



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Morgan Offshore Wind Farm: Generation Assets

Natural England's comments on Examining Authority's Written Questions (ExQ2) [PD-009]

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

16 January 2025

Question to:	Question:	Natural England Response:
Cross-Topic and General		
GEN 2.9 Applicant Marine Management Organisation Natural England	<p>Monitoring - Adaptive Management</p> <p>At ISH2 the Applicant stated that it continues to engage with Natural England regarding the need for additional ecological monitoring, including that for marine mammals; however, it was highlighted that Regulation 21(3) of the Infrastructure Planning (Environmental Impact Assessment Regulations) 2017 sets out that measures should be proportionate to the nature, location and size of the proposed development and the significance of its effects on the environment, and that this is the approach that the Applicant has taken [REP4-006].</p> <p>The ExA notes that Regulation 21(3) of the Infrastructure Planning (Environmental Impact Assessment Regulations) 2017 is directed at the Secretary of State when considering whether to impose a monitoring measure if an order is made. The ExA therefore considers that the provisions of Regulation 21(3) have been misrepresented. Notwithstanding, the ExA notes the Applicant's response to ExQ1 GEN 1.8, whereby it states adherence to 2014 guidance issued by the MMO that monitoring should be used where there is uncertainty in the significance of an impact</p>	<p>Natural England welcomes the Examiner's question regarding amending the IPMP to include adaptive monitoring. We will provide further comments on any changes made at Deadline 6.</p>

		<p>which could lead to a potentially significant impact on a sensitive receptor' and 'Monitoring should not be required for impacts where there is already high certainty' [REP3-006].</p> <p>The ExA notes that NPS EN-3 states <i>that "should impacts be greater than those predicted, an adaptive management process may need to be implemented and additional mitigation required, to ensure that so far as possible the effects are brought back within the range of those predicted"</i> (paragraph 2.8.222). There is no clear provision in the In-Principle Monitoring Plan (IPMP) for adaptive management should the post-construction monitoring show impacts greater than anticipated.</p> <p>The Applicant should provide amendments to the IPMP to include references to a commitment to adaptive management measures (to be agreed with the MMO and Natural England if required), and if it chooses not to do so, provide an explanation.</p> <p>MMO and Natural England responses on the Applicant's submission are expected at D6.</p>	
GEN 2.11	Applicant Natural England	<p>Response to Natural England Risk and Issues Log</p> <p>The Natural England Risk and Issues log [REP4-043] indicates that there are many points that Natural England still has</p>	Natural England welcomes this request. We will provide the requested detail in our final Risk and Issues log at Deadline 6.

		<p>concerns about, coloured red and amber in the log.</p> <p>The Applicant is asked to:</p> <ul style="list-style-type: none"> i) Respond specifically to each of the issues where disagreement remains in Tabs A to G. The ExA is specifically seeking a detailed response to all points that remain red and of the highest concern (i.e. A2/A9, B55, C7), with account of any detailed negotiations to resolve those red matters. The ExA requests that the Applicant does not refer the ExA to previous submissions in their answers, rather produces a single document with a response to each amber and red concern. <p>Natural England is asked to:</p> <ul style="list-style-type: none"> ii) Submit a final Risk and Issues log at D6 addressing all the responses submitted by the Applicant, and if there is no change to the status, explain with sufficient detail why. Please expand on any outstanding concerns, and what outcomes, processes, changes to the DCO and/ or to the outline control documents which are required to be able to address or reduce Natural England's concerns. 	
CE Cumulative Effects			

