

MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

Statement of Common Ground between Morgan Offshore Wind Limited and the Defence Infrastructure Organisation

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Image of an offshore wind farm

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Contents

1	STATEMENT OF COMMON GROUND BETWEEN MORGAN OFFSHORE WIND LIMITED AND THE DEFENCE INFRASTRUCTURE ORGANISATION	1
1.1	Introduction	1
1.1.1	Overview	1
1.1.2	Morgan Generation Assets elements under DIO’s remit	1
1.1.3	Overview of Morgan Generation Assets	1
1.1.4	Approach to SoCG	2
1.2	Summary of SoCG.....	2
1.2.1	Overview	2
1.2.2	Summary of Those Matters Agreed, Ongoing Points of Discussion and Not Agreed	2
1.3	Summary of consultation	3
1.4	Agreement log	6
1.4.1	Overview	6
1.4.2	Aviation and radar	7
1.4.3	Naval surface or subsea operations.....	11

Tables

Table 1.1:	Summary of areas agreed, ongoing points of discussion and not agreed between the parties. ..	2
Table 1.2:	Summary of pre-application consultation with DIO.	3
Table 1.3:	Summary of post-application consultation with DIO.....	5
Table 1.4:	Position definitions and colour coding.	6
Table 1.5:	Agreement Log between the parties on aviation and radar.	7
Table 1.6:	Agreement Log between the parties on naval surface or subsea operations	11

Glossary

Term	Meaning
Applicant	Morgan Offshore Wind Limited.
Deemed Marine Licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for a DCO to apply for a 'deemed' marine licence as part of the DCO process.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Morgan Offshore Wind Project	The Morgan Offshore Wind Project is comprised of both the generation assets and offshore and onshore transmission assets, and associated activities.
Morgan Array Area	The area within which the wind turbines, foundations, inter-array cables, interconnector cables, scour protection, cable protection and offshore substation platforms (OSPs) forming part of the Morgan Offshore Wind Project: Generation Assets will be located.
Morgan Offshore Wind Project: Generation Assets	This is the name given to the Morgan Generation Assets project as a whole (includes all infrastructure and activities associated with the project construction, operations and maintenance, and decommissioning).
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects.

Acronyms

Acronym	Description
ATC	Air Traffic Control
CEA	Cumulative Effects Assessment
DCO	Development Consent Order
DIO	Defence Infrastructure Organisation
EIA	Environmental Impact Assessment
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
OSP	Offshore Substation Platform
PEXA	Practice and Exercise Areas
PEIR	Preliminary Environmental Information Report
PSR	Primary Surveillance Radar
RAF	Royal Air Force
SoCG	Statement of Common Ground

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

Units

Unit	Description
m	Metres

1 STATEMENT OF COMMON GROUND BETWEEN MORGAN OFFSHORE WIND LIMITED AND THE DEFENCE INFRASTRUCTURE ORGANISATION

1.1 Introduction

1.1.1 Overview

1.1.1.1 This Initial Statement of Common Ground (SoCG) has been prepared between Morgan Offshore Wind Limited (hereafter referred to as ‘the Applicant’) and the Defence Infrastructure Organisation (DIO), hereafter referred together as the parties. The SoCG sets out the areas of agreement and disagreement between the parties in relation to the Development Consent Order (DCO) application for the Morgan Offshore Wind Project: Generation Assets (hereafter referred to as the ‘Morgan Generation Assets’).

1.1.1.2 The need for a SoCG between the Applicant and the DIO is set out within the Rule 6 letter that was issued by the Planning Inspectorate on 05 August 2024 (PD-001).

1.1.1.3 This document is intended to provide the Examining Authority with an overview of the level of common ground between the parties. The SoCG will facilitate further discussion between the parties and will be updated during the Morgan Generation Assets Examination and submitted at the Deadlines indicated in the Rule 6 letter (PD-001).

1.1.2 Morgan Generation Assets elements under DIO’s remit

1.1.2.1 The 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, naval surface or subsea operations, and technical sites or training resources such as the Military Low Flying System. The elements of the Morgan Generation Assets which may affect the interests of the DIO are detailed in Schedule 1 (Authorised Project), Part 1 (Authorised Development) of the Draft DCO (AS-003).

