# MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

## Change Request Statement of Reasons (Clean)

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# Glossary

| Term | Guidance |
|---|---|
| 400 kV grid connection cables | Cables that will connect the proposed onshore substations to the existing National Grid Penwortham substation. |
| 400 kV grid connection cable corridor | The corridor within which the 400 kV grid connection cables will be located. |
| Anthropogenic | An activity resulting from or relating to the influence of humans. |
| 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.<br>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. |
| 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. |
| Commitment | This term is used interchangeably with mitigation and enhancement measures. The purpose of commitments is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects. Primary and tertiary commitments are taken into account and embedded within the assessment set out in the ES. |
| Construction Traffic Management Plan | A document detailing the construction traffic routes for heavy goods vehicles and personnel travel, protocols for delivery of Abnormal Indivisible Loads to site, measures for road cleaning and sustainable site travel measures. |
| Design envelope | A description of the range of possible elements and parameters that make up the Transmission Assets options under consideration, as set out in detail in Volume 1, Chapter 3: Project Description. This envelope is used to define the Transmission Assets for EIA purposes when the exact engineering parameters are not yet known. This is also referred to as the Maximum Design Scenario or Rochdale Envelope approach. |
| Development Consent Order | An order made under the Planning Act 2008, as amended, granting development consent. |
| Effect | The term used to express the consequence of an impact. The significance of effect is determined by correlating magnitude of the impact with the importance, or sensitivity, of the receptor or resource in accordance with defined significance criteria. |

| Term | Guidance |
|---|---|
| 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. |
| Evidence Plan Process | A voluntary consultation process with specialist stakeholders to agree the approach to, and information to support, the EIA and Habitats Regulations Assessment processes for certain topics. |
| Export cable corridor | The specific corridor of seabed (seaward of Mean High Water Springs) and land (landward of Mean High Water Springs) from the Generation Assets to the National Grid Penwortham substation. |
| 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. |
| Intertidal Infrastructure Area | The temporary and permanent areas between MLWS and MHWS. |
| Landfall | The area in which the offshore export cables make landfall (come onshore) 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 bay inclusive of all construction works, including the offshore and onshore cable routes, intertidal working area and landfall compound(s). |
| Local Authority | A body empowered by law to exercise various statutory functions for a particular area of the United Kingdom. This includes County Councils, District Councils and County Borough Councils. |
| 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 to apply for 'deemed marine licences' in English waters as part of the development consent process. |
| Main rivers | The term used to describe a watercourse designated as a Main River under the Water Resources Act 1991 and shown on the Main River Map. These are usually larger rivers or streams and are managed by the Environment Agency. |
| Maximum design scenario | The realistic worst case scenario, selected on a topic-specific and impact specific basis, from a range of potential parameters for the Transmission Assets. |
| Mean High Water Springs | The height of mean high water during spring tides in a year. |
| Mean Low Water Springs | The height of mean low water during spring tides in a year. |

| Term | Guidance |
|---|---|
| Micro-tunnel / micro-tunnelling | A tunnelling technique involving the use of a hydraulic (or other) jacking rig and a mini (or micro) tunnel boring machine to install a concrete tunnel between two points. |
| Mitigation measures | This term is used interchangeably with Commitments. The purpose of such measures is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects. |
| Morecambe Offshore Windfarm: Generation Assets | The offshore generation assets and associated activities for the Morecambe Offshore Windfarm. |
| Morecambe Offshore Windfarm: Transmission Assets | The offshore export cables, landfall, and onshore infrastructure required to connect the Morecambe Offshore Windfarm to the National Grid. |
| Morecambe OWL | Morecambe Offshore Windfarm Ltd is owned by Morecambe Offshore Wind Holdco Limited, which is part of Copenhagen Infrastructure Partners' (CIP) fifth flagship fund, Copenhagen Infrastructure V (CI V) |
| Morgan and Morecambe Offshore Wind Farms: Transmission Assets | The offshore export cables, landfall, and onshore infrastructure for the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm. 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.<br>Also referred to in this report as the Transmission Assets, for ease of reading. |
| Morgan Offshore Wind Project: Generation Assets | The offshore generation assets and associated activities for the Morgan Offshore Wind Project. |
| Morgan Offshore Wind Project: Transmission Assets | The offshore export cables, landfall and onshore infrastructure required to connect the Morgan Offshore Wind Project to the National Grid. |
| Morgan OWL | Morgan Offshore Wind Limited is a joint venture between JERA Nex bp (JNbp) and Energie Baden-Württemberg AG (EnBW) |
| National Grid Penwortham substation | The existing National Grid substation at Penwortham, Lancashire. |
| National Policy Statement(s) | The current national policy statements published by the Department for Energy and Net Zero in 2023 and adopted in 2024. |
| Non-statutory consultee | Organisations that an applicant may choose to consult in relation to a project who are not designated in law but are likely to have an interest in the project. |
| Offshore booster station | A fixed structure located along the offshore export cable route, containing electrical equipment to ensure bulk wind farm capacity can be fully transmitted to the onshore substations. |
| Offshore substation platform(s) | A fixed structure located within the wind farm sites, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore. |
| Offshore export cables | The cables which would bring electricity from the Generation Assets to the landfall. |

| Term | Guidance |
|---|---|
| Offshore export cable corridor | The corridor within which the offshore export cables will be located. |
| Offshore Permanent Infrastructure Area | The area within the Transmission Assets Offshore Order Limits (up to MLWS) where the permanent offshore electrical infrastructure (i.e. offshore export cables) will be located. |
| Offshore Order Limits | See Transmission Assets Order Limits: Offshore (below). |
| Onshore export cables | The cables which would bring electricity from the landfall to the onshore substations. |
| Onshore export cable corridor | The corridor within which the onshore export cables will be located. |
| Onshore Infrastructure Area | The area within the Transmission Assets Order Limits landward of MHWS. Comprising the offshore export cable corridor from MHWS to the transition joint bay, onshore export cable corridor, onshore substations and 400 kV grid connection cable corridor, and associated temporary and permanent infrastructure including temporary and permanent compound areas and accesses. Those parts of the Transmission Assets Order Limits proposed only for ecological mitigation and/or biodiversity benefit are excluded from this area. |
| Onshore Order Limits | See Transmission Assets Order Limits: Onshore (below). |
| Onshore substations | The onshore substations will include a substation for the Morgan Offshore Wind Project: Transmission Assets and a substation for the Morecambe Offshore Windfarm: Transmission Assets. These will each comprise a compound containing the electrical components for transforming the power supplied from the generation assets to 400 kV and to adjust the power quality and power factor, as required to meet the UK Grid Code for supply to the National Grid. |
| Planning Inspectorate | The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008. |
| Policy | A set of decisions by governments and other political actors to influence, change, or frame a problem or issue that has been recognized as in the political realm by policy makers and/or the wider public. |
| Renewable energy | Energy from a source that is not depleted when used, such as wind or solar power. |
| Severance | Severance occurs when the presence of a large or busy road restricts people's ability or desire to move through that area. |
| Substation | Part of an electrical transmission and distribution system. Substations transform voltage from high to low, or the reverse by means of electrical transformers. |
| 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). |
| Transmission Assets Order Limits | The area within which all components of the Transmission Assets will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds). |

| Term | Guidance |
|---|---|
| Transmission Assets Order Limits: Offshore | The area within which all components of the Transmission Assets seaward of Mean Low Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning.<br>Also referred to in this report as the Offshore Order Limits, for ease of reading. |
| Transmission Assets Order Limits: Onshore | The area within which all components of the Transmission Assets landward of Mean High Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds).<br>Also referred to in this report as the Onshore Order Limits, for ease of reading. |

# Acronyms

| Acronym | Meaning |
|---|---|
| AILs | Abnormal Indivisible Loads |
| BHS | Biological Heritage Site |
| COP | Conference of the Parties |
| DCO | Development Consent Order |
| EIA | Environmental Impact Assessment |
| EMF | Electric and Magnetic Fields |
| EnBW | Energie Baden-Württemberg AG |
| ES | Environmental Statement |
| GIS | Gas Insulated Switchgear |
| HNDR | Holistic Network Design Review |
| HRA | Habitats Regulation Assessment |
| MCZ | Marine Conservation Zone |
| MHWS | Mean High Water Springs |
| MLWS | Mean Low Water Springs |
| MPS | Marine Policy Statement |
| Morecambe OWL | Morecambe Offshore Windfarm Limited |
| Morgan OWL | Morgan Offshore Wind Limited |
| NGESO | National Grid Electricity System Operator |
| NGET | National Grid Electricity Transmission |
| NPS | National Policy Statement |
| OTNR | Offshore Transmission Network Review |
| SNCBs | Statutory Nature Conservation Bodies |
| SSSI | Sit of Special Scientific Interest |
| TCE | The Crown Estate |
| UK | United Kingdom |

# Units

| Unit | Description |
|---|---|
| % | Percentage |
| dB | Decibels |
| Kg | Kilogram |
| kHz | Kilohertz |
| KJ | Kilojoules |
| km | Kilometres |
| $km^2$ | Kilometres squared |
| kV | Kilovolt |
| m | Metres |
| $m^2$ | Metres squared |
| $m^3$ | Metres cubed |
| nm | Nautical mile |
| µPa | micropascal |

# 1 Change Request: Statement of Reasons

## 1.1 Introduction and summary

1.1.1.1 This Change Request: Statement of Reasons (document reference S_MMCR_17 ) relates to the powers of compulsory acquisition sought in the Development Consent Order (DCO) application by Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Limited (Morecambe OWL) (together the 'Applicants') as part of their joint application to the Secretary of State for a development consent order (DCO). This Change Request: Statement of Reasons (document reference S_MMCR_17) is submitted as part of the application for a change request to the Morgan and Morecambe Offshore Wind Farms: Transmission Assets (referred to hereafter as 'the Transmission Assets') Development Consent Order Application.

1.1.1.2 Morgan OWL is a 50/50 joint venture between JERA Nex bp (JNbp) and Energie Baden-Württemberg AG (EnBW) which is developing both the Morgan Offshore Wind Project: Generation Assets and the Morgan Offshore Wind Project: Transmission Assets.

1.1.1.3 Morecambe OWL is wholly owned by Morecambe Offshore Wind Holdco Limited, which is in turn owned by CI V Morecambe Topco Limited. The over-arching parent company, which provides all funding, is Copenhagen Infrastructure Partners' (CIP) fifth flagship fund, 'Copenhagan Infrastructure V SCSp' (CI V fund). Morecambe OWL is developing both the Morecambe Offshore Windfarm: Generation Assets and the Morecambe Offshore Windfarm: Transmission Assets.

1.1.1.4 The purpose of the DCO is to authorise the construction, operation and decommissioning of two electrically independent transmission systems, connecting the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets (referred to collectively as the Generation Assets) to the National Grid Penwortham substation in Lancashire (the Transmission Assets).

1.1.1.5 Morgan OWL has separately applied for a DCO for the Morgan Offshore Wind Project: Generation Assets and Morecambe OWL has separately applied for a DCO for the Morecambe Offshore Windfarm: Generation Assets. The Generation Assets were scoped into the 'Pathways to 2030' workstream under the Offshore Transmission Network Review (OTNR), which aims to consider, simplify, and wherever possible facilitate a collaborative approach to offshore wind projects connecting to the National Grid.

1.1.1.6 Under the OTNR, the National Grid Electricity System Operator (NGESO) is responsible for assessing options to improve the coordination of offshore wind generation connections and transmission networks and has undertaken 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 recommendation that the generation assets should work collaboratively in connecting the two offshore wind farms to the National Grid Electricity Transmission (NGET) network at Penwortham in Lancashire.

1.1.1.7 In order for the Applicants to develop the Transmission Assets, land and rights in land are required on a permanent and temporary basis.

1.1.1.8 Section 120 of the Planning Act 2008 (PA 2008) allows for provisions on matters ancillary to the development consented to be included in the DCO. Such ancillary matters may include the acquisition of land and the creation, suspension and extinguishment of interests in or rights over land.

1.1.1.9 Section 122 of the PA 2008 provides that powers of compulsory acquisition can only be granted where the Secretary of State is satisfied that there is a compelling case in the public interest and the interests in land for which the powers are granted are:

(a) required for the development; or

(b) are required to facilitate or are incidental to the development.

1.1.1.10 This Statement of Reasons explains how the requirements of section 122 of the Planning Act 2008 have been met in relation to the compulsory acquisition powers sought by the Applicants to develop the Transmission Assets. It also sets out the Applicants' justification for seeking powers of compulsory acquisition.

1.1.1.11 This Statement has been prepared in accordance with the requirements of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the "APFP Regulations"), The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the "CA Regulations") and the Communities and Local Government Guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition' (DCLG, 2013) (the "Guidance").

1.1.1.12 This Statement of Reasons is structured as follows:

- Section 1.1: Introduction and summary
- Section 1.2: About the Applicants
- Section 1.3: Application Location and Project Description
- Section 1.4: Need for and Benefits of the Transmission Assets
- Section 1.5: Benefits of the Project
- Section 1.6: Powers of Compulsory Acquisition
- Section 1.7: The Order Land
- Section 1.8: Planning Policy Position

- Section 1.9: Engagement with Affected Parties
- Section 1.10: Case for Powers of Acquisition Sought
- Section 1.11: Human Rights
- Section 1.12: Funding
- Section 1.13: Absence of Impediments
- Section 1.14: Conclusion
- Section 1.15: Further Information

1.1.1.11 This Statement of Reasons has been updated for Deadline 1 in response to the following Examining Authority Hearing Action Points arising out of Compulsory Acquisition Hearing 1:

- CAH1 Action Point 7 - Provide greater emphasis on local benefits for the Fylde area in an updated Statement of Reasons.
- CAH1 Action Point 18 - Review the Statement of Reasons (AS-008) to add reference to cofferdams together with the works to the recreation ground and consider whether further detail is required in relation to the open space test of s132 of the Planning Act 2008.

## 1.2 About the Applicants

1.2.1.1 The Applicants are Morgan OWL and Morecambe OWL. As stated in section 1.1 above, both Applicants are joint ventures made up of leading energy companies.

1.2.1.2 EnBW is one of the largest energy supply companies in Germany and supplies electricity, gas, water and energy solutions and energy industry services to around 5.5 million customers with a workforce of more than 27,000 employees. EnBW aims to strengthen its position as a sustainable and innovative infrastructure partner for customers, citizens and local authorities to an even greater extent. The repositioning of EnBW with a focus on renewable energies and smart infrastructure solutions is a key component of its strategy. With a focus on renewable energy and smart infrastructure solutions, EnBW's objective is for half of the electricity it supplies to be from renewable sources by the end of 2025. This is already having a noticeable effect on the reduction of CO2 emissions, which EnBW aims to halve by 2030 and to be climate neutral by 2035. EnBW has been involved in the operation of hydro power plants in the Black Forest for more than 100 years and has a large and continuously growing number of onshore wind farms and solar photovoltaics in Germany, France and Sweden. In addition, EnBW developed, constructed and operates four offshore wind farms in Germany (EnBW Baltic 1, Baltic 2, Hohe See and Albatros) with a total installed capacity of 945 MW, commissioned between 2011 and 2020. A further 960 MW offshore wind farm, He Dreiht, is currently under construction in Germany.

1.2.1.3 JERA Nex bp Limited combines JERA Nex Limited and bp's offshore wind portfolios and project management expertise to create a new standalone, equally owned joint venture with a strategic commitment to grow and become a top tier global offshore wind developer and operator. JERA Nex bp Limited is a strategic platform for growth, combining high-quality operating assets with a total potential net generating capacity of 13GW. The formation of JERA Nex bp Limited was intended to accelerate development from the combined pipeline and bolster access to competitive financing. The business will also draw on and benefit from the global trading capabilities of both partners to manage and market power from its assets into various offtake channels. JERA Nex Limited is 100% owned by JERA Co Inc (JERA). JERA is Japan's largest power company and one of the world's largest electricity producers. JERA owns and operates wind farms in Belgium, Germany, Japan and Taiwan and has a development portfolio that includes projects in Japan, Ireland and Australia. bp has been building a portfolio in offshore wind since 2019 and now has a development pipeline with total potential generating capacity of 9.7GW net (5.7GW development projects and a further 4GW secured leases). Development projects are the Morgan and Mona projects in the UK Irish Sea, and Oceanbeat East and Oceanbeat West in Germany's North Sea, with secured leases off Scotland and the east coast of the US. CIP was founded in 2012 and is the is the world's largest dedicated fund manager focused on renewable energy investments. It manages over €32 billion in assets over 13 different funds. CIP has a 50GW Global Offshore Wind portfolio and across over 30 different markets has over 160GW of renewable energy projects in development. Within the UK, CIP has a 25GW pipeline, including a 30% share in the Ossian Offshore Wind Farm in Scotland -~~,~~ at up to 3.6 GW capacity ~~it is~~this will be one of the world's largest floating offshore wind farms. CIP is also the majority shareholder in the Pentland Floating Offshore Wind Demonstrator, a 100 MW floating project off the north coast of Scotland.

## 1.3 Application Location and Project Description

### 1.3.1 Project location

1.3.1.1 The Transmission Assets will be located in English offshore waters (beyond 12 nautical miles (nm) from the English coast) and inshore waters (within 12 nm from the English coast), with the onshore infrastructure located wholly within England, comprising export cables, landfall and onshore infrastructure required to connect the Transmission Assets to the National Grid.

1.3.1.2 The offshore elements of the Transmission Assets are located in the east Irish Sea. The onshore elements of the Transmission Assets are located within the Local Authority areas of Fylde Council, Blackpool Council, South Ribble Borough Council, Preston City Council and Lancashire County Council.

1.3.1.3 The key components of the Transmission Assets for both the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets include:

- 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 (TJBs). This term applies to the entire area between Mean Low Water Springs (MLWS) and the TJBs.
- Onshore elements:
  - onshore export cables: these export cables will be jointed to the offshore export cables via the TJBs 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 Penwortham substation;
  - environmental mitigation areas – temporary and/or permanent areas, including accesses identified to access environmental mitigation only; and
  - biodiversity benefit areas - permanent areas, including accesses identified to access biodiversity benefit areas only.

