MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Environmental Statement

Volume 1, Chapter 2: Policy and legislation context

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Term	Meaning
Applicants	Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL).
Biodiversity benefit	An approach to development that leaves biodiversity in a better state than before. Where a development has an impact on biodiversity, developers are encouraged to provide an increase in appropriate natural habitat and ecological features over and above that being affected. For the Transmission Assets, biodiversity benefit will be delivered within identified biodiversity benefit areas within the Onshore Order Limits. Further qualitative benefits to biodiversity are proposed via potential collaboration with stakeholders and local groups, contributing to existing plans and programmes, both within and outside the Order Limits.
Candidate Special Areas of Conservation	Areas that were submitted to the European Commission as candidates for designation as a Special Area of Conservation before the end of the Transition Period following the UK's exit from the European Union, but not yet formally designated. See also Special Areas of Conservation.
Capacity market	Introduced by the UK Government to manage security of electricity supply and safeguard against the possibility of future blackouts.
Climate change	A change in global or regional climate patterns, in particular a change apparent from the mid to late 20th century onwards and attributed largely to the increased levels of atmospheric carbon dioxide produced by the use of fossil fuels.
Climate resilience	The capacity of social, economic and ecosystems to cope with a hazardous event or trend or disturbance.
Contracts for Difference	Private contracts between a low carbon electricity generator and the UK Government owned Low Carbon Contracts Company.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
Environmental Impact Assessment	The process of identifying and assessing the significant effects likely to arise from a project. This requires consideration of the likely changes to the environment, where these arise as a consequence of a project, through comparison with the existing and projected future baseline conditions.
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
European Protected Species	Species (such as bats, great crested newts, otters and dormice) which receive full protection under The Conservation of Species and Habitats Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017.
Generation Assets	The generation assets associated with the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm include the offshore wind turbines, inter-array cables, offshore substation platforms and platform link (interconnector) cables to connect offshore substations.
Greenhouse gas	A gas that absorbs and emits radiant energy within the thermal infrared range, causing the greenhouse effect. Examples include carbon dioxide and methane.
Habitats Regulations	The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).

Term	Meaning
Kyoto Protocol	The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its parties to reducing greenhouse gas emissions by setting internationally binding emission reduction targets, implemented primarily through national measures but also via wider market-based mechanism.
Landfall	The area in which the offshore export cables make landfall (come on shore) and the transitional area between the offshore cabling and the onshore cabling. This term applies to the entire landfall area at Lytham St. Annes between Mean Low Water Springs and the transition joint bays inclusive of all construction works, including the offshore and onshore cable routes, intertidal working area and landfall compound(s).
Local Planning Authority	The local government body (e.g., Borough Council, District Council, etc.) responsible for determining planning applications within a specific area.
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 to apply for 'deemed marine licences' in English waters as part of the development consent process.
Marine spatial planning	A public process of analysing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic and social objectives that have been specified through a political process.
Morecambe OWL	Morecambe Offshore Windfarm Limited is a joint venture between Zero-E Offshore Wind S.L.U. (Spain) (a Cobra group company) and Flotation Energy Ltd.
Morgan and Morecambe Offshore Wind Farms: Transmission Assets	The offshore and onshore infrastructure connecting the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm to the national grid. This includes the offshore export cables, landfall site, onshore export cables, onshore substations, 400 kV grid connection cables and associated grid connection infrastructure such as circuit breaker compounds. Also referred to in this report as the Transmission Assets, for ease of reading.
Morgan OWL	Morgan Offshore Wind Limited is a joint venture between bp Alternative Energy investments Ltd. and Energie Baden-Württemberg AG (EnBW).
National Policy Statement(s)	The current national policy statements published by the Department for Energy Security and Net Zero in 2023 and adopted in 2024.
Offshore Wind Acceleration Task Force	A group of key global industry players working to accelerate the growth of the fast-moving offshore wind sector by developing a common view to address barriers to growth and provide best practices.
Planning Inspectorate	The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008.
Potential Special Protection Area	A site identified as potentially qualifying for Special Protection Area classification and for which a decision to classify has yet to be taken pending consultation.
Protected species	A species of animal or plant which it is forbidden by law to harm or destroy.
Ramsar sites	Wetlands of international importance that have been designated under the criteria of the Ramsar Convention. In combination with Special Protection Areas and Special Areas of Conservation, these sites contribute to the national site network.
Renewable energy	Energy from a source that is not depleted when used, such as wind or solar power.

Term	Meaning
Special Areas of Conservation	A site designation specified in the Conservation of Habitats and Species Regulations 2017. Each site is designated for one or more of the habitats and species listed in the Regulations. The legislation requires a management plan to be prepared and implemented for each SAC to ensure the favourable conservation status of the habitats or species for which it was designated. In combination with Special Protection Areas and Ramsar sites, these sites contribute to the national site network.
Special Protection Areas	A site designation specified in the Conservation of Habitats and Species Regulations 2017, classified for rare and vulnerable birds, and for regularly occurring migratory species. Special Protection Areas contribute to the national site network.
The Secretary of State for Energy Security and Net Zero	The decision maker with regards to the application for development consent for the Transmission Assets.
Transmission Assets	See Morgan and Morecambe Offshore Wind Farms: Transmission Assets (above).

Acronyms

Acronym	Meaning
BEIS	The former Department for Business, Energy & Industrial Strategy
CfDs	Contracts for Difference
CNP	Critical National Priority
COP	Conference of the Parties
DCO	Development Consent Order
Defra	Department for Environment, Food & Rural Affairs
DESNZ	Department for Energy Security & Net Zero
DPD	Development Plan Documents
EIA	Environmental Impact Assessment
EMR	Electricity Market Reform
ES	Environmental Statement
EU	European Union
HNDR	Holistic Network Design Review
MCZ	Marine Conservation Zone
MMO	Marine Management Organisation
MPA	Marine Protected Area
MPS	Marine Policy Statement
NDC	Nationally Determined Contribution

Acronym	Meaning
NGESO	National Grid Electricity System Operator
NIC	National Infrastructure Commission
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OSPAR	Oslo and Paris Conventions
OTNR	Offshore Transmission Network Review
SAC	Special Area of Conservation
SPA	Special Protected Area
UNFCCC	United Nations Framework Convention on Climate Change
UK	United Kingdom

Units

Unit	Description
°C	Degrees Celsius
GW	Gigawatts
MW	Megawatts
%	Percentage

2 Policy and legislation context

2.1 Introduction

2.1.1.1 This chapter of the Environmental Statement (ES) provides a summary of the policy and legislative context for the Morgan and Morecambe Offshore Wind Farms: Transmission Assets (referred to as 'the Transmission Assets'), with reference to the following:

- climate change and renewable energy legislation and policy;
- UK transmission infrastructure strategy and policy; and
- the consenting process, including details of the Planning Act 2008, as amended (referred to here as 'the Planning Act 2008') and associated planning policy.

2.1.1.2 Policy and legislation specific to individual environmental topics and Environmental Impact Assessment (EIA) are set out within each topic chapter of this ES (see Volumes 2, 3 and 4) and an assessment is carried out against each relevant policy within the Planning Statement that accompanies the application for development consent (document reference J28).

2.2 Climate change and renewable energy legislation and policy

2.2.1 Introduction

2.2.1.1 The purpose of the Transmission Assets is to connect the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm to the National Grid, thus contributing to:

- securing our energy supply; and
- the UK's response to the climate change crisis.

2.2.1.2 This section provides a summary of policy, legislation and strategy in relation to the climate change crisis and the role of renewable projects.

2.2.2 International climate change commitments

2.2.2.1 Climate change and renewable energy policy in the UK is underpinned by international commitments, which are summarised below.

United Nations Framework Convention on Climate Change

2.2.2.2 The United Nations Framework Convention on Climate Change (UNFCCC) is an intergovernmental treaty that came into force on 21 March 1994. Its objective was to achieve:

'stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system' (Article 2 of the UNFCCC) (United Nations, 1992).

2.2.2.3 To date, the UNFCCC has been ratified by 197 signatories, including the UK. The first agreement was the Kyoto Protocol, which was signed in 1997. A number of meetings of the UNFCCC have taken place since 1997, resulting in several important and binding agreements, summarised in the following sections.

Kyoto Protocol

2.2.2.4 The UK is a signatory to the Kyoto Protocol, an international agreement for the implementation of the UNFCCC. The Kyoto Protocol commits industrialised countries and economies to limit and reduce greenhouse gas emissions in accordance with agreed individual targets. The United Nations Framework Convention asks those countries to adopt policies and measures on mitigation and to report periodically. The protocol came into effect in 2005 and its commitments were transposed into UK law by the Climate Change Act 2008, as amended.

