

21 October 2024

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

Dear Sir / Madam,

Planning Act 2008

The proposed Morgan and Morecambe Offshore Wind Farms: Transmission Assets

Planning Inspectorate Reference Number: **EN020028**

Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL), (together, the Applicants), enclose an application for an Order granting development consent (the Application) in accordance with 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, operate and maintain, and decommission two electrically separate transmission systems (hereafter, the Transmission Assets), connecting two nationally significant infrastructure projects - the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets - in the east Irish Sea approximately 30 kilometres from the northwest coast of England to the National Grid, at Penwortham, Lancashire.
- 1.2. Following a request from the Applicants, on 4 October 2022 the Secretary of State issued a direction under section 35 of the 2008 Act, that the Transmission Assets should be treated as a development for which development consent is required.
- 1.3. A development consent order is required to authorise the Transmission Assets in accordance with Section 31 of the 2008 Act. The Transmission Assets comprises onshore and offshore infrastructure. The offshore elements of the Transmission Assets are located in the east Irish Sea within English offshore waters (beyond 12 nm from the English coast) and inshore waters (within 12 nm from the English coast). The onshore elements of the Transmission Assets are located

within the local authority areas of Fylde Council, Blackpool Council, South Ribble Borough Council, Preston City Council and Lancashire County Council.

2 Documentation enclosed and application fee

- 2.1 We have provided 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 Application Guide (document reference A4).
- 2.2. The Applicants acknowledge that the dates on the submitted documents state 'September 2024', as that was when documents were finalised, with the application itself being submitted to the Planning Inspectorate in October 2024.
- 2.3. As agreed with the Planning Inspectorate, the Applicants are only providing the documents electronically. This includes two confidential documents concerning the location of survey findings for otter and badger.
- 2.4. A fee in the sum of £8,796 has already been submitted to the account of the Planning Inspectorate, using reference "EN022028 Morgan and Morecambe OWFTA".

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 and 'Annex A: Order of information submitted with NSIP applications', of the Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents (August 2024). As a number of prescribed steps in the development consent process were undertaken in advance of the issuing of updated Planning Inspectorate advice notes and guidance in 2024, they were carried out in accordance with the relevant guidance and advice notes in place at the time. The relevant application documents highlight where this applies and the advice note or guidance followed.
- 3.2. The Applicants confirm that the Planning Inspectorate will be able to publish the Application (with any necessary redactions) on the Planning Inspectorate's webpage following acceptance.

- 3.3. The Applicants note the publication by the Planning Inspectorate on 20 September 2024 of several updated Advice Notes and guidance. Due to the insufficient time for the Applicants to have due regard to these, they will be reviewed by the Applicants post-acceptance, and related updates can be provided, if required.

4 Description of the project

- 4.1. The Application seeks consent for the Transmission Assets outlined in paragraph 1.1 above and described in full in Schedule 1 to the draft Development Consent Order (draft Order) (document reference C1) and in the ES including the Project Description Chapter (document reference F1.3).
- 4.2. The development, which is the subject of the Application, also contains associated development under section 115 of the 2008 Act, including the infrastructure necessary to connect the Transmission Assets to the national grid. Further explanation on the approach to associated development is contained within the Explanatory Memorandum (document reference C3). The Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets are each considered to be nationally significant infrastructure projects in their own right and are the subject of separate applications for development consent. Both applications have been accepted for examination by the Planning Inspectorate.
- 4.3. The proposed Development Consent Order (DCO) will, among other things, authorise:
- a) The installation of up to six subsea export cable circuits (up to four for Morgan OWL and up to two for Morecambe OWL) to transmit the electricity generated by the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Wind Farm: Generation Assets to landfall. The Transmission Assets' offshore export cable corridor follows a generally south-easterly alignment to the proposed landfall at Lytham St. Annes, Fylde;
 - b) The construction of up to six transition joint bays (up to four for Morgan OWL and up to 2 for Morecambe OWL) within Blackpool Airport connecting the offshore cables to the onshore cables;
 - c) The installation of up to six underground onshore export cable circuits (up to four for Morgan OWL and up to two for Morecambe OWL) between the offshore export cables and the two electrically separate onshore substations, connected via the transition joint bays;
 - d) The construction, operation and maintenance and decommissioning of two onshore substations (one for each project; Morgan OWLs to be located between Kirkham and Freckleton, and Morecambe OWLs located to the north of Freckleton) within Fylde Council;
 - e) The installation of up to four 400kV underground export cable circuits connecting the proposed two onshore substations to the National Grid Penwortham substation to allow the power to be transferred to the national grid;
 - f) Works to connect the Transmission Assets to the National Grid Penwortham substation; and
 - g) Environmental mitigation and biodiversity benefit areas, including associated temporary and permanent accesses.

5 Consent flexibility

- 5.1. The draft Order provides for flexibility in relation to the proposed development. The Applicants have given careful consideration to the guidance in the National Policy Statements and the Planning Inspectorate's Advice Note 9: "Rochdale Envelope". In the Applicants' 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. 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.
- 5.2. 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 Applicants' approach to the Rochdale Envelope is contained within the Environmental Assessment Methodology chapter of the ES (document reference F1.5).