CE 2.2	Natural England Natural Resources Wales Meath County Council	<p>Cumulative and In-Combination Assessments review documents</p> <p>A number of CEA/In-combination assessment review documents have been submitted by the Applicant to include updated information relating to other projects in and around the Irish Sea and additional information relating to ornithology [REP2-023, REP3-018, REP3-019, REP4-024, REP4-029].</p> <p>Natural England, NRW and Meath County Council are asked to confirm if they have any comments on the relevant review documents.</p>	<p>Based on the assessment documents which the Applicant has shared with Natural England prior to submission at Deadline 5, (see response to question HRA 2.1) we can confirm that the Applicant has now carried out a comprehensive CEA and in-combination assessment for English sites. This has followed Natural England's advice and included older projects for which impact estimates were not previously available. On the basis that this material will be submitted into the Examination at Deadline 5, this has allowed us to reach conclusions regarding cumulative and in-combination impacts with greater confidence, whilst acknowledging the limitations of some of the advised methodology.</p> <p>Our conclusions regarding the CEA and in-combination assessment are presented in the summary text in Appendix B5.</p>
CE 2.3	Applicant Natural England Natural Resources Wales	<p>Lifetimes of Existing Offshore Wind Farms</p> <p>The Applicant's response to ExQ CE 1.2 [REP3-006] includes a list of offshore wind farms (OWF) nearing the end of their life, according to the expiry date of their relevant licences.</p> <p>i) Natural England and NRW are asked to review the Applicant's answer and provide any additional comments they wish to make regarding the projects nearing the end of their life, and implications for</p>	<p>Natural England notes the list of offshore wind farms nearing the end of their life along with expiry dates for their relevant licences. We advise that continuation of energy production, repowering or repurposing will be subject to a further statutory consultation where the licence has an expiry date or similar provision. This would need to be supported by cumulative and in-combination assessments where needed. However, we understand that some licences for an OWF in the Irish Sea does not have such a stipulation, thereby complicating the picture.</p>

		<p>the CEA and in-combination assessment.</p> <p>The Applicant is asked to:</p> <p>ii) Provide any relevant corrections further to Ørsted IPs [REP4-048] comments on Barrow and Burbo Bank OWFs.</p> <p>Clarify if they are aware if any of the listed OWFs are expected to continue beyond the expiry date of their relevant licences, and whether any consents would be required for such extension of lifetime.</p>	<p>As Natural England is not responsible for the licences in question, we are not able to clarify the matter further for the ExA, nor advise on the implications for the current cumulative/in-combination assessments on a project-by-project basis. We therefore have no further comments to make at this stage.</p>
DCO Draft Development Consent Order			
DCO 2.11	Applicant	<p>Pre-Construction Plans – Condition 20(1)(a)(v): Micrositing for Reef Habitats</p> <p>Natural England has provided a suggested amendment for the wording of draft DML condition 20 (1)(a)(v), in the Risks and Issues Log at Deadline 4 [REP4-043] - rows A7 and G17]. Is the Applicant willing to update the draft DML with the wording suggested by Natural England? If not, why not?</p>	<p>Natural England welcomes this question from the Examiner. We note that the Applicant has removed the wording "of conservation, ecological or economic importance" from condition 20 (1)(a)(v) in the Deadline 4 submissions.</p> <p>However, this does not answer our request for the change of wording for this condition. For clarification, at Deadline 4, we requested the wording of this condition was changed to: 'relating to any benthic habitats of conservation, ecological or economic importance constituting reef habitats of principal importance as listed under Section 41 of the NERC act.' Following this change to the wording, this issue can be readily resolved.</p>

DCO 2.12	Applicant Natural England Marine Management Organisation	Pre-construction Plans - Condition 20(1)(c), Condition 21 and Condition 22 Could the Applicant, Natural England and the MMO provide an update on any progress made regarding the timescales included in the DML conditions for approval of pre-construction documentation and agreement of documents, where 4 months can remain and those where 6 months can be accepted.	Natural England has not had any further engagement with the Applicant regarding the timescales in the DML condition. We maintain that due to the increasing complexity of construction of large offshore works, six months is now considered an appropriate period for approval of pre-construction documentation and agreement of documents.
DCO 2.13	Natural England Marine Management Organisation	Pre-construction Plans – Condition 23(2) Natural England and the MMO are asked to advise if they are content with a three-month approval period for the UXO Clearance method statement and associated MMM. If not, please advise what period of time would be acceptable with reasons.	We reiterate that UXO clearance should not be included in as a licensed activity in the DCO. Natural England does not agree that a three-month approval period for the UXO clearance method statement and associated MMM is acceptable. We maintain that due to the increasing complexity of construction of large offshore works, six months is now considered an appropriate period for approval of pre-construction documentation and agreement of documents. Natural England also highlights that further consideration is required in relation impacts on other receptors including benthic and not just underwater noise.
HRA Habitats Regulations Assessment			
HRA 2.1	Applicant Natural England	Summary of Data	Natural England notes that the Applicant intends to submit a summary of data in a tabulated format to resolve methodological issues at

