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To the Applicants
(By email only)

Your Ref:

Our Ref: EN020028

Date: 18 November 2024

Dear Sir/Madam

Planning Act 2008 (as amended) – Section 51

Application by Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited for an Order Granting Development Consent for the Morgan and Morecambe Offshore Wind Farms Transmission Assets project

Advice following issue of decision to accept the application for examination

On 18 November 2024 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicants provided under section 51 of the PA2008 in respect of these initial observations. The Applicants should pay attention to its content and consider how appropriate action might be taken in response.

Consultees identified on a precautionary basis

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicants may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

Draft Development Consent Order including Draft Deemed Marine Licences (Doc C1) (dDCO)

The Applicants are advised to resubmit the dDCO with a contents page to help parties easily navigate this document.

Explanatory Memorandum (Doc C3) (EM)

The EM contains errors as illustrated below:

- Missing page numbers,
- Track changes in the document (Annex 1 No.5) and
- Erroneous cross references (paragraph 1.7.1.1).

Works Plans – Onshore and Offshore (Doc B7 – Part 1 & 2)

Works Plans – Onshore and Intertidal (Doc B8 – Part 1 & 2)

Works Plans – Offshore (Doc B9)

The Works Plans are not labelled with a brief description of each work types e.g. transmission cables, access etc within the key indicator. This makes them difficult to understand. One way of resolving this would be to provide a key with descriptions of each work type at the start of the document.

Some of the plans would benefit from additional insets to help with identification where there are several differing works taking place in a small area.

The Applicants are advised to review all works plans to ensure that all works have been labelled on the plans (e.g. on Sheet 17 work 29B is not labelled on the plan).

Land Plan – Onshore (Doc B10)

The pages on the Land Plan are marked draft which needs to be rectified.

The plot boundaries need to be more clearly identified as there are several instances where they are not able to be clearly understood due to other similar lines on the plan (For example, plots 15-026A, 15-030B and 18-022).

Some of the keys on particular pages of the Land Plan contain categories that are not reflected on the respective plan.

The approach to the use of detailed insets is inconsistent. There are several areas on the Land Plans where a detailed inset is needed in order to clearly portray the plots and their boundaries. For example, the immediate areas around plots 06-056, 08-065, 08-095, 11-011, 14-063, 14-088, 16-015, 16-079. The Applicants should provide more detailed insets where necessary to more clearly show the relevant plots.

Although the Land Plan shows (coloured yellow) those plots that would only be subject to temporary possession, it does not show that temporary possession may be applicable across all of the Order land, as indicated is sought by the Applicants in the Statement of Reasons.

Statement of Reasons (Doc D2)

The document has no page numbers and contains highlights in paragraph 1.7.1.18.

Onshore Statutory and Non-Statutory Designations (Doc 14) and Offshore Statutory and Non-Statutory Designations (Doc 15)

The colours and symbols that are being used to show the different ecological designations are different on the two plans which makes it difficult to cross reference between the two of them. The Applicants are advised to review the plans to ensure that the keys and symbols are consistent across all plans and documentation referring to ecological designations.

Onshore Statutory and Non-Statutory Nature Sites (Doc B14) and Onshore Historic or Scheduled Monument Sites (Doc B16)

The plans showing Onshore Statutory and Non-Statutory Nature Sites (and Waterbodies in a River Basin Management Plan) (Doc B14) and Onshore Historic or Scheduled Monument Sites (Doc B16) present the sites, rivers or historic assets, however these are not labelled (unlike the equivalent offshore plans). The Applicants are advised to provide an updated set of figures with appropriate labelling of the features being represented.

Onshore historic or scheduled monument sites (Doc B16)

Between the onshore historic or scheduled monument sites (Doc B16) and ES Volume 3 (Doc F3.12, figures for chapter 5), there appear to be some minor differences in terms of the specific assets recorded between these drawings. An example is Doc F3.12 ES figure 5.7 compared to sheet 3 of Doc B16. The Applicants are advised to provide an updated set of figures which are consistent in the features being represented, with appropriate labelling.

