

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Response to Section 51 advice



December 2024

Rev: F01

MOR001-FLO-CON-ENV-LET-0016
MRCNS-J3303-JVW-19000

PINS Reference: EN020028

Document reference: S_S51_1

APFP Regulations:5(2)(a)

Document status					
Version	Purpose of document	Approved by	Date	Approved by	Date
S_S51_1	Response to S51 advice	AS	December 2024	IM	December 2024

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1 Response to Section 51 advice

1.1 Introduction

- 1.1.1.1 On the 18th of November 2024, the application by Morgan Offshore Wind Limited ('Morgan OWL') and Morecambe Offshore Windfarm Ltd ('Morecambe OWL') for an order granting Development Consent for the Morgan and Morecambe Offshore Wind Farms: Transmission Assets (hereafter referred to as the 'Transmission Assets') was accepted for examination by the Planning Inspectorate. The Planning Inspectorate provided its advice on the application under section 51 of the Planning Act 2008.
- 1.1.1.2 Morgan OWL and Morecambe OWL, (together, 'the Applicants') have provided its responses to the section 51 advice in Table 1.1.

Table 1.1 The Applicants’ responses to the Section 51 advice

Topic	Section 51 advice	Applicants’ response
Consultees identified on a precautionary 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.”	<p>The Applicants’ in their review of the bodies listed in the advice, note the following:</p> <ul style="list-style-type: none"> • Lea Parish Council changed its named to Lea and Cottam Parish Council. As a relevant parish council, Lea and Cottam Parish Council were consulted by the Project during statutory consultation (document reference: E1.9) and will be notified under section 56 of the Planning Act 2008. • Further due diligence on relevant Statutory Undertakers has been undertaken. Stark UK Property Holdings Limited were previously consulted, however, no longer have an interest in land affected by the proposed development. The Applicants can confirm that the remaining interests listed in Box 6 of the section 55 checklist (excluding National Gas) have no land interest or no apparatus likely to be affected by the proposed development, and as such, were not consulted. National Gas will be notified in accordance with section 56 of the Planning Act 2008.
Draft Development Consent Order including Draft Deemed Marine Licences (dDCO)	“The Applicants are advised to resubmit the dDCO with a contents page to help parties easily navigate this document.”	<p>The requested amendment has been made by the Applicants and the revised draft Development Consent Order (document reference: C1/F02) has been submitted to the Planning Inspectorate.</p> <p>The Applicants have also carried out a review of the draft Development Consent Order for any minor correctable errors and have updated Schedules 5, 7 and 8 of the draft Development Consent Order (document reference: C1/F02) to align with updates made to the Public Rights of Way Plan (document reference: B13/F02) and the Land Plan (document reference: B10/F02) in response to the section 51 advice. These are presented in the DCO Schedule of Changes (document reference: S_51_2) and can be seen in the track change draft Development Consent Order</p>

Topic	Section 51 advice	Applicants' response
		(document reference: C3/F02) submitted as part of the section 51 response.
Explanatory Memorandum (EM)	<p>“The EM contains errors as illustrated below:</p> <ul style="list-style-type: none"> • Missing page numbers, • Track changes in the document (Annex 1 No.5) and • Erroneous cross references (paragraph 1.7.1.1).” 	<p>The requested amendments have been made by the Applicants and the revised Explanatory Memorandum (document reference: C3/F02) has been submitted to the Planning Inspectorate.</p> <p>The Applicants have also carried out a review of the Explanatory Memorandum (document reference: C3/F02) for any minor correctable errors. These are shown in the track change version of the Explanatory Memorandum (document reference: C3/F02).</p>
Works Plans – Onshore and Offshore	<p>“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.</p> <p>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.</p>	<p>The Applicants have updated the Works Plans – Onshore and Offshore with the requested changes and have submitted it to the Planning Inspectorate (document reference: B7 Parts 1 & 2/F02). The Applicants have also undertaken a review of the plans and have made updates to improve readability. These updates include the provision of an additional key with descriptions of each Work Number, as well as additional insets and labelling. This document also contains a Schedule of Changes.</p>
Works Plans – Onshore and Intertidal	<p>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).”</p>	<p>The Applicants have updated the Works Plans – Onshore and Intertidal with the requested changes and have submitted it to the Planning Inspectorate (document reference: B8 Parts 1 & 2/F02). The Applicants have also undertaken a review of the plans and have made updates to improve readability. These updates include the provision of an additional key with descriptions of each Work Number, as well as additional insets and labelling.</p>
Works Plans – Offshore		<p>The Applicants have updated the Works Plans – Offshore with the requested specifications and have submitted it to the Planning Inspectorate (document reference: B9 Parts 1 & 2/F02). The Applicants have undertaken a review of the plans and have made updates to improve readability. These updates include the provision of an additional key with descriptions of each Work Number, as well as additional insets and labelling. This document also contains a Schedule of Changes.</p>