1.3.1.4 The transmission infrastructure for each wind farm needs to be electrically independent (i.e. each wind farm will have its own cabling and substation infrastructure). However, the location of the infrastructure has been co-ordinated with aligned offshore export cable corridors to landfall and aligned onshore export cable corridors to separate onshore substations (the Morgan onshore substation for Project A and Morecambe onshore substation for Project B respectively), and from these substations an aligned onward connection to the National Grid Penwortham substation. This approach has been taken to meet the requirements of the HNDR and to minimise impacts to the environment and the community.

### 1.3.2 Nationally Significant Infrastructure Projects- Generation assets

1.3.2.1 The Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets are two separate proposed windfarms in the east Irish Sea. Both wind farms will have a capacity of over 100 megawatts (MW) and are therefore nationally significant infrastructure projects (NSIPs) within sections 14(1)(a) and 15(3) of the PA 2008. Separate applications have been made for the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets and both have been accepted for examination. The Morgan Offshore Wind Project: Generation Assets application has Planning Inspectorate reference EN010136 and the Morecambe Offshore Windfarm: Generation Assets application has Planning Inspectorate reference EN010121.

1.3.2.2 The Transmission Assets are being consented separately from the Generation Assets in order to meet the requirements of the OTNR and to allow for co-ordination. The Transmission Assets do not fall within the definition of an NSIP under the PA 2008, however on 4 October 2022, the Secretary of State issued a direction pursuant to section 35 of the PA 2008 that the Transmission Assets are of national significance and should be treated as development for which development consent is required (the Section 35 Direction).

### 1.3.3 Associated development

1.3.3.1 The DCO identifies and authorises associated development. Guidance on associated development has been issued by the Secretary of State. In this guidance associated development is described as being *"typical of development brought forward alongside the relevant type of principal development or of a kind that is usually necessary to support a particular type of project"* (paragraph 6) and requiring "*a direct relationship between associated development and the principal development. Associated development should therefore either support the construction or operation of the principal development, or help address its impacts. Associated development should not be an aim in itself but should be subordinate to the principal development"* (paragraph 5).

1.3.3.2 The works to create two electrically separate transmission systems connecting to the National Grid Penwortham substation are development for which development consent is required by virtue of the Section 35 Direction. In addition to these works the DCO authorises the development of associated works such as the creation of accesses, landscaping, drainage works, and environmental mitigation. A number of other works will also be required for construction and maintenance including creating secure working areas and temporary construction compounds, creating entrance and exit pits for trenchless installation techniques and temporary drainage measures.

1.3.3.3 All elements of the proposed development were included within the Section 35 Direction (and hence are development for which development consent is

required) or are associated development within the meaning of section 115(2)(a) of the PA 2008, and so can properly be authorised by the DCO.

### 1.3.4 Project description and key parameters

1.3.4.1 The table below (Table 1.1) sets out the key parameters for the Transmission Assets.

**Table 1.1 Key parameters for the Transmission Assets**

| Parameter | Morgan Offshore Wind Project | Morecambe Offshore Windfarm | Total |
|---|---|---|---|
| **Offshore Infrastructure** | | | |
| Maximum number of offshore export cables | 4 | 2 | 6 |
| Maximum length of offshore export cables (km) – per cable | 100 | 42 | N/A |
| Maximum length of offshore export cables (km) – all cables | 400 | 84 | 484 |
| **Onshore Infrastructure** | | | |
| Maximum number of onshore export cables | 12 (4 circuits) | 6 (2 circuits) | 18 (6 circuits) |
| Maximum number of 400 kV grid connection cables | 6 (2 circuits) | 6 (2 circuits) | 12 (4 circuits) |
| Maximum length of onshore export cable corridor (km) | 17 | 17 | N/A |
| Maximum number of onshore substations | 1 | 1 | 2 |
| Maximum length of 400 kV grid connection corridor (km) | 13 | 13 | N/A |

### 1.3.5 The ‘centreline’ approach

1.3.5.1 Where it has been possible, Morgan Offshore Wind Project: Transmission Assets (Project A) and Morecambe Offshore Windfarm: Transmission Assets (Project B) have adopted a ‘centreline’ approach whereby a specific portion of the corridor is identified for each wind farm’s transmission cable infrastructure. The ‘centreline’ is not located in the centre of the cable corridor, and instead delineates and separates the areas required for each project in accordance with the maximum design parameters set out within the Volume 1, Chapter 3: Project Description of the Environmental Statement (document reference F1.3). Where a centreline or separate works areas (for example, at the onshore substations) have been identified, this provides

certainty over the areas within which Morgan OWL/Project A and Morecambe OWL/Project B proposes to, and would have ability to, install its infrastructure.

### 1.3.6 'Overlapping' works areas

1.3.6.1 Across the Order Limits there are multiple 'overlapping' works areas (see the Works Plans B7, B8 and B9) for example Work No. 4A/4B. In these locations, at this stage of the infrastructure design process it has not been possible to identify separate areas for each offshore wind farm, i.e. a 'centreline'. As such, both Morgan Offshore Wind Project: Transmission Assets (Project A) and Morecambe Offshore Windfarm: Transmission Assets (Project B) would have the ability to carry out their authorised development within these areas.

1.3.6.2 Prior to construction commencement, the Applicants would need to identify separate areas for construction and subsequent operation and maintenance, and decommissioning. The relevant related activities would then be undertaken in accordance with the maximum design parameters authorised in the DCO. In each case the Applicants would remain subject to Article 20 of the DCO which restricts their ability to acquire land or rights in land that is required for the project, is to facilitate or is incidental to the construction and maintenance of Project A or Project B.

### 1.3.7 Overlapping permanent works areas

1.3.7.1 The overlapping permanent works areas, which may be utilised by both Morgan OWL and Morecambe OWL, are set out in Volume 1, Chapter 3: Project Description of the Environmental Statement, Project Description Chapter (document reference F1.3). In summary, these are as follows:

(a) Offshore (seaward of MLWS): Work Nos. 2A and 2B to allow for the micro-siting of offshore export cables leading to the landfall.

(b) Intertidal (between MLWS and Mean High Water Springs (MHWS): Work Nos. 4A and 4B to facilitate trenchless technology at landfall between the intertidal zone and the Transition Joint Bays (TJBs) to be located at Work Nos. 10A and 10B.

(c) Onshore (landward of MHWS Onshore (landward of MHWS and Cable Corridor):

i. Onshore (landfall works - landward of MHWS): From Work Nos. 5A and 5B to 10A and 10B to allow for the micro-siting of both offshore and onshore export cables up to the TJBs.

ii. Onshore Export Cable Corridor (Blackpool Airport and Blackpool Road Recreation Ground): Work Nos. 11A/11B, 12A/12B,13A/13B,15A/15B,16A/16B, 51A,/51B, 52A,/52B, 53A,/53B, 54A/54B extending from east of the TJB to east of Queensway, to allow for the micro-siting of onshore export cables and associated areas.

iii. Onshore Export Cable Corridor (South of the River Ribble Crossing): Work Nos. 30A/30B, 31A/31B,32A/32B,37A/37B to allow for the 400kV export cables for each offshore wind farm to cross the others corridor, subject to the final confirmed connection into the National Grid Penwortham substation. Here a centreline has been provided between Works Nos 30A/30B and 31A/31B based on the current assumed alignment for Project A and Project B. However, should the projects need to cross each other's corridor, this has been accommodated within these overlapping works areas.

iv. Overlapping environmental mitigation area: Work Nos. 49A and 49B is needed to mitigate the impacts of construction, operation and maintenance, and decommissioning on intertidal waders at the cable landfall.

1.3.7.2 Within these overlapping permanent work areas, if specific areas are required by Morgan OWL and Morecambe OWL this will be agreed post-consent, following further survey work and detailed design. This delineation will involve ongoing engagement with key stakeholders, including National Grid regarding the connection to Penwortham.

1.3.7.3 In addition to the above permanent overlap areas, permanent overlapping accesses (Work Nos. 34A/34B, 41A/41B, 46A/46B, 47A/47B) are identified along the cable corridor where it has not been possible to identify separate accesses due to environmental, landowner or engineering constraints (e.g. space requirements, traffic and transport visibility or landowner feedback).

1.3.7.4 The overlapping temporary work areas, which may be used by both Project A and Project B, are as follows:

(a) Offshore (seaward of MLWS) and intertidal (between MLWS and MHWS): Work Nos. 3A and 3B will permit temporary construction and maintenance activities, such as vessel anchoring, associated with the installation and repair of offshore export cables.

(b) Onshore (landward of MHWS):

i. Temporary working area including construction compounds (Work Nos. 14A and 14B) associated with the permanent overlapping work areas at Blackpool Airport and Blackpool Road Recreation Ground;

ii. Temporary construction compound areas (Work Nos. 18A/18B and 38A/38B) associated with overlapping permanent work areas at landfall and the connection to the National Grid Penwortham substation;

iii. Temporary overlapping accesses at landfall (Work No. 7A and 7B, along the cable corridor (Work Nos.19A/19B, 36A/36B, 40A/40B, 42A/42B, 43A/43B and 45A/45B) where

separate access routes could not be established due to environmental, landowner, or engineering constraints; and

iv. Temporary mitigation areas (Work Nos. 35A and 35B) at Lytham Moss and (40A and 40B) Lea Marsh will be required temporarily by both projects to mitigate the impacts of cable construction works.

1.3.7.5 Where possible, delineation of the overlapping temporary work areas for each project will be finalised and agreed post-consent between Morgan OWL and Morecambe OWL as necessary. However, some of these overlapping temporary work areas may remain in place throughout the construction, operation, and maintenance phases.

## 1.3.8 Intertidal and Onshore Infrastructure Area

1.3.8.1 This section provides an overview of the Intertidal Infrastructure Area and Onshore Infrastructure Area, which are the areas in which the landfall, TJBs, onshore cable corridor, onshore substations, 400kV grid connection cable corridor and connection to the National Grid Penwortham substation will be located. These areas also include associated temporary and permanent infrastructure including temporary and permanent compound areas and accesses. These areas are shown on the Onshore and Intertidal Order Limits Plan (document reference B6) and described in Volume 1, Chapter 3: Project Description of the Environmental Statement (document reference F1.3).

### Landfall and Transition Joint Bays

1.3.8.2 The offshore cables come ashore at St Annes Beach at Lytham St Annes in Lancashire (Works Nos 4A/4B and 5A/5B) (01-002, 01-003 and 02-013). The offshore export cable corridor will pass under the sand dunes and Lytham St Annes Dunes SSSI, Clifton Drive North/A584, railway (Work No. 6A/6B), and St Anne's Old Links Golf Course (Work No. 8A/8B) (plots 01-004, 01-004i, 01-005, 01-006, 01-007, 01-008, 01-009, 01-010, 01-011, 01-013, 01-014, 01-015, 01-016, 02-015, 02-018, 02-019, 02-020, 02-021, 02-022, 02-023, 03-03, 03-004, 03-005) to reach the transition joint bays at Work No. 10A/10B (plot 03-006). Permanent access to St Annes beach will be required in order to monitor the sub-surface installation of the offshore export cables (Work No. 47A/47B) (plot 01-010), and in the event of cable repair and reburial activities during the operation and maintenance phases. Public beach access will be maintained throughout construction and during maintenance activities, and managed, where appropriate.

1.3.8.3 Within Work Nos. 6A/6B, 8A/8B and 9A/9B the cables will be installed using trenchless installation techniques (i.e. direct pipe), to avoid direct impacts to the surface and sensitive features, including Clifton Drive North (A584), the Lytham St Annes dunes SSSI, and the St Anne's Old Links golf club.

Trenchless installation techniques will also be used to cross all adopted highways and railways along the onshore export cable corridor and 400kV grid connection cable corridor, apart from Leach Lane. It is not anticipated that there will be any interference with the use of any railways being crossed by the Transmission Assets.

1.3.8.4 The offshore export cables will connect to the onshore export cables at the transition joint bays (TJBs) (Work No. 10A/10B). The TJBs will be located within Blackpool Airport. One TJB is required per export cable circuit to ensure that the jointing can take place in a suitable environment, and to protect the joints. The TJBs will be installed and once the jointing is completed, will be sealed and the land around the TJBs will be reinstated. Link boxes in the form of surface level access covers will remain to allow for routine access and inspections of the cable during operation and maintenance. Permanent access to Work No. 10A/10B is provided via Work No. 34A/34B from Leach Lane to the south of Blackpool Airport (Plots 04-011, 04-010, 03-010i, 03-009i).

1.3.8.5 As is set out within section 3.14.3 of the ES Volume 1, Chapter 3: Project description (AS-024), the offshore export cables between the TJB working area and the beach will be installed using trenchless techniques. To facilitate the installation in this area, in particular at the exit pits, installation of temporary cofferdams on the beach may be required.

1.3.8.6 Tables 3.14 and 3.15 of the above-noted ES chapter (AS-024) sets out the parameters for exit pit works and cable pull-in works on the beach, including for any cofferdams as may be required. Each cofferdam would be in place for a maximum of 6 weeks during the cable-pull in works, and for a maximum of 2 weeks in relation to each exit pit during the trenchless installation works.

1.3.8.7 Each cofferdam would have a maximum area of 75m$^2$. Paragraph 3.14.5.15 of AS-024 confirms that only one project would be able to undertake cable pull-in activities at any one time

### Onshore Cable Corridor

1.3.8.8 The onshore export cable corridors are approximately 17km in length. The onshore export cables will be buried for their entire length. Overhead lines are not proposed for the Transmission Assets. The cables will be buried underground in trenches with a typical depth of 1.8m to the bottom of the trench. This may be exceeded where the route is required to cross beneath features and other infrastructure, such as pipelines and land drains and may vary according to ground conditions. The onshore export cable corridor is expected to have a maximum width of 100 m for both Morgan OWL and Morecambe OWL during construction except at complex crossings to allow up to six cable circuits to be installed (i.e. up to 4 for Morgan OWL, and up to 2 for Morecambe OWL). Once installed, the onshore export cables will occupy a corridor approximately 70 m wide for both Morgan OWL and Morecambe OWL (although this width may need to increase at complex crossings). Morgan OWL and Morecambe OWL will require permanent rights

to maintain their respective cables. Link boxes in the form of surface level access covers will remain to allow for routine access and inspections of the cable during operation and maintenance.

1.3.8.9 A maximum of four circuits will be required for Project A and a maximum of two circuits for Project B. Each cable circuit will consist of up to three export cables, giving a total of up to 12 cables for Project A and six cables for Project B laid in trefoil or flat formation.

1.3.8.10 From the TJBs, the onshore export cable corridor splits, part continues in a northeast direction within Blackpool Airport (Work No. 11A/11B) (plot 03-007) and the other part continues in a south east direction within Blackpool Airport (Work No. 12A/12B) (plots 03-008, 03-011 04-004 and 04-005) and then traverses across Leach Lane, Blackpool Road recreation ground and The Hamlet (Work Nos. 51A/51B, 52A/52B, 15A/15B, 53A/53B and 54A/54B) (plots 04-007, 04-013, 04-014, 04-015, 04-016, 04-017, 04-018, 04-019, 04-020, 04-021, 04-022 and 04-023). The two parts rejoin within Blackpool Airport (Work No. 13A/13B) (plot 04-024). Trenchless installation techniques (including direct pipe) will be used to install the export cables within Work No. 15A/15B (plots 04-015) to ensure impacts on this area of public open space are minimised. The use of trenchless installation techniques at the Blackpool Road recreation ground ensures the surface of the recreation ground will largely remain undisturbed during construction but to ensure public safety, the length of the corridor between the entry and exit pits will be fenced off and secured while construction works are taking place. This fencing will be in place for a maximum of 2 months within the 5-month total construction duration for these works.for all construction scenarios. The Applicants have also provided an outline Public Open Space Management Plan (appended to the outline Public Rights of Way Management Plan, document reference J1.5) which will secure appropriate measures to manage construction works in these areas. These mitigations will ensure that as a result of the temporary construction works and Applicants' right to access the land to maintain those works, the recreational ground will be no less advantageous than it was before to the persons in whom it is vested, other persons, and the public, and that, accordingly, section 132(3) of the 2008 Act applies. Further details regarding open space are included at section 13, Special Considerations, below.

1.3.8.11 From Blackpool Airport the onshore export cable corridor crosses Queensway (B5261) using trenchless installation techniques (Work No. 16A/16B). Temporary construction compounds are located to the north of the onshore export cable corridor, east of Queensway (B5261) where access from the public highway will also be taken. Access to Work No. 13A/13B will be taken from the west of Queensway (B5261) to facilitate construction works in this area. From here, the onshore export cable corridor routes run eastwards across Moss Sluice (an Environment Agency Main River) and several public rights of way (PRoW) using trenchless installation techniques. The onshore export cable corridor predominantly crosses agricultural land from Queensway (B5261) onwards.

1.3.8.12 After crossing Moss Sluice the onshore export cable corridor heads slightly north-east before routing south-east towards Lytham St Annes Way (B5410). Access to the section of onshore export cable corridor between Moss Sluice and Lytham St Annes Way (B5410) will be taken south of the onshore export cable corridor, from the B5410. Permanent access has been identified from Midgeland Road and Lytham St Annes Way (B5410).

1.3.8.13 The next section of onshore export cable corridor continues north east to avoid an area of woodland (Kite Hall Wood), before routing between the quarry to the north and High Balham to the south. South of the quarry the onshore export cable corridor increases in width to allow for the trenchless crossing of a Christmas tree enterprise on Lawns Farm, Ballam Road. Temporary access and/or temporary construction compounds will be taken from Bryning Lane. Permanent accesses have also been provided from Bryning Lane, for operation and maintenance activities.

1.3.8.14 East of the Bryning Lane the onshore export cable corridor continues across agricultural land, seeking to align with field boundaries wherever possible and avoiding ponds before arriving at Hillock Lane. Here, the onshore export cable corridor stays south of Cooper House Farm, taking the most direct route and utilising the only suitable remaining space between properties at Hall Cross. For this section, the Morgan OWL temporary construction compound is sited south of Rowan Veterinary Centre and the Morecambe OWL temporary construction compound is sited north of Helical Technology Technical Centre. Temporary access from the public highway serves both temporary construction compounds. This section of onshore export cable will be positioned to the east of Kirkham Road. The haul road will only cross the public highway to the west across Hillock Lane.