1.1.2.2 This SoCG covers the following topics of relevance to the DIO as set out in the Rule 6 letter:

- RAF Valley aerodrome - Assessment and mitigation of effects on aviation
- MoD safeguarding - Assessment and proposed mitigation of effects to:
 - Primary Surveillance Radar (PSR) and mitigation measures
 - Aviation – physical obstruction
 - Naval surface or subsea operations.

1.1.3 Overview of Morgan Generation Assets

1.1.3.1 Morgan Generation Assets is a proposed offshore wind farm located in the east Irish Sea. The Morgan Generation Assets will include offshore infrastructure and consists of:

- Morgan Array Area: This is where the wind turbines, Offshore Substation Platforms (OSPs), foundations (for both wind turbines and OSPs), inter-array cables and interconnector cables will be located.

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

1.1.4 Approach to SoCG

1.1.4.1 This SoCG has been developed during the pre-Examination phase and will be progressed during the Examination phase of the Morgan Generation Assets. In accordance with discussions between the parties, the SoCG is focused on those issues raised by the DIO within its response to Scoping and Section 42 consultation that has underpinned the pre-application consultation between the parties. This SoCG also includes those issues raised by the DIO during the post-application phase (i.e. relevant representations and pre-Examination meetings).

1.1.4.2 The structure of this SoCG is as follows:

- Section 1.1: Introduction
- Section 1.2: Summary of SoCG
- Section 1.3: Summary of consultation
- Section 1.4: Agreement Log.

1.2 Summary of SoCG

1.2.1 Overview

1.2.1.1 This SoCG outlines the consultation that has taken place between the parties during the pre-application and post-application phases of the Morgan Generation Assets. The agreement logs present the position reached on 03 October 2024 (Deadline 1).

1.2.2 Summary of Those Matters Agreed, Ongoing Points of Discussion and Not Agreed

1.2.2.1 Table 1.1 provides a summary of those matters agreed, an ongoing point of discussion or not agreed between the parties.

Table 1.1: Summary of areas agreed, ongoing points of discussion and not agreed between the parties.

Topic	Position
RAF Valley aerodrome (PSR)	Agreed (no impact to RAF Valley)
PSR and mitigation measures (Warton aerodrome)	Ongoing point of discussion (mitigation)
Aviation – physical obstruction	Agreed
Naval surface or subsea operations	Agreed (no impact to naval surface or subsea operations)

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

1.3 Summary of consultation

1.3.1.1 Table 1.2 below provides a summary of the consultation undertaken by the Applicant with the DIO during the pre-application phase of the Morgan Generation Assets. Table 1.3 below provides a summary of the consultation undertaken by the Applicant with the DIO during the post-application phase of the Morgan Generation Assets.

Table 1.2: Summary of pre-application consultation with DIO.

Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
Scoping			
22/07/2022	Scoping response	Statutory	Response included within Scoping Opinion (APP-030).
Statutory (Section 42) consultation			
23/06/2023	S42 consultation response	Statutory	<ul style="list-style-type: none"> Confirmed that the Preliminary Environmental Information Report (PEIR) recognised the principal defence issues that could be impacted and that the use of airspace in the vicinity of the Morgan Generation Assets for defence purposes had been appropriately identified and considered Confirmed that the requirement to supply sufficient information to allow accurate charting of the development and for the installation of appropriate aviation safety lighting had been addressed Confirmed that the DIO do not anticipate that the development would have an operational impact on either of the identified radar systems at Warton and RAF Valley Confirmed no overlap with military danger areas or Practice and Exercise Areas (PEXA).
22/12/2023	S42 consultation response	Statutory	<ul style="list-style-type: none"> Provision of updated assessment and position following the increase in tip height (364m). Confirmation that the PEIR details the potential for radar systems to be affected by the proposed wind farm, highlighting the potential for the development to be within radar line of sight (RLoS) of radar systems at Warton and RAF Valley. However, DIO do not anticipate that the development would have an operational impact on either of the identified radars.
Aviation and Radar			
28/03/2023	Meeting	Non-statutory	Discussion of potential impacts to stakeholders.
02/08/2023	Email to DIO	Non-statutory	Provision of revised boundary coordinates and request for updated DIO safeguarding position due to change in wind turbine generator parameters (increased tip height).
04/08/2023	Email from DIO	Non-statutory	Response requesting turbine locations, new rotor diameter and new hub height.