2.2.2.5 The protocol initially placed a duty on the UK to ensure that the net UK carbon account for the year 2050 was 80% lower than the 1990 baseline. Due to increasing awareness of the need for more urgent action, this was revised to a 'net zero target' by the Climate Change Act 2008 (2050 Target Amendment) Order 2019. This revised target was for greenhouse gas emissions to be 100% lower than the 1990 levels by the year 2050.

The United Nations Adoption of the Paris Agreement COP21

2.2.2.6 In December 2015, 195 signatories, including the UK, adopted the first universal, legally binding global climate deal at the Paris climate conference (COP21). The Paris Agreement (United Nations, 2015) seeks to reduce global greenhouse gas emissions and to limit the global temperature increase in this century to 'well below' 2°C, while pursuing the means to limit this further to 1.5°C. This was ratified by the UK Government in November 2016 and is a binding international treaty.

2.2.2.7 The Paris Agreement requires countries to submit a Nationally Determined Contribution (NDC) to the UNFCCC. The UK's NDC (HM Government, 2022) commits the UK to reducing economy-wide greenhouse gas emissions by at least 68% by 2030, compared to 1990 levels.

The Glasgow Pact COP26, COP27 and COP28

2.2.2.8 At the COP26 summit in November 2021, nearly 200 parties voted to adopt the Glasgow Climate Pact (UNFCCC, 2021). This includes commitments to phase down the use of coal and supports a common timeframe and methodology for national commitments on emissions reductions. Countries were tasked to return in 2022 with more ambitious 2030 emissions reductions targets. The COP27 summit in November 2022 made little further progress on the emissions reduction ambitions discussed at COP26.

2.2.2.9 The COP28 summit, held in November/December 2023, resulted in a decision to accelerate action across all areas by 2030, including a call on governments to transition away from fossil fuels to renewables such as wind

and solar power in their next round of climate commitments. At COP29 to be held in November 2024, governments must establish a new climate finance goal reflecting the scale and urgency of the climate challenge.

2.2.2.10 The COP28 summit also included the first 'global stocktake', which assessed global progress towards the goals of the Paris Agreement. The stocktake concluded that implementation of the Paris Agreement is lacking throughout the world, with a clear gap between individual countries' stated ambitions (through NDCs) and mitigation actions and policies to achieve those goals.

2.2.3 UK climate change and renewable energy commitments

2.2.3.1 The UK has a range of legislation and policies relating to climate change and renewable energy, a summary of which is provided below.

The Climate Change Act 2008 (as amended)

2.2.3.2 As set out above, the Climate Change Act 2008 originally committed the UK to a net reduction in greenhouse gas emissions of 80% by 2050 against the 1990 baseline in line with the commitments of the Kyoto Protocol.

2.2.3.3 In June 2019, secondary legislation (the Climate Change Act 2008 (2050 Target Amendment) Order 2019) was passed and extended that target to at least 100% against the 1990 baseline.

2.2.3.4 The Climate Change Act 2008 also established the Committee on Climate Change (now the Climate Change Committee), which advises the UK and devolved governments on emissions targets and reports to Parliament on progress made. In May 2011, the Climate Change Committee published the Renewable Energy Review (Climate Change Committee, 2011), which explores the potential for renewable energy development and its role in achieving emissions reduction targets. The Renewable Energy Review states that renewable energy developments will provide a significant contribution to the decarbonisation of the national grid by 2030.

2.2.3.5 The Climate Change Committee has since produced six carbon budgets, covering 2008 to 2037. These carbon budgets represent a limitation on the total quantity of greenhouse gas emissions to be emitted over each five-year period. The sixth carbon budget is the most recent carbon budget to be published, covering 2033 to 2037 (Climate Change Committee, 2020). The budget states that electricity demand is predicted to rise by 50% by 2035 and at least double by 2050, mostly through reduced reliance on high carbon energy sources such as fossil fuels. Therefore, decarbonisation of electricity production is essential. Suggested changes to electricity generation include:

- expansion of low carbon energy supplies, with 100% of electricity production coming from low carbon sources by 2035, mostly from renewables; and
- increasing renewables to 60% of total energy generation by 2030, 70% by 2035 and 80% by 2050, with offshore wind being '*the backbone of the system'* (Climate Change Committee, 2020, chapter 3 section 4: Electricity generation).

2.2.3.6 The seventh carbon budget, covering the period 2038 to 2042, is due to be set in 2025.

The Energy Act 2013

2.2.3.7 The Energy Act introduced a legislative framework for delivering secure, affordable and low carbon energy. It included provisions to incentivise investment in low carbon electricity generation, ensure security of supply, and help the UK meet its emission reduction and renewables targets. In particular, the Energy Act 2013 contained provisions for Electricity Market Reform (EMR).

2.2.3.8 EMR was designed to enable the UK to develop a clean, diverse and competitive mix of electricity generation that will ensure we meet targets on decarbonisation and security of supply, while keeping bills as low as possible for consumers now and in the future (the former Department for Business, Energy and Industrial Strategy (BEIS), 2022).

2.2.3.9 EMR comprised two main policy areas to deliver the above:

- capacity market: to ensure security of electricity supply at least cost to the customer; and
- Contracts for Difference (CfDs): to provide long-term revenue stabilisation for new low carbon electricity generation in Great Britain.

The Clean Growth Strategy 2017

2.2.3.10 The Clean Growth Strategy (HM Government, 2017) emphasised the need to grow national income, while cutting greenhouse gas emissions. Its aim to achieve clean growth, while ensuring an affordable energy supply for businesses and consumers, is at the heart of the UK's Industrial Strategy.

National Infrastructure Assessment 2018 and 2023

2.2.3.11 The National Infrastructure Commission (NIC) provides advice on the UK's national infrastructure and an assessment of our infrastructure needs to 2050 and beyond.

2.2.3.12 The first National Infrastructure Assessment was published in 2018 (NIC, 2018), which highlighted the need for the UK to have low cost and low carbon electricity. It proposed a highly renewable generation mix as a low-cost option for the energy system, with at least 50% renewable generation by 2030. It proposed the continued use of mechanisms such as CfDs to achieve this and set out that offshore wind should be recognised as cost competitive.

2.2.3.13 The case for at least 50% renewable generation by 2030 was reaffirmed by the NIC's Net Zero: Opportunities for the power sector paper (NIC, 2020). This paper confirmed that renewables costs have fallen faster than forecast. It states that:

'The government's ambition to deploy 40 GW of offshore wind will go a long way to delivering at least 50 per cent renewable generation by 2030. This positive progress needs to continue. Delivering the Commission's recommendations would allow government to take the needed concrete

action in the near term, whilst not closing down options for the future' (NIC, 2020, Recommendations from the National Infrastructure Assessment).

2.2.3.14 As part of the work towards the second National Infrastructure Assessment, a baseline report was published in 2021 (NIC, 2021). This identified the following area for improvement: *'greenhouse gas emissions from economic infrastructure must reduce further, fast'*. It also identified two strategic themes for the second National Infrastructure Assessment relevant to climate change and renewable energy.

- Reaching net zero: all sectors have more to do to reach net zero, including energy, where government has committed to decarbonise electricity generation by 2035.
- Climate resilience and the environment: while economic infrastructure has generally proved resilient to shocks and stresses over recent years, climate change will only increase pressures across all sectors, and infrastructure sectors have significant impacts – both positive and negative – on the environment.

2.2.3.15 The second National Infrastructure Assessment was published in October 2023 (NIC, 2023) and provides an assessment of the UK's infrastructure needs to 2055 and beyond. This report recognises that the UK has already made significant progress in boosting renewable electricity generation, but highlights that there is still progress to be made to address three key challenges:

- decarbonising energy and achieving net zero emissions;
- supporting economic growth across all regions; and
- improving climate resilience and the environment.

2.2.3.16 With regards to energy security, the report states that: 'by 2035, the UK needs a reliable electricity system running mostly on renewable power. Government should accelerate the deployment of offshore wind, onshore wind and solar power.'

The UK Offshore Wind Sector Deal 2019

2.2.3.17 The UK Government published the Offshore Wind Sector Deal in 2019, which sets the key commitments and actions from the UK Government to support offshore wind energy development (HM Government, 2020a). Since its launch in 2019, the UK Government and the offshore wind energy sector have made progress on delivering the commitments and actions set out in the Sector Deal. Commitments include:

- to be the world's most innovative economy, including funding and support to research and development in offshore wind;
- to generate good jobs and greater earning power for all, including building skills and knowledge accessibility and investment in talent;
- a major upgrade to the UK's infrastructure, including collaboration to deliver an efficient, secure and integrated energy system;

- the best place to start and grow and business, including building of supply chains and development of future technology; and
- to have prosperous places throughout the UK, including investment in projects that will benefit local communities and working with development agencies.