Topic	Section 51 advice	Applicants' response
Land Plan – Onshore	<p>“The pages on the Land Plan are marked draft which needs to be rectified.</p> <p>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).</p> <p>Some of the keys on particular pages of the Land Plan contain categories that are not reflected on the respective plan.</p> <p>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.</p> <p>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.”</p>	<p>The Applicants have updated this document with the requested changes and have submitted it to the Planning Inspectorate (document reference: B10/F02). The document also contains a Schedule of Changes.</p> <p>The Applicants note that the updates to the Land Plan (document reference: B10/F02) have been reflected in the Book of Reference submitted to the Planning Inspectorate (document reference: D3/F02). In addition, a Schedule of Changes to the Book of Reference has been provided (document reference: S_51_3).</p>
Statement of Reasons	<p>“The document has no page numbers and contains highlights in paragraph 1.7.1.18.”</p>	<p>The Applicants have updated this document with the requested changes (document reference: D2/ F02).</p> <p>The Applicants have also carried out a review of the Statement of Reasons (document reference: D2/F02) for minor correctable errors. Whilst doing so, it became apparent that some text was missing from the end of paragraph 1.1.1.9. The Applicants have reinserted the missing text to ensure that this paragraph is comprehensible to the reader. The Applicants have also updated plot references in the Statement of Reasons (document reference: D2/F02) to reflect the changes made to the Land Plan (document reference: B10/F02) and the Book of Reference (document</p>

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		<p>reference: D3/F02). These can all be seen in the track change Statement of Reasons (document reference: D2/ F02).</p> <p>The Applicants note that the Land Rights Tracker (Appendix 1, Statement of Reasons; document reference D2/F02) has also been updated and submitted to the Planning Inspectorate to reflect changes made to the Land Plan (document reference: B10/F02) and the Book of Reference (document reference: D3/F02). A Schedule of Changes to the Book of Reference has also been submitted (document reference: S_51_3).</p>
Onshore Statutory and Non-Statutory Designations and Offshore Statutory and Non-Statutory Designations	<p>“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.”</p>	<p>The Applicants have updated the Onshore Statutory and Non-Statutory Nature Conservation Sites plan to align with the symbology in Offshore Statutory and Non-Statutory Nature Conservation Sites plan and have submitted it to the Planning Inspectorate (document reference: B14/ F02). The document also contains a Schedule of Changes.</p>
Onshore Statutory and Non-Statutory Nature Sites and Onshore Historic or Scheduled Monument Sites	<p>“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. “</p>	<p>The Applicants have updated this document with the requested changes and have submitted it to the Planning Inspectorate (document reference: B14/F02 and B16/F02). Both documents contain a Schedule of Changes.</p>
Onshore Historic or Scheduled Monument Sites	<p>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.</p>	<p>The Applicants have reviewed the Onshore Historic or Scheduled Monument Sites plan alongside the Environmental Statement (ES) Volume 3 Figures and can confirm that the data included is the same. However, the data shown on the ES figures has been separated based on the time period for the records. To facilitate ease of cross-referencing between the documents, labels referencing the heritage asset list entry have been added to the Onshore Historic or Scheduled Monument Sites plan (document reference: B16/F02). The Applicants have submitted the updated Onshore Historic or Scheduled Monument Sites plan (document</p>

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		reference: B16/F02) to the Planning Inspectorate. The document also contains a Schedule of Changes.
Statutory and Non-Statutory Features of (The Offshore) Historic Environment Plan	<p>“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.”</p>	<p>The Applicants have reviewed the Offshore Historic Environment Plan alongside the ES Volume 2, Figure 8.5 and can confirm that the location of the geophysical anomalies shown as high medium and low are the same.</p> <p>The Applicants have reviewed the Offshore Historic Environment Plan alongside the ES Volume 2, Figure 8.6 and can confirm that Archaeology Exclusion Zone (AEZs) and Temporary Archaeology Exclusion Zones (TAEZs) are the same. To enable cross-referencing between the documents, named wrecks have been added to their corresponding ID reference. The Applicants have submitted the updated Offshore Historic Environment Plan (document reference: B17/F02) to the Planning Inspectorate. The document also contains a Schedule of Changes.</p>
ES Volume 1, Chapter 3: Project description (F1.3)	<p>“contains formatting errors and the page numbering does not reflect the contents list...”</p> <p>“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.”</p> <p>“The Applicants are advised to provide a clear identification of the scenarios assessed as the worst case / maximum design scenario in each chapter.”</p>	The Applicants updated this document with the requested changes and have submitted it to the Planning Inspectorate (document reference: F1.3/ES01).
ES Volume 1, Chapter 4: Site selection and	“contains pages marked as confidential”	The Applicants have updated this document with the requested changes and have submitted it to the Planning Inspectorate (document reference: F1.4/ES01).