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
10/08/2023	Email to DIO	Non-statutory	Reconfirmation of the increased blade tip height and other requested parameters noting that the location coordinates will not be finalised until post consent through the design plan. Request for latest DIO safeguarding position for change in WTG parameters.
13/10/2023	Email to DIO	Non-statutory	Request for DIO safeguarding position.
15/11/2023	Email from DIO	Non-statutory	Update that assessment has been delayed and aim to complete by 08/12/2023.
29/11/2023	Email to DIO	Non-statutory	Request for update on assessment and provision of results.
12/12/2023	Email to DIO	Non-statutory	Request for update on assessment and provision of results.
15/12/2023	Email to DIO	Non-statutory	Request for update on assessment and provision of results.
22/12/2023	Email from DIO	Non-statutory	Confirmation of assessment completion and provision to Applicant once reviewed.

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

Table 1.3: Summary of post-application consultation with DIO.

Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
06/06/2024	Email to DIO	Non-Statutory	Email to confirm acceptance of the Morgan Generation Assets and to inform that parties can now register as interested parties.
25/07/2024	Email to DIO	Non-statutory	Email to request latest DIO position for Morgan Generation Assets with respect to Warton and RAF Valley. Applicant noted there was no relevant representation from DIO or BAE Systems for Warton or RAF Valley.
29/07/2024	Meeting	Non-statutory	Meeting to discuss latest DIO position for Morgan Generation Assets.
07/08/2024	Email to DIO	Non-statutory	Email noting the request for a SoCG with DIO and RAF Valley aerodrome in the Rule 6 letter and request for meeting availability.
08/08/2024	Email from DIO	Non-statutory	Confirmation to Applicant that DIO will be submitting a response to PINS and will review an initial SoCG draft in the first instance.
09/08/2024	Relevant representations	Statutory	<p>Relevant representations of the DIO.</p> <p>Provided an objection to the Morgan Generation Assets on the basis of potential impact on the effective operation and capability of air traffic control (ATC) radar deployed at BAE Warton.</p> <p>Confirmed that the Morgan Generation Assets falls within Low Flying Area 17 (LFA 17) and noted that the addition of wind turbines in this location would introduce a physical obstruction to low flying aircraft. Requested conditions requiring an aviation lighting scheme and submission of data to ensure that structures can be accurately charted. Acknowledged that the Applicant has set out the MOD requirement for MOD accredited aviation safety lighting in Table 11.15 of Volume 2, Chapter 11, Aviation and Radar (APP-015).</p>
02/09/2024	Email to DIO	Non-statutory	Provision of initial Statement of Common Ground for review.

1.4 Agreement log

1.4.1 Overview

1.4.1.1 This section of the SoCG sets out the level of agreement between the parties. For each matter the status is identified as being either agreed, not agreed or an ongoing point of discussion, according to the criteria set out in **Error! Reference source not found.** below.

Table 1.4: Position definitions and colour coding.

Position and colour coding	Definition of position
Agreed	The matter is considered to be agreed between the parties.
Ongoing point of discussion	The matter is neither agreed or not agreed, and is a matter where further discussion is required between the parties.
Not agreed, but not material	The matter is not considered to be agreed between the parties, but is not deemed material
Not agreed	The matter is not considered to be agreed between the parties.

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

1.4.2 Aviation and radar

1.4.2.1 Table 1.5 sets out the level of agreement between the parties for each relevant component of the application (as identified in section 1.1.1.3) in relation to the DIO.

Table 1.5: Agreement Log between the parties on aviation and radar.