2.2.3.18 In 2020, the UK Government prepared a policy paper to reflect on the status of the offshore wind industry one year after the publication of the Offshore Wind Sector Deal (HM Government, 2020b) and this identified that good progress was being made, including the development of regional clusters, the setup of the Offshore Wind Innovation Group and the commitment to £557 million for CfD auctions and policy support for offshore wind, along with the support for future wind farms.

National Infrastructure Strategy 2020

2.2.3.19 The National Infrastructure Strategy was published in November 2020 and sets out the plan for the UK's infrastructure revolution, alongside the plans for levelling up. It responds to the recommendations made in the National Infrastructure Assessment (HM Treasury, 2020). Commitments include:

- significant investment in offshore wind and into modern ports and manufacturing infrastructure to expand the share of energy generation from renewables; and
- supporting jobs and growth across the UK, particularly in post-industrial and coastal towns.

2.2.3.20 The government's decarbonisation agenda will build the UK's capability in new green industries. Infrastructure investment in offshore wind capacity (40 gigawatts (GW) by 2030) and port infrastructure will create jobs in coastal communities.

The Ten Point Plan for a Green Industrial Revolution 2020

2.2.3.21 The UK's Ten Point Plan (HM Government, 2020c) intends to set the foundations for a '*Green Industrial Revolution'* by creating jobs through '*harnessing British science and technology to create and use clean energy'*. Point one of the Ten Point Plan is '*Advancing Offshore Wind'*.

2.2.3.22 The Ten Point Plan notes that offshore wind is a critical source of renewable energy for our growing economy and that by 2030 the Government plans to quadruple our offshore wind capacity, backing new innovations to make the most of this proven technology and investing to bring new jobs and growth to our ports and coastal regions. It confirms the NIC's aim of 40 GW of offshore wind by 2030 and sets out a proposed £160 million investment programme for modern ports and manufacturing infrastructure.

The Energy White Paper: Powering our Net Zero Future 2020

2.2.3.23 Following the Prime Minister's Ten Point Plan (HM Government, 2020c), and National Infrastructure Strategy (HM Treasury, 2020), the Energy White Paper (HM Government, 2020d) marked a significant milestone in the UK's

net zero transition, setting a net zero target by 2050 and outlining how this may be achieved. It relates to the generation, supply and use of energy with the drive towards net zero by 2050 at its core, along with energy efficient buildings and lower household bills. It signalled a decisive move away from fossil fuel generation and highlights how planned Government investment has the potential to leverage billions of pounds in private sector funding and support for over 250,000 jobs in the green economy by 2030.

2.2.3.24 In particular, the introduction of the White Paper set out an aim to quadruple offshore wind capacity by 2030, '*backing new innovations to make the most of this proven technology and investing to bring new jobs and growth to our ports and coastal regions*'. It included a target for 40 GW of offshore wind by 2030 (in line with the National Infrastructure Strategy).

Net Zero Strategy: Build Back Greener 2021

2.2.3.25 Building on the Ten Point Plan, the Energy White Paper, and the requirements of the Climate Change Act 2008 (2050 Target Amendment) Order 2019, the Government published its Net Zero Strategy in 2021 (HM Government, 2021a). This sets out the long-term plan to end the UK's contribution to man-made climate change by 2050. The key policies in the strategy include that:

- by 2035 the UK will be powered entirely by clean electricity, subject to security of supply; and
- 40 GW of offshore wind will be delivered by 2030.

2.2.3.26 The strategy proposed that the UK should lead the way in meeting the commitments made at COP26 in Glasgow.

British Energy Security Strategy 2022

2.2.3.27 On 7 April 2022, the UK Government published its British Energy Security Strategy (BEIS and Prime Minister's Office, 2022). The strategy builds on the UK net zero target, placing a heavy reliance on a renewable and low carbon energy supply with a view to *'bring clean, affordable, secure power to the people for generations to come'*.

2.2.3.28 The strategy plans to accelerate delivery of offshore wind by strengthening the renewable National Policy Statements (NPSs) to reflect the importance of energy security and net zero. It proposes work with an Offshore Wind Acceleration Task Force to work on reducing the consenting and delivery times for offshore wind projects and fast tracking priority projects, including the development of an Offshore Wind Environmental Improvement Package. Specifically, the strategy states an ambition to deliver up to 50 GW of offshore wind by 2030, an increase on previous targets of 40 GW.

Powering Up Britain: The Net Zero Growth Plan 2023

2.2.3.29 Due to a successful legal challenge on the 2021 Net Zero Strategy (HM Government, 2021a), the UK Government published an updated strategy in March 2023, titled 'the Net Zero Growth Plan' (HM Government, 2023). This

plan largely restated existing policy contained within previous policy papers above. The plan confirmed the UK's commitment to having a decarbonised power system by 2035, with the majority of power generated from renewable sources such as wind and solar. It targets an increase to 50 GW of offshore wind capacity by 2030.

Great British Energy

2.2.3.30 The new Government has confirmed its commitment to renewable energy, including offshore wind. This includes a commitment to future offshore wind projects, including making Britain a clean energy superpower by 2030, as set out in the Great British Energy founding statement (DESNZ, 2024).

2.2.4 UK transmission infrastructure strategy and policy

Holistic Network Design 2022

2.2.4.1 As set out in Volume 1, Chapter 1: Introduction of the ES, both the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm were scoped into the 'Pathways to 2030' workstream under the Offshore Transmission Network Review (OTNR). The OTNR aims to consider, simplify, and wherever possible facilitate a collaborative approach to offshore wind projects connecting to the National Grid.

2.2.4.2 Under the OTNR, the National Grid Electricity System Operator (NGESO) was responsible for assessing options to improve the coordination of offshore wind generation connections and transmission networks and undertook a Holistic Network Design Review (HNDR). In July 2022, the UK Government published the 'Pathway to 2030 Holistic Network Design' documents, which set out the approach to connecting 50 GW of offshore wind to the National Grid (NGESO, 2022). A key output of the HNDR process was the conclusion that the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm should work collaboratively in connecting their two offshore wind farms to the National Grid electricity transmission network at Penwortham in Lancashire.

2.2.4.3 Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Limited (Morecambe OWL) (the Applicants), being in agreement with the output from the HNDR, are jointly seeking a single consent for their electrically separate Transmission Assets, comprising aligned offshore export cable corridors to landfall and aligned onshore export cable corridors to separate onshore substations, and onward connection to the National Grid at Penwortham.

Planning for new energy infrastructure: National Policy Statements

2.2.4.4 NPSs designated under the Planning Act 2008 (see **section 2.3.2**) establish the national need case for energy infrastructure, including transmission infrastructure. There are currently six energy NPSs, three of which contain policy relevant to offshore wind development and the Transmission Assets, specifically:

- overarching NPS for Energy (NPS EN-1) which sets out the UK Government's policy for the delivery of major energy infrastructure (Department for Energy Security and Net Zero (DESNZ), 2023a);
- NPS for Renewable Energy Infrastructure (NPS EN-3) (DESNZ, 2023b); and
- NPS for Electricity Networks Infrastructure (NPS EN-5) (DESNZ, 2023c).

2.2.4.5 **Table 2.1** sets out key aspects from the NPSs relevant to the Transmission Assets and the need for and approach to consenting such infrastructure.

Table 2.1: Summary of relevant NPS policy

NPS	Key aspects
NPS EN-1	Overarching energy NPS, setting out broad basis for considering applications for consent. Sets out the Government's policy for the delivery of major energy infrastructure.
	States that the Secretary of State should assess applications that fall within the scope of EN-1 on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent (paragraph 3.2.6) and that substantial weight should be given to this need (paragraph 3.2.7).
	The Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure, which includes electricity infrastructure (paragraph 3.3.61 and Section 4.2). The urgent need for this infrastructure to achieve our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Paragraph 4.6.16 confirms that the starting point for decision-making is that CNP infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances. The Government strongly supports the delivery of this infrastructure and it should be progressed as quickly as possible (paragraph 3.3.63).
	Confirms the challenge of connecting new sources of electricity generation to the existing transmission network (paragraph 3.3.67) and states that in areas with multiple wind farms it is expected that a coordinated approach will be delivered (paragraph 3.3.71).
	States that the case for a new connection is demonstrated if the proposed development represents an efficient and economical means of connecting a new generating station to the network (paragraph 3.3.78).
	Considers network projects as elements of a coherent and strategically necessary system and requires that when evaluating applications for new electricity networks infrastructure the Secretary of State should have regard to: • the government's strategic commitment to ambitious levels of interconnection capacity and offshore wind generation; and • the tightly interdependent infrastructure chain linking interconnection and offshore generation with onshore demand centres (paragraph 3.3.79).
	The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant. In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated. To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission.