1.3.8.15 From Hall Cross the onshore export cable corridors separate. The separation continues for a short distance to avoid a pond, a section of hedgerow and a DNO pylon before rejoining just west of Lower Lane. Temporary access has been provided both east and west of Lower Lane. A single permanent access has also been identified towards the eastern side of Lower Lane.

1.3.8.16 Lower Lane will be crossed using trenchless installation techniques and the onshore export cable corridors separate once again. The onshore export cable corridor for Morgan OWL heads north towards Freshfield Farm before connecting into the Morgan OWL permanent substation area. On entering the Morgan OWL substation permanent area, the onshore export cable corridor crosses a private track and bridleway. Access across the track and bridleway will be managed to maintain access during construction. This will be managed, where necessary, by the temporary diversion of this bridleway (5-5-16), as shown on Figure 1.8 (Sheet 6) of the Public Rights of Way Management Plan (AS-048). This will impact on the following plots: 11-118A; 11-116A; 11-122A; 11-117A. The onshore export cables can be installed, completely or in part, into the Morgan OWL onshore substation via trenchless installation techniques to mitigate effects on ecological receptors and users of the access track and bridleway. A temporary working area (Work No. 50A)

has been provided to facilitate the connection of the onshore export cables into Morgan OWL substation.

1.3.8.17 Permanent access to the onshore export cable corridor and 400kV grid connection cable corridor (which exits to the south of the Morgan OWL onshore substation) will be taken from Lower Lane to the west.

### Morgan Onshore Substation

1.3.8.18 The onshore substation will contain the electrical components for transforming the power supplied from the offshore wind farm to 400kV, and to adjust the power quality and power factor, as required to meet the UK Grid Code for supply to the National Grid. The onshore substation will also house auxiliary equipment and facilities for maintenance and control. The onshore substation compound will contain electrical equipment including power transformers, switchgear, reactive compensation equipment, harmonic filters, cables, lightning protection masts, control buildings, communication masts, backup generators, fencing and other associated equipment, structures or buildings. To minimise the land take at the substation for permanent electrical infrastructure, Morgan OWL is seeking consent for gas insulated switchgear (GIS).

1.3.8.19 The main equipment will either be housed within single or multiple buildings. There may also be buildings required to house smaller equipment and control rooms.

1.3.8.20 A temporary construction compound will be required at the onshore substation (Work No. 22A) (plots 12-010A, 12-023A, 12-026A). The temporary compound will provide offices, welfare facilities, storage of plant and equipment and parking for construction staff, as well as ancillary temporary works such as drainage. Work No. 39A which will cross the temporary construction compound has been provided for the undergrounding of 6kV low voltage overhead line.

1.3.8.21 Permanent and temporary access (Work Nos. 23A and 24A, respectively) will be taken to the north of the Morgan substation site from Kirkham Bypass (A583). A new access road (Work No. 23A) is required to provide safe operational access to the onshore substation. Rights are therefore sought over the entrance from Kirkham Bypass (A583) (plots 12-001A, 12-005A, 12-006A, 12-009A, 12-011A).

1.3.8.22 The Morgan OWL permanent substation area (Work Nos. 20A and 21A (plots 11-124A, 11-126A, 12-028A, 12-028A) and Work No. 49A (plots 12-019a, 12-029a)) has been sited west of Newton-with-Scales and Dow Brook to avoid the area of separation west of Newton-with-Scales. The freehold is required for the permanent substation areas as it will be a permanent change of use from its current utility as agricultural land. The degree of interference with the land and the need for the Applicant to be able to control the land, excluding access, by anyone other than authorised persons to the substation, as well

as maintaining the necessary ecological and landscaping mitigation works, mean that freehold acquisition is required and justified.

1.3.8.23 Works Nos. 20A/21A and 49A include replacement and additional landscaping that will be provided (plots 11-124A, 11-126A, 12-028A, 12-028A and 12-019A, 12-029A) to mitigate the impact of the permanent electrical infrastructure land take. The ownership and responsibility for management of the landscaping and mitigation including tree planting, enhanced hedgerows and the creation of water attenuation features, such as ponds (plots 12-019A, 12-029A) are required to ensure the integrity of the planting and long-term screening effect is maintained for the onshore substation, along with the replacement of ponds within the substation permanent infrastructure area.

### Morecambe Onshore Substation

1.3.8.24 The onshore substation will contain the electrical components for transforming the power supplied from the offshore wind farm to 400kV and to adjust the power quality and power factor, as required to meet the UK Grid Code for supply to the National Grid. The onshore substation will also house auxiliary equipment and facilities for maintenance and control. The onshore substation compound will contain electrical equipment including power transformers, switchgear, reactive compensation equipment, harmonic filters, cables, lightning protection masts, control buildings, communication masts, backup generators, fencing and other associated equipment, structures or buildings.

1.3.8.25 The main equipment will either be housed within single or multiple buildings. There may also be buildings required to house smaller equipment and control rooms.

1.3.8.26 A temporary construction compound will be required at the onshore substation (Work No. 22B) (plots 11-099B, 11-100B, 11-101B, 11-106B, 11-107B, 11-108B,11-113B and 13-022B). The temporary compound will provide offices, welfare facilities, storage of plant and equipment and parking for construction staff, as well as ancillary temporary works such as drainage.

1.3.8.27 Permanent access to the onshore substation will be taken from Lower Lane (Work No. 23B) (plots 11-109B), this will also be the main operational access. Temporary access (Work No. 24B) will be taken to the south of the substation site from Preston New Road A584. A permanent access is required to provide HGV and AIL deliveries during operation. Rights are therefore sought over the entrance from Preston New Road (A584) (plots 13-047, 13-043, 13-041, 13-039, 13-038B, 11-110B).

1.3.8.28 The Morecambe OWL permanent substation area (Work Nos. 20B and 21B) (plots 11-109B, 13-009B and 13-008B) has been sited to the North of Freckleton and the east of Lower Lane. It avoids the area of separation west of Newton-with-Scales. The freehold is required for the permanent substation areas as it will be a permanent change of use of the land from its current agricultural use. The degree of interference with the land and the need for the

Applicant to be able to control the land, including excluding access, by anyone other than authorised persons to the substation, as well as maintaining the necessary ecological and landscaping mitigation works, mean that freehold acquisition is required and justified.

1.3.8.29 Works Nos. 20B and 21B include replacement and additional landscaping that will be provided (plots 11-109B, 13-009B and 13-008B) to mitigate impacts for the permanent electrical infrastructure land take. The ownership and responsibility for management of the landscaping and mitigation including tree planting, proposed enhanced hedgerows and the creation of water attenuation features (such as ponds) is needed to ensure the integrity of the planting and long-term screening effect is maintained for the onshore substation.

### 400kV Grid Connection Cable Corridor

1.3.8.30 The 400kV grid connection cable corridor (Work No. 25A) connecting the Morgan OWL and Morecambe OWL onshore substations to the National Grid substation at Penwortham, will be buried. This section of export cables will have a maximum of four circuits (i.e. up to two for Morgan OWL and up to two for Morecambe OWL), with a total of 12 export cables (i.e. up to six for Morgan OWL and up to six for Morecambe OWL), installed within a permanent easement.

1.3.8.31 The 400kV grid connection cables exit the Morgan OWL substation to the south due to the presence of Dow Brook. Here the 400kV grid connection cable corridor avoids ponds to the east and west and runs broadly adjacent to a private access and bridleway. The 400kV grid connection cable corridor stays west of Dow Brook to join with the 400kV grid connection cable corridor exiting the Morecambe OWL substation as soon as practicable to avoid impacts to landowners and agricultural land to the east. The 400kV grid connection cable corridor also avoids other proposed developments from the area adjacent to Newton-with-Scales to Dow Brook.

1.3.8.32 The 400kV grid connection cables exit the Morecambe OWL substation to the south-east. The 400kV grid connection cable corridor then crosses the Dow Brook and heads east to join with the Morgan OWL 400kV grid connection cable corridor as soon as practicable.

1.3.8.33 The 400kV grid connection cable corridors join, once again, east of the Morecambe OWL substation site, before straightening and traversing east towards Lund Way. This section of the 400kV grid connection cable corridor has been aligned with field boundaries and stays north to avoid Greenfield Park and so far as possible any small holdings which are present to the south, and adjacent to the Preston New Road (A584).

1.3.8.34 Temporary access for this section of 400kV grid connection cable corridor will be taken to the south, from Preston New Road (A584) joining Lund Way. Adjacent to Lund Way, to the east, a Morgan OWL temporary construction compound has been sited. The Morecambe OWL temporary construction

compound for this section sits back from Lund Way to avoid a watercourse to the south. Permanent access for this section of 400kV grid connection cable corridor will be taken from two locations on Thames Street at Newton-with-Scales.

1.3.8.35 The 400kV grid connection cable corridor is then routed slightly north to avoid large bodies of water, before moving along a long straight section to cross a high-pressure gas pipeline at a perpendicular angle. After crossing the high-pressure gas pipeline, the 400kV grid connection cable corridor routes south again, passing the Preston Caravans and Motorhomes, which sit both to the north and east. The 400kV grid connection cable corridor has been routed south of Preston Caravans and Motorhomes to maintain a great distance from Clifton.

1.3.8.36 This section of 400kV grid connection cable corridor for Morgan OWL is supported by a temporary construction access and permanent access to the north from Blackpool Road (A583).

1.3.8.37 The Morgan OWL temporary construction compound for this section of 400kV grid connection cable corridor sits west off Blackpool Road (A583).

1.3.8.38 The Morecambe OWL temporary construction compound for this section of the 400kV grid connection cable corridor is located to the North of Preston New Road (A584) and utilises temporary access from that road. Permanent access is also provided from Preston New Road (A584).

1.3.8.39 South of Preston Caravans and Motorhomes the 400kV grid connection cable corridor stays north to avoid additional severance of agricultural land to the south, and to maintain a close to perpendicular crossing angle for both Blackpool Road (A583) and Lodge Lane, which will be crossed using trenchless installation techniques.

1.3.8.40 For the 400kV grid connection cable corridor between Blackpool Road (A583) and Lodge Lane, temporary construction access will be taken from Blackpool Road (A583) to avoid impacts to Tree Preservation Orders along Lodge Lane. This section of 400kV grid connection cable corridor crosses Blackpool Road (A583) to avoid a solar farm development south of Preston New Road (A584) before taking a southerly route around Savick Brook Farm.

1.3.8.41 South of Savick Brook Farm, the 400kV grid connection cable corridor will be installed using trenchless installation techniques across Savick Brook, Lea Marsh and a high-pressure gas pipeline. After the high-pressure gas pipeline, the route traverses south-east crossing Mason's Wood also using trenchless installation techniques. The route then turns sharply south, in preparation for the entry for the River Ribble trenchless crossing. The 400kV grid connection cable corridor increases in width to accommodate the complex trenchless crossings, including Mason's Wood and the high-pressure gas pipelines.

1.3.8.42 This section of 400kV grid connection cable corridor is served by temporary and permanent access off Blackpool Road (A583) north of Savick Brook Farm and Old Hall Farm. The temporary access through Old Hall Farm follows an existing bridge. Temporary access for this section and the River

Ribble crossing has also been included from Wallend Road to the east, following field boundaries wherever possible to provide access to the area east of Savick Brook. No haul road will be installed across Mason's Wood.

1.3.8.43 The River Ribble will be crossing using trenchless installation techniques (i.e. direct pipe or micro-tunnel). Construction compounds to facilitate the Rive Ribble crossing are shown by Work Nos 26A/26B to the north of the River Ribble, and Work Nos. 31A/31B and 30A/30B to the south. Work Nos. 27A/27B, 28A/28B and 29A/29B will be crossed by trenchless installation techniques. Access, in the event of emergencies maybe required to the River Ribble in these work areas. However, no haul road will be installed.

1.3.8.44 Permanent access has been sited further to the east off Blackpool Road (A583) through New Hall Farm to Work Nos. 25A/25B.

1.3.8.45 Work Nos. 30A/30B and 31A/31B will house the launch pits for the trenchless crossing of the River Ribble. South of this area, the 400kV grid connection cable corridor splits once again to connect into the National Grid substation at Penwortham. The 400kV grid connection cable corridor routes in a westerly direction before traversing south taking the most direct route possible to the west of Marsh Farm and Brook Farm. The 400kV grid connection cable corridor widens on the approach to the National Grid substation to provide the required flexibility to connect to bays within the substation. Flexibility is also required owing to the presence of a high-pressure gas pipeline in the southern part of Work Nos. 37A/37B. Temporary access are provided in Work Nos. 37A/37B, from Liverpool Road (A59) to the south. A temporary working area to facilitate connection to national grid will be contained within Work Nos. 48A/48B. Temporary construction compounds to support Work Nos. 37A/37B and 32A/32B (which sits to the east of the National Grid substation) will be located within Work Nos. 18A/18B, off Liverpool Road (A59).

1.3.8.46 From Work Nos. 30A/30B, the 400kV grid connection cable corridor (Work Nos. 32A/32B) traverses directly east staying north of Nabsack Planting and between the 400kV towers connected to the overhead lines from Penwortham substation. The 400kV grid connection cable corridor then routes south avoiding Howick Hall Wood to the west of the corridor, before crossing Howick Cross Lane using trenchless installation techniques. Once passed Howick Cross Lane the 400kV grid connection cable corridor widens on the approach to the eastern side of National Grid, Penwortham. Here again, flexibility is required for connection to the bays within the substation (Work Nos. 33A/33B). Morgan OWL and Morecambe OWL requires the ability to connect into the substation as directed by National Grid on both approaches to the east and west.

1.3.8.47 Two temporary access have been identified from Howick Cross Lane, to access Work Nos. 32A/32B, north of the National Grid substation.

### Joint bays and link boxes

1.3.8.48 Joint Bays (JBs) and Link Boxes (LBs) are required along the onshore cable route. JBs are typically concrete lined pits, that provide a clean and dry environment for jointing sections of cable together. JBs will only require access in the event of a cable failure requiring replacement.

1.3.8.49 LBs are smaller pits compared to JBs, which house connections between the cable shielding, joints for fibre optic cables and other auxiliary equipment. Land above JBs will be reinstated, an inspection cover will be provided on the surface for LBs for access during the operation and maintenance phase.

### Access

1.3.8.50 Work No. 3A/34B comprises a number of accesses which are required for the operational (and potentially decommissioning) phase and over which permanent access rights are sought. These allow access to the entirety of the cable corridor and to land which has to be maintained during operation, primarily to allow for access to the link boxes for testing and commissioning of the electrical equipment and ongoing maintenance. They will also allow for access to ensure habitat restoration and landscape planting becomes established and to the National Grid Penwortham substation. Where practical, these accesses have been routed over existing accesses and tracks in order to minimise the interference to landowners and to alleviate the requirement to remove existing hedgerows in the course of exercising these rights of access. Where existing accesses and tracks are used, rights will be sought and exercised alongside existing access rights and powers are not sought to extinguish any other person's access rights on these routes.

### Environmental mitigation areas

1.3.8.51 The Order land includes areas for environmental mitigation works, which include landscaping, drainage, water attenuation measures and other mitigation measures identified in the environmental statement or required under the DCO requirements. These works are proposed on extensive marshy agricultural grazing land, and in proximity to the cable corridor (plots 06-078, 07-002, 15-063, 15-066 and 15-070). The outline landscape management plan (document reference J2) and outline ecological management plan (document reference J6), set out outline details of the mitigation works the Applicants consider will be necessary to meet the relevant legislative and policy requirements.

1.3.8.52 For the landscape and ecological works at the Morgan and Morecambe onshore substations that are required to mitigate the effects of the substation on nearby receptors and ecological features, permanent acquisition of land is sought. These works are identified as Work No. 49A (Project A) and Work No. 49B (Project B) on the Works Plans – Onshore and Offshore (document reference S_MMCR_8) (plots 012-019A, 12-029A for Project A and 09-002B for Project B). To mitigate the loss of Biological Heritage Site (BHS) ponds at

Freshfield Farm from the Morgan substation new ponds will be provided within plot 12-019A to provide suitable aquatic invertebrate habitat. For the permanent loss of a pond and aquatic invertebrate habitat from the Morecambe onshore substation, mitigation will be provided through the creation of a new pond at Moss Side (plot 09-002B). Acquisition of the freehold of this land is required to ensure that the relevant mitigation works are delivered and maintained for the duration of the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets. Freehold acquisition is also sought over plots 14-012A,14-013A, 14-014 14-015, 14-016A, 14-017, 14-018, 14-019A, 14-020, 14-021, 14-025A, 14-026A and 14-027A for Morgan and 14-028B, 14-029B, 14-030, 14-031B, 14-032, 14-033B, 14-034B and 14-035 for Morecambe in relation to Work Nos. 49A and 49B, permanent ecological areas south of Newton-with-Scales needed by each project to mitigate permanent habitat loss on non-breeding waders during the lifetime of the development.

1.3.8.53 In addition to the areas of freehold acquisition, temporary powers are sought over land at Lea Marsh to provide mitigation for potential impacts of temporary habitat loss and disturbance on otters at Lea Marsh Biological Heritage Site (BHS) during construction of the Transmission Assets (Work Nos. 40A/40B) (15-063, 15-066 and 15-070). Temporary mitigation works are also provided at Lytham Moss (Work Nos. 35A/35B) (plots 06-078 and 07-002) through the provision of seasonal scrapes and supplementary feeding to mitigate potential impacts of temporary habitat loss (foraging grounds) on geese, swans and waders during construction of the Transmission Assets. No permanent rights are sought over these plots and following construction they will be returned to the landowners.

1.3.8.54 Both Morgan OWL and Morecambe OWL are also seeking rights over an area of land at Fairhaven Saltmarsh Work No. 49A/49B (plots 19-001 and 19-002). This land is needed to reduce impacts of disturbance on intertidal waders during construction, operation and maintenance, and decommissioning of the Transmission Assets to account for cable repair and reburial events proposed within the Intertidal Infrastructure Area.

