

DIRECTION BY THE SECRETARY OF STATE UNDER SECTION 35 OF THE PLANNING ACT 2008 RELATING TO THE TRANSMISSION ASSETS OF THE MORGAN OFFSHORE WIND FARM AND THE MORECAMBE OFFSHORE WIND FARM

By letter to the Secretary of State received on 23 August 2022, Morgan Offshore Wind Farm Limited, Cobra Instalaciones y Servicios, S.A. and Flotation Energy plc (the Applicants) formally requested that the Secretary of State exercise the power vested in him under section 35(1) of the Planning Act 2008 to direct that the transmission infrastructure for the Morgan and Morecambe Offshore Wind Farms (“the proposed project”), together and individually, be treated as development for which development consent under the Planning Act 2008 is required.

The Secretary of State is satisfied that:

- The proposed project is in the field of energy and development will be wholly within England and waters adjacent to England up to the seaward limits of the territorial sea and the Renewable Energy Zone when completed;
- The proposed project does not currently fall within the existing definition of a “nationally significant infrastructure project” and therefore it is appropriate to consider use of the power in section 35(1) of the Planning Act 2008; and
- The Applicants’ request constitutes a “qualifying request” in accordance with section 35ZA(11) of the Planning Act 2008.

Having considered the details of the Applicants’ proposals as set out in their request of 23 August 2022 and in further information provided on 9 September 2022 in response to a request by the Secretary of State, the Secretary of State is of the view that the proposed project (is nationally significant, for the reasons set out in the Annex below.

The Secretary of State considers that, when further details are available, and before submitting any application to The Planning Inspectorate, the Applicants may wish to seek confirmation from the Secretary of State that the development that is the subject of the proposed application is the same as that for which the Direction is hereby given.

The Secretary of State has taken the decision within the conditions as required by sections 35A(2) and (5) of the Planning Act 2008, and issues this Direction accordingly under sections 35(1) and 35ZA of the Planning Act 2008.

THE SECRETARY OF STATE DIRECTS that the proposed project (the transmission infrastructure for the Morgan and Morecambe Offshore Wind Farms, together and individually) is to be treated as development for which development consent is required.

The Secretary of State further directs in accordance with sections 35ZA(3)(b) and (5) of the Planning Act 2008 that an application for a consent or authorisation mentioned in section 33(1) or (2) of the Planning Act 2008 or similar to that described in the Request to the Secretary of State for Business, Energy and Industrial Strategy for a

Direction under Section 35 of the Planning Act 2008 made by the Applicants on 23 August 2022 for the proposed project is to be treated as a proposed application for which development consent is required.

This Direction is given without prejudice to the Secretary of State's consideration of any application for development consent which is made in relation to the proposed project.

To the extent that any consultation carried out by the Applicants prior to the date of this direction complies with the requirements of Part 5 of the Planning Act 2008 (or any legislation made under that Part), those consultation requirements shall be treated as having been complied with notwithstanding that the consultation was carried out prior to the date of this direction.

Signed by

A handwritten signature in black ink, appearing to read 'Gareth Leigh', is written over a faint rectangular stamp.

pp. Gareth Leigh, Head of Energy Infrastructure Planning Delivery

For and on behalf of the Secretary of State for Business, