



<b>Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)</b>	
<b>Project name:</b>	Morecambe Offshore Windfarm (Generation Assets)
<b>Address/Location:</b>	An offshore wind farm array located in the east Irish Sea, approximately 30km from the Lancashire coastline.
<b>Planning Inspectorate Ref:</b>	EN010121
<b>Date(s) screening undertaken:</b>	First screening – 16 November 2022 following the Applicant’s request for a scoping opinion. Second screening – 26 July 2024 following the submission of the Applicant’s Development Consent Order application.

<b>FIRST TRANSBOUNDARY SCREENING</b>	
<b>Document(s) used for transboundary Screening:</b>	Scoping Report Morecambe Offshore Windfarm Generation Assets (June 2022) ('the Scoping Report')
<b>Screening Criteria:</b>	<b>The Inspectorate’s Comments:</b>
<b>Characteristics of the Development</b>	<p>The Proposed Development is for an offshore wind farm with an indicative capacity of 480 megawatts (MW). The key components would be the following:</p> <ul style="list-style-type: none"> <li>• up to 40 wind turbines;</li> <li>• up to two offshore substation platforms;</li> <li>• inter-array cables; and;</li> <li>• up to two platform link cables (between offshore substation platforms).</li> </ul> <p>The types of foundations for the offshore structures are yet to be determined but potential options include monopile, pin-pile jacket, tripod, suction bucket jacket or gravity based structure foundations. Scour protection would be required at the foundations.</p> <p>Construction of the Proposed Development would take up to two and a half years. The Proposed Development is expected to have an operational lifetime of up to 60 years.</p> <p>The Proposed Development comprises the offshore generation asset components of the project only. The Applicant proposes to submit a separate application in relation to the offshore and onshore transmission assets, as described at Section 1.4 of the Scoping Report.</p>

<p><b>Location of Development (including existing use) and Geographical area</b></p>	<p>The Proposed Development would be located in the east Irish Sea. The wind farm array would be located approximately 30km from the Lancashire coastline. The array area is proposed to be up to 125km<sup>2</sup>.</p> <p>The Scoping Report identifies a number of existing uses within, and adjacent to, the Proposed Development, including:</p> <ul style="list-style-type: none"> <li>• existing and planned offshore windfarms;</li> <li>• commercial shipping and ferry routes;</li> <li>• commercial fishing;</li> <li>• recreational activities (sailing, motor cruising and recreational fishing); and</li> <li>• infrastructure including cables, pipelines, oil and gas platforms and an aggregate area.</li> </ul> <p>The Scoping Report does not identify the nearest EEA state to the Proposed Development.</p>
<p><b>Environmental Importance</b></p>	<p><i>Fish and shellfish ecology</i></p> <ul style="list-style-type: none"> <li>• Shellfish present in the area include Norway lobster, king and queen scallop, whelk, lobster and brown crab.</li> <li>• The Irish Sea supports populations of elasmobranchs, including basking shark and thornback ray.</li> <li>• Migratory fish which may be present in the study area include sea trout, European eel, Atlantic salmon, smelt, river and sea lamprey, twaite shad and allis shad. Smelt are also qualifying features of the Wyre-Lune and Ribble Estuary Marine Conservation Zones (MCZ). A number of designated sites have qualifying features that represent suitable habitat for migratory fish, including Morecambe Bay and Shell Flat and Lune Deep Special Areas of Conservation (SACs), and Fylde, West of Walney and West of Copeland MCZ.</li> <li>• Multiple spawning and nursery grounds are present within and around the scoping area, including sandeel, sole, plaice, cod whiting, mackerel and ling. Herring spawning grounds are present approximately 40km to the north west of the scoping area.</li> </ul> <p><i>Marine mammals</i></p> <ul style="list-style-type: none"> <li>• Six marine mammal species have been identified in or around the scoping area: harbour porpoise, Risso's dolphin, bottlenose dolphin, minke whale, harbour seal and grey. White and short beaked dolphin, and humpback and fin whale may be present in the Irish Sea in lower numbers.</li> <li>• The Scoping Report identifies potential for connectivity between the Proposed Development and European sites with marine mammal qualifying features. The Scoping Report states that the Habitats Regulations Assessment (HRA) Screening Report (yet to be produced) will consider all SACs with marine mammal qualifying features that have potential connectivity to the Proposed Development, whilst noting the potential for effects on the following sites: <ul style="list-style-type: none"> <li>- North Anglesey Marine/Gogledd Môn Forol SAC;</li> </ul> </li> </ul>

- Cardigan Bay SAC; and,
- Lambay Island SAC.

*Offshore ornithology*

- Common seabirds known to be present in or around the project area, include (but are not limited to) guillemot, Manx shearwater, kittiwake, gannet, razorbill, gulls and common scoter.
- The Proposed Development does not overlap with any designated sites for birds; however, the Scoping Report identifies the potential for connectivity between the Proposed Development and European sites with ornithological qualifying features, including:
  - Liverpool Bay Special Protection Area (SPA);
  - Morecambe Bay and Duddon Estuary SPA; and,
  - Ribble and Alt Estuaries SPA.
- The Scoping Report confirms that relevant European sites will be identified in the HRA Screening Report.

*Commercial fisheries*

- The Scoping Report states that commercial fishing activity, with vessels from the UK and British Crown dependencies, including the Isle of Man, Guernsey and Jersey, is present within and around the scoping area. At this stage, the Scoping Report does not identify any EEA States that could be impacted but states that there is limited foreign fishing fleet activity and consultation would be undertaken to inform the transboundary assessment.

*Shipping and navigation*

- Commercial vessels transit through the scoping area between Dublin and Warrenpoint, and Heysham and Liverpool.

*Marine archaeology*

- The Scoping Report notes that the study area, and wider Irish Sea and Liverpool Bay, has potential for important archaeology related to the Palaeolithic, Mesolithic and Neolithic periods.
- The Scoping Report states that whilst there are no nationally important wreck sites, and no known wrecks or aviation crash sites, within the study area there is potential for vessels associated with trading and vessels/ aircraft lost during both World Wars, to be present.

*Human health – activities at ports*

- The Scoping Report states that port facilities will be required for construction and operation of the Proposed Development. It is possible that ports in other jurisdictions will be used, with potential implications for human health of workers and the public in those locations.

The Scoping Report also provides information on the receiving environment related to:

	<ul style="list-style-type: none"> <li>• marine geology, oceanography and physical processes;</li> <li>• marine water and sediment quality;</li> <li>• benthic ecology;</li> <li>• indirect transboundary impacts to marine archaeology;</li> <li>• civil and military aviation;</li> <li>• infrastructure and other users;</li> <li>• seascape, landscape visual amenity;</li> <li>• airborne noise;</li> <li>• human health matters beyond those relevant to the aspects above;</li> <li>• air quality; and,</li> <li>• socio-economic, tourism and recreation matters beyond those relevant to the aspects above.</li> </ul> <p>Potential transboundary effects arising from these matters have been considered during the scoping process. The Inspectorate has taken into account the potential impacts, their extent, magnitude, probability, duration, frequency, reversibility, and potential for cumulative effects. Significant transboundary effects are not considered likely for these matters and they are not discussed further in this screening.</p>
<p><b>Potential impacts and Carrier</b></p>	<p><i>Fish and shellfish ecology</i></p> <ul style="list-style-type: none"> <li>• Temporary and/ or permanent habitat loss or disturbance.</li> <li>• Increased suspended sediment and sediment re-deposition.</li> <li>• Remobilisation of existing contaminated sediments (if present).</li> <li>• Underwater noise and vibration.</li> <li>• Barrier effects.</li> <li>• Interactions of electromagnetic field (EMF).</li> <li>• Introduction of hard substrate.</li> </ul> <p><i>Marine mammals</i></p> <ul style="list-style-type: none"> <li>• Underwater noise particularly from installation of foundations and vessel movement.</li> <li>• Vessel interaction/ collision.</li> <li>• Disturbance at seal haul-out sites, particularly from vessel movements.</li> <li>• Indirect impacts from changes in prey availability as a result of impacts scoped in for fish and shellfish receptors.</li> <li>• Changes in water quality.</li> <li>• Physical barrier impacts to migration routes from the presence of the operational wind farm.</li> </ul> <p><i>Offshore ornithology</i></p> <ul style="list-style-type: none"> <li>• Disturbance, displacement and barrier effects on resident and migrating birds using foraging and breeding sites due to construction activity and the presence of the wind turbines during operation of the Proposed Development.</li> <li>• Collision with wind turbines (direct mortality).</li> <li>• Indirect effects through impacts to prey species as a result of impacts scoped in for fish and shellfish receptors.</li> </ul> <p><i>Commercial fisheries</i></p>

	<ul style="list-style-type: none"> <li>• Direct loss of, or restricted access to, fishing grounds and potential displacement of fishing activity into other areas, resulting in increased pressure on adjacent fishing grounds.</li> <li>• Increased vessel traffic within fishing grounds leading to interference with fishing activity.</li> <li>• Displacement or disruption of commercially important fish and shellfish resources.</li> <li>• Physical presence of infrastructure leading to gear snagging and reduced economic performance.</li> </ul> <p><i>Shipping and navigation</i></p> <ul style="list-style-type: none"> <li>• Increased vessel to vessel collision; allision risk with project structures or stationary vessels; impacts to commercial vessel routing; increased risk of anchor and fishing gear snagging; reduction of safety and rescue (SAR) emergency response capability; and interference with radar, communications and vessel navigation equipment.</li> </ul> <p><i>Marine archaeology</i></p> <ul style="list-style-type: none"> <li>• Direct damage to archaeological receptors.</li> </ul> <p><i>Human health – activities at ports</i></p> <ul style="list-style-type: none"> <li>• Population challenges to equality, health and safety for port workers and members of the public in other jurisdictions arising from resources being secured from the international supply chain.</li> </ul>
<p><b>Extent</b></p>	<p>The Scoping Report does not identify the likely geographical extent or size of population but indicates the following:</p> <p><i>Fish and shellfish ecology</i></p> <ul style="list-style-type: none"> <li>• Annex II migratory fish species listed as features of European sites in other states could be affected.</li> </ul> <p><i>Marine mammals</i></p> <ul style="list-style-type: none"> <li>• Due to the mobile nature of marine mammals, transboundary effects are possible.</li> </ul> <p><i>Offshore ornithology</i></p> <ul style="list-style-type: none"> <li>• Due to the wide foraging and migratory ranges of bird species in the Irish sea, transboundary effects are possible.</li> </ul> <p><i>Commercial fisheries</i></p> <ul style="list-style-type: none"> <li>• Commercial fishing in the study area is primarily by UK and British Crown dependency fleets with limited foreign fishing fleet activity, but the Scoping Report states that there is potential for transboundary effects that will be considered further following consultation with EEA states. The Inspectorate is aware from information submitted as part of the scoping request for Morgan Offshore Windfarm (EN010136) that there is potential for transboundary effects to Belgian and Irish commercial fishing fleets, which operate within the scoping boundary for that project. The Proposed Development is also located within the east Irish Sea, circa 12km to the south east of the proposed Morgan</li> </ul>

	<p>Offshore Windfarm, and would involve similar types of activity during construction and operation. The Inspectorate therefore considers that there is potential for transboundary effects arising from the Proposed Development to Belgian and Irish commercial fishing fleets.</p> <p><i>Shipping and navigation</i></p> <ul style="list-style-type: none"> <li>• While the full extent has yet to be determined and will be subject to further assessment, the Scoping Report has identified that commercial shipping routes to/from the Republic of Ireland could be impacted leading to transboundary effects.</li> </ul> <p><i>Marine archaeology</i></p> <ul style="list-style-type: none"> <li>• Direct transboundary effects could occur within the red line boundary of the Proposed Development, for example if wrecks or aircraft of non-British nationality are identified and/ or palaeolandscape within the Irish Sea cross international boundaries. However, based on the information currently available to the Inspectorate, it is not possible to determine the geographical extent of this effect.</li> </ul> <p><i>Human health – activities at ports</i></p> <ul style="list-style-type: none"> <li>• There is potential for use of ports within other jurisdictions as part of the international supply chain. However, based on the information currently available to the Inspectorate, it is not possible to determine the geographical extent of this effect.</li> </ul>
<p><b>Magnitude</b></p>	<p>The magnitude of impacts have not been evaluated in detail at this stage and will be subject to further assessment. However, the Scoping Report has identified the potential for transboundary effects on:</p> <ul style="list-style-type: none"> <li>• fish and shellfish ecology;</li> <li>• marine mammals;</li> <li>• offshore ornithology;</li> <li>• commercial fisheries;</li> <li>• shipping and navigation; and</li> <li>• marine archaeology.</li> </ul> <p>These will be assessed further throughout the EIA and mitigation strategies will be considered which may reduce the magnitude of impact or demonstrate that there are no relevant impact pathways for significant effects on the relevant aspects of the environment in EEA states.</p>
<p><b>Probability</b></p>	<p>The probability of potential transboundary effects occurring has not been evaluated at this stage. The Inspectorate considers that, given the information provided in the Scoping Report, impacts on fish and shellfish, marine mammals, offshore ornithology, commercial fisheries, shipping and navigation and marine archaeology are most likely to result in significant transboundary effects.</p>

	The Inspectorate does not consider it is likely that significant transboundary effects would occur to human health from activity at ports.
<b>Duration</b>	The duration of potential transboundary effects has not been evaluated at this stage. The Inspectorate considers that there is potential for the Proposed Development to result in temporary, short- and long-term, transboundary effects, during construction, operation or decommissioning. The Scoping Report states that for marine mammals, a long-term effect is considered to be one lasting for 10 years or more.
<b>Frequency</b>	The frequency of potential transboundary effects has not been evaluated at this stage.
<b>Reversibility</b>	The reversibility of potential transboundary effects has not been evaluated at this stage. The Scoping Report states that it is anticipated that offshore structures would be removed but electrical cables would be left in-situ during decommissioning and therefore the Inspectorate considers that effects are capable of being partially reversed.
<b>Cumulative impacts</b>	<p>Section 7.7 of the Scoping Report explains how cumulative effects will be assessed in the ES; reference is made to guidance within the Planning Inspectorate's Advice Notes Nine and Seventeen. The cumulative impact assessment will include other plans and projects in the area including those which are:</p> <ul style="list-style-type: none"> <li>• under construction;</li> <li>• permitted applications not yet implemented;</li> <li>• submitted applications not yet determined;</li> <li>• projects on the Planning Inspectorate's Programme of Projects;</li> <li>• identified in relevant development plans (and emerging development plans, with weight assigned dependent on stage in adoption); and,</li> <li>• identified in other policy documents as development reasonable likely to come forward.</li> </ul> <p>The cumulative impact assessment has not yet been undertaken so the Applicant has not identified any likely significant transboundary cumulative effects at this stage.</p> <p>On a precautionary basis, the Inspectorate considers that the effects identified in this screening could contribute to cumulative effects, subject to the outcomes of further assessment.</p>
<p><b><u>Transboundary screening undertaken by the Inspectorate on behalf of the SoS</u></b></p> <p>Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development <b>is likely</b> to have a significant effect on the environment in an EEA State.</p>	



In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts), and taken into account the information currently supplied by the Applicant.

**Action:**

Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.

States to be notified:

Belgium (commercial fishing); and,

Republic of Ireland (commercial fishing, and shipping and navigation).

**Date:** 16 November 2022

**Note:** The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

**Note:**

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>



## SECOND TRANSBOUNDARY SCREENING

**Document(s) used for transboundary Screening:**

Environmental Statement (May 2024) (Volume 5, Doc 5.1 to 5.5)  
Report to Inform Appropriate Assessment (Doc 4.9)  
Habitats Regulations Assessment Screening Report (Doc 4.10)  
Habitats Regulation Assessment without Prejudice Derogation Case (Doc 4.11)  
Outline Compensation Implementation and Monitoring Plan (Doc 4.11.1)

**Date screening undertaken:**

Re-screened on 26 July 2024 following receipt of application documents

### **Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS**

Following submission of the Development Consent Order (DCO) application which is included in the Environmental Statement (ES) and the Applicant's Habitats Regulation Assessment (HRA) report, the Inspectorate has reconsidered the transboundary screening decision made on 16 November 2022.

The Inspectorate has identified the following matters that differ from those considered at the time of the previous transboundary screening decision:

- changes in the description of the Proposed Development;
- provision of HRA information; and
- provision of the Transboundary Impacts Screening and transboundary assessments within relevant chapters of the ES.

#### **Changes in the description of the Proposed Development**

ES Chapter 4, Section 4.4.4 details the refinement of the Proposed Development

- the array area has reduced from 125km<sup>2</sup> to 87km<sup>2</sup>;
- the maximum number of wind turbines has reduced from 40 to 35; and
- rotor blade clearance has increased from 22m to 25m above highest astronomical tide.

ES Chapter 5, paragraph 5.2 states that the Proposed Development is assumed to have an operational life of 35 years, with the lease duration being 60 years.

#### **Provision of HRA information**

The Report to Inform the Appropriate Assessment (RIAA) concludes that at screening stage, likely significant effects (LSE) could not be excluded for 23 sites in the Republic of Ireland (an EEA state). No LSE were concluded for any other EEA state due to distance. The conclusions of the screening assessment are summarised in Table 5.1 of the RIAA.

The RIAA concludes that there would be no adverse effect on integrity (AEoI), alone or in combination, on any European site including those screened in which in the Republic of Ireland. Table 10.1 of the RIAA provides a summary of the conclusions for all receptors.

#### **Provision of the Transboundary Impacts Screening and transboundary assessments within relevant chapters of the ES**

These are discussed in each aspect chapter in terms of the likelihood of effect.

The potential for transboundary effects has been assessed in relation to socioeconomics, human health, marine mammals, offshore ornithology, commercial fisheries, fish and shellfish ecology and shipping and navigation.

The ES does not conclude any significant transboundary effects. It concludes no significant transboundary effects on commercial fishing fleets from Belgium and the Republic of Ireland, and for shipping and navigation in the Republic of Ireland, which were identified in the first transboundary screening.

ES Chapter 14 Shipping and Navigation (section 14.9) states that transboundary impacts are possible to the Republic of Ireland in respect of shipping and navigation, including impacts to established ferry routes. ES Appendix 14.2 Cumulative Regional Navigation Risk Assessment (CRNRA) provides information about ferry routes between Liverpool and Dublin. An initial CRNRA identified significant cumulative effects on ferry routing and vessel safety due to the creation of narrow corridors between the array areas of the Proposed Development, and the proposed Morgan and Mona offshore wind farms. ES Chapter 14 concludes that with the implementation of embedded mitigation for the projects, effects from the Proposed Development would be reduced to medium risk or broadly acceptable which would be a moderate adverse (not significant) effect in EIA terms.

### **Secretary of State's Comments**

Under Regulation 32 of the 2017 EIA Regulations and based on the current information available from the Applicant, the Inspectorate is now of the view that the Proposed Development **is not likely** to have a significant effect on the environment in Belgium or the Republic of Ireland.

No new EEA States have been identified as being likely to have significant effects on their environment.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note twelve: Transboundary Impacts); and taken into account the information currently supplied by the Applicant.

### **Action:**

The Republic of Ireland and Belgium requested to be involved in the transboundary consultation procedure when previously notified. Transboundary issues consultation under Regulation 32 of the 2017 EIA Regulations is therefore required. States to be consulted:

Belgium; and  
Republic of Ireland.

**Date:** 26 July 2024

**Note:** The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.