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consideration of alternatives		
ES Volume 1 Annex 4.3	"contains various typos"	The Applicants have updated this document with requested changes and have submitted it to the Planning Inspectorate (document reference: F1.4.3/ES01).
ES Volume 1, Annex 5.3	"contains formatting errors and tables that needs completing/updating"	<p>The Applicants have updated this document to remove formatting errors and have submitted it to the Planning Inspectorate (document reference: F1.5.3/ES01).</p> <p>The Applicants note that Table 1.4 (PEIR Change Log) in the document uses strikethrough and red font to indicate changes made to the wording of commitments since the Preliminary Environmental Information Report (PEIR) was published.</p>
ES Volume 2, Chapter 8: Marine archaeology	"contains erroneous cross references to figures and tables"	The Applicants have updated this document with the requested specifications and have submitted it to the Planning Inspectorate (document reference: F2.8/ES01). The changes have been reflected in an update to Figure 8.6 submitted to the Planning Inspectorate (document reference: F2.10 Volume 2, Figures - Part 5 of 5). These changes have also been reflected in an update to the Marine Archaeology Technical Report (document reference: F2.8.1/ES01) and in an update to the Non-Technical Summary submitted to the Planning Inspectorate (document reference: F1/ES01).
Environmental Statement	"The Applicants are advised to carry out a comprehensive review of the ES to ensure there are no further errors."	The Applicants note this statement and have undertaken a review of the ES.
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."	The Applicants have undertaken a review of all ES figures. All necessary updates were made and submitted to the Planning Inspectorate (specifically ES Volume 2 Figures, Part 1 of 5, Part 3 of 5, Part 4 of 5 and Part 5 of 5/ES01). The Applicants note that whilst the Array Area presented in Figure 1.4 is correct as used in the other ES figures, the shading/outline on the figure have been amended to provide further clarity.

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	<p>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."</p>	
<p>Environmental Statement, Volume 3, Annex 2.3: Flood Risk Assessment</p>	<p>"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."</p>	<p>The Applicants have updated this document with the requested specifications and have submitted it to the Planning Inspectorate (document reference: F3.2.3, Parts 1 & 2/ES01).</p>
<p>Outline Spillage and Emergency Response plan</p>	<p>"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."</p>	<p>The Applicants have updated this document with the requested specifications and have submitted it to the Planning Inspectorate (document reference: J1.8/ F02).</p>
<p>Outline Public Rights of Way (PRoW) Management Plan</p>	<p>"These plans should be reviewed for accuracy and readability, including how the keys/ledgers relate to the information portrayed on the plans."</p>	<p>The Applicants have updated this document with the requested specifications and have submitted it to the Planning Inspectorate (document reference: J1.5/ F02).</p> <p>These updates have been reflected in changes to both the Public Rights of Way Plan submitted to the Planning Inspectorate (document reference: B13/F02) and the relevant schedules of draft Development Consent Order (document reference: C1/F02).</p>
<p>Outline Landscape Management Plan</p>		<p>The Applicants have updated this document with the requested specifications and have submitted it to the Planning Inspectorate (document reference: J2/ F02).</p>
<p>Outline Highways Access Management Plan</p>		<p>The Applicants have updated this document with the requested specifications and have submitted it to the Planning Inspectorate (document reference: J8/F02).</p>

Topic	Section 51 advice	Applicants' response
Onshore Biodiversity Benefit Statement		The Applicants have updated this document with the requested specifications and have submitted it to the Planning Inspectorate (document reference: J11/F02).
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."	The Applicants have engaged and will continue to engage with Natural England post-submission in regard to this matter, and will continue to do so during the pre-examination period and further.
Minor errors and omissions	"There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist."	The Applicants took note of this statement and a consistency check has been undertaken.