### Biodiversity benefit area

1.3.8.55 The Applicants have identified suitable areas at Lea Marsh (Work No. 44A/44B) (plots 16-038A, 16-039, 16-040A, 16-041, 16-056A, 16-057, 16-058A, 16-059, 16-060A, 16-065A, 16-066, 16-067A, 16-069A for Morgan and 16-061B, 16-062, and 16-063B for Morecambe) within the Transmission Assets Order Limits where current habitat conditions are anticipated to provide an opportunity to improve habitat quality or where improvements can be made to habitats identified as functionally linked to designated sites. These are to facilitate the Transmission Assets' overall project strategy for providing 10% biodiversity benefit for above ground (i.e. for the onshore substations) infrastructure only. Freehold acquisition is sought over this area as the delivery of biodiversity benefit works would change the use of the land and preclude the landowner from continuing its current use as agriculture;

livestock grazing. If these powers are not forthcoming in the DCO, the Applicants would only be able to deliver this biodiversity benefit with the agreement of the landowner.

## 1.4 Need For and Benefits of The Transmission Assets

### 1.4.1 Overview

1.4.1.1 The Planning Statement (document reference J28) sets out in detail the need for the Transmission Assets to deliver the electricity generated by the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets and the contribution the offshore wind farms would make towards achieving the Government's climate change objectives as set out in legislation and national policy. That case is not repeated in full here. Further information on the legislative and policy background in relation to climate change and the need for the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets can also be found in Volume 4, Chapter 1: Climate Change of the Environmental Statement (ES) (document reference F4.1).

1.4.1.2 This section summarises the established need for the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets and therefore the Transmission Assets as well as the further benefits that the Generation Assets will deliver, including employment and biodiversity benefits.

### 1.4.2 Need Established by Legislation

#### Climate Change Act 2008

1.4.2.1 The Climate Change Act 2008 (the Climate Act) sets out the UK's approach to tackling and responding to climate change. It requires that emissions of carbon dioxide and other greenhouse gases (GHG) are reduced and that climate change risks are adapted to. The Climate Act also established the Committee on Climate Change (CCC) to ensure that emissions targets are evidence-based and independently assessed.

1.4.2.2 The Climate Act commits the UK government to reducing GHG emissions by at least 100% of 1990 levels (net zero) by 2050. This includes reducing emissions from the devolved administrations (Scotland, Wales and Northern Ireland), which currently account for about 20% of the UK's emissions. The 100% target was based on advice from the CCC's 2019 report, 'Net Zero – The UK's contribution to stopping global warming'.

#### Energy Act 2013

1.4.2.3 The Energy Act 2013 makes provisions to incentivise investment in low carbon electricity generation, to increase security of supply, and help the UK meet its GHG reduction and renewables targets.

### 1.4.3 Need Established by International Obligations on Climate Change

1.4.3.1 The United Nations Framework Convention on Climate Change (UNFCCC) 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'* (United Nations, 1992).

1.4.3.2 The UK is a signatory to the Kyoto Protocol, an international agreement for the implementation of the UNFCCC. The Protocol came into effect in 2005 and its commitments are transposed into UK law by the Climate Act.

1.4.3.3 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 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 now forms part of UK Government Policy.

1.4.3.4 At the COP26 summit in November 2021, nearly 200 parties voted to adopt the Glasgow Climate Pact (UNFCCC, 2021). This included 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.

1.4.3.5 The Summary of Global Climate Action at COP28, which was held in Dubai in November 2023 provided by the United Nations Framework Convention on Climate Change (UNFCCC) confirms that the Global Renewables and Energy Efficiency Pledge has been launched. The Pledge stipulates "that signatories commit to work together to triple the world's installed renewable energy generation capacity to at least 11,000 GW by 2030 and to collectively double the global average annual rate of energy efficiency improvements from around two per cent to over four percent every year until 2030". The UK has endorsed the Pledge.

### 1.4.4 Need Established by National Policy Statements and other policy

#### National Policy Statements

1.4.4.1 There are currently six energy National Policy Statements (NPSs), three of which contain policy relevant to offshore wind development and the Transmission Assets, specifically:

(i) 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 & Net Zero, 2023a);

(ii) NPS for Renewable Energy Infrastructure (NPS EN-3) (Department for Energy Security & Net Zero, 2023b); and

(iii) NPS for Electricity Networks Infrastructure (NPS EN-5) (Department for Energy Security & Net Zero, 2023c).

1.4.4.2 Paragraph 1.3.10 of NPS EN-1 confirms that in conjunction with any relevant technology specific NPS, it will be the primary policy for the determination of projects in the field of energy which are subject to a direction made by the Secretary of State under section 35 of the Planning Act. As a result, EN-1, EN-3, and EN-5 are the primary policy for decision making in relation to the Transmission Assets.

1.4.4.3 In determining a DCO application the Secretary of State must, pursuant to section 104 of the Planning Act (or section 105 where it is deemed that no relevant NPS applies and no Marine Policy Statement (MPS) need to be reviewed), take into account any relevant NPS, any appropriate MPS, any local impact report, any matters prescribed in relation to the development and any matters the Secretary considers important and relevant.

### NPS EN-1: Overarching NPS for Energy

1.4.4.4 NPS EN-1 is the Overarching National Policy Statement for Energy. Part 3 of NPS EN-1 sets out the urgent need for new large-scale energy infrastructure to meet the UKs energy objectives. Paragraph 3.2.6 of NPS EN-1 states that "*The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent*." Paragraph 3.2.8 of NPS EN-1 adds that "*The Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS*."

1.4.4.5 Paragraphs 3.3.62 and 4.2.4 of NPS EN-1 confirms that the Government "*… has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure*."

1.4.4.6 Paragraph 4.2.5 of NPS EN-1 confirms that offshore wind constitutes low carbon CNP infrastructure. Therefore, the Transmission Assets as essential to the realisation of the benefits from Morecambe Offshore Windfarm: Generation Assets and the Morgan Offshore Wind Project: Generation Assets, are considered by NPS EN-1 to be low carbon CNP infrastructure.

1.4.4.7 Paragraph 4.2.15 of NPS EN-1 states that 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*". The paragraph then goes on to confirm that "*in all but the*

*most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts*."

1.4.4.8 Paragraphs 3.3.57 – 3.3.61 of NPS EN-1 set out that there is an urgent need for new electricity infrastructure, including offshore wind. Paragraph 3.3.62 of NPS EN-1 states that:

*"Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure." Paragraph 3.3.63 adds that "subject to any legal requirements, the urgent need for CNP infrastructure to achieving 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. Government strongly supports the delivery of CNP infrastructure and it should be progressed as quickly as possible".*

### NPS EN-3: National Policy Statement for Renewable Energy Infrastructure

1.4.4.9 NPS EN-3 is the National Policy Statement for Renewable Energy Infrastructure. Paragraph 2.8.1 sets out the Government's ambition to deploy up to 50GW of offshore wind capacity by 2030, noting that there is an expectation that there will be a need for substantially more installed offshore capacity beyond this to achieve net zero carbon emissions by 2050. Paragraph 2.8.2 of NPS EN-3 adds that "*to meet its objectives Government considers that all offshore wind developments are likely to need to maximise their capacity within the technological, environmental, and other constraints of the development*."

1.4.4.10 Paragraph 2.1.7 of NPS EN-3 also confirms that the Government has concluded that there is a critical national priority for the provision of nationally significant new offshore wind development and supporting onshore and offshore network infrastructure.

1.4.4.11 NPS EN-1 and EN-3 provide overriding policy support for the Transmission Assets. In order to meet the ambition to deploy 50GW of offshore wind by 2030, all currently proposed offshore wind projects are necessary, and will need to maximise their generating capacity within their constraints. A full explanation of the application of the relevant parts of the NPS is provided in the Planning Statement (document reference J28). Relevant provisions of the NPS are also considered in each chapter of the Environmental Statement.

### NPS EN-5: National Policy Statement for Electricity Networks Infrastructure

1.4.4.12 NPS EN-5 relates specifically to transmission infrastructure and reiterates at paragraph 1.1.5 that all electricity grid infrastructure within the scope of the NPS comprises CNP infrastructure:

*'As identified in EN-1, government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. This includes: for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System. These are viewed by the government as being CNP infrastructure and should be progressed as quickly as possible.' (paragraph 1.1.5, NPS EN-5).*

1.4.4.13 NPS EN-5 relates specifically to transmission infrastructure and reiterates at paragraph 1.1.5 that all electricity grid infrastructure within the scope of the NPS comprises CNP infrastructure.

1.4.4.14 In preparing applications for offshore-onshore transmission, section 2.13 of NPS EN-5 outlines that there should be consideration of strategic network design (including the outcomes of the HNDR) and that a coordinated approach to design should be adopted. Radial offshore transmission options to single windfarms should only be proposed where options assessment work identifies that a co-ordinated solution is not feasible. Section 2.13 of the NPS confirms policy support for a coordinated approach, as is proposed between Morgan OWL and Morecambe OWL.

### British Energy Security Strategy

1.4.4.15 In April 2022, the Government published the British Energy Security Strategy in which the UK wide target for installed offshore wind capacity increased further to 50GW by 2030. Advancing offshore wind electricity generation is the first point of the British Energy Security Strategy 10-point plan. The Transmission Assets are therefore in line with a fundamental part of British Energy Security Strategy to increase the independence and security of the UK's energy supply.

### The Clean Growth Strategy

1.4.4.16 The Clean Growth Strategy (HM Government, 2017) emphasised growing national income while cutting greenhouse gas emissions. It states that the 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.

1.4.4.17 The UK's Ten Point Plan (HM Government, 2020c) intends to set the foundations for a Green Industrial Revolution, creating jobs through harnessing British science and technology to create and use clean energy. Point 1 of the Ten Point Plan is 'Advancing Offshore Wind'. The 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.

### Great British Energy

1.4.4.18 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, 2024a).

### Local Planning Policy

1.4.4.19 The Blackpool Local Plan Part 1: Core Strategy 2012-2027 (Blackpool Local Plan) contains a presumption in favour of sustainable development "*that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework*". The Blackpool Local Plan also makes it clear that the development of renewable, low carbon, or decentralised energy schemes will be supported where the proposals are located appropriately (see ES Volume 1, Chapter 4: Site selection and consideration of alternatives (AS-026)) and where any unacceptable impacts on the environment and local amenity are appropriately mitigated, as generally set out in the Environmental Statement. The Applicant therefore maintains that the Blackpool Local Plan should support the development of the Transmission Assets.

1.4.4.20 The Adopted Fylde Local Plan to 2032 makes it clear that low carbon development "*should be maximised*" and that *"applicants will not be required to justify the overall need for renewable and low carbon energy development, either in a national, regional or local context".*

1.4.4.21 The Central Lancashire Adopted Core Strategy – Local Development Framework (Preston City Council, South Ribble Borough Council and Chorley Council, 2012) confirms that proposals for renewable and low carbon energy schemes will be supported, and planning permission granted where: (a) the proposal wouldn't have an unacceptable impact on landscape character and visual appearance (see ES Volume 3, Chapter 10 Landscape and visual resources (APP-123); and ES Volume 3, Annex 10.1 Landscape and visual resources local planning policy context (APP-124)); (b) the reason for the designation of a site with statutory protection would not be compromised by the development (see the suite of Habitat Regulations Assessment documents (APP-015, APP-016, APP-017 and APP-018); (c) any impact of development is mitigated so as not to cause unacceptable detriment to local amenity; and (d) any significant adverse effects of the proposal are considered against the wider environmental, social and economic benefits, including scope for appropriate mitigation, adaptation and/or compensatory provisions (both (c) and (d) are as generally set out in the Environmental Statement).

1.4.4.22 A Central Lancashire Local Plan is currently being prepared, for the three Authorities of Preston, South Ribble and Chorley to cover the period to 2041. This is not yet in force, however the draft policy recognises that "*a radical increase in the proportion of energy generated from renewable and low carbon sources is needed to achieve net zero and help address energy costs".* This also states that proposals for renewable energy development will be supported where: (i) it avoids or can mitigate unacceptable impacts to the community or environment; (ii) local community benefits are provided; (iii) plans are in place for removal of infrastructure and restoration; and (iv) necessary connections to the national grid infrastructure are demonstrated. The Applicants are confident that each of these criteria are met.

## 1.5 Benefits of the Project

1.5.1.1 NPS EN1 paragraph 4.1.5 states explicitly that when considering any proposed development the Secretary of State should take into account "*its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long term or wider benefits."* Paragraph 4.1.6 adds that *"These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports)".*

1.5.1.2 The Transmission Assets, alongside the Morecambe Offshore Windfarm: Generation Assets and the Morgan Offshore Wind Project: Generation Assets, will deliver significant benefits, some of which are embedded within the design and some which are included as mitigation measures.

1.5.1.3 Key benefits of the Transmission Assets, including local benefits, are summarised below.

### Community Funds for Transmission Infrastructure

1.5.1.4 The Applicants are committed to delivering a community benefit fund in line with the Community Funds for Transmission Infrastructure guidance recently published (updated 9 April 2025) by the Department for Energy Security and Net Zero. The guidance sets out the government's recommendation for the level of funding that developers should consider for community benefit, which is outlined to be £530,000 for each onshore substation.

1.5.1.5 In alignment with the guidance, the Applicants will commence engagement with key stakeholders later this year to ensure that any community benefit scheme considers the needs of the community and supports local priorities, where possible.

1.5.1.6 Through the application process, the Applicants have identified stakeholders and communities to engage with. Local authorities, and parish, community and/or town councils are well placed to act as a first point of contact and can help to identify existing groups and networks within the community, and the

Applicants will initially make contact with those organisations.

1.5.1.7 As the Applicants noted at ISH 1, any community benefit fund is not a material consideration in the determination of the Transmission Assets Application and engagement will be undertaken separately from the DCO Examination. However, it should be noted that, if the development does not proceed to construction, funds will not be delivered.

### Contracts for Difference Process

1.5.1.8 Should Morgan Offshore Wind project or Morecambe Offshore Windfarm wish to take part in the government's Contract for Difference (CfD) process there will be a requirement to produce Supply Chain Plans. These Supply Chain Plans will be evaluated as part of the CfD process and will ultimately need to be approved by the Secretary of State in order for a project to qualify for a CfD. Supply Chain Plans are designed to provide local economic benefits through the implementation of the procurement process with Tier 1, 2 and 3 suppliers. The following key areas could deliver economic opportunities to the local community;

- Port and Harbour services
- Fabrication services
- Operations and Maintenance Support
- Onshore Civil works
- Hospitality
- Offshore Surveys

1.5.1.9 Should either project be successful in the CfD process monitoring against the content of the Supply Chain Plans(s) will be undertaken to ensure the commitments made, have been fulfilled. This includes production of a Post Build Implementation Report, which is required as part of the CfD process and demonstrates various points with regard to the implementation of the Supply Chain Plan(s).

### Climate Change and GHG Emissions

1.5.1.10 The Transmission Assets will make a significant contribution towards the reduction of the UK's GHG emissions.

1.5.1.11 The Transmission Assets will therefore contribute to meeting global, European and national targets on carbon dioxide (CO2) reduction in line with the Climate Change Act 2008 (2050 Target Amendment) Order 2019 and the CoP Glasgow Climate Pact 2021 which was recently re-enforced by agreements made at COP 28 whereby the Global Renewables and Energy Efficiency Pledge was made.

1.5.1.12 In providing low carbon energy infrastructure, the Transmission Assets will be providing CNP infrastructure, which government policy strongly supports and has identified as urgently needed.

1.5.1.13 Further detail on climate change benefits is set out in the Volume 4, Chapter 1: Climate Change of the Environmental Statement (document reference F4.1).

### Biodiversity

1.5.1.14 The Transmission Assets, alongside the Morecambe Offshore Windfarm: Generation Assets and the Morgan Offshore Wind Project: Generation Assets, will contribute to halting overall biodiversity loss globally as a result of its contribution to addressing climate change and through integrated biodiversity net gain measures.

1.5.1.15 Paragraph 5.4.2 of NPS EN-1 states in relation to halting biodiversity loss that "*This aim needs to be viewed in the context of the challenge presented by climate change. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides*." NPS EN-1 goes on to state at paragraph 5.4.41 "*The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests*."

1.5.1.16 In terms of local benefits, the majority of ecological effects have been avoided or mitigated. Some residual effects in terms of ecology and nature conservation would remain as a result of the partial loss of Mill Brook Valley BHS. However, in accordance with the Outline Biodiversity Benefit Statement (document reference J11), there would also be some potential for long term benefits associated with onshore biodiversity, specifically, the additional planting at the onshore substations and associated access tracks.

1.5.1.17 Further to this, despite not being required to provide a designated level of biodiversity net gain, the Applicants have voluntarily sought to provide a standalone area of biodiversity benefit area at Lea Marsh Fields.

1.5.1.18 These measures will include grassland habitat enhancement, hedgerow enhancement for a retained native species-rich hedgerow at the proposed Morgan substation site, habitat enhancement along a section of Dow Brook and scrub planting in certain areas.

1.5.1.19 These measures will enhance the local environment from a biodiversity perspective and the Applicants intend, where possible, to maintain these measures for the lifetime of the development.

### Socio-economic Benefits

1.5.1.20 The Transmission Assets will clearly make a significant contribution towards the UK's much-needed transition to a low carbon economy. Expenditure on major energy infrastructure projects can stimulate economic growth by creating jobs and increasing output. The Transmission Assets will have direct economic benefits through the creation of employment associated with delivering each phase of a project. More detailed information on the socio-economic benefits of the Transmission Assets is provided in Volume 4, Chapter 2: Socio-economics of the Environmental Statement (document reference F4.2). Specifically, tables 2.69 and 2.73 identify the potential for up to 255 employment opportunities (Full Time Equivalent years) for residents in the study area during development and construction, and up to 50 such opportunities during the operation and maintenance phase.