NPS	Key aspects
	Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP (Section 4.11, paragraphs 4.11.1 to 4.11.4).
NPS EN-3	NPS for renewable energy infrastructure. Recognises that offshore wind farms are expected to play a significant role in meeting demand and decarbonising the energy system. States that the ambition is to deploy up to 50 GW of offshore wind capacity by 2030, with an exception that there will be a need for substantially more installed offshore capacity beyond this to achieve net zero carbon emissions by 2050 (paragraph 2.8.1).
	This NPS will apply to offshore transmission infrastructure projects in English waters which are directed into the Nationally Significant Infrastructure Project (NSIP) regime under section 35 of the Planning Act 2008. This could include interconnectors, Multi-Purpose Interconnectors or 'bootstraps' to support the onshore network which are routed offshore (paragraph 1.6.3).
	Highlights the need for a coordinated approach to connect multiple close offshore windfarms to onshore networks, through coordinated transmission proposals (paragraph 2.8.34-2.8.37).
	As part of the transition to more co-ordinated transmission, it is anticipated that some proposals for transmission could be consented separately to those for the windfarm (array) application (paragraph 2.8.38). For this to occur, an applicant will need to make a request to the Secretary of State. The Secretary of State would then decide whether to give direction under Section 35 of the Planning Act 2008 (paragraph 2.8.39).
	Applicants should proceed in a manner consistent with regulatory regime for offshore transmission – the coordination of transmission is supported by regulatory changes to enable this as part of the OTNR. As co-ordinated offshore transmission development may sometimes occur separate to that for wind farm development, it is expected that an initial agreement will be reached regarding connection with the offshore transmission network developer (or operator) and/or connection into the onshore transmission network. For many wind farm projects, including those from The Crown Estate Leasing Round 4 onwards, connection agreements will be limited to connection points proposed through strategic network design exercises such as those undertaken by the National Grid Electricity System Operator, including the Holistic Network Design for offshore-onshore transmission under the OTNR (paragraphs 2.8.59-2.8.61).
	Sets out considerations for the assessment of effects of installing offshore transmission infrastructure across the intertidal/coastal zone at paragraph 2.8.119 including where relevant: • any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice; and • any alternative cable installation cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice.
	Sets out considerations for assessment at paragraphs 2.8.285-2.8.290, with reference to EN-5 for onshore elements.
NPS EN-5	NPS for electricity networks (including grid connections for wind farms). The infrastructure covered by the NPS for electricity networks includes transmission systems, distribution systems, and associated infrastructure (e.g., substations, converter stations, etc.).
	States that the security and reliability of the UK's energy supply, both currently and in the future, is heavily dependent on an electricity network that will allow for generation, storage, and interconnection infrastructure to meet the required rapid increase in electricity demand for the transition to net zero (paragraph 1.1.1).
	Recognises that onshore and offshore transmission infrastructure is viewed by the government as a critical national priority and should be progressed as quickly as possible (paragraph 1.1.5).

NPS	Key aspects
	Section 2.2 sets out factors influencing site selection and design.
	Section 2.13 sets out the approach for transmission projects, referring to coordinated transmission proposals for projects identified by the HNDR Pathway to 2030 workstream. Radial offshore transmission options to single windfarms should only be proposed where options assessment work identifies that a coordinated solution is not feasible (paragraph 2.13.9). Co-ordination is expected to reduce overall environmental and community impacts associated with bringing offshore transmission onshore compared to an uncoordinated approach. These reduced impacts could relate to fewer landing sites and reduced landfall impacts (paragraph 2.13.14). Similarly, the related onshore infrastructure (number of substations and transmission lines) is expected to be consolidated compared with that which would otherwise be required and that applicants would also be able to demonstrate this (paragraph 2.13.15).
	Refers to EN-1 and confirms that holistic planning is important for transmission infrastructure and recognises that transmission infrastructure may need to be consented separately from its generation assets (section 2.7).
	As part of the transition to a more coordinated approach, it is anticipated that some proposals for transmission may be consented separately to those for the windfarm (array) application (paragraph 2.12.8) and notes that section 35 of the Planning Act 2008 can be used for coordinated offshore transmission infrastructure (paragraph 2.12.10).
	In the assessments of their designs, applicants should demonstrate how environmental, community and other impacts have been considered and how adverse impacts have followed the mitigation hierarchy and how enhancements to the environment post construction will be achieved including biodiversity net gain and wider environmental improvements in line with the Environmental Improvement Plan and environmental targets (paragraph 2.14.2).
	Sets out assessment principles in relation to assessment for electricity networks (sections 2.9-2.13).

2.2.4.6 Topic chapters within this ES set out the policy in the NPSs relevant to their topic chapters.

2.3 Consenting regime

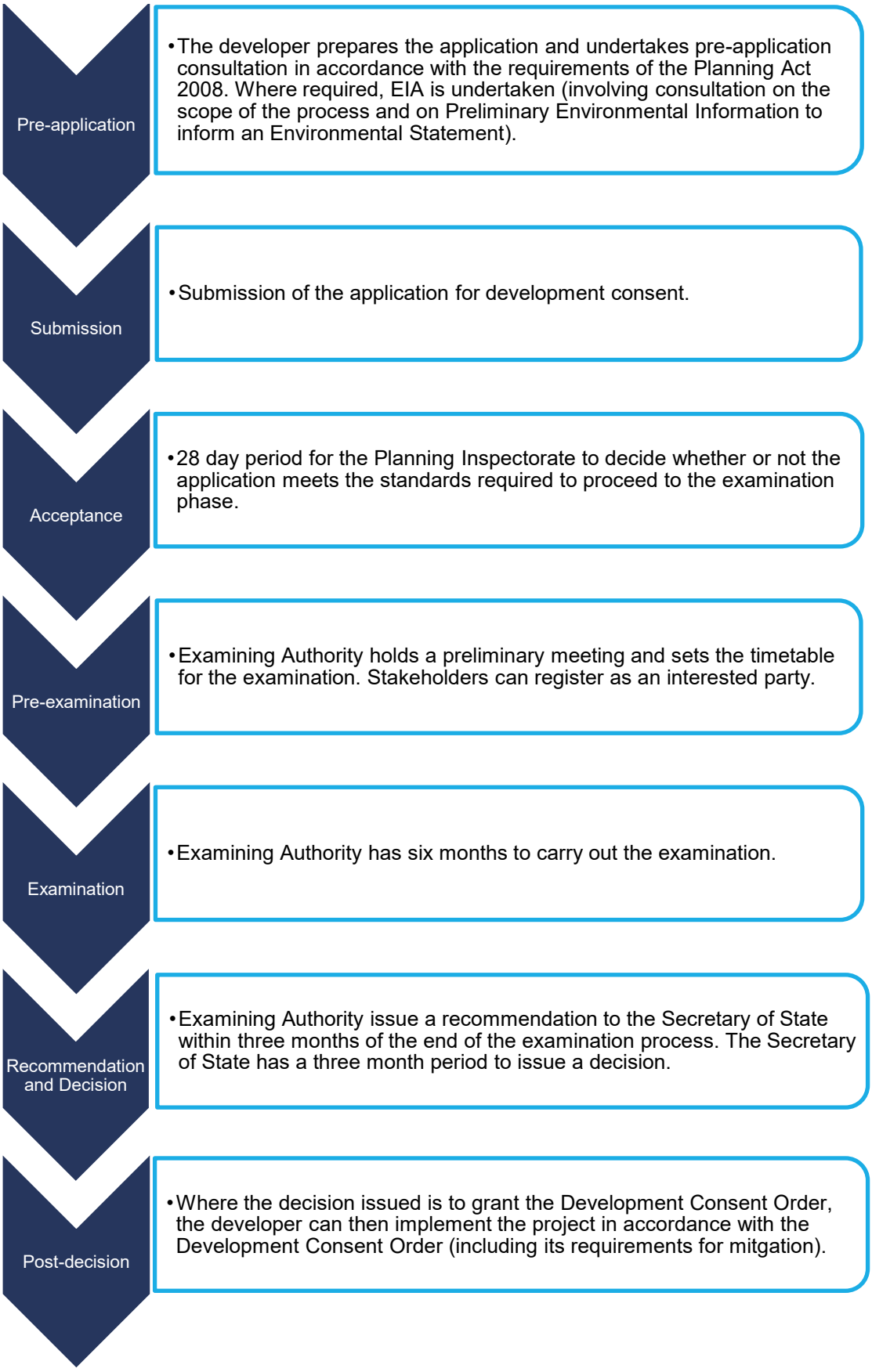
2.3.1 Introduction

2.3.1.1 This section provides a summary of the consenting process and describes the legal requirements for EIA.

2.3.2 Planning Act 2008

2.3.2.1 The Planning Act 2008 is the primary legislation that establishes the legal framework for applying for, examining and determining applications for NSIPs. The key stages of the consenting process under the Planning Act 2008 are summarised in **Diagram 2.1**. This ES has been prepared to accompany the application for development consent (the submission stage on **Diagram 2.1**).