Reference Number	Discussion point	Applicant's Position	DIO's Position	Status
EIA				
DIO.AR.1	Consultation	The Applicant has undertaken adequate consultation with DIO on potential impacts on aviation and radar.	Agreed	Agreed
DIO.AR.2	Consultation	The EIA has had due regard to matters raised by DIO through statutory and non-statutory consultation on potential impacts on aviation and radar.	Agreed	Agreed
DIO.AR.3	Policy	The Applicant has identified and considered the plans and policies relevant to aviation and radar, within DIO's remit.	Agreed	Agreed
DIO.AR.4	Baseline environment	The Applicant has adequately characterised the baseline environment for aviation and radar.	Agreed	Agreed
DIO.AR.5	Scoping	The scoping of impacts for the EIA for aviation and radar is appropriate, including that impacts to aviation activity in PEXAs are scoped out as presented in Table 11.6 of Volume 2, Chapter 11: Aviation and radar (APP-015) and as reflected in the DIO's Section 42 consultation response.	Agreed	Agreed
DIO.AR.6	Study area	The aviation and radar study area in Figure 11.1 of APP-015 is appropriate for the receptors, sites and impacts assessed.	Agreed	Agreed
DIO.AR.7	Project design envelope	Volume 2, Chapter 11: Aviation and radar (APP-015) has identified, described and assessed the maximum design scenario for the EIA.	Agreed	Agreed
DIO.AR.8	Assessment methodology	The sensitivity of aviation and radar receptors has been correctly identified and sufficiently described within Volume 2, Chapter 11: Aviation and radar (APP-015).	Agreed	Agreed

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

Reference Number	Discussion point	Applicant's Position	DIO's Position	Status
DIO.AR.9	Assessment methodology	The list of projects screened into the Cumulative Effects Assessment (CEA) with respect to DIO's remit in Volume 2, Chapter 11: Aviation and radar (APP-015) are appropriate.	Agreed	Agreed
DIO.AR.10	Assessment of the effects from the project alone – Warton Aerodrome	<p>The impact assessment initially predicted a potential effect on the Primary Surveillance Radar (PSR) at Warton Aerodrome, as set out in Volume 2, Chapter 16: Aviation and radar of the PEIR. However, due to DIO not raising a concern against effects on BAE Systems Warton Aerodrome in response to the statutory consultation on the PEIR, and the Applicant's subsequent consultation following the increased tip height, the Applicant did not undertake a detailed impact assessment for Warton Aerodrome in the EIA (APP-015).</p> <p>Based on the latest position of DIO set out in their letter of 09 August 2024, the Applicant accepts the potential for significant effects on the PSR at Warton Aerodrome.</p>	The development proposed, when operational, would cause unacceptable and unmanageable interference to the effective operation of air traffic control radar deployed at BAE Systems Warton. It is the Applicant's responsibility to provide a suitable technical mitigation solution to MOD.	Agreed

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

Reference Number	Discussion point	Applicant's Position	DIO's Position	Status
DIO.AR.11	Assessment of the effects from the project alone – RAF Valley	<p>The initial impact assessment presented in the PEIR predicted no potential effects on the PSR at RAF Valley, as set out in Volume 2, Chapter 16: Aviation and Radar of the PEIR. This conclusion is further supported by the detailed analysis in Volume 4, Annex 16.1: Aviation and Radar Technical Report of the PEIR, which describes the method of radar LoS analysis.</p> <p>The results indicated that the RAF Valley PSR will not theoretically detect the operational wind turbines of the Morgan Generation Assets at a blade tip height of 324m above LAT; therefore, the RAF Valley PSR was not considered further.</p> <p>The EIA Chapter on Aviation and Radar (APP-015) further supports this conclusion for the blade tip height of 364m above LAT. The Radar LoS analysis concluded that the RAF Valley PSR would not theoretically detect the operational wind turbines, as detailed in Volume 4, Annex 11.1: Aviation and Radar Technical Report (APP-045).</p> <p>The DIO confirmed in their Section 42 response(s) that impacts to RAF Valley PSR are not expected and therefore were scoped out.</p> <p>Based on the latest position of DIO set out in their letter of 09 August 2024, which did not mention the RAF Valley PSR, the Applicant understands that there is no significant effects on the PSR at RAF Valley.</p>	MOD can confirm no operational impact for RAF Valley.	Agreed
DIO.AR.12	Assessment of the effects from the project alone – physical obstruction	Potential impact of physical obstruction to military and other low flying operations is assessed in Volume 2, Chapter 11: Aviation and radar (APP-015). The potential effect was concluded to be of minor adverse significance on the basis of a range of adopted measures, in the form of appropriate notification to aviation stakeholders, development of a Design Plan, and lighting and marking, in compliance with current guidelines where appropriate and agreed with the appropriate stakeholders. Aviation safety is addressed by Requirement 3 within Schedule 2 of the draft Development Consent Order (AS-003).	Note that MOD must be consulted on any proposed aviation safety lighting scheme to ensure that lights meet MOD requirements.	Agreed