1.5.1.21 Requirement 19 of Schedules 2A and 2B to the draft DCO (AS-004) requires that no works may commence within a relevant planning authority's area until, after consultation with Lancashire County Council, an employment and skills plan has been notified in writing to the relevant planning authority. This must be substantially in accordance with the Outline Employment and Skills Plan (APP-239) submitted with the DCO application.

1.5.1.22 The Outline Employment and Skills Plan (APP-239) sets out various initiatives which will aim to support employment and skills development in the local area, in alignment with various outline principles which have been identified to support employment and skills needs in North West England.

### Benefits of Co-ordination

1.5.1.23 The coordination undertaken to date has brought with it a variety of benefits in terms of reducing environmental and community impacts which the Applicants have sought to do in line with paragraph 2.13.14 of EN-5. The Transmission Assets application seeks to deliver two projects through a single application with a single landfall location, aligned onshore cable corridor routes with an overall cable corridor area for almost the entirety of the route. In addition, the two onshore substations are located in close proximity to one another

1.5.1.24 The benefits of this approach from a wider community perspective can be summarised as follows. Firstly, rationalising down the number of landfall locations minimises geographic spread at a regional level. This minimises the overall number of communities and environmental receptors which are effected. At a more local level, the aligned cable corridors allows for detailed alignment of infrastructure which ultimately avoids the proliferation of infrastructure within the host community (i.e. the potential for a 'spaghetti-junction' of cable routes) as compared to the alternative of separately developed radial connections. Separate radial connections would likely cause a wider spread of development and impacts (including landscape and visual), lead to a potential need for cable crossings, potentially increase the

number of landowners and farm holdings affected, and result in more widespread land use impacts or less efficient use of landOverall, the Applicants have sought to contain impacts to an overall smaller area and a smaller number of landowners.

1.5.1.25 Further to this, the Applicants have sought to consent the Transmission Assets by way of one joint application for development consent. This is unprecedented for two projects of this nature, and this approach has required a substantial amount of work from the Applicants. By promoting one single joint application, the local community has only been subject to one consultation phase and DCO examination process, and there is a single suite of application and environmental assessment documents. This has allowed for a far more detailed assessment of the combined impacts from all elements of the Transmission Assets, than would have been possible as part of any cumulative effects assessment if the two projects had been separately promoted and assessed. This has ensured that mitigation measures can also be coordinated to ensure the more effective reduction of environmental impacts and the development of a single set of outline management plans to align the approach across both projects.

1.5.1.26 Another benefit of the joint application process is that all post-consent management plans will be based on a single suite of outline plans, which were submitted as part of the application. This will ensure consistency in approach from both projects, in respect of mitigation measures, delivery principles and overall construction controls.

## 1.6 Powers of Compulsory Acquisition

1.6.1.1 Section 120 of the PA 2008 allows for provisions on matters ancillary to a development to be included in a DCO. Such ancillary matters may include the acquisition of land and the creation, suspension and extinguishment of interests in or rights over land. The DCO provides specific temporary powers for one project in respect of plots subject to compulsory acquisition powers for the other (set out in Schedule 7A and 7B of the DCO), for example to allow for temporary construction access across the other's cable corridor. Further details are set out in the Book of Reference (document reference S_MMCR_17).

1.6.1.2 The draft DCO (document reference S_MMCR_4) contains the following provisions:

a) Article 20 authorises the compulsory acquisition of any interest in land;
b) Article 22 authorises the compulsory acquisition of rights over land, including by creation of rights;
c) Article 24 authorises the extinguishment of private rights or restrictive covenants in land that is compulsorily acquired; and
d) Article 26 allows the Applicants to compulsorily acquire the subsoil of land only.

1.6.1.3 Morgan OWL and Morecambe OWL are the two companies named as undertaker in the draft DCO (document reference S_MMCR_4) and the entities who will exercise the powers of compulsory acquisition, divided as follows:

a) Morgan OWL is the undertaker for the purposes of constructing, maintaining and operating Project A and any related ancillary works; and
b) Morecambe OWL is the undertaker for the purposes of constructing, maintaining and operating the Project B and any related ancillary works.

1.6.1.4 The land subject to compulsory acquisition powers (the Order land) has some areas of overlap between the two projects and there will be cooperation to ensure coordination, such that each project will be able to secure appropriate land and rights for construction, operation, and maintenance of its respective project assets.

1.6.1.5 Section 122 of the PA 2008 sets out the purposes for which powers of compulsory acquisition may be granted along with the conditions which must be met. It provides that the Secretary of State must be satisfied that that the land:

a) is required for the development to which the development consent relates, or
b) is required to facilitate or is incidental to that development, and
c) that there is a compelling case in the public interest for the land to be acquired compulsorily.

1.6.1.6 The use of compulsory powers is restricted by Article 21, which provides that notices exercising such powers must be served within 7 years of the date of the DCO being made.

1.6.1.7 Other rights and powers in the draft DCO (document reference S_MMCR_4) which if exercised may interfere with property rights and private interests include:

a) Article 10 (Power to alter layout etc. of streets);
b) Article 12 (Temporary closure of public rights of way);
c) Article 13 (Temporary restriction of use of streets);
d) Article 16 (Discharge of water);
e) Article 17 (Authority to survey and investigate land);
f) Article 18 (Protective work to buildings);
g) Article 29 (Temporary use of land for carrying out the authorised project);
h) Article 30 (Temporary use of land for maintaining the authorised project);
i) Article 31 (Statutory undertakers);

j) Article 35 (Felling or lopping of trees and removal of hedgerows).

1.6.1.8 In each case (for both the principal powers and other powers) the parties having an interest in the relevant land may be entitled to compensation as a result of the exercise of the DCO powers. Any dispute in respect of the compensation payable is to be determined by the Lands Chamber of the Upper Tribunal.

1.6.1.9 Together, these powers will allow the necessary works to take place for the development and operation of the Transmission Assets. They have been drafted to be comprehensive, whilst allowing flexibility within the process to ensure as low an impact on those affected as possible.

### 1.6.2 Alternatives to Compulsory Acquisition

1.6.2.1 An important consideration of the site selection process for the Transmission Assets was the objective of minimising the need for the compulsory acquisition of interests in land and the extent of that acquisition or interference with the rights of others.

1.6.2.2 The Applicants have sought to reduce the impact on affected parties and only included permanent acquisition of land where the use of rights or temporary possession is not adequate.

1.6.2.3 The Applicants have sought rights only where these have been absolutely necessary and has sought to limit those rights to those which are the least intrusive. Details of the rights sought are included in Schedules 8A and 8B of the draft DCO (document reference S_MMCR_4) and the Book of Reference (document reference S_MMCR_15).

1.6.2.4 Throughout the pre-application process, the Applicants and the Applicants' land agents have continued to engage with affected landowners (and their agents). A number of onshore cable route change proposals, as well as changes to the substation platforms, construction compounds and access tracks have been put forward by those affected by the proposed onshore infrastructure, and the Applicants have been able to incorporate a number of those suggestions into refinements of the onshore and landfall infrastructure (as detailed in Volume 1, Annex 4.1: Selection and refinement of cable landfall and Volume 1, Annex 4.3: Selection and refinement of onshore infrastructure of the Environment Statement (document references F1.4.1 and F1.4.3)).

1.6.2.5 Significant effort has been put into and continues to be put into agreeing a negotiated solution with each of the persons affected by exercise of compulsory acquisition powers. The Land Rights Tracker (document reference: S_MMCR_16)sets out the current status of those negotiations.

1.6.2.6 The Applicants believe compulsory acquisition powers can be justified as a fall-back to ensure the necessary land and rights are secured to enable development. Without powers of compulsory acquisition, it may not be possible to secure all of the interests in land necessary to develop the

Transmission Assets within a reasonable timeframe. In the context of clear national and local policy support for the development of the Transmission Assets, the use of compulsory acquisition powers would be a proportionate and legitimate means of securing the necessary interests in land where they cannot be acquired through voluntary agreement.

## 1.7 The Order Land

1.7.1.1 The Order land is the land that is needed for the construction, operation, maintenance and decommissioning of the Transmission Assets. Pursuant to the draft DCO (document reference S_MMCR_4), there is confirmation as to the land, rights and restrictions required by Morgan Offshore Wind Project: Transmission Assets (comprising Project A) and the land, rights and restrictions required by Morecambe Offshore Windfarm: Transmission Assets (comprising Project B), with some overlap and coordination between the projects. The powers will be exercisable in relation to the land listed in the Book of Reference (document reference S_MMCR_15).

1.7.1.2 The Order land comprises only land which is necessary for development or is required to facilitate that development. The Order land is therefore in line with the requirements in Section 122 of the PA 2008. There is no requirement for the provision of replacement or exchange land.

1.7.1.3 The Order land is predominantly used for agriculture. Land requiring special consideration is discussed in more detail below.

1.7.1.4 The following section summarises the approach the Applicants have taken to selecting and refining the extent of the Order land, including consideration of reasonable alternatives.

### 1.7.2 Site selection and alternatives

1.7.2.1 As described in Volume 1, Chapter 1: Introduction of the Environmental Statement (AS-026), Offshore Wind Leasing Round 4 was instigated by The Crown Estate (TCE) in September 2019, and four Bidding Areas were identified for the development of offshore wind in England and Wales.

1.7.2.2 The Applicants have followed a staged site selection and design iteration process from inception to the point of submission of the application for development consent to identify the most suitable locations and configuration. A multi-disciplinary team was formed to undertake the site selection process, which included input from engineers, planners, land advisors, legal and EIA/topic consultants whose expertise was drawn upon through the process.

1.7.2.3 The Applicants have considered the interests of stakeholders and affected parties throughout the site selection process. Wherever possible and practicable, the Applicants have sought to accommodate preferences and concerns raised by stakeholders through the site selection process whether by adjustments to the development boundary, areas of works, or designs

being considered. Volume 1, Chapter 4: Site selection and consideration of alternatives of the Environmental Statement (AS-026) explains the iterative process undertaken and the reasonable alternatives considered by the Applicants in refining the Transmission Assets development area.

1.7.2.4 Alongside published policies and guidance the following site selection principles were developed and applied at the outset of the site selection process for the Transmission Assets. These are drawn from the experience of the Applicants and technical expertise of consultants supporting the process and comprise:

- Alignment of the offshore, landfall and onshore infrastructure for the Morgan Offshore Wind Project: Transmission Assets and Morecambe Offshore Windfarm: Transmission Assets where possible;
- Shortest route preference to reduce impacts by minimising footprint for the Transmission Assets offshore and onshore Cable Corridor as well as considering cost (hence ultimately reducing the cost of energy to the consumer) and minimising transmission losses;
- Minimising impacts to environmental features and social receptors, where possible; and
- The space to accommodate the design envelope.

1.7.2.5 As detailed in Volume, Chapter 4, Annex 4.1: Selection and Refinement of Cable Landfall; Annex 4.2: Selection and Refinement of Offshore Infrastructure; and Annex 4.3: Selection and Refinement of Onshore Infrastructure (document references F1.4.1 - F1.4.3) a series of overarching principles and engineering assumptions were identified for the Transmission Assets infrastructure which governed the decisions made at each stage. These included environmental, physical, technical, commercial and social considerations and opportunities. Each stage of the process involved gathering data from different sources (e.g. surveys, desktop studies, stakeholder and public feedback) to define and assess the alternative site options. This information was then collated, reviewed and appraised to reach cross-discipline decisions about refining the site selection options at each stage.

### 1.7.3 Consultation

1.7.3.1 The Applicants have undertaken extensive consultation with statutory and non-statutory consultees, as well as engagement with the wider public. The outcome of this consultation has helped to refine the process, design and wider spatial constraints and considerations. Consultation on refinements in the Transmission Assets site selection, layout and configurations was undertaken through informal and formal pre-application stages.

1.7.3.2 Details of the influence consultation has had on the project design and Order limits are set out in Volume 1, Chapter 4: Site selection and consideration of alternatives of the Environmental Statement (document reference F1.4) and

the Site Selection Annexes (document references F1.4.1-F1.4.3) as well as the Consultation Report (document reference E1).

1.7.3.3 Landowner feedback during consultation raised items such as:

a) relocating access tracks to avoid proposed agricultural developments;

b) reducing severance of land; and

c) avoiding the permanent take of productive agricultural land wherever possible.

1.7.3.4 Much of the project is buried cable hence land will be returned to productive use post construction; however, the substations are a permanent loss and every effort has been made by the Applicants to minimise this and locate the substations within existing field and ownership boundaries where practicable.

1.7.3.5 The Applicants have adjusted permanent access tracks to minimise severance and wherever possible use existing routes to avoid the further loss of land. The Applicants have sought to avoid, where possible, areas with live planning applications and have had regard to proposed planning applications that have come to light as part of the ongoing landowner engagement. The cable alignment was straightened through a diary unit to minimise the disruption to the holding and business which relies on daily movements and the existing slurry infrastructure. Relevant plots are 09-48A, 09-047B, 09-049, 09-050A, 09-051, 09-053A, 09-056A, 09-054, 09-064, 09-065A, 09-067A, 09-062B, 09-058B, 09-068, 09-063B, and 09-057B.

1.7.3.6 Micro-siting of the construction compounds has been undertaken to reduce the number of affected parties and the spread of compound areas over multiple fields which would create a more significant scale of disruption. It is less disruptive to lose the whole of one field from a business temporarily rather than parts of several which would require significantly more accommodation works and compensation to mitigate any losses. A construction compound has been moved farther away from the farm stead to reduce the visual impact at the request of the owner (plot 13-094A).

1.7.3.7 In relation to the Morgan onshore substation the key project refinement was to relocate the substation site further to the east. This was requested by the landowner of the substation site to lessen the impact on agricultural activities. This change also allows more opportunity to utilise existing screening to reduce views of the substation from Kirkham South and Hall Cross.

1.7.3.8 In relation to the Morecambe substation, consultation was carried out at PEIR on two potential Morecambe onshore substation locations, following which an assessment was undertaken to identify the best location for the substation. This assessment considered consultation feedback from statutory stakeholders, landowners, nearby residents and members of the public, potential environmental constraints and engineering considerations. The feedback indicated that a greater number of consultees stated a preference for the Option 2 (South) although this was not a significant number. There was not a clear landowner preference. Option 2 (south) was selected

primarily due to being further away from a greater number of sensitive receptors than Option 1 (north). Option 2 (south) allows the advantage of splitting the construction traffic with the Morgan substation compared to Option 1 (north). Selection of Option 1 (north) would mean all construction traffic would take access from the A583. Option 2 (south) results in a significant reduction in cable length for both the onshore export cable and the grid connection cable corridors. Option 2 (south) would also avoid the need to cross the Morgan onshore export cable and grid connection cable corridors. Its greater distance from the Morgan substation will lead to greater overall construction efficiency.

1.7.3.9 Feedback and preference from the Morecambe substation landowner feedback has shaped the final access tracks. The temporary construction access for the substation (plots 13-022B, 13-036B, 13-037, 13-040B, 13-042B, 13-045B, 13-046B, 13-047, 13-043, 13-041, 13-039, 13-038B, 11-110B) was selected based on landowner feedback alongside environmental and engineering constraints. Potential access track options closer to Lower House Farm were discounted to avoid interaction with the farm and its livestock and future farm infrastructure adjacent to existing buildings. The construction access utilises an existing access track off the A584 which will be retained permanently to facilitate HGV and AIL deliveries. However, the track will not be fenced as it crosses fields, thus reducing the impact on agricultural activities, in response to landowner feedback. The main operational access will be taken off Lower Lane to the west of the substation. The substation access track will be designed to allow livestock to pass between the fields to the north and south of the operational access also in response to landowner feedback.

1.7.3.10 This consultation has also helped to ensure that the Order land comprises the smallest area necessary to deliver the Transmission Assets.

1.7.3.11 Further information in relation to the Applicants' consultation process is presented in the Consultation Report (document reference E1).

1.7.3.12 Through consultation, its site selection procedures and design refinement, the Applicants have sought to minimise the impact on those affected by the Transmission Assets, including those who will be affected by the use of compulsory acquisition powers.

## 1.8 Planning Policy Position

### 1.8.1 National Policy Statements

1.8.1.1 As previously stated, section 104 (and section 105 where applicable) of the PA 2008 makes it clear that in determining a DCO application the Secretary of State must take into account any relevant NPS, any appropriate Marine Policy Statement (MPS), any local impact report, any matters prescribed in relation to the development and any matters the Secretary of State considers important and relevant. NPS EN-1 (paragraph 4.1.15) identifies that, where there is a conflict between a development plan and the NPS, the NPS

prevails for the purpose of decision making, given the national significance of the infrastructure.

### NPS EN-1: Overarching NPS for Energy

1.8.1.2 Paragraph 4.1.3 of NPS EN-1 states that "the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused." There are no specific or relevant policies which clearly indicate that consent should be refused, and therefore the Transmission Assets should benefit from this presumption in favour of consent.

1.8.1.3 As set out above in section 1.4.4, NPS EN-1 establishes the urgent need for new large- scale energy infrastructure to meet the UKs energy objectives, and states that "The Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS."

1.8.1.4 The Transmission Assets will be low carbon CNP Infrastructure for the purposes of NPS EN-1. NPS EN-1 sets out the approach the Secretary of State must take to decision making in relation to CNP Infrastructure. Paragraph 4.2.14 states that "The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The Secretary of State must be satisfied that the Applicants' assessment demonstrates that the requirements set out above have been met. Where the Secretary of State is satisfied that they have been met the CNP presumptions set out below apply."

1.8.1.5 Paragraph 4.2.15 states that "Where residual 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. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk."

1.8.1.6 None of the above exceptions apply to the Transmission Assets and the development has evolved to ensure that the mitigation hierarchy has been met in relation to potential effects identified throughout the application preparation process such that there are no effects of the Transmission Assets that are considered to affect the strong presumption in favour of granting consent.

1.8.1.7 NPS EN-1 sets out what must be included in applications for CNP Infrastructure for them to benefit from the presumption in favour of consent. Paragraph 4.2.10 of NPS EN-1 states that "Applicants for CNP Infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements." Paragraph 4.2.11 of NPS EN-1 states that Applicants "Should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated." Paragraph 4.2.12 states that "Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered."