	Natural Resources Wales	<p>The Applicant's numerous responses to Natural England and NRW [REP4-007, REP4-009, REP4-012] refer to recent discussions (13 November and 28 November 2024) and indicate that it is working to provide a summary of data and a solution to resolve all outstanding methodological issues associated with the assessments presented in Volume 2 Chapter 5 Offshore Ornithology [APP-023] and the HRA Stage 2 Information to Support Appropriate Assessment part 3 [APP-098]. The Applicant expects this to provide Natural England with the information necessary to close out many of the outstanding methodological issues without the need for updated assessment document and to reduce the volume of documents submitted into the Examination, with an aim to allow the conclusion of no adverse effect on integrity (AEoI) either alone or in-combination.</p> <p>However Natural England and NRW continue to put to the ExA that the clarification notes essentially serve as additional stress-testing of the Applicant's conclusions against their advice, in isolation from each other.</p> <p>i) The Applicant is asked to share the summary with the statutory nature conservation bodies (SNCB) at the earliest opportunity, and submit a</p>	<p>Deadline 5. This was following a proposed solution raised by Natural England during meeting held with the applicant and other interested parties on 13 November 2024.</p> <p>The Applicant has submitted a draft spreadsheet with the summary data for Natural England to review ahead of Deadline 5. Our initial view on the outputs is that the data provided broadly resolves our concerns around methodological issues associated with the Applicant's assessments presented in the ES. We have provided further technical advice on this matter in Appendix B5.</p>
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		<p>copy at D5, so that complete responses can be submitted by all parties at D5 in order to inform the ExA's Report on the Implications for European Sites (RIES), to be published on 6 February 2025.</p> <p>Natural England and NRW are asked to comment on the summarised data at D5.</p>	
HRA 2.2	<p>Applicant</p> <p>Natural England</p> <p>Natural Resources Wales</p>	<p>Habitats Regulations Assessment derogation case - ornithology</p> <p>The Applicant's position is that compensation will not be required as there is no AEol from the Proposed Development either alone or in-combination, and it highlights that the SNCBs consider the risk of AEol is low.</p> <p>Natural England and NRW's submissions states that they cannot definitively rule out AEol until the Applicant has addressed the issues raised in their representations and that they have had the opportunity to review information submitted at D4 (and the summary data as referred to above in HRA 2.1).</p> <p>The parties indicate that the remaining issues are capable of being resolved prior to the close of the Examination, and as such a derogation case and compensation may not be required.</p>	<p>Natural England have been working closely with the Applicant and providing discretionary advice on draft assessment values using our advised parameters. We are confident that the Applicant's Deadline 5 submissions will resolve the outstanding methodological concerns for Offshore Ornithology. Our conclusions regarding the CEA and in-combination assessment are presented in the summary text in Appendix B5.</p>

		Natural England, NRW and the Applicant are urged to submit information and comments in as much detail as possible to the Examination by D5 to inform the ExA's RIES, with final confirmation that AEol can be ruled out and that a derogation case is not required at D6.	
HRA 2.3	Applicant Natural England Natural Resources Wales	<p>Liverpool Bay Special Protection Area</p> <p>The Outline Offshore EMP [REP4-018] at 5.6 Annex E and the Commitments Register (Co65) [REP4-025] include reference to measures to minimise disturbance to rafting birds from transiting vessels to be attached to the final Offshore EMP, secured within Condition 20(e) of the DMLs.</p> <p>i) Natural England and NRW are asked to confirm whether provision of the documents would allow them to agree that an AEol of the qualifying features of the Liverpool Bay Special Protection Area (SPA) can be excluded, alone and in-combination.</p> <p>The Applicant is asked to update the Stage 2 SPA Report [APP-098] to record consideration of the Liverpool Bay SPA.</p>	<p>Natural England notes that the Outline Offshore EMP (REP4-018) has been submitted at Deadline 4 which makes reference to Measures to Minimise Disturbance (APP-070) and an Outline Vessel Traffic Management Plan (VTMP REP2-017).</p> <p>APP-070 only mentions vessels sticking to 'indicative vessel transit corridors' and established shipping routes. Reference is also made to the Commitments Register (REP4-025). REP4-025 mentions that the Applicant intends on following the WiSE Code of Conduct to minimise disturbance to marine life and that "key measures from the scheme will reduce the disturbance of vessel transits on marine mammals and rafting birds visible at the water surface, or as otherwise agreed with the Statutory Nature Conservation Bodies (SNCBs)"</p> <p>Natural England's Best Practice Protocol has been provided in Appendix M5. To follow our best practice protocol, we advise that the Applicant also includes the following points to minimise disturbance:</p>