Diagram 2.1: Overview of the Planning Act 2008 consenting process



2.3.2.2 As set out in Volume 1, Chapter 1: Introduction of the ES, the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm (the 'Generation Assets') fall within the definition of an NSIP, as they exceed the threshold for an offshore generating station with a capacity of more than 100 megawatts (MW), set under the Planning Act 2008. These are the subject of separate applications for development consent.

2.3.2.3 As set out in **section 2.2.4**, a key output of the HNDR process was that Morgan OWL and Morecambe OWL should work collaboratively in connecting the Generation Assets to the National Grid electricity transmission network at Penwortham in Lancashire.

2.3.2.4 The Applicants have worked closely to identify how best to develop (and consent) an aligned but electrically separate grid connection. In order to do so, the Applicants have identified and considered a number of consenting options. The output of this process has been for both Applicants to work together to develop an application for aligned transmission assets infrastructure:

- consent their Generation Assets separately (so that they remain commercially and geographically distinct and subject to their individual agreements for lease with The Crown Estate); and
- pursue a joint consent for the Transmission Assets (covering both projects' offshore export cables and onshore transmission infrastructure).

2.3.2.5 Rather than requiring multiple separate consents from different decision-makers for these large scale, complex, aligned and high value works (for example, the onshore works cover four local planning authority areas), the consenting strategy for the Transmission Assets provides for a single, consistent consent, particularly important for an aligned transmission connection as is required.

2.3.2.6 Furthermore, given the intrinsic link with the Generation Assets, the Applicants believe that consideration and determination of the Transmission Assets under the Planning Act 2008 ensures alignment and consistency with the applications and any consents for the Generation Assets and to ensure that the NPSs be given appropriate consideration in the decision-making process, alongside local planning policy.

2.3.2.7 Key reasons for selecting this consenting approach are to:

- allow for better consideration and assessment of potential impacts (including beneficial and cumulative impacts);
- facilitate more efficient use of stakeholder resources to minimise stakeholder fatigue or confusion;
- provide a formal structure for the projects to collaborate and align on transmission design, assessment and mitigation approach;
- align with the NPSs for delivering major energy infrastructure (for example paragraphs 4.11.3 and 4.11.4 of NPS EN-1 (DESNZ, 2023a); and

- avoid separate complex consenting processes locally and nationally, enabling alignment and consistent consenting with timetabling certainty, reducing the potential for delays from the consenting of the necessary Transmission Assets to delay the delivery of two NSIP Generation Assets projects.

2.3.2.8 The application for development consent covers the following key components.

- Offshore:
  - offshore export cables: these export cables will bring the electricity generated by the Generation Assets to the landfall for onward transmission.
- Landfall:
  - landfall site: this is where the offshore export cables are jointed to the onshore export cables via the transition joint bays. This term applies to the entire area between Mean Low Water Springs (MLWS) and the transition joint bays.
- Onshore elements:
  - onshore export cables: these export cables will be jointed to the offshore export cables via the transition joint bays at the landfall site, and will bring the electricity generated by the Generation Assets to the onshore substations;
  - onshore substations: the two electrically separate onshore substations will contain the components for transforming the power supplied via the onshore export cables up to 400 kV;
  - 400 kV grid connection cables: these export cables will bring the electricity generated by the Generation Assets from the two electrically separate onshore substations to the existing National Grid substation at Penwortham;
  - environmental mitigation areas – temporary and/or permanent areas, including accesses identified to provide environmental mitigation only; and
  - biodiversity benefit areas - temporary and/or permanent areas, including accesses identified to provide biodiversity benefit only.

2.3.2.9 Applications for development consent are examined by the Planning Inspectorate and determined by the Secretary of State. Consent takes the form of a Development Consent Order (DCO).

2.3.2.10 Alongside local planning policy, in accordance with Section 104(2) of the Planning Act 2008, in determining applications for consent, the Secretary of State may have regard to:

- any national policy statement which has effect in relation to development of the description to which the application relates;
- the appropriate marine policy documents;
- any local impact report;

- any matters prescribed in relation to development of the description to which the application relates; and
- any other matters which the Secretary of State thinks are both important and relevant to its decision.

2.3.2.11 Section 104(3) highlights the importance of NPSs in relation to decision-making, requiring applications to be decided in accordance with any relevant NPS, except where any of the following apply:

- the decision would lead to breaching of international obligations or statutory duty;
- the decision would be unlawful by virtue of any enactment;
- the adverse impact of the development is considered to outweigh its benefits; or
- a condition prescribed for deciding an application otherwise than in accordance with a national policy statement would be met.

2.3.2.12 The Government has published a consultation on reform to the consenting process for NSIPs (Department for Levelling Up, Housing and Communities, 2023a). In March 2023, the government updated its the Nationally Significant Infrastructure Projects Reform Action Plan (Department for Levelling Up, Housing and Communities, 2024). This sets out proposed reforms to deliver commitments to making the infrastructure consenting process better, faster, greener, fairer and more resilient. This includes a commitment to regular review of the NPSs to provide a clear strategic direction for infrastructure planning.

2.3.3 The Marine and Coastal Access Act 2009

2.3.3.1 Parts three and four of the Marine and Coastal Access Act 2009 introduced a new marine planning and licensing system for overseeing the marine environment and a requirement to obtain a marine licence for certain activities and works at sea.

2.3.3.2 Section 149A of the Planning Act 2008 allows applicants for development consent to apply for ‘deemed marine licences’ as part of the consenting process. The Marine Management Organisation (MMO) are the responsible authority for deemed marine licences in English waters and work with the Planning Inspectorate to ensure that deemed marine licences are transposed into the DCO. The MMO remain the regulatory compliance monitoring and enforcement body in respect of the conditions contained within the deemed marine licences.

2.3.3.3 Part 5 of the Marine and Coastal Access Act 2009 enables the designation of Marine Conservation Zones (MCZs) in England and Wales as well as UK offshore areas. Consideration of MCZs is required for any marine licence application or application for development consent which includes a deemed marine licence. A Stage 1 Marine Conservation Zone Assessment (document reference E4) accompanies the DCO application.

2.3.4 Environmental Impact Assessment Regulations

2.3.4.1 EIA is the process of identifying and assessing the significant effects likely to arise from a project. This requires consideration of the likely changes to the environment, where these arise as a consequence of a project, through comparison with the existing and projected future baseline conditions.

2.3.4.2 As set out in Volume 1, Chapter 1: Introduction of the ES, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) set out the requirements for EIA under the Planning Act 2008.

2.3.4.3 This ensures that the determining authority has sufficient information relating to the likely significant effects on the environment arising from a project. The approach to undertaking EIA for the Transmission Assets is set out in Volume 1, Chapter 5: Environmental Assessment Methodology of this ES.

2.3.4.4 This ES presents the findings of the EIA process and has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

2.3.5 Habitats Regulations

2.3.5.1 The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) (collectively known as the 'Habitats Regulations') require the assessment of significant effects on internationally important nature conservation sites, including the following:

- Special Areas of Conservation (SACs) or candidate SACs;
- Special Protection Areas (SPAs) or potential SPAs;
- Sites of Community Importance; and
- Ramsar sites.

2.3.5.2 These have been traditionally referred to as European Sites or Natura 2000 sites. Following the UK's departure from the European Union (EU), and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, such sites in the UK are now referred to as the National Site Network. The assessment required under the Habitats Regulations is to be undertaken by the 'competent authority', which in the case of the Transmission Assets is the Secretary of State for Energy Security and Net Zero.

2.3.5.3 In order to carry out the assessment required, the competent authority requires a report to be submitted alongside the application for development consent. An Information to Support the Appropriate Assessment report accompanies the application for development consent.

2.3.5.4 The Habitats Regulations also provide protection for certain species of plants and animals, referred to as European Protected Species. These Regulations set out those species that are protected and the activities that are prohibited, such as deliberate disturbance or creating damage to a breeding place.

2.3.5.5 The Habitats Regulations also provide for licences to be granted for certain operations, such as proposed developments that may affect protected species, subject to:

- there being no satisfactory alternative; and
- the action authorised not being detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

2.3.5.6 With respect to the Transmission Assets, the species present have been identified and the likely effects assessed. Where possible, effects on protected species have been avoided or minimised. Where such effects cannot be avoided, then an application for a European Protected Species licence will be made.