1.8.1.8 These requirements of the assessment have been fully complied with by the Transmission Assets. Every chapter of the Environmental Statement sets out in detail the legal and national policy requirements relevant to the chapter and explains where each requirement is addressed in the application. Every chapter of the Environmental Statement applies the mitigation hierarchy as explained in detail in Volume 1, Chapter 5: Environmental Assessment Methodology (document reference F1.5). The Applicants have sought to minimise significant adverse impacts on the environment wherever possible in the design of the Transmission Assets. Where residual impacts are identified, chapters of the Environmental Statement justify the conclusion that they cannot be avoided, reduced or mitigated, and explain how these impacts will be compensated for as far as possible. Proposals for minimising the effects on landscape and visual amenity from the onshore infrastructure are set out in the outline landscape management plan and outline ecological management plan (document references J2 and J6 respectively).

1.8.1.9 The advice of appropriate SNCBs and relevant statutory bodies has been sought throughout the process. Details of SNCBs and statutory bodies' recommendations are included in every relevant Environmental Statement chapter alongside an explanation of how they have been incorporated into the Transmission Assets application.

1.8.1.10 Finally, every chapter of the Environmental Statement (document references F1.1-F4.4) considers the cumulative impacts of the proposed Transmission Assets and other developments and considers where necessary residual impacts.

1.8.1.11 The Applicants consider that the assessment requirements of NPS EN-1 have been met, and that no unacceptable risk is presented in relation to any of the considerations listed, and therefore that the presumption in favour of consent should apply.

1.8.1.12 Paragraph 4.6.16 of NPS EN-1 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. This includes development within Green Belts, development affecting SSSIs, development in nationally designated landscapes and where there is substantial harm to or loss of significance to heritage assets.

1.8.1.13 The Applicants therefore also consider that the Secretary of State should take as the starting point in considering the Transmission Assets that it has met any tests set out within the NPSs, and any other planning policy which requires a clear outweighing of harm, exceptionality or very special circumstances.

### NPS EN-3: National Policy Statement for Renewable Energy Infrastructure

1.8.1.14 EN-3 covers technology specific matters including offshore wind.

1.8.1.15 Paragraph 2.5.2 states that “Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage”.

1.8.1.16 The Applicants have sought to demonstrate good design throughout the development of the Transmission Assets. Careful consideration has been given to representations made during the consultation under s42 of the PA 2008, and this has informed the iterative refinement of the proposed design. For the onshore infrastructure, a key design decision was to install cables underground rather than seek to use overhead lines. Landscape and visual amenity have informed the design process, including at the site selection and consideration of alternatives stage. As previously stated, a thorough Environmental Impact Assessment has been undertaken to identity potential impacts on ecology and heritage and mitigate them as far as possible.

1.8.1.17 At this stage in the Transmission Assets’ development process, decisions on exact locations of infrastructure and the precise technologies and construction methods that will be employed have not been made. This includes the exact layout, equipment and technology of the onshore substations. These details will be determined during the detailed design that would take place between a decision on the application for development consent and the start of construction. Such details would be provided for approval prior to the commencement of construction works under requirement 4 of Schedules 2A and 2B of the draft DCO (document reference S_MMCR_4).

### NPS EN-5: National Policy Statement for Electricity Networks Infrastructure

1.8.1.18 NPS EN-5 states at paragraph 2.1.5 that "*To support the urgent need for new low carbon infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations, are considered to be CNP infrastructure*."

1.8.1.19 The onshore cables will be installed underground, thereby minimising landscape and visual effects as required by paragraph 2.9.14 of EN-5. Archaeology is considered in NPS EN-5 where the potential effects to below ground archaeological remains are balanced against the visual effects of using overhead lines.

1.8.1.20 NPS EN-5 considers the potential for Electro-Magnetic Fields (EMF) to arise as a result of new power transmission projects, and suggests an approach to mitigation for EMF effects, where they might occur. The Applicants have considered the potential for the generation of EMFs as a result of the onshore components of the Transmission Assets and the EMF compliance statement (document reference F1.3.4) confirms compliance with the relevant guidelines.

1.8.1.21 Section 2.6 of NPS EN-5 recognises that ownership or rights in land are required to install and maintain electricity lines. Where it is not possible to reach agreement to secure such land or rights a provision may be included in the DCO allowing an applicant to do so by compulsion. In accordance with EN5, the Applicants are only seeking the compulsory acquisition of freehold land for its onshore substation and related permanent works. Where use of land is required to facilitate development by providing for mitigation, landscape enhancement and biodiversity net gain, an applicant may seek compulsory acquisition rights through its DCO application. The Secretary of State will consider such an application in accordance with the PA 2008 and any associated guidance (paragraph 2.6.6).

## 1.8.2 Conclusion

1.8.2.1 The key test to be applied in the decision-making process is whether, on balance, the Transmission Assets are in accordance with the relevant NPSs (except to the extent that one or more of the matters set out in Section 104(4) to 104(8) applies). The Planning Statement (document reference J28) explains that as development needed to deliver almost 2GW of new renewable energy generation capacity, the Transmission Assets should be treated as low carbon CNP Infrastructure with the need for the project clearly outweighing any residual impacts.

# 1.9 Engagement with Affected Parties

1.9.1.1 All persons with an interest in the Order land were consulted about the Transmission Assets in accordance with section 42 of the PA 2008 by the

Applicants. Further details of the consultation process undertaken by the Applicants is set out in the Consultation Report (document reference E1).

1.9.1.2 The Applicants, through their agents Dalcour Maclaren, have engaged with relevant landowners and occupiers in negotiations to secure the necessary interests in land required for the Transmission Assets by voluntary agreement, in accordance with the requirement of paragraph 25 of the Guidance. However, in order to give the Applicants and the Secretary of State certainty that all of the necessary land will be secured within a reasonable timeframe, powers of compulsory acquisition are also sought. This approach is endorsed by paragraph 25 of the Guidance.

1.9.1.3 Negotiations have taken place through letters, emails, phone calls and face to face meetings. Whilst negotiations with landowners continue, agreement for the acquisition of all rights have yet to be secured. Further details of the discussions that the Applicants have had with landowners and occupiers to acquire the Order land by agreement, as well as negotiations with statutory undertakers, are set out in the Land Rights Tracker (document reference: S_MMCR_16).

## 1.10 Case for Powers of Acquisition Sought

1.10.1.1 This section sets out the Applicants' proposals and justification for each class of acquisition. This includes explaining where the Applicants are seeking necessary flexibility for the detailed design stage, and it may be that the final land take is less than identified. The full details of the powers sought by the Applicants are set out in Schedules 7A, 7B and 8A and 8B of the draft DCO (document reference S_MMCR_4).

1.10.1.2 The Applicants are in discussions with the landowners with the intention of reaching voluntary agreements for land rights required. Powers of compulsory acquisition are therefore sought on a precautionary basis to ensure that the Transmission Assets can be delivered should voluntary agreement not be possible or where unknown interests in the land are identified.

### 1. Cable rights and restrictive convenants

#### Morgan

01-002, 01-003, 02-013, 02-014, 04-006, 04-007, 04-013, 04-014, 04-016, 04-023, 05-007, 05-008, 05-009, 05-010, 05-014A, 05-015A, 05-023A, 05-024A, 05-025A, 05-026A, 05-027A, 05-030A, 05-031A, 05-033, 05-034A, 05-038A, 05-041A, 05-047A, 05-048A, 05-052, 05-052A, 05-052Ai, 05-070, 05-070A, 05-070i, 05-071A, 05-072, 05-072A, 05-073, 05-073A, 05-073Ai, 05-074, 05-076, 05-076A, 05-076Ai, 06-008A, 06-010A, 06-011, 06-012A, 06-015A, 06-016, 06-

017A, 06-018A, 06-021, 06-022A, 06-044, 06-045, 06-046A, 06-061A, 06-066, 06-067A, 07-025A, 07-027A, 08-012, 08-013A, 08-014A, 08-024A, 08-026, 08-029A, 08-030, 08-033A, 08-034A, 08-035A, 08-038A, 08-080A, 08-084A, 08-085, 08-086A, 08-087A, 08-088, 08-089, 08-090A, 08-099A, 08-101A, 08-102, 08-112, 08-113A, 08-114A, 08-115, 08-118, 08-119A, 08-120A, 09-007, 09-008A, 09-009A, 09-010A, 09-011, 09-012A, 09-013A, 09-014, 09-015A, 09-016, 09-017A, 09-028A, 09-029A, 09-030A, 09-033, 09-034A, 09-040A, 09-048A, 09-049, 09-050A, 09-051, 09-053A, 09-054, 09-056A, 09-064, 09-065A, 09-067A, 09-068, 09-069A, 09-071, 09-072A, 09-073, 09-074, 09-075, 09-076A, 09-077, 09-079, 09-085, 09-106A, 10-001A, 10-002A, 10-010A, 10-015A, 10-019A, 10-026, 10-028A, 10-030, 10-035A, 11-001A, 11-002A, 11-016, 11-017, 11-018, 11-019, 11-031A, 11-032, 11-036A, 11-037A, 11-039, 11-040A, 11-041, 11-042A, 11-043, 11-044, 11-045A, 11-057A, 11-058, 11-059, 11-060, 11-064A, 11-065, 11-066A, 11-075A, 11-080A, 11-116A, 11-122A, 11-129A, 13-010A, 13-011A, 13-012A, 13-013A, 13-014A, 13-015A, 13-016A, 13-017A, 13-024A, 13-028A, 13-029A, 13-050A, 13-052, 13-054A, 13-055A, 13-057, 13-059A, 13-061, 13-064A, 13-065A, 13-068, 13-069A, 13-070, 13-072A, 13-073A, 13-076A, 13-077A, 13-079, 13-080A, 13-083A, 13-093A, 13-099, 13-101A, 13-102, 13-104A, 14-001, 14-002A, 14-003, 14-005A, 14-006, 14-008A, 14-009, 14-011A, 14-030, 14-038A, 14-039A, 14-056, 14-058A, 14-059A, 14-063, 14-064A, 14-066A, 14-078, 14-094, 14-095A, 14-096A, 15-016A, 15-022, 15-023, 15-024, 15-025, 15-026A, 15-027, 15-029A, 15-032A, 15-033, 15-037A, 15-046A, 15-048, 15-049A, 15-051, 15-056A, 15-058, 15-059A, 15-060A, 15-061A, 15-067, 15-069, 15-070, 15-071A, 15-072A, 16-034, 16-035A, 16-036, 16-037A, 16-070A, 16-071, 16-072A, 16-073A, 16-074A, 16-075A, 16-076A, 16-080A, 16-085, 16-093, 16-093i, 16-093A, 16-093Ai, 17-006, 17-006i, 17-006ii, 17-007, 17-012, 17-013, 17-015, 17-016, 17-019, 17-019i, 17-024, 17-026, 18-014, 18-022, 18-023, 18-024, 18-040, 18-044

## Morecambe

01-002, 01-003, 02-013, 02-014, 04-006, 04-007, 04-013, 04-014, 04-016, 04-023, 05-007, 05-008, 05-009, 05-010, 05-011B, 05-012, 05-012B, 05-012Bi, 05-

013B, 05-016, 05-016B, 05-016Bi, 05-017, 05-017B, 05-017Bi, 05-022B, 05-028B, 05-029B, 05-032B, 05-037B, 05-042B, 05-046B, 05-049B, 05-050B, 05-051B, 05-069B, 05-077B, 06-009B, 06-013B, 06-014B, 06-019B, 06-020B, 06-023, 06-026B, 06-027, 06-029B, 06-048B, 06-054B, 06-055B, 06-056, 06-057B, 06-058, 06-068B, 06-071, 06-072B, 07-010, 07-011B, 07-012B, 07-013, 07-014B, 07-015, 07-016B, 07-017, 07-018B, 07-019, 07-020B, 07-021, 07-024B, 07-026B, 08-001, 08-002, 08-003B, 08-016B, 08-036B, 08-037B, 08-039, 08-040, 08-041, 08-042, 08-043B, 08-046B, 08-047, 08-048, 08-055, 08-059B, 08-079B, 08-083B, 08-100, 08-103, 08-111B, 09-018B, 09-019B, 09-020B, 09-021B, 09-022, 09-023B, 09-024B, 09-025, 09-027B, 09-031B, 09-032, 09-035B, 09-036, 09-038B, 09-039, 09-041B, 09-042B, 09-043, 09-047B, 09-057B, 09-058B, 09-060, 09-062B, 09-063B, 09-083B, 09-084, 09-105B, 10-003B, 10-004B, 10-005B, 10-006, 10-009B, 10-011B, 10-012, 10-014B, 10-016B, 10-017B, 10-018B, 10-020, 10-021B, 10-022, 10-024B, 10-025, 10-029B, 10-031, 10-034B, 10-036, 10-037B, 10-038, 10-040B, 10-041, 10-042B, 11-003B, 11-004B, 11-005B, 11-027, 11-030B, 11-046, 11-061, 11-067B, 11-068B, 11-069, 11-070B, 11-072, 11-073B, 11-081B, 11-083, 11-088B, 11-094B, 11-096, 11-114B, 13-004B, 13-005, 13-006B, 13-007B, 13-018B, 13-019B, 13-021B, 13-023B, 13-025B, 13-026, 13-027B, 13-030B, 13-031, 13-032B, 13-033B, 13-034, 13-051B, 13-056B, 13-060B, 13-066B, 13-067B, 13-074B, 13-075B, 13-078B, 13-084B, 13-085, 13-091B, 13-092B, 14-014, 14-037B, 14-040B, 14-041, 14-042B, 14-044, 14-045B, 14-055B, 14-057, 14-060B, 14-061, 14-065B, 14-067B, 14-069, 14-073B, 14-074, 14-075B, 14-076, 14-077B, 14-090B, 14-091B, 14-092, 15-005, 15-007B, 15-008B, 15-028, 15-030B, 15-031B, 15-047B, 15-052, 15-054B, 15-055, 15-057B, 15-062B, 15-064, 15-065B, 15-066, 15-068, 15-073B, 16-042, 16-043B, 16-044, 16-045B, 16-046, 16-047, 16-047B, 16-048B, 16-049, 16-064B, 16-066, 16-077B, 16-078, 16-087, 16-090, 16-094B, 16-095, 16-096, 16-096B, 16-096Bi, 17-006, 17-006i, 17-006ii, 17-007, 17-012, 17-013, 17-015, 17-016, 17-019, 17-019i, 17-024, 17-026, 18-014, 18-022, 18-023, 18-024, 18-040, 18-044

1.10.1.3 Rights are sought for the installation, retention, operation, maintenance and decommissioning of underground cables and ancillary infrastructure in these plots. The rights include those necessary to carry out the works, including occupying the land to carry out works, using the land as a temporary working area, storing or stockpiling materials on the land, taking access over and across the land, breaking open the land to install or reach cables and using open trench and trenchless installation techniques. In order to carry out works safely, rights are also sought to erect fencing or other means of enclosure and signage, to drain the land, to clear obstacles including fences, woods, hedges, tree or shrubs, to divert or alter apparatus and to create access and haul routes.

1.10.1.4 The imposition of restrictive covenants necessary to protect the cables once installed is sought. The restrictive covenants would prevent building or construction over the cables, blasting, hard surfacing over the cables, changing the levels of the land, excavation (excluding normal ploughing), and planting of trees or shrubs which may interfere with or prevent access to the cables. A restrictive covenant is also sought to protect any habitat creation or enhancement carried out on the land as part of the authorised development in order that the Applicants can demonstrate that any mitigation to be provided can be retained and maintained for the required period.

## 2. Cable rights, transition joint bay rights and restrictive covenants

### Morgan

03-006

### Morecambe

03-006

1.10.1.5 This category is the same as 1 above, but with the addition of rights to install and retain transition joint bays in the land.

## 3. Cable rights and restrictive covenants at Blackpool Airport

### Morgan

03-005, 03-007, 03-008, 03-011, 04-004, 04-005, 04-024

### Morecambe

03-005, 03-007, 03-008, 03-011, 04-004, 04-005, 04-024

1.10.1.6 A separate rights package has been proposed for cable installation works at Blackpool Airport which mirrors 1 above but also reflects the nature of the current use of the airport and existing features on the land.

## 4. Cable rights under existing infrastructure and features and restrictive covenants

### Morgan

01-008, 01-011, 01-014, 02-021, 02-022, 04-017, 04-018, 04-019, 04-020, 04-021, 04-022, 05-004, 05-035A, 05-053, 05-053A, 05-053Ai, 06-036, 06-037A, 06-059, 06-060A, 08-017, 08-018, 08-019A, 08-020, 08-021A, 08-049, 08-050A, 08-051, 08-052A, 08-081A, 09-078A, 09-080, 09-081, 11-015, 11-052, 11-053, 11-054, 11-090A, 11-091, 14-079, 14-080A, 14-081A, 14-083, 15-017, 15-038A, 15-041A, 16-098A, 16-105A, 16-106A, 16-109A, 16-110A, 16-113A, 16-114, 16-116A, 16-117A, 17-005A, 18-043

### Morecambe

01-008, 01-011, 01-014, 02-021, 02-022, 04-017, 04-018, 04-019, 04-020, 04-021, 04-022, 05-004, 05-036B, 05-056B, 06-030, 06-031B, 06-047, 06-053, 08-010, 08-011B, 08-044, 08-045, 08-082B, 09-082B, 11-013, 11-014, 11-047B, 11-051, 11-062B, 11-093B, 14-084, 14-085B, 14-086B, 14-088, 14-089B, 15-009, 15-010, 15-039B, 15-040B, 16-097B, 16-104B, 16-107B, 16-108B, 16-111B, 16-112B, 16-118B, 17-004B, 18-043

1.10.1.7 The rights sought in this category are the same as for 1 but these plots will apply to crossings of infrastructure where it is appropriate for rights to be limited to works in or under the land and where the restrictive covenants sought under 1 would be incompatible with the existing surface use. For example, it is not considered reasonable to seek to control hard surfacing on the public highway for example as the highway authority must be able to maintain their highway as they consider appropriate.