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

Reference Number	Discussion point	Applicant's Position	DIO's Position	Status
DIO.AR.13	Assessment of the effects from the project cumulatively with other projects – Warton Aerodrome	The initial impact assessment presented in the PEIR predicted a potential cumulative effect on the PSR at Warton Aerodrome, as set out in Volume 2, Chapter 16: Aviation and radar of the PEIR. However, due to DIO not raising a concern against effects on BAE Systems Warton Aerodrome in response to the statutory consultation on the PEIR, the Applicant did not undertake a detailed impact assessment for Warton Aerodrome and in the EIA. Based on the latest position of DIO set out in their letter of 09 August 2024, the Applicant accepts the potential for significant cumulative effects on the PSR at Warton Aerodrome.	The development proposed, when operational, would cause unacceptable and unmanageable interference to the effective operation of air traffic control radar deployed at BAE Systems Warton. It is the Applicant's responsibility to provide a suitable technical mitigation solution to the MOD.	Agreed
DIO.AR.14	Assessment of the effects from the project cumulatively with other projects – RAF Valley	The initial impact assessment presented in the PEIR predicted no potential cumulative effects on the PSR at RAF Valley, as set out in Volume 2, Chapter 16: Aviation and radar of the PEIR.	MOD can confirm no operational impact for RAF Valley.	Agreed
DIO.AR.15	Mitigation – BAE Systems Warton Aerodrome	<p>The mitigation of [description of mitigation solution] agreed with BAE Systems and provided to DIO in relation to Warton Aerodrome are appropriate and will ensure significant effects are avoided.</p> <p><i>The parties are engaging on the nature of the mitigation required in the square brackets above. BAE Systems Warton Aerodrome are in the process of implementing a new PSR at Warton Aerodrome which is expected to be online by the end of 2024 subject to site acceptance and flight trials. BAE Systems have indicated that mitigation is likely to include as a minimum; optimisation of the radar for the Morgan Generation Assets, flight trials and a safety case to the Civil Aviation Authority. BAE Systems anticipate being in a position to provide further information by mid-October 2024. The parties will provide updates through subsequent SoCG at future Examination deadlines.</i></p>	<p>Confirm that position set out by the Applicant aligns with that of the MOD.</p> <p>Discussion of mitigation is ongoing as set out in the Applicants position.</p>	Ongoing point of discussion

MORGAN OFFSHORE WIND PROJECT : GENERATION ASSETS

1.4.3 Naval surface or subsea operations

1.4.3.1 Table 1.6 sets out the level of agreement between the parties for each relevant component of the application (as identified in section 1.1.1.3) in relation to the DIO.

Table 1.6: Agreement Log between the parties on naval surface or subsea operations

Reference Number	Discussion point	Applicant's Position	DIO's Position	Status
DIO.NSSO.1	Consultation	The DIO has confirmed in Section 42 consultation there is no overlap with military danger areas or Practice and Exercise Areas (PEXA) and therefore there are no issues with naval surface or subsea operations.	Agreed, based on s42 consultation (DIO reference: DIO10055489)	Agreed