2.3.6 Environment Act 2021

2.3.6.1 The Environment Act 2021 sets out targets, plans and policies for environmental protection in England.

2.3.6.2 Schedule 15 (biodiversity gain in nationally significant infrastructure projects) of the Environment Act 2021 sets out provisions for biodiversity net gain and amends the Planning Act 2008.

2.3.6.3 The Environment Act 2021 includes provisions applying certain biodiversity net gain requirements to projects consented under the Planning Act 2008. A 10% biodiversity net gain requirement is proposed to be imposed on NSIPs from November 2025, with publication of the first biodiversity net gain statements anticipated in November 2025. These statements will set out details of the biodiversity gain objective and calculation method.

2.3.6.4 The Department of Environment, Food and Rural Affairs (Defra) has confirmed that projects which have been accepted into the Examination stage of the consenting process prior to the November 2025 date will not be required to deliver the minimum biodiversity net gain target but may choose to do so voluntarily.

2.3.6.5 Taking into account the above, the Transmission Assets are not subject to mandatory net gain requirement under the Environment Act 2021. Nevertheless, the Applicants have worked with statutory consultees to discuss the approach and to develop the design to allow the maximum benefit to biodiversity within the parameters of the project. The approach is set out within the Onshore Biodiversity Benefit Statement (document reference J11) that accompanies the application for development consent.

2.3.7 The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

2.3.7.1 These regulations set out objectives for surface and groundwater bodies, including water quality with the aim of improving the water environment. Objectives are set for waterbodies in terms of their status.

2.3.7.2 The effects of the Transmission Assets in relation to The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the

effects on environmental objectives for surface and groundwater bodies are considered within Volume 2, Annex 2.2: Water Framework Directive coastal waters assessment and Volume 3, Annex 2.1: Water Framework Directive surface water and groundwater assessment of this ES.

2.3.8 Environmental Permitting (England and Wales) Regulations 2016

2.3.8.1 The Environmental Permitting Regulations aim to ensure that authorised activities and their discharges do not endanger the environment or human health.

2.3.9 International conventions

The Ramsar Convention 1976

2.3.9.1 The Ramsar Convention on Wetlands of International Importance (referred to as the Ramsar Convention) is an international treaty for the conservation and sustainable use of designated wetland areas, known as Ramsar sites. The Convention came into force in 1976.

2.3.9.2 Ramsar sites are wetlands of international importance designated under the criteria of the Ramsar Convention (i.e., the wetland supports 20,000 water birds and/or supports 1% of the individuals in a population of one species or subspecies of water bird).

2.3.9.3 In the UK, Ramsar sites are protected under the National Site Network, in the same way as SPAs and SACs (see **section 2.3.5**).

The OSPAR Convention 1992

2.3.9.4 The Convention for the Protection of the Marine Environment of the North-East Atlantic (referred to as the OSPAR Convention) was signed at the ministerial meeting of the Oslo and Paris Commissions in Paris in 1992. The Convention aims to protect the marine environment of the North-East Atlantic.

2.3.9.5 The OSPAR Convention includes a series of Annexes with details of measures for the prevention and elimination of pollution, assessment of quality of the marine environment and protection and conservation of marine ecosystems and biodiversity.

2.3.9.6 As part of this work, the need for a network of Marine Protected Areas (MPAs) has been identified. The UK has identified the following MPA designation types: MCZs, SACs with marine components, SPAs with marine components, Nature Conservation MPAs and national MPAs in Scotland.

The Espoo Convention 1997

2.3.9.7 The UN Economic Commission for Europe Convention on Environmental Impact Assessment (referred to as the Espoo Convention) came into force in 1997. The Convention sets out the obligations of Parties to notify and consult each other on all major projects under consideration that are likely to have a

significant adverse effect across international boundaries (transboundary effects).

2.3.9.8 The Espoo Convention has been transposed into UK legislation by the EIA Regulations (see **section 2.3.4**).

The Convention on Biological Diversity 1993

2.3.9.9 The Convention on Biological Diversity entered into force in 1993 with three main objectives:

- the conservation of biological diversity;
- the sustainable use of the components of biological diversity; and
- the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

2.3.9.10 The overall objective is to encourage actions that will lead to a sustainable future. The Secretariat of the Convention is based on Montreal in Canada and aims to assist governments to implement the Convention and its programmes of work.

2.4 Planning policy context

2.4.1 Introduction

2.4.1.1 This section sets out the national and local planning policy context for the Transmission Assets.

2.4.2 National Policy Statements

2.4.2.1 In addition to establishing the national need case, as set out above in **section 2.3.2**, the NPSs identify key matters that should be considered by the Examining Authority and decision-maker when considering an application for development consent.

2.4.2.2 Each NPS sets out environmental topic-specific policy considerations. Where appropriate, these are outlined and taken into account within the relevant topic chapters of this ES. An assessment is carried out against each relevant policy within the Planning Statement that accompanies the application for development consent (document reference J28) with further details provided in the National Policy Statement Tracker (document reference J26).

2.4.3 Other relevant national planning policy

2.4.3.1 In addition to the policy set out in the NPSs, the following planning policy and guidance is considered relevant.

The National Planning Policy Framework 2023

2.4.3.2 The National Planning Policy Framework (NPPF) was published in 2012 and updated in 2018, 2019, 2021 and 2023 (Department for Levelling Up, Housing and Communities, 2023). The NPPF sets out the Government's

planning policies for England and how these are to be applied in relation to the determination of planning applications made under the Town and Country Planning Act 1990 (as amended).

2.4.3.3 The NPPF states that planning law requires planning applications to be determined in accordance with the Development Plan for the relevant area unless material considerations indicate otherwise. Paragraph 2 states that the NPPF:

'… is a material consideration in planning decisions'.

2.4.3.4 Paragraph 5 states that the NPPF does not contain specific policies for applications for development consent under the Planning Act 2008. These are to be determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant NPSs for nationally significant infrastructure, as well as any other matters that are considered both important and relevant (which may include the NPPF).

2.4.3.5 The Government has published proposed reforms to the NPPF for consultation on 30 July 2024, with the consultation period ending on 24 September 2024 (Ministry of Housing, Communities and Local Government, 2024). Following consultation, the NPPF will be updated.

2.4.3.6 Where relevant, the NPPF is considered within the topic chapters of this ES. An assessment is carried out against each relevant policy within the Planning Statement that accompanies the application for development consent (document reference J28) with further details provided in the NPPF Tracker (document reference J28.1).

2.4.4 Marine policy

UK Marine Policy Statement 2011

2.4.4.1 The UK-wide Marine Policy Statement (MPS) was published in March 2011, under the Marine and Coastal Access Act 2009, in order to provide a framework for marine spatial planning, specifically for the preparation of Marine Plans and taking decisions that affect the marine environment (Defra, 2011). The MMO has taken a regional approach to the development of marine plans in English waters.

2.4.4.2 The Marine and Coastal Access Act 2009 requires all public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area to do so in accordance with the MPS and the relevant Marine Plans.

2.4.4.3 The MPS provides that the following matters should be considered by decision-makers when examining and determining applications for energy infrastructure.

- The national level of need for energy infrastructure, as set out in NPS EN-1.
- The positive wider environmental, societal and economic benefits of low carbon electricity generation and carbon capture and storage as key technologies for reducing carbon dioxide emissions.

- The potential impact of inward investment in offshore wind, wave, tidal stream and tidal range energy-related manufacturing and deployment activity; as well as the impact of associated employment opportunities on the regeneration of local and national economies. All of these activities support the objective of developing the UK's low carbon manufacturing capability (MPS, paragraph 3.3.4).

2.4.4.4 The MPS does acknowledge that renewable energy developments can potentially have adverse impacts on fish, mammals and birds and that further research is required to better understand potential impacts, however it goes on to state that:

'The UK has some of the best wind resources in the world and offshore wind will play an important and growing part in meeting our renewable energy and carbon emission targets and improving energy security by 2020, and afterwards towards 2050' (MPS, paragraph 3.3.19).

2.4.4.5 In addition, the MPS states that offshore wind:

'….has the potential to have the biggest impact in the medium-term on security of energy supply and carbon emission reductions through its commercial scale output' (MPS, paragraph 3.3.19*).*

2.4.4.6 The MPS identifies certain environmental topic-specific policy considerations. Where appropriate, these are outlined within the relevant topic chapters of this ES. An assessment is carried out against each relevant policy within the Planning Statement that accompanies the application for development consent (document reference J28) with further details provided in the Marine policies tracker (document reference J28.2).

