise is	Natural England advise that the method previously supplied to the Applicant during pre-application discussions remains our preferred approach, and that this should be	Potential resolution  If Applicant agrees to take forward SNCB advice on CEA and adopts a consistent	Red

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	inappropriate. We therefore consider there to be a high level of uncertainty in the Applicant's CEA. Additionally, there are inconsistencies in the data used across the Round 4 Irish Sea offshore wind projects.	adopted across the Irish Sea Round 4 projects, who should also collaborate to establish the use of consistent data.	approach across the Round 4 Irish Sea projects.	
Collision Risk Modelling (CRM), displacement assessments and subsequent apportioning	Natural England have outstanding concerns relating to both the CRM and displacement assessments and subsequent apportioning undertaken by the Applicant. These currently preclude any consideration of the Applicant's EIA and HRA conclusions.	Greater clarity and transparency is required on the results of assessments, and how these are used in later stages (e.g. apportioning), especially with respect to CRM parameters. Furthermore, we consider that the full range of SNCB advised displacement and mortality rates must be considered when apportioning impacts.	Potential resolution If Applicant updates assessments as per SNCB advice.	
<b>Marine Mammals</b>				
Use of Noise Abatement Systems as mitigation	Natural England strongly advises the Applicant to commit to using noise abatement (NAS) as mitigation during construction.	We strongly recommend that the Applicant fully commits to using NAS as mitigation measure to reduce both injury and disturbance to marine mammal receptors during construction activities (i.e. piling and high order UXO clearance).	Potential resolution If the Applicant agrees to fully commit to using NAS as a mitigation measure, this may be resolved during Examination.	
<b>Benthic Ecology and Physical Processes</b>				
EIA assessments for benthic ecology and physical processes.	Natural England advise that the following potential pressures/impacts have not been considered/assessed or that further information is required: WCS/MDS parameters are not described and assessed (as detailed in Appendix D); - Boulder clearance; - UXO clearance;	Natural England advises that an updated ES is submitted which includes and assess these pressures/impacts with respect to benthic ecology and marine processes as required.	Potential resolution	

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	<ul style="list-style-type: none"> <li>- Impacts of seabed scour due to the presence of windfarm infrastructure during the operation and maintenance phase; and</li> <li>- Impacts due to cable and infrastructure repair during the operation and maintenance phase.</li> </ul>			
Lack of decommissioning proposals	Natural England has concerns that the Applicant has not committed to endeavour to return the seabed to its original state at the end of the project.	Natural England advises that the Applicant should produce a draft decommissioning plan that outlines all decommissioning options (maintain, full removal and partial removal), and that an updated plan is secured in the dML.	Potential resolution  This should be submitted into the Examination to resolve this issue.	
<b>Fish and Shellfish Ecology</b>				
Use of Soft Starts and ramp ups as mitigation for fish species	Natural England does not agree with the use of the Marine Mammal Mitigation Protocol (MMMP) methods of soft starts and ramp ups as a means of mitigation for fish species.	Do not include these measures as appropriate mitigation for impacts to fish species.	Potential resolution	