			<ul style="list-style-type: none"> - selecting routes that avoid known aggregations of birds; - maintaining direct transit routes (to minimise transit distances through areas used by divers) - avoidance of over-revving of engines (to minimise noise disturbance) <p>The plan should also be clear that these and other measures relating to Natural England's red-throated diver Best Practice Protocol should be applied both within the SPA and out to 2km from the SPA boundary. Should this be adopted by the Applicant, we will be able to conclude no AEOI on the red-throated diver feature of Liverpool Bay SPA.</p>
HRA 2.4	Natural England Natural Resources Wales	<p>Kittiwake Apportioning</p> <p>Natural England's Risk and Issues Log [REP4-043] states that it has advised the Applicant on the required updated assessments and will provide further comments in response to any additional material at D5. NRW continues to consider that the correct approach has still not been applied [REP4-044].</p> <p>The Applicant has submitted responses to D3 submissions from Natural England and NRW [REP4-007] and [REP4-009] and an additional clarification note 'Differences between Morgan and Mona in abundance estimates used in the CEA' [REP4-031].</p>	Natural England has been working closely with the Applicant and providing informal feedback on draft assessment values using our advised parameters. Based on this, we are confident that the Applicant's Deadline 5 submissions will resolve the outstanding concern for kittiwake apportioning.

		The ExA expects further comments from the SNCBs to the additional material at D5 to inform the final SoCG with NRW and Principal Areas of Disagreement Summary Statement (PADSS) from Natural England.	
HRA 2.5	Natural England	<p>HRA Stage 1 Assessment</p> <p>The Applicant states that <i>'The likelihood of the Morgan Array Area resulting in barrier effects for qualifying features of SPAs are low...'</i> (paragraph 1.4.5.16 [APP-099]). The screening matrices further explain that this is due to the large foraging ranges used by seabirds and the large distances from the Morgan Array Area at which the SPAs are located.</p> <p>The ExA notes that NRW has agreed that barrier effects can be screened out of the assessment with respect to Welsh SPAs [REP3-051].</p> <p>Does Natural England agree with the Applicant's statements that barrier effects can be screened out for all phases?</p>	<p>With respect to SPAs within Welsh jurisdiction, this is a matter for NRW.</p> <p>In relation to SPAs wholly in English waters, Natural England agrees that barrier effects can be screened out for all phases.</p>
HRA 2.7	Natural England	<p>HRA Stage 2 Assessment</p> <p>Natural England are asked to confirm whether it is content that an AEoI, alone and in-combination, can be excluded for the following English sites designated for marine mammal qualifying features:</p>	Natural England confirms that an AEoI alone and in-combination can be excluded for the marine mammal qualifying features of Lundy SAC and Isles of Scilly Complex SAC.

		<ul style="list-style-type: none"> • Lundy SAC. • Isles of Scilly Complex SAC. 	
Marine Mammals			
MM 2.2	Applicant Natural England	<p>Monitoring the Mitigation for Marine Mammals</p> <p>The ExA notes that there is an outstanding concern from NE in the Risk and Issues Log at Deadline 4 [REP4-043, rows C8 & C32] that proposed post-consent monitoring does not include monitoring the effectiveness of the mitigation measures in reducing the impacts on marine mammals to acceptable levels. The ExA notes the Applicant's position [REP4-009, Ref REP3-049.41] that monitoring is not warranted, proportionate to the scale of the effects and was not required for Awel y Mor even though that project had predicted a larger magnitude effect on bottlenose dolphin. Natural England is requested to:</p> <p>i. Provide an example of a DCO/DML in which the level of monitoring sought in this case is specified and justify why it should be implemented in this case. If this is a novel case, then NE should set out the terms of the monitoring that it is seeking for marine mammals and explain why.</p> <p>The ExA notes that NE has previously referred the Applicant to Best Practice Advice for monitoring in: <i>'Offshore Wind Marine Environmental Assessments:</i></p>	<p>As mentioned in MM 2.10, we raised the need for monitoring to fill the knowledge gap on the impact of Sub-Bottom Profiling (SBP) surveys on harbour porpoises. The reason for this suggestion was due to there currently being no other mitigation options available for SBP surveys, besides those outlined in the JNCC guidelines, for minimising the risk of injury to marine mammals from geophysical surveys. With the issue of large disturbance ranges of 17.3km as estimated by the Applicant and potential displacement of harbour porpoises remaining, we see a need to fill in the knowledge gap of SBP survey impacts and ensuring the mitigation is sufficient and therefore have suggested it for this project.</p> <p>Natural England have attached Appendix L5 to our Deadline 5 response with our best practice advice for monitoring.</p>