1.10.1.8 Trenchless installation techniques are proposed on crossing of the railway line and public highways to prevent any interference with the existing use, damage to that infrastructure or environment. Where infrastructure is crossed by trenchless installation techniques the right to break open the surface will be limited by the effect of the protective provisions, but is retained for where it is necessary to effectively carry out trenchless installation (subject to any controls on the exercise of such works agreed with the asset owner).

1.10.1.9 For all six forms of cable rights sought (1, 2, 3, 4, 11 and 12) the rights sought are the minimum necessary to allow the construction and safe operation and maintenance of the Transmission Assets. The Applicants are seeking to acquire rights in the land and not ownership of it as the buried cables can co-exist with the existing land uses. Once the cables are installed the current use of the cable corridor plots can resume, resulting in minimal interference to the owners and occupiers.

1.10.1.10 The cables are intended to coexist with other infrastructure while causing minimum interference, for example by limiting the impact to sub-surface under existing rail lines and highways and micro-siting the cables to avoiding needing to alter water apparatus. Other undertakers' apparatus will only be altered where necessary and there are no proposals to remove any apparatus without a diversion being put in place. The rights sought are accordingly proportionate.

## 5. Cable corridor access rights

### Morgan

03-009i, 03-010i, 04-010, 04-011, 05-012, 05-016, 05-017, 05-018, 05-019, 05-020, 05-021, 05-039, 05-040, 05-075, 06-001, 06-002, 06-003, 06-004, 06-005, 06-006, 06-007, 06-023, 06-024, 06-025, 06-027, 06-028, 06-035, 06-051, 06-058, 06-070, 06-071, 06-076, 06-077, 07-007, 07-008, 07-010, 07-015, 07-019, 07-021, 07-022, 07-023, 08-001, 08-004, 08-007, 08-023, 08-027, 08-031, 08-032, 08-040, 08-041, 08-047, 08-048, 08-061, 08-065, 08-066, 08-071, 08-072, 08-073, 08-077, 08-091, 08-092, 08-093, 08-116, 08-117, 09-022, 09-025, 09-026, 09-032, 09-036, 09-037, 09-039, 09-043, 09-044, 09-045, 09-046, 09-052, 09-055, 09-059, 09-060, 09-061, 09-066, 09-084, 09-095, 09-098, 09-103, 09-104, 09-107, 09-108, 09-109, 09-110, 09-111, 09-112, 09-113, 10-006, 10-007, 10-008, 10-012, 10-013, 10-020, 10-022, 10-023, 10-025, 10-027, 10-031, 10-032, 10-033, 10-036, 10-038, 10-039, 10-041, 11-033, 11-034, 11-035, 11-050, 11-063, 11-069, 11-071, 11-072, 11-074A, 11-082A, 11-083, 11-084, 11-085, 11-096, 11-097, 11-098, 11-102, 11-103, 11-104, 11-105, 11-115A, 11-119A, 11-120A, 11-127A, 11-128A, 11-130A, 12-003A, 12-014A, 12-016A, 12-018A, 12-021A, 12-022A, 13-001A, 13-002A, 13-003A, 13-005, 13-053, 13-058, 13-062, 13-063, 13-071, 13-081, 13-095, 13-096, 13-097, 13-098, 13-103, 13-105, 14-004, 14-007, 14-010, 14-022, 14-023, 14-024, 14-032, 14-035, 14-036, 14-041, 14-043, 14-044, 14-050, 14-051, 14-052, 14-053, 14-057, 14-061, 14-069,

14-070, 14-072, 14-074, 15-002, 15-003, 15-004, 15-005, 15-006, 15-010, 15-011, 15-019, 15-021, 15-034, 15-035, 15-036, 15-043, 15-050, 15-052, 15-053, 15-055, 16-021, 16-022, 16-023, 16-024, 16-025, 16-029, 16-042, 16-044, 16-047, 16-049, 16-050, 16-081, 16-082, 16-083, 16-084, 16-087, 16-088, 16-095, 16-096, 16-115, 17-008, 17-009, 17-010, 17-011, 17-018, 17-020, 17-021ii, 17-025, 17-027, 18-001, 18-002, 18-015, 18-016, 18-017, 18-018, 18-019, 18-020, 18-021, 18-041, 18-042, 18-045, 18-046, 18-047, 18-049, 18-050, 18-051

## Morecambe

03-009i, 03-010i, 04-010, 04-011, 05-018, 05-019, 05-020, 05-021, 05-033, 05-039, 05-040, 05-074, 05-075, 06-001, 06-002, 06-003, 06-004, 06-005, 06-006, 06-007, 06-011, 06-016, 06-024, 06-025, 06-028, 06-035, 06-051, 06-070, 06-076, 06-077, 07-007, 07-008, 07-022, 07-023, 08-004, 08-007, 08-012, 08-017, 08-023, 08-026, 08-027, 08-030, 08-031, 08-032, 08-061, 08-065, 08-066, 08-071, 08-072, 08-073, 08-077, 08-085, 08-091, 08-092, 08-093, 08-112, 08-115, 08-116, 08-117, 08-118, 09-026, 09-033, 09-037, 09-044, 09-045, 09-046, 09-049, 09-051, 09-052, 09-054, 09-055, 09-059, 09-061, 09-064, 09-066, 09-068, 09-073, 09-074, 09-075, 09-081, 09-095, 09-098, 09-103, 09-104, 09-107, 09-108, 09-109, 09-110, 09-111, 09-112, 09-113, 10-007, 10-008, 10-013, 10-023, 10-026, 10-027, 10-030, 10-032, 10-033, 10-039, 11-032, 11-033, 11-034, 11-035, 11-041, 11-050, 11-053, 11-054, 11-059, 11-063, 11-071, 11-084, 11-085, 11-097, 11-098, 11-102, 11-103, 11-104, 11-105, 13-052, 13-053, 13-057, 13-058, 13-061, 13-062, 13-063, 13-068, 13-070, 13-071, 13-079, 13-081, 13-095, 13-096, 13-097, 13-098, 13-099, 13-102, 13-103, 13-105, 14-001, 14-003, 14-004, 14-006, 14-007, 14-009, 14-010, 14-015, 14-017, 14-018, 14-020, 14-021, 14-022, 14-023, 14-024, 14-036, 14-043, 14-050, 14-051, 14-052, 14-053, 14-056, 14-063, 14-070, 14-072, 15-002, 15-003, 15-004, 15-006, 15-011, 15-019, 15-021, 15-023, 15-025, 15-033, 15-034, 15-035, 15-036, 15-043, 15-050, 15-051, 15-053, 15-058, 16-021, 16-022, 16-023, 16-024, 16-025, 16-029, 16-034, 16-036, 16-039, 16-050, 16-071, 16-081, 16-082, 16-083, 16-084, 16-085, 16-088, 16-114, 16-115, 17-008, 17-009, 17-010, 17-011, 17-018, 17-020, 17-021ii, 17-025, 17-027, 18-001, 18-002, 18-015, 18-016, 18-017, 18-018, 18-

019, 18-020, 18-021, 18-041, 18-042, 18-045, 18-046, 18-047, 18-049, 18-050, 18-051

1.10.1.11 These access rights are required for the operation and maintenance phase and allow access to the entirety of the cable corridor. The rights may also be required in any decommissioning phase. As set out in Volume 1, Chapter 3: Project Description of the Environmental Statement at paragraph 3.20 (document reference F1.3) the precise details of any onshore decommissioning works, and therefore access needed, will be determined towards the end of the operational life of the Transmission Assets.

1.10.1.12 Where practical, the operational (and where applicable decommissioning) accesses have been routed over existing accesses and tracks in order to minimise the interference caused to landowners and occupiers. Where existing accesses and tracks are used, rights will be sought and exercised alongside existing access rights, and the Applicants are not seeking to extinguish any other person's access rights on these routes. The rights sought are accordingly the minimum necessary to ensure that the Transmission Assets can be accessed once constructed whilst minimising the impacts of doings so by avoiding the need to create new accesses through hedgerows (for example) on multiple occasions.

## 6. National Grid substation connection rights and restrictions

### Morgan

18-025, 18-026, 18-027, 18-031, 18-032, 18-033, 18-034, 18-035, 18-036, 18-037, 18-038, 18-039, 18-052

### Morecambe

18-025, 18-026, 18-027, 18-031, 18-032, 18-033, 18-034, 18-035, 18-036, 18-037, 18-038, 18-039, 18-052

1.10.1.13 On these plots, rights are required to allow the installation, retention, operation and maintenance of the cables and to carry out works to connect the cables to the National Grid substation. The details of the works to connect to the substation will need to be approved by National Grid, who will affect the final connections to their infrastructure. The Applicants are not seeking to interfere with or remove any National Grid apparatus or to undertake any works within the existing substation without National Grid's consent, this is secured by the protective provisions in favour of National Grid. The acquisition proposed seeks to ensure that the necessary land rights are available to the Applicants to carry out the necessary connection works. This includes, with regards to plots 18-025, 18-026, 18-027 and 18-

033, allowing for any potential extension to the National Grid substation that may be required in the future.

## 7. Environmental mitigation works area rights

### Morgan

19-001, 19-002

### Morecambe

19-001, 19-002

1.10.1.14 These rights are required to ensure the Applicants can deliver mitigation works (soft fencing and signage) for the impacts of cable works at St Annes Beach on birds. These rights are specifically linked to the carrying out of the cable works at the beach and to the maintenance and decommissioning of those works. As these plots are public open space, the Applicants are not seeking any permanent works or restrictions over them.

## 8. Ecological mitigation works area access rights

### Morgan

12-020A, 16-054

### Morecambe

08-121, 08-122, 08-125, 08-128, 16-054, 16-057

1.10.1.15 These access rights are required for the operation and maintenance phase and allow access to the ecological mitigation works area. It is anticipated that access will be over an unsurfaced route and managed to avoid adverse impact on the mitigation works. The need for a separate access route or hard surfaced route is accordingly removed, resulting in the minimum interference to landowners and occupiers.

## 9. Drainage rights

### Morgan

12-028A

### Morecambe

N/A

1.10.1.16 These rights ensure that necessary drainage can be installed and maintained during the construction and operation of the cables and onshore substations. The corresponding restriction ensures that any permanent drainage is not affected by future works on the land.

## 10. Cable rights at St Annes Beach

### Morgan

01-004, 01-004i, 01-005, 01-006, 01-007, 01-009, 01-010, 01-013, 02-015, 02-018, 02-019, 02-020

### Morecambe

01-004, 01-004i, 01-005, 01-006, 01-007, 01-009, 01-010, 01-013, 02-015, 02-018, 02-019, 02-020

1.10.1.17 These rights are similar to those sought under existing infrastructure and features (4), in that they are limited to trenchless cable installation techniques and works to the surface of the land. However, these rights are further restricted by access only being possible on existing access tracks with the ability to create new accesses being removed to minimise the effect on the SSSI.

## 11. Cable rights at St Anne's Old Golf Course and Blackpool Recreation Ground

### Morgan

01-015, 01-016, 02-023, 03-003, 03-004, 04-015

### Morecambe

01-015, 01-016, 02-023, 03-003, 03-004, 04-015

1.10.1.18 These rights are similar to those sought under existing infrastructure and features (4), in that they are limited to trenchless cable installation techniques and access to monitor the surface of the land. The rights are restricted by access only being possible on foot, there is no ability to take plant and machinery onto the Recreation Ground (Work nos. 15A and 15B) or to create new accesses to minimise the effect. Over the Golf course there is the ability to take vehicles over the surface during construction only.

# 12. Substation Access Rights

## Morgan

N/A

## Morecambe

11-110B, 11-111B, 11-112B, 13-038B, 13-039, 13-041, 13-043, 13-047

1.10.1.19 These rights provide a secondary access for Morecambe OWL to its onshore substation for Abnormal Indivisible Load (AIL) deliveries from the A584 and for which Lower Lane, onto which Morecambe OWL's primary access is taken, is not suited. Acquiring rights in respect of this secondary access is considered appropriate given the limited intended use can be carried out without needing to acquire the freehold interest in these plots. The rights sought would enable Morecambe OWL to create and use the access as needed and a corresponding restriction placed on the land as this is infrastructure required for the operation of the Morecambe substation site.

## Temporary Possession

1.10.1.20 Temporary possession powers are sought in the DCO to reduce the land within which the Applicants require permanent rights and to minimise the interference with landowners' and occupiers' rights.

1.10.1.21 The Applicants are seeking to temporarily occupy land required during the construction of the Transmission Assets over which rights may not be required once construction has completed. This minimises interference by allowing the Applicants to access the land needed for construction without requiring the permanent acquisition of that land or of rights in that land.

1.10.1.22 Temporary possession powers apply to all of the Order land, and these powers may be used before permanent rights are acquired. Each undertaker has temporary possession powers over the land it is seeking to acquire or secure permanent rights over (see Article 29 of the DCO). However, the plots listed in Schedule7A of the draft DCO (document reference S_MMCR_4) for Project A will only be subject to temporary possession by Morgan OWL as they are only needed by Morgan OWL during construction (for example for temporary construction compounds or construction accesses) and will not be subject to powers of compulsory acquisition by Morgan OWL. The plots listed in Schedule 7B of the draft DCO (document reference S_MMCR_4) for Project B will only be subject to temporary possession by Morecambe OWL as they are only needed by Morecambe OWL during construction (for example for temporary construction compounds or construction accesses) and will not be subject to powers of compulsory acquisition by Morecambe OWL. Details of the plots subject to temporary possession only for Morgan OWL and Morecambe OWL are set out below.

This information is also set out in Schedules 7A (Morgan) and 7B (Morecambe) of the DCO.

## Morgan/ Project A temporary only plots

01-001, 01-012, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 02-001, 02-002, 02-003, 02-004, 02-005, 02-006, 02-007, 02-008, 02-009, 02-010, 02-011, 02-012, 02-016, 02-017, 02-024, 02-029, 02-030, 02-031, 02-032, 03-001, 03-002, 03-009, 03-010, 03-012, 04-001, 04-002, 04-003, 04-008, 04-009, 04-012, 05-001A, 05-003, 05-004i, 05-005, 05-006, 05-007i, 06-030, 06-038, 06-039, 06-040, 06-041, 06-042, 06-043, 06-047, 06-053, 06-056, 06-062, 06-063, 06-064, 06-065, 06-073, 06-074, 06-075, 06-078, 07-001, 07-002, 07-003, 07-004, 07-005, 07-006, 07-009, 07-013, 07-017, 08-002, 08-010, 08-015, 08-022, 08-025, 08-028, 08-039, 08-042, 08-044, 08-045, 08-053, 08-054, 08-055, 08-056, 08-057, 08-058, 08-063, 08-075, 08-094, 08-095, 08-096, 08-097, 08-098, 08-100, 08-103, 08-104, 08-109, 08-121, 08-122, 08-123, 08-124, 08-125, 08-126, 08-127, 08-128, 09-001, 09-003, 09-004, 09-005, 09-006, 09-070, 09-086, 09-087, 09-088, 09-089, 09-090, 09-091, 09-092, 11-006, 11-008, 11-011, 11-013, 11-014, 11-020, 11-021, 11-022, 11-023, 11-024, 11-025, 11-026, 11-027, 11-028, 11-038, 11-046, 11-048, 11-049, 11-051, 11-055, 11-056, 11-061, 11-076, 11-077, 11-078, 11-079, 11-117, 11-118, 12-001, 12-002, 12-004, 12-007, 12-008, 12-010, 12-012, 12-013, 12-015, 12-017, 12-023, 12-024, 12-025, 12-026, 13-026, 13-031, 13-034, 13-035, 13-037, 13-039, 13-041, 13-043, 13-047, 13-048, 13-049, 13-082, 13-085, 13-086, 13-087, 13-088, 13-089, 13-090, 13-094, 13-100, 14-046, 14-047, 14-048, 14-049, 14-054, 14-062, 14-076, 14-082, 14-084, 14-087, 14-088, 14-092, 14-093, 15-009, 15-012, 15-013, 15-014, 15-015, 15-018, 15-020, 15-028, 15-042, 15-044, 15-045, 15-063, 15-064, 15-066, 15-068, 16-069i, 16-001, 16-002, 16-003, 16-004, 16-005, 16-006, 16-007, 16-008, 16-009, 16-010, 16-011, 16-012, 16-013, 16-014, 16-015, 16-016, 16-017, 16-018, 16-019, 16-020, 16-026, 16-027, 16-028, 16-030, 16-031, 16-032, 16-046, 16-051, 16-052, 16-053, 16-055, 16-062, 16-078, 16-089, 16-090, 16-096, 16-099, 16-100, 16-101, 16-102, 16-103, 17-001, 17-002, 17-003, 17-014, 17-017, 17-018i, 17-021, 17-021i, 17-022, 17-023, 18-003, 18-004, 18-005, 18-006, 18-007, 18-008, 18-009, 18-010, 18-011, 18-012, 18-013, 18-028, 18-029, 18-030, 18-048, 18-053, 18-054, 18-055, 1i8-056 and 18-057.