North West Inshore and North West Offshore Marine Plan 2021

2.4.4.7 The Transmission Assets are located within English offshore and inshore waters, covered by the North West Inshore and North West Offshore Marine Plan (HM Government, 2021b). The plan introduces a strategic approach to marine planning within the marine plan area. It is intended to inform decision-making by marine users and regulators on where, when or how activities may take place within the marine plan area.

2.4.4.8 The North West Inshore and North West Offshore Marine Plan sets out the following four objectives in relation to achieving a sustainable marine economy.

- Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.
- The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
- Marine businesses are taking long-term strategic decisions and managing risks effectively. They are competitive and operating efficiently.
- Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the market place.

2.4.4.9 The policy provisions within the North West Marine Plan relevant to each environmental topic are presented and addressed in the individual topic chapters of this ES. An assessment is carried out against each relevant policy within the Planning Statement that accompanies the application for development consent (document reference J28) with further details provided in the Marine policies tracker (document reference J28.2).

2.4.5 Local planning policy

2.4.5.1 Prior to the Planning and Compulsory Purchase Act 2004, local planning policy was set out in a single document, the Local Plan. These single documents are being replaced by Local Development Frameworks which comprise a collection of Development Plan Documents (DPD) including a Core Strategy DPD, Site Allocation DPD, Area Action Plans and a Proposals Map.

2.4.5.2 The onshore elements of the Transmission Assets are located within the administrative areas of Fylde Council, Blackpool Council, South Ribble Borough Council and Preston City Council (and Lancashire County Council at the County level).

2.4.5.3 The Applicants are committed to working with these authorities on both the Generation Assets and Transmission Assets applications for development consent.

2.4.5.4 **Table 2.2** outlines the main local planning policy documents that are under consideration during the EIA process. Where relevant, emerging documents are also listed.

Table 2.2: Key local planning policy

Authority	Adopted policy	Emerging policy
Fylde Council	Adopted Fylde Local Plan to 2032 (incorporating Partial Review) (Fylde Council, 2021).	N/A
Blackpool Council	Blackpool Local Plan Part 1: Core Strategy 2012-2027 (Blackpool Council, 2016). Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (Blackpool Council, 2023). Flood risk and minerals and waste policy set out jointly with Lancashire County Council (see below).	Preparation for a new local plan for Blackpool (vision and policy framework to 2042) has started.
South Ribble Borough Council	South Ribble Local Plan 2012-2026 (South Ribble Borough Council, 2015). Central Lancashire Adopted Core Strategy – Local Development Framework (Preston City Council, South Ribble Borough Council and Chorley Council, 2012). Minerals and waste policy set out jointly with Lancashire County Council (see below).	The Central Lancashire Local Plan is under review, with adoption anticipated in December 2026.
Preston City Council	The Preston Local Plan 2012-26 (Site Allocations and Development Management Policies DPD (Preston City Council, 2015).	The Central Lancashire Local Plan is under review, with adoption anticipated in December 2026.

Authority	Adopted policy	Emerging policy
	Central Lancashire Adopted Core Strategy – Local Development Framework (Preston City Council, South Ribble Borough Council and Chorley Council, 2012).	
Lancashire County Council	Lancashire County Council Local Flood Risk Management Strategy for Lancashire 2021-2027 (Blackpool Council, Blackburn with Darwen Council and Lancashire County Council, 2021). Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD: Managing our Waste and Natural Resources (Blackpool Council, Blackburn with Darwen Council and Lancashire County Council, 2009). Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies (Blackpool Council, Blackburn with Darwen Council and Lancashire County Council, 2013).	The Minerals and Waste Local Plan is under review and future consultation is anticipated during 2024.

2.4.5.5 The Fylde Local Plan (Fylde Council, 2021) includes an environmental objective that requires measures to mitigate and adapt to climate change.

2.4.5.6 Blackpool Council, South Ribble Borough Council, Lancashire County Council and Preston City Council have declared climate emergencies. As a result, the following documents include relevant local policy.

- Blackpool's Climate Emergency Action Plan (Blackpool Council, undated), which includes an aim to establish a Blackpool, Fylde Coast and Lancashire Climate Expert Panel to bring the latest thinking and expertise to future activity planning.
- The South Ribble Climate Emergency Action Plan (South Ribble Borough Council, 2021), which includes actions in relation to generation of clean, renewable energy and creation of low carbon jobs.
- Preston City Council's Climate Action Statement (Preston City Council, 2021). Preston has committed to producing a Climate Action Plan in future.
- Lancashire County Council's Environment and Climate Strategy for 2023-2025 (Lancashire County Council, undated), which includes an objective to work with partners to decarbonise the Lancashire economy and create opportunities to build knowledge and skills in low carbon.

2.4.5.7 Each topic chapter of this ES provides further details of the local plans and policies relevant to their environmental topic and their study area. Relevant supplementary planning documents have also been considered where they are relevant and important. Where study areas for individual topics extend beyond the above administrative areas, planning documents relevant to additional administrative areas within the study areas have been taken into account. An assessment is carried out against each relevant policy within the Planning Statement that accompanies the application for development consent (document reference J28) with further details provided in the Local policies tracker (document reference J28.3).

2.5 Need for the Transmission Assets

2.5.1.1 As set out in **section 2.2.1** above, the Transmission Assets are required to connect the Generation Assets (Morgan Offshore Wind Project and the Morecambe Offshore Windfarm) to the National Grid, contributing promptly to:

- the UK Government's ambition to deliver 50 GW of offshore wind by 2030;
- delivering much needed investment and securing construction and operations jobs in the UK;
- securing our energy supply; and
- the UKs response to the climate change crisis.

2.5.1.2 The Generation Assets, together with the Transmission Assets, therefore have an important part to play in securing the timely delivery of the Government's renewable energy strategy and achieving legally binding emissions reduction targets.

2.5.1.3 The national and international policy commitments described above demonstrate the need for renewable energy and, specifically, for offshore wind, in order to meet climate commitments and contribute to addressing the climate crisis. This need is confirmed within the NPSs.

2.5.1.4 NPS EN-1 presents a compelling case for the need for new electricity generating capacity in order to meet the UK's net zero target by 2050 and the urgent need for new electricity generating capacity to meet this objective. This need covers both offshore wind farms and the transmission infrastructure required to connect them to the National Grid. Delivering that change is a major challenge, particularly within a market-based system and with severe constraints on public expenditure in the short term.

2.5.1.5 Paragraphs 3.3.62 and 4.2.4 of NPS EN-1 confirm that the Government

'… has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure.'

2.5.1.6 The strengthened presumptions in favour of CNP infrastructure include that even '*where non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure*' (paragraph 4.2.16). The paragraph then goes on to confirm ' *…in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts*.'

2.5.1.7 NPS EN-1 therefore confirms that the '*Government strongly supports the delivery of CNP Infrastructure, and it should be progressed as quickly as possible*' (paragraph 3.3.63).

2.5.1.8 NPS EN-3 states that the government expects offshore wind to play a significant role in decarbonising the energy system. It confirms that the government has set an ambitious target to have 50 GW of offshore wind capacity by 2030, with an expectation that there will be a need for

substantially more installed offshore capacity beyond this to achieve net zero by 2050. The need for the Transmission Assets derives from the Generation Assets and, on this basis, the case for the Transmission Assets has been established.

2.5.1.9 NPS EN-5 sets out important considerations for electricity networks infrastructure, including consenting, siting and design considerations. Section 2.7 of EN-5 sets out the general assessment principles for transmission infrastructure in circumstances where they may be separate from generating assets. This refers back to NPS EN-1. Paragraph 2.7.3 recognises that there may be circumstances in which a single application contains works relating to multiple generation projects and that this will be acceptable where those works meet the need set out in EN-1. Section 2.13 confirms policy support for a coordinated approach.

2.5.1.10 As set out in **section 2.4.5** above, due consideration is also being given to local planning policy commitments. Blackpool Council, South Ribble Borough Council and Preston City Council have declared climate emergencies and have made commitments in relation to net zero carbon.

2.5.1.11 The Transmission Assets will connect two offshore wind farms to the national grid, contributing to meeting both national and local climate change goals.

2.5.1.12 Further details of the need case and an assessment on the planning balance are provided in the Planning Statement (document reference J28), which accompanies the application for development consent.

2.6 References

BEIS (2022) Five Year Review of the Energy Act 2013. Available at: Five Year Review of the Energy Act 2013 (publishing.service.gov.uk). Accessed: September 2024.

BEIS and Prime Minister's Office (2022) British Energy Security Strategy. Available at: British energy security strategy - GOV.UK (www.gov.uk). Accessed: September 2024.

Blackpool Council (2016) Blackpool Local Plan – Part 1: Core Strategy (2012 – 2027). Available at: https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Documents/J118003-107575-2016-updated-17-Feb-2016-High-Res.pdf. Accessed: March 2024.