		<p><i>Best Practice Advice for Evidence and Data Standards Phase IV: Expectations for monitoring and environmental requirements at the post-consent phase</i>'. However, the ExA notes that the advice documents are currently stored on a SharePoint Online site, which requires non-Defra staff to request consent for access.</p> <p>ii. NE are asked to submit into the examination any documents contained on that SharePoint site which NE seeks to rely upon to sustain its concerns around the lack of marine mammal monitoring and how monitoring should be developed.</p> <p>The Applicant is asked to:</p> <p>iii. Confirm that it has reviewed the aforementioned NE Best Practice Advice and to explain how it complies with it, or why it diverges from it.</p> <p>Provide an update on NE's suggestion in [REP3-047] that post-consent monitoring for marine mammals would ideally be a collaborative assessment across the Mona and Morgan Generation projects with a focus on filling evidence gaps for marine mammals in the Irish Sea.</p>	
MM 2.4	Applicant Marine Management Organisation	Underwater Sound Management Strategy – Arbitration	Committing to deploying NAS could readily resolve the following issues in Natural England's Risk and Issues log for Marine Mammals:

	Natural England	<p>The ExA notes that the MMO and Natural England remain concerned about the Applicant's lack of firm commitment to the use of Noise Abatement Systems (NAS). The ExA also notes the Applicant's position that the deployment of NAS is not standard industry practice within the UK and at present there is no statutory requirement for NAS to be deployed, although the Applicant's UWSMS includes NAS as one of a number of mitigation options if required. The ExA also notes the Applicant's submissions at ISH2 [REP4-006] that through the process of discharging conditions of the DMLs and approving the final plans, the MMO has fundamental control.</p> <p>Can the Applicant, the MMO and NE advise what would happen if agreement on the final UWSMS cannot be reached, and if so how would the matter be arbitrated/ resolved.</p>	<ul style="list-style-type: none"> • C2 & C12 • C3 & C13 • C5, C21 and C43 • C7 <p>Without committing to NAS, the Applicant will need to act on the advice in each of these comments in the risk and issue log. Without further action, they will remain unresolved at the end of examination.</p> <p>We would also reiterate that Defra are due to publish a Marine Noise Policy paper in the coming weeks which will include the expectation that all offshore wind pile driving activity in English waters should demonstrate that they have utilised best endeavours to deliver noise reductions through the use of primary and/or secondary noise mitigation methods in the first instance from January 2025.</p> <p>With regard to arbitration, we note the post consent determination falls into the MMO's statutory function and Natural England's statutory function in this process would be to provide advice to MMO prior to a determination being made.</p>
MM 2.7	Marine Management Organisation Natural England Natural Resources Wales	<p>Outline Marine Mammal Mitigation Protocol (MMMP) – draft DML</p> <p>Can the MMO, NE and NRW confirm whether they are content with the Applicant's response to ExQ1 MM 1.3 [REP3-006] – specifically, that it is not necessary for geophysical activities to be</p>	Natural England are satisfied with the Applicant's response to ExQ1 MM 1.3.