## Morecambe/ Project B temporary only plots

01-001, 01-012, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 02-001, 02-002, 02-003, 02-004, 02-005, 02-006, 02-007, 02-008, 02-009, 02-010, 02-011, 02-012, 02-016, 02-017, 02-024, 02-029, 02-030, 02-031, 02-032, 03-001, 03-002, 03-009, 03-010, 03-012, 04-001, 04-002, 04-003, 04-008, 04-009, 04-012, 05-002, 05-003, 05-004i, 05-005, 05-006, 05-007i, 05-052, 05-053, 05-070, 05-070i, 05-072, 05-073, 05-076, 06-021, 06-032, 06-033, 06-034, 06-036, 06-038, 06-042, 06-044, 06-045, 06-049, 06-050, 06-052, 06-059, 06-066, 06-069, 06-078, 07-001, 07-002, 07-003, 07-004, 07-005,

07-006, 07-009, 07-028, 07-029, 07-030, 07-031, 08-005, 08-006, 08-008, 08-009, 08-018, 08-020, 08-049, 08-051, 08-060, 08-062, 08-063, 08-064, 08-067, 08-068, 08-069, 08-070, 08-074, 08-075, 08-076, 08-078, 08-088, 08-089, 08-095, 08-102, 08-104, 08-105, 08-106, 08-107, 08-108, 08-109, 08-110, 08-123, 08-124, 08-126, 08-127, 09-001, 09-003, 09-004, 09-005, 09-006, 09-007, 09-011, 09-014, 09-016, 09-071, 09-077, 09-079, 09-080, 09-085, 09-087, 09-091, 09-093, 09-094,09-096, 09-097, 09-099, 09-100, 09-101, 09-102, 11-006, 11-007B, 11-008, 11-009B, 11-010B, 11-011, 11-012, 11-015, 11-016, 11-017, 11-018, 11-019, 11-021, 11-023, 11-026, 11-028, 11-029, 11-039, 11-043, 11-044, 11-048, 11-049, 11-052, 11-055, 11-056, 11-058, 11-060, 11-065, 11-086, 11-087, 11-089, 11-091, 11-092B, 11-095, 11-099, 11-100, 11-101, 11-106, 11-107, 11-108, 11-113, 13-022, 13-035, 13-036, 13-037, 13-040, 13-042, 13-044, 13-045, 13-046, 13-048, 13-049, 13-086, 13-087, 13-088, 13-089, 13-090, 13-106, 14-062, 14-068, 14-071, 14-078, 14-079, 14-082, 14-083, 14-087, 14-093, 14-094, 15-001, 15-012, 15-013, 15-014, 15-015, 15-017, 15-018, 15-020, 15-022, 15-024, 15-027, 15-042, 15-044, 15-045, 15-048, 15-063, 15-067, 15-069, 15-069i, 15-070, 16-001, 16-002, 16-003, 16-004, 16-005, 16-006, 16-007, 16-008, 16-009, 16-010, 16-011, 16-012, 16-013, 16-014, 16-015, 16-016, 16-017, 16-018, 16-019, 16-020, 16-026, 16-027, 16-028, 16-030, 16-031, 16-032, 16-033, 16-041, 16-051, 16-052, 16-053, 16-055, 16-059, 16-089, 16-093, 16-093i, 16-099, 16-100, 16-101, 16-102, 16-103, 17-001, 17-002, 17-003, 17-014, 17-017, 17-018i,17-021, 17-021i, 17-022, 17-023, 18-003, 18-004, 18-005, 18-006, 18-007, 18-008, 18-009, 18-010, 18-011, 18-012, 18-013, 18-028, 18-029, 18-030, 18-048, 18-053, 18-054, 18-055, 18-056 and 18-057.

## 13. Special Considerations

### Common Land

1.10.1.23 Common Land is defined as “any land subject to be enclosed under the Inclosure Acts 1845 to 1882…” (Acquisition of Land Act 1981, Section 19). None of the Order land is common land.

### Crown Land

01-001, 01-002, 01-003, 01-004, 01-004i, 01-015, 01-017, 01-021, 02-001, 02-002, 02-003, 02-004, 02-005, 02-006, 02-013, 02-014, 02-015, 02-023, 02-024, , 02-029, 02-030, 03-003, 03-004, 03-005, 03-006, 03-007, 03-008, 03-009, 03-009i, 03-012, 04-024, 10-005B, 10-006, 10-007, 10-009B, 10-010A, 10-016B, 12-016A, 12-019A, 12-020A, 12-022A, 12-027A, 12-028A, 15-001B, 15-002, 15-004, 15-013, 15-020, 15-021, 15-022, 15-023, 15-024, 15-025, 15-026A, 15-027, 15-028, 15-029A, 15-030B, 15-061A, 15-062B, 15-065B, 16-003, 16-006, 16-011, 16-012, 16-015, 16-017, 16-020, 16-021, 16-026, 16-027, 16-028, 16-078, 16-079, 16-080A, 16-081, 16-085, 16-086, 16-087, 16-088, 16-089, 16-090, 16-091, 16-092, 16-093A, 16-093Ai, 16-094B, 16-095, 16-096, 16-096B, 16-096Bi, 16-097B, 16-098A, 16-099, 16-101, 16-103, 16-104B, 16-105A, 16-106A, 16-107B, 16-108B, 16-109A, 16-110A, 16-

111B, 16-112B, 16-113A, 16-114, 16-115, 16-116A, 16-117A, 16-118B, 17-011, 18-005, 19-001, and 19-002.

1.10.1.24 Section 135 of the PA 2008 allows for the DCO, if made, to authorise the compulsory acquisition of Crown land (excluding any Crown interests in that land) or other provisions relating to rights benefitting the Crown where the appropriate Crown authority consents to the acquisition.

1.10.1.25 The Transmission Assets offshore cable corridor will be situated within seabed/land owned and managed by The Crown Estate. Agreements for lease for the Morgan Offshore Wind Project: Generation Assets and Morecambe Offshore Wind Project: Generation Assets are already in place with The Crown Estate and it is expected that separate agreements for lease for each project's offshore export cable corridors will be in place by the end of the DCO examination.

1.10.1.26 Other plots with Crown Land interests are those for Government departments or Duchy. The Applicants will liaise with the Crown's advisors to secure the necessary s135 consent for these plots.

1.10.1.27 Article 39 of the draft DCO (document reference S_MMCR_4) provides that nothing in the DCO, including the use of compulsory acquisition powers, can prejudice any interest of the Crown without the consent of the Crown.

### National Trust Land

1.10.1.28 Section 130 of the PA 2008 allows for the DCO, if made, to authorise the compulsory acquisition of land held inalienably by the National Trust. If National Trust object to the Application and this is not withdrawn, then special parliamentary procedure would apply to the approval of the Application. None of the Order land is held inalienably by the National Trust.

### Public Open Space

01-001, 01-002, 01-003, 01-004, 01-004i, 01-005, 01-006, 01-007, 01-010, 01-017, 01-018, 01-019, 02-001, 02-002, 02-003, 02-004, 02-005, 02-006, 02-007, 02-013, -02-014, 02-015, 04-013, 04-014, 04-015, 04-016, 04-023, 19-001, and 19-002.

1.10.1.29 The Order land includes a number of plots which fall within the definition of open space within the PA 2008. There are no rights of common over any of the open space within the Order land.

1.10.1.30 Section 132 of the PA 2008 applies to the compulsory acquisition of rights over land forming part open space. It makes provision for Special Parliamentary Procedure (SPP) to apply where a DCO authorises the compulsory acquisition of rights over such land. This means that the making of the DCO will be subject to SPP unless the Secretary of State is satisfied that section 132(3) or (4) applies.

1.10.1.31 Section 132(3) applies if the Order land, when burdened with the order right, will be no less advantageous than it was before to the persons in whom it is

vested, other person, if any, entitled to rights of common or other rights and the public. It is considered that subsection (3) of section 132 applies, and that the Order land when burdened with the order rights will be no less advantageous to the persons to whom it is vested and the public than it currently is.

1.10.1.32 Open space land is found at St Annes Beach, Squires Gate Lane, Blackpool Road Recreation Ground and the Hamlet and Fairhaven Salt Marsh.

1.10.1.33 Rights to temporarily possess open space land are sought over plots 01-001, 01-017, 01-018, 02-001, 02-002, 02-003, 02-004, 02-005, 02-006, and 02-007.

1.10.1.34 The Applicants are seeking rights to install cables under open space land. In order to protect these cables, a number of restrictive covenants are sought to be imposed over the surface of the land. The purpose of these restrictive covenants is to prevent activities on the surface which would endanger the cables. The restricted activities include construction, planting of trees over the cable area and alteration of the level of the land to such an extent that the cables would be endangered. The restrictive covenants are intended to prevent construction on the land which is incompatible with its designation as open space. Once the cables are installed under this land there will be no permanent interference with the current uses. Rights to install, retain and maintain the cables and imposition of restrictive covenants to protect them are sought over 01-002, 01-003, 01-004, 01-004i, 01-005, 01-006, 01-007, 01-010, 02-013, 02-014, 02-015, 04-013, 04-014, 04-015, 04-016, 04-023, 19-001, and 19-002.

1.10.1.35 Outside the cable corridor, the Applicants seek rights of access during construction over open space land (for example to access the cable works at St Annes beach and to provide mitigation from time to time to reduce impacts on waders during construction, operation and maintenance of the cables at St Annes beach). The temporary access over these areas would not interfere with the current open space use and would not interfere with any other party's rights. Public beach access will be maintained throughout construction and during maintenance activities, and managed, where appropriate. The provision of temporary mitigation works only when required during construction, operation and maintenance avoids the need for any permanent works or restrictions to be placed on the land and therefore ensures there is no permanent interference with other party's rights.

1.10.1.36 No permanent acquisition of the surface of any open space is sought other than rights to take access over it or take access for maintenance to cables installed under it.

1.10.1.37 Given all of the above, the Applicants consider that while there will be some temporary disruption to the use of open space during construction, given the temporary nature of the works in each of the affected areas, the Applicants are of the view that these will not impede the long-term enjoyment and use of the land as open space on the basis that the open space land would be restored and returned to its original use after a limited period of time. Further

to this, if cable repairs are required during operation, once the cables have been installed there will be no permanent ongoing impact and the acquisition of the rights sought will not render the open space less advantageous than it is at present to its owner, other persons, if any, entitled to rights of common or other rights and to the public.

1.10.1.38 On the basis of the above the Applicants are of the view that the land will be no less advantageous as a result of the temporary construction works, or when burdened with the permanent rights, therefore section 132(3) can be satisfied. This is aligned with the view taken by the Examining Authority in their recommendation report for the Hornsea Three Offshore Wind Farm, where the recommendation report specifically noted that the impacts were "temporary and relatively short term", in reaching a decision that the requirements of section 132(3) were satisfied.

### Statutory undertakers' land and apparatus

1.10.1.39 The Order land includes land and apparatus owned by statutory undertakers.

1.10.1.40 Section 127 of the PA 2008 allows for the draft DCO (document reference S_MMCR_4), if made, to authorise the compulsory acquisition of land held by statutory undertakers. If any statutory undertaker objects to the confirmation of the DCO and this is not withdrawn, special parliamentary procedure would apply to the approval of DCO application in certain circumstances.

1.10.1.41 Section 138 of the PA 2008 addresses the extinguishment of rights, and removal of apparatus of statutory undertakers. That section provides that the draft DCO (document reference S_MMCR_4) can make provision for the extinguishment of certain rights, or the removal of certain apparatus, only if those matters are necessary for the purposes of carrying out the authorised development set out in the DCO. Article 31 of the DCO would permit such extinguishment or relocation. Whilst such impacts have sought to be minimised through design development, due to the nature of the Transmission Assets, the construction of the Transmission Assets would require interference with statutory undertakers' land or rights and the possible relocation of their apparatus. However, the exercise of such powers would be carried out in accordance with the protective provisions which set out constraints on their exercise with a view to safeguarding the statutory apparatus owners' interests.

1.10.1.42 The use of compulsory acquisition powers in relation to land and apparatus owned by statutory undertakers is limited by Schedule 10 of the draft DCO (document reference S_MMCR_4) dealing with Protective Provisions. These provisions ensure that the statutory undertakers do not suffer serious detriment as a consequence of the use of compulsory acquisition powers by the Applicants.

1.10.1.43 The Applicants therefore consider that the tests set out in section 127 and section 138 of the PA 2008 are satisfied.

## 1.11 Human Rights

1.11.1.1 The Human Rights Act 1998 (the HRA 1998) incorporated into domestic law the European Convention on Human Rights (the Convention). The Convention includes provisions in the form of Articles which aim to protect the rights of the individual. Of particular relevance when considering matters of compulsory acquisition are Articles 1, 6 and 8.

1.11.1.2 Article 1 of the First Protocol to the Convention protects the right to peaceful enjoyment of possessions. No one shall be deprived of those possessions except where it is in the public interest and where relevant provisions of law allow for it.

1.11.1.3 Article 6 of the Convention protects the right to a fair and public hearing.

1.11.1.4 Article 8 of the Convention protects the right to respect for private and family life, home and correspondence. No one shall be deprived of that except in cases where it is in accordance with the relevant laws and necessary in the interests of, amongst other things, national security, public safety or the economic wellbeing of the country.

1.11.1.5 Section 6 of the HRA 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the Convention and the Secretary of State is therefore under a duty to have due regard to the HRA 1998 and the Convention.

1.11.1.6 Given the inclusion of the compulsory acquisition powers in the draft DCO (document reference S_MMCR_4), there is a possibility that the Articles 1 and 8 of persons who hold interests in the Order land will be infringed.

1.11.1.7 In cases of development consent orders, Section 122 of the PA 2008 allows for the provision of compulsory acquisition powers and as such, there is provision in law which allows these powers to be granted.

1.11.1.8 The need for the Transmission Assets is set out in the Planning Statement (document reference J28) and is summarised in this document above. This demonstrates that the development is within the public interest given the significant benefits Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets will bring.

1.11.1.9 Furthermore, the Applicants have sought to limit the extent of the land to be acquired by compulsory acquisition by seeking to agree the acquisition of land and rights with landowners and only seeking compulsory acquisition powers in relation to land which is necessary for the development. In addition the land and rights sought are the minimum necessary to deliver the Transmission Assets.

1.11.1.10 If the land needed to bring forward the development cannot all be acquired through voluntary agreement, then without the ability to use compulsory acquisition powers it may not be possible for the Transmission Assets to be developed. In such cases the significant public benefits would not be realised.

1.11.1.11 In relation to Article 6 rights, those who are affected have the ability to engage with the Application, either through formal consultation at the pre-application stage (as detailed in the Consultation Report (document reference E1) or by making representations during the examination. Representations can be made in response to any notice given under Section 56 of the PA 2008. Additional opportunities to make representations may also arise at the direction of the Examining Authority.

1.11.1.12 Those who are affected also have the right to claim compensation in accordance with the statutory compensation code. Compensation has been factored into consideration of funding for the Transmission Assets (see the Funding Statement, document reference D1).

1.11.1.13 In the event the DCO is granted, a person affected has the right to challenge the decision via a claim for judicial review if there are grounds for claim made out pursuant to Section 118 of the PA 2008. This could include grounds relating to the decision to include compulsory acquisition powers within the DCO.

1.11.1.14 The approach taken is therefore proportionate and legitimate. Inclusion of these powers in the DCO would not amount to unlawful infringement of the HRA 1998 or the Convention.

1.11.1.15 For the reasons given above, it would be appropriate and proportionate for the Secretary of State to include the proposed compulsory acquisition powers in the DCO.

## 1.12 Funding

1.12.1.1 The Funding Statement (document reference D1) sets out information regarding the funding available for the Transmission Assets, including protection factored in pursuant to Article 33 of the DCO as regards guarantees or alternative forms of security, to be approved by the Secretary of State.

1.12.1.2 The Applicants are satisfied, having taken professional advice, that there is sufficient funding available to develop and construct the Transmission Assets, including all liabilities in relation to the acquisition of interests in land.

## 1.13 Absence of Impediments

1.13.1.1 The Applicants are submitting with the DCO application a document setting out details of consents and licences required under other legislation (document reference J27). This document provides details of the additional offshore and onshore consents and licences that may be required for the Transmission Assets beyond the consents permitted under the Draft DCO and Deemed Marine Licences (document reference S_MMCR_4), and how the Applicants propose to deal with each of these.

1.13.1.2 None of these other consents or licences represent an impediment to the delivery of the Transmission Assets.

## 1.14 Conclusion

1.14.1.1 The Order land, and other interests required to be subject to compulsory acquisition, are the minimum amount necessary to bring forward the Transmission Assets and deliver the new renewable generating capacity from the Morgan Offshore Wind Project: Generation Assets and Morecambe Offshore Windfarm: Generation Assets. The purpose of the powers of compulsory acquisition are to enable the delivery of the offshore wind farms, which have extremely strong support from policy, as well as numerous local and national benefits. These benefits to the public justify the interference with the rights of those persons with an interest in the land proposed to be acquired.

1.14.1.2 The Order land to be subject to compulsory acquisition is no more than is reasonably necessary for that purpose and is therefore proportionate.

1.14.1.3 The need for the Transmission Assets as part of the Morgan Offshore Wind Project: Generation Assets and the Morecambe Offshore Windfarm: Generation Assets, suitability of the Order land and the legislative and policy support for the projects, including from the NPS, demonstrate that there is a compelling case in the public interest for the land to be acquired compulsorily if necessary. All reasonable alternatives to compulsory acquisition have been explored. The Applicants have clearly set out what each plot of the Order land will be used for and why it is required.

1.14.1.4 The funding needed to meet any costs of land acquisition and compensation payable as a result of the use of powers of compulsory acquisition is available to the Applicants.

1.14.1.5 The Applicants therefore respectfully submit, for the reasons explained in this Statement, that the inclusion of powers of compulsory acquisition in the DCO for the purposes of the Transmission Assets meets the conditions of section 122 of the PA 2008.

1.14.1.6 For the reasons summarised in this Statement, the Applicants consider the DCO to be within the necessary statutory powers and that a compelling case exists in the public interest, which justifies the making of the DCO and the granting of the powers sought.

## 1.15 Further Information

### 1.15.1 Inspection of Documents

1.15.1.1 Electronic copies may be inspected at The National Infrastructure Planning website: www.infrastructure.planninginspectorate.gov.uk

### 1.15.2 Negotiation of Sale

1.15.2.1 The Applicants believe they are in contact with all relevant owners and occupiers. Owners and occupiers of property affected by the DCO who

believe they are affected and wish to negotiate a sale should contact the Applicants:

By email: MorecambeandMorgan@dalcourmaclaren.com

By telephone: 03330347962

### 1.15.3 Compensation

1.15.3.1 Compensation for the compulsory acquisition of land is governed by statute. The Department for Levelling Up, Housing and Communities has a series of booklets (updated in December 2021) on compensation which may be of interest to affected persons:

(a) Booklet No. 1 - Compulsory Purchase Procedure;

(b) Booklet No. 2 – Compensation to Business Owners and Occupiers;

(c) Booklet No. 3 - Compensation to Agricultural Owners and Occupiers; and

(d) Booklet No.4 - Compensation for Residential Owners and Occupiers.

1.15.3.2 Copies of these booklets are obtainable, free of charge, from www.gov.uk/government/collections/compulsory-purchase-system-guidance