Blackpool Council (2023) Blackpool Local Plan Part 2: Site Allocations and Development Management Policies. Available at: LPP2 Adoption Final Feb 23 (blackpool.gov.uk). Accessed: March 2024.

Blackpool Council (undated) Blackpool's Climate Emergency: Action Plan. Available at: https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Documents/Climate/C1682-Climate-Emergency-Action-Plan-Accessible.pdf Accessed: March 2024.

Blackpool Council, Blackburn with Darwen Council and Lancashire County Council (2009) Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD: Managing our Waste and Natural Resources. Available at: https://www.lancashire.gov.uk/council/planning/local-planning-policy-for-minerals-and-waste/#corestrategy. Accessed: March 2024.

Blackpool Council, Blackburn with Darwen Council and Lancashire County Council (2013) Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies. Available at: https://www.lancashire.gov.uk/council/planning/local-planning-policy-for-minerals-and-waste/#siteallocations. Accessed March 2024.

Blackpool Council, Blackburn with Darwen Council and Lancashire County Council (2021) Local Flood Risk Management Strategy for Lancashire 2021 – 2027. Available at: https://www.lancashire.gov.uk/media/928565/lancashire-flood-risk-management-strategy-2021-2027-final-v2.pdf Accessed: March 2024.

Climate Change Committee (2011) The Renewable Energy Review. Available at: [redacted]. Accessed: September 2024.

Climate Change Committee (2020) The Sixth Carbon Budget – The UK's Path to Net Zero, December 2020. Available at: [redacted] Accessed: February 2024.

Defra (2011) Marine Policy Statement. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69322/pb3654-marine-policy-statement-110316.pdf. Accessed: September 2024.

Department for Levelling Up, Housing and Communities (2023a) Operational reforms to the Nationally Significant Infrastructure Project consenting process: government response. Available at: Operational reforms to the Nationally Significant Infrastructure Projects consenting process: government response - GOV.UK (www.gov.uk) Accessed May 2024.

Department for Levelling Up, Housing and Communities (2023b) National Planning Policy Framework. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182577/NPPF_Sept_23.pdf Accessed: March 2024.

Department for Levelling Up, Housing and Communities (2023c) Reforms to national planning policy report: government response. Available at: https://www.gov.uk/government/publications/reforms-to-national-planning-policy-report-government-response/reforms-to-national-planning-policy-report-government-response Accessed: March 2024

Department for Levelling Up, Housing and Communities (2024) Nationally Significant Infrastructure: action plan for reforms to the planning process. Available at: Nationally Significant Infrastructure: action plan for reforms to the planning process - GOV.UK (www.gov.uk) Accessed March 2024.

DESNZ (2023a) Overarching National Policy Statements for Energy (NPS EN-1). Available: https://assets.publishing.service.gov.uk/media/65bbfbdc709fe1000f637052/overarching-nps-for-energy-en1.pdf . Accessed: February 2024.

DESNZ (2023b) National Policy Statement for Renewable Energy Infrastructure (NPS EN-3). Available at: https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf . Accessed: February 2024.

DESNZ (2023c) National Policy Statements for Electricity Networks Infrastructure (NPS EN-5). Available at:

https://assets.publishing.service.gov.uk/media/65a78a5496a5ec000d731abb/nps-electricity-networks-infrastructure-en5.pdf . Accessed: March 2024.

DESNZ (2024) Great British Energy Founding Statement. Available at: https://www.gov.uk/government/publications/introducing-great-british-energy Accessed September 2024.

Fylde Council (2021) Adopted Fylde Local Plan to 2032 (incorporating Partial Review). Available at: https://new.fylde.gov.uk/wp-content/uploads/2021/12/Fylde-Local-Plan-to-2032-incorporating-Partial-Review-adopted.pdf. Accessed: March 2024.

HM Government (2017) The Clean Growth Strategy – Leading the way to a low carbon future. Available at: Clean Growth Strategy (publishing.service.gov.uk). Accessed: September 2024.

HM Government (2020a) Offshore Wind Sector Deal. Available at: https://www.gov.uk/government/publications/offshore-wind-sector-deal/offshore-wind-sector-deal. Accessed: September 2024.

HM Government (2020b) Offshore wind Sector Deal – one year on. Available at: https://www.gov.uk/government/publications/offshore-wind-sector-deal/offshore-wind-sector-deal-one-year-on. Accessed: September 2024.

HM Government (2020c) The Ten Point Plan for a Green Industrial Revolution. Building back better, supporting green jobs, and accelerating our path to net zero. Available at: The Ten Point Plan for a Green Industrial Revolution (publishing.service.gov.uk). Accessed: September 2024.

HM Government (2020d) Energy White Paper: Powering out net zero future. Available at: Energy White Paper (publishing.service.gov.uk). Accessed: September 2024.

HM Government (2021a) Net Zero Strategy: Build Back Greener. Available at: net-zero-strategy-beis.pdf (publishing.service.gov.uk). Accessed: September 2024.

HM Government (2021b) North West Inshore and North West Offshore Marine Plan. Available at: North West Inshore and North West Offshore Marine Plan (publishing.service.gov.uk). Accessed: September 2024.

HM Government (2022) United Kingdom of Great Britain and Northern Ireland's Nationally Determined Contribution. Presented to Parliament by the Secretary of State for Business, Energy, and Industrial Strategy by Command of His Majesty, September 2022. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1109429/uk-nationally-determined-contribution.pdf Accessed: September 2024.

HM Government (2023) Powering Up Britain: Net Zero Growth Plan. Available at: Powering Up Britain: Net Zero Growth Plan - GOV.UK (www.gov.uk). Accessed March 2024.

HM Treasury (2020) National Infrastructure Strategy: Fairer, faster, greener. Available at: CP 329 – National Infrastructure Strategy – Fairer, faster, greener – November 2020 (publishing.service.gov.uk). Accessed: September 2024.

Lancashire County Council (undated) Lancashire County Council Environment and Climate Strategy 2023-2025. Available at: https://www.lancashire.gov.uk/media/940761/environment-strategy.pdf Accessed March 2024.

Ministry of Housing, Communities and Local Government (2024). National Planning Policy Framework: draft text for consultation. Available at: https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_with_footnotes.pdf Accessed September 2024.

NGESO (2022) Pathway to 2030 Holistic Network Design.

NIC (2018) National Infrastructure Assessment, July 2018. Available at: National Infrastructure Assessment (nic.org.uk). Accessed: September 2024.

NIC (2020) Net Zero: Opportunities for the power sector. Available at: Net-Zero-6-March-2020.pdf[redacted]: February 2023.

NIC (2020) Net zero: Opportunities for the power sector. March 2020. Available a[redacted]Accessed March 2024.

NIC (2021) The Second National Infrastructure Assessment: Baseline Report, November 2021. Available at: Revised-Second-National-Infrastructure-Assessment-Baseline-Report.pdf (nic.org.uk). Accessed: September 2024.

Second National Infrastructure Assessment - NIC. Accessed February 2024.

Preston City Council (2015) The Preston Local Plan 2012-26 (Site Allocations and DPD). Available at: https://www.preston.gov.uk/media/1952/Preston-s-Local-Plan/pdf/Preston-Local-Plan-2012-2026-_8.pdf?m=637056240884300000. Accessed: March 2024.

Preston City Council (2021) Interim Climate Action Statement. Available at: https://www.preston.gov.uk/media/9178/Climate-Action-Statement/pdf/interim_climate_action_statement.pdf?m=637729188977730000 Accessed March 2024.

Preston City Council, South Ribble Borough Council, and Chorley Council (2012) Central Lancashire Adopted Core Strategy – Local Development Framework. Available at: https://centrallocalplan.lancashire.gov.uk/media/1032/central-lancashire-core-strategy-july-2012-v1.pdf. Accessed: March 2024.

South Ribble Borough Council (2015) South Ribble Local Plan 2012-2026. Available at: https://www.southribble.gov.uk/media/125/The-Adopted-Local-Plan-July-2015/pdf/Local_Plan_-_Adopted_July_2015_0.pdf?m=637369819342800000. Accessed: March 2024.

South Ribble Borough Council (2021) Climate Emergency Action Plan, July 2021. Available at: https://www.southribble.gov.uk/media/1413/Climate-Emergency-Action-Plan-July-2021/pdf/CE_action_plan_approved_July_2021_3.pdf?m=637648292687900000 Accessed March 2024.

United Nations (1992) United Nations Framework Convention on Climate Change. Available at: Convention text with Annexes - English[redacted] Accessed: September 2024.

United Nations (2015) Paris Agreement. Available at: [redacted]

United Nations Framework Convention on Climate Change (2021) Glasgow Climate Pact. Available at: [redacted]df. Accessed: February 2023.