Statutory and Non-Statutory Features of (The Offshore) Historic Environment Plan (Doc B17)

Standalone figure B17 (Statutory and Non-Statutory Features of (The Offshore) Historic Environment Plan) only shows offshore exclusion areas rather than specific features, however the specific sites are shown on the ES figures. The Applicants are advised to provide an updated set of figures with appropriate labelling of the features being represented.

Environmental Statement (Doc F1)

The Environmental Statement (ES) contains various errors as set out below:

- **ES Volume 1, Chapter 3: Project description (F1.3)** contains formatting errors and the page numbering does not reflect the contents list;
- **ES Volume 1, Chapter 4: Site selection and consideration of alternatives (F1.4)** contains pages marked as confidential;
- **ES Volume 1 Annex 4.3 (Doc F1.4.3)** contains various typos;
- **ES Volume 1, Annex 5.3 (Doc F1.5.3)** contains formatting errors and tables that needs completing/updating;

- **ES Volume 2, Chapter 8: Marine archaeology (Doc F2.8)** contains erroneous cross references to figures and tables.

The Applicants are advised to carry out a comprehensive review of the ES to ensure there are no further errors.

The ES project description chapter (Doc F1.3, paragraph 3.9.2.2) describes five construction scenarios that may be implemented, labelled as 1a, 1b, 2, 3a and 3b. Within the assessments in each technical chapter of the ES, the five scenarios appear to be referred to by a written description rather than the scenario identifier given in the description chapter, and therefore it is not always clear which scenario is being assessed. The Applicants are advised to provide a clear identification of the scenarios assessed as the worst case / maximum design scenario in each chapter.

Environmental Statement Figures - Documents F1.6, F2.10, F3.12, F4.4

Some figures are possibly incomplete e.g. in volume 2 (F2.10), figure 1.4 doesn't show the full array area, and figure 2.1 shows an incomplete yellow line which is supposed to represent the study area. The Applicants are advised to undertake a check of the figures provided to ensure they fully represent the intended information and amend the figures or descriptive text / title as appropriate.

In Volume 2 (F2.10), what should be figures 4.2 and 4.3 are not labelled as such. The Applicants are advised to undertake a check of the figures provided to ensure they fully represent the intended information and amend the figures or descriptive text / title as appropriate.

Environmental Statement, Volume 3, Annex 2.3: Flood Risk Assessment (Doc F3.2.3 (in 2 parts))

The Flood Risk Assessment (FRA) describes that the Proposed Development is primarily located in Flood Zone 1, with areas in Flood Zone 2 and Flood Zone 3. The FRA does not specify whether the components located within Flood Zone 3 are Flood Zone 3a or Flood Zone 3b or a combination. Flood Zone 3a and Flood Zone 3b are not differentiated on the figures in the FRA. An updated FRA with plans differentiating Flood Zone 3a and 3b should be reissued.

Outline Spillage and Emergency Response plan (Doc J1.8)

The document contains a bookmark not defined error and sections 1.2 and 1.21 are missing. The document should be reviewed for formatting errors.

Outline Public Rights of Way (PRoW) Management Plan (Doc J1.5), Outline Landscape Management Plan (Doc J2), Outline Highways Access Management Plan (Doc J8) and Onshore Biodiversity Benefit Statement (Doc J11)

These plans should be reviewed for accuracy and readability, including how the keys/ledgers relate to the information portrayed on the plans.

Habitats Regulations Assessment

It appears from the information reported by the Applicants in their Consultation Report Annex E1.16 that, in response to statutory consultation, Natural England did not agree with all the Applicants' conclusions in the draft Habitats Regulations Assessment. The Applicants are advised that should Natural England's latest position indicate that the Proposed Development is likely to adversely impact the integrity of European sites, the Applicants should provide, at the earliest opportunity prior to the commencement of the Examination, such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.

Minor errors and omissions

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.

Please pay close attention to the advice set out in this letter and act on it accordingly. **The Inspectorate strongly advises that you action these points before the commencement of the Relevant Representation period.** This will provide clarity for those reading the application documentation, contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours faithfully

Karl-Jonas Johansson

Karl-Jonas Johansson
Case Manager

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