6 Draft Development Consent Order and Deemed Marine Licences

- 6.1. The draft Development Consent Order (DCO) includes the following deemed marine licences (dMLs):
 - dML 1: Morgan Offshore Wind Farm Transmission Assets;
 - dML 2: Morecambe Offshore Windfarm Transmission Assets;
 - dML 3: Morgan Offshore Wind Farm Transmission Assets - River Ribble;and
 - dML 4: Morecambe Offshore Windfarm Transmission Assets - River Ribble.
- 6.2. The draft DCO including dMLs 1 and 2 in relation to the offshore infrastructure, have been the subject of consultation with various interested parties including the host and neighbouring local authorities, Natural England and the Marine Management Organisation, as it was included within the Statutory Consultation held in 2023. Where possible, or appropriate, the Applicants have taken comments into account in the documents submitted. More information on the feedback received on the draft DCO can be found in the Consultation Report (document reference E1). However, the Applicants expect to have further discussions to refine some aspects of the detail of the draft Order after acceptance, as has taken place with other accepted development consent applications.

7 Compulsory acquisition

- 7.1. The Applicants are seeking authority within the draft DCO to compulsorily acquire land, and rights in land and other related powers required for the delivery of the Transmission Assets. Details of which can be found in the Statement of Reasons (document reference D2) and the Book of Reference (document reference D3). Adequacy of funding for compensation is dealt with in the Funding Statement (document reference D1).
- 7.2. The Book of Reference and related Statement of Reasons identify that Sections 127, 132 and 135 of the 2008 Act apply. Details of the extent of the proposed works

affecting land where Statutory Undertakers, Special Category and/or Crown interests are held, can be found in the Statement of Reasons (document reference D2).

8 Habitats regulations and Marine Conservation Zones

- 8.1. The Application includes a Habitats Regulations Assessment (HRA) Stage 1 Screening Report under the Habitats Regulations for the Transmission Assets (document reference E3) and an HRA Stage 2 Information to Support Appropriate Assessment (ISAA) (document reference E2.1-2.3), as required by regulation 5(2)(g) of the APFP Regulations. As the HRA screening exercise identifies the potential for Likely Significant Effect on sites and features, these were taken forward for consideration in the ISAA.
- 8.2. The ISAA identifies all relevant European sites and provides sufficient information for the competent authority to determine whether the Transmission Assets is likely to have an adverse effect on the integrity of any European site. It concludes that the Transmission Assets, together with mitigation and monitoring as proposed, is not expected to have an adverse effect on the integrity of any site. The document 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".
- 8.3. The Application also includes a Stage 1 Marine Conservation Zone Assessment (document reference E4). The screening stage identified a single MCZ, the Fylde MCZ, with the potential to be affected (other than insignificantly) by the construction, operation and maintenance, and decommissioning phases of the Transmission Assets. The Fylde MCZ was, therefore, carried through to an MCZ Stage 1 assessment that identified no significant impediment to the achievement of the Fylde MCZ conservation objectives. As such it concludes that a Stage 2 assessment is not required.

9 Other consents and licences required

- 9.1. The Application Form (document reference 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 Transmission Assets. Further information on these consents, and the disapplication of certain legislation, is contained within the Consents and Licences Required Under Other Legislation document (document reference J23).

10 Pre-application consultation

- 10.1. The Applicants have had careful regard to the pre-application consultation requirements of the 2008 Act, the guidance on pre-application consultation issued by Department for Communities and Local Government (DCLG, 2015) and the Planning Inspectorate, and its pre-application discussions held with the Planning Inspectorate, as required by section 50 of the 2008 Act.
- 10.2. On 30 April 2024 the Department for Levelling Up, Housing and Communities published six guidance notes for Nationally Significant Infrastructure Projects. One of these guidance notes, 'Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects (April 2024)' supersedes the previous guidance note 'Planning Act 2008: guidance on the pre-application process for major infrastructure projects', and sets out the withdrawal of the 2015 DCLG Guidance. All activities carried out by the Applicants prior to 30 April 2024 were undertaken with

reference to the now superseded guidance. The Applicants have not identified any material discrepancies in their approach as compared to the new guidance. The consultations were undertaken in compliance with the DCLG guidance which applied at the time and the Consultation Report (document reference E1) sets out that a high-level compliance check has been undertaken against the updated 2024 guidance, nonetheless.

- 10.3. As required by section 37(3)(c) of the 2008 Act, the Application is accompanied by a Consultation Report (document reference E1), 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 Transmission Assets overall.

11 Other matters

- 11.1. 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. The information relevant to the cable works associated with the Transmission Assets can be found in the Cable Statement (application reference J23).
- 11.2. Under Regulation 6(b)(ii) of the APFP Regulations, applicants are required to provide a statement in respect of Safety Zones. As the Applicants are not seeking consent for an offshore generating station, the APFP Regulations do not provide a mechanism for safety zones to be put in place for cable installation. The Applicants have voluntarily prepared a Safety Zone Statement (application reference J33) to advise of the approach that will be taken, being advisory exclusion zones.
- 11.3. Under regulation 5(2)(l) of the APFP Regulations, applicants are 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 (document references B16 and B17), but the assessments are provided in the Environmental Statement and not as stand-alone documents.
- 11.4. Under regulation 5(2)(f) of the APFP Regulations, applicants are required to provide a statement whether the proposal engages one or more of the matters set out in section 79(1) (statutory nuisances and inspections therefor) of the Environmental Protection Act 1990, and if so, how the applicant proposes to mitigate or limit them. The Applicants have submitted Statutory Nuisance Statement (document reference J29).

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 Wendy Dodds, Application Lead at [REDACTED]@bp.com or [REDACTED]

Kind regards,

Ant Sahota

Ian Mackay



Project Consent Manager
Morgan and Morecambe Offshore Wind Farms:
Transmission Assets project,
on behalf of Morgan Offshore Wind Limited



Consents Lead
Morgan and Morecambe Offshore Wind
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