		referenced in the draft DML Conditions [REP4-013].	
MM 2.8	Applicant	<p>Outline MMMP – Scare Charges NE maintains the view that scare charges should be removed from the outline MMMP [REP3-048]. The Applicant is asked to consider the removal of scare charges from the outline MMMP [REP4-019], and if not, why not.</p>	Natural England notes this request and will review the Applicant’s response at the relevant deadline.
MM 2.10	Applicant	<p>Sub Bottom Profiler Surveys In response to the ExQ1 MM 1.23 [REP4-043, row C37] Natural England advises that there is a need for monitoring to fill the knowledge gap on the impact of SBP surveys on harbour porpoises. Natural England advises that monitoring should be considered with the aim to collect data before, during and after SBP surveys to examine changes in the baseline, and that inclusion of this monitoring in the In Principle Monitoring Plan (IPMP) would resolve this issue. The Applicant is asked if it is willing to accept the advice and include the monitoring in the IPMP. If so, please submit a revised IPMP at D5. If not, provide an explanation.</p>	Natural England welcomes this request and will review the Applicant’s response at the relevant deadline.
MM 2.11	Natural England	<p>Marine Mammal Sensitivity and Prey Availability In response to EXQ1 MM 1.22 [REP3-048], Natural England advised that it is content</p>	If harbour porpoise and harbour seal sensitivities were changed from low to medium for changes in prey availability, the significance of effect would fall into the Minor adverse

		with the assigned sensitivity score for Minke whales but due to the vulnerability of harbour porpoise and harbour seal to changes in prey availability their assigned sensitivity score should be upgraded to medium. However, Natural England did not advise the ExA whether their position on this matter makes a material difference to the Applicant's assessment of effects in the ES for harbour porpoise and harbour seal. Can Natural England please clarify?	category rather than falling into the Applicant's dual matrix category with the option Negligible or Minor. As the Applicant concluded the more precautionary Minor adverse category for their assessment, there would be no material change to the outcome of the assessment as a minor adverse conclusion is considered not significant in EIA terms._
MP Marine Physical Processes and Benthic Ecology			
MP 2.3	Applicant	<p>Ballast Material Disposal</p> <p>In response to ExQ1 MP 1.3 the Applicant advised that it will undertake decommissioning of gravity bases by the removal of ballast, including sand sequestered during construction. It added that it is anticipated that the ballast material will be reused or disposed of offsite and not released back into the local system. While the ExA appreciates that decommissioning will be governed by separate legislation and procedure, the ExA and Natural England (See [REP3-048]) remain uncertain about what "<i>reused or disposed of off site</i>" means, as well as what is meant by "<i>the local system</i>".</p> <p>Does the Applicant mean released back into the water environment beyond the Morgan Array Area, or disposed of on land? The Applicant is asked to provide a</p>	Natural England welcomes this request for clarification.

		more detailed explanation to supplement its response to ExQ1 MP 1.3.	
MO Marine Ornithology			
MO 2.1	<p>Applicant</p> <p>Natural England</p> <p>Natural Resources Wales</p>	<p>Summary of Data</p> <p>The Applicant's numerous responses to NE and NRW [REP4-007, REP4-009, REP4-012] refer to discussions (13 November and 28 November 2024) and indicates that it is working to provide a summary of data and a solution to resolve all outstanding methodological issues associated with the assessments presented in Volume 2 Chapter 5 Offshore Ornithology [APP-023]. The Applicant expects this to provide Natural England with the information necessary to close out many of the outstanding methodological issues without the need for updated assessment document and to reduce the volume of documents submitted into the Examination. However Natural England and NRW continue to put to the ExA that the clarification notes essentially serve as additional stress-testing of the Applicant's conclusions against their advice, in isolation from each other.</p> <p>The Applicant is asked to share the summary with the SNCBs at the earliest opportunity and submit a copy at D5.</p> <p>Natural England and NRW are asked to comment on the summarised data at D5.</p>	Please see response to HRA 2.1 and the overarching comment in Appendix B5.

		The parties can combine their response with HRA 2.1.	
MO 2.3	Natural England Natural Resources Wales Joint Nature Conservation Committee Royal Society for the Protection of Birds	Methodology for Ornithological Assessments The SNCBs and RSPB are asked to confirm at D5 a list of the agreed and not agreed methodological issues, with reference to the summary data as referred to above and the range of clarification notes/errata submitted up to and including D4.	Please see our response to HRA 2.1. The Applicant intends to submit a summary of data in a tabulated or spreadsheet format to resolve methodological issues at Deadline 5. This is following a proposed solution raised by Natural England during meeting held with the Applicant on 13 November 2024 and explored further in subsequent meetings. Having reviewed the summary data in advance of deadline 5 and provided feedback to the Applicant, we are content that the Applicant's deadline 5 submission should resolve all major methodological issues. This includes but is not limited to the issues referred to in the following technical/clarification notes: Deadline 1: <ul style="list-style-type: none"> • [REP1-010] Annex 4.5 to Response to Hearing Action Point 15: Offshore Ornithology CEA and In-combination Gap-filling of Historical Projects Note • [REP1-011] Displacement Rates Clarification Note Deadline 2: <ul style="list-style-type: none"> • [REP2-021] Treatment of Birds in Flight Data in Abundance Estimation

			<ul style="list-style-type: none"> • [REP2-022] Great black-backed gull regional populations <p>Deadline 3:</p> <ul style="list-style-type: none"> • [REP3-020] Kittiwake apportioning clarification note • [REP-018] Inclusion of Awel y Môr in Cumulative Assessments – Clarification note • [REP3-019] Review of Cumulative Effects Assessment and In-Combination Assessment: Offshore ornithology
MO 2.4	Applicant	<p>Sabbatical Birds</p> <p>Natural England’s Risk and Issues Log (B28, B29, B46 [REP4-043]) indicates that it is broadly content with the Applicant’s responses on the issue of sabbatical birds, however it advises that the wording in the submitted application documents should be updated with the clarification given by the Applicant in its response (B.69, B.70 [PD1-017]). The Applicant is asked to update the relevant documents accordingly.</p>	Natural England welcomes this request.
MO 2.6	Natural England	<p>Ornithological Monitoring</p> <p>Natural England is asked to review and comment on the Applicant’s comments made at [REP4-006] (pages 21-24) and [REP4-009] (page 35) regarding their reasoning for lack of ornithological monitoring and the suggestion of monitoring of Manx shearwater.</p>	Natural England continues to advise that when significant areas of uncertainty are identified in impact assessments, it is appropriate and proportionate to consider using PCM to address these uncertainties. Displacement impact assessments have been undertaken for Manx shearwater at all three R4 Irish Sea OWFs . However, it remains unclear how relevant this

		<p>impact pathway is to this species for offshore turbine arrays, and if so, to what extent.</p> <p>The Applicant argues that post-construction monitoring (PCM) at the Morgan OWF may not ultimately be able to address the uncertainties around the displacement impact pathway for Manx shearwater. Natural England agree with the Applicant that strategic monitoring programmes are preferable and note that we have advised collaboration with the Mona OWF on this issue. Furthermore, Morecambe OWF could also contribute data, and likewise, the forthcoming demonstrator projects in the R5 floating zone could do similar. A collaborative approach to PCM in the region would enable testing of the assumptions made in the impact assessments carried out to date.</p> <p>Furthermore, the data collected could be utilised strategically to reduce uncertainty in future impact assessments in the Celtic Sea zone, where further development are envisaged beyond R5. The potential (cumulative) risks to Manx shearwater could be much greater here, especially if outstanding uncertainties around impact pathways would need to be resolved by PCM for those projects.</p> <p>Many ongoing strategic projects such as <i>'Improving understanding of distributional change for relevant seabird species'</i> (ImpUDis), run by the Offshore Renewables Joint Industry Programme (ORJIP) ultimately rely on baseline and PCM data collected by individual projects.</p>
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			Thus, data collected at the project level can be used strategically, and this should be borne in mind when considering the value and potential utilisation of such data.
MO 2.7	Natural England Natural Resources Wales Joint Nature Conservation Committee	SSSI and CEA clarification notes NE, NRW and JNCC are asked to review the following additional ornithological clarification notes provided at D4 and provide comment at D5: i) Project alone and cumulative assessment for the Great Orme Head SSSI [REP4-029]. Differences between the Morgan Generation Assets and the Mona Offshore Wind Project in abundance estimates used in the CEA [REP4-031].	Natural England is not the Statutory Nature Conservation Body (SNCB) for Welsh sites and therefore provides no comment on this matter.
SLV Seascape, Landscape and Visual			
SLV 2.1	The Applicant Natural England	Protected Landscapes Guidance on the Protected Landscapes Duty was published on 16 December 2024, setting out how the duty is intended to operate and providing broad principles to guide compliance with Section 245 of the Levelling up and Regeneration Act 2023. The Applicant and Natural England are asked to provide comment on the relevance of the guidance to the Proposed Development, in particular that which relates to the setting of Protected Landscapes.	Natural England is aware of the new guidance. However, this does not change our advice regarding Morgan OWF in relation to SLVIA. We do not have any outstanding concerns regarding SLVIA and therefore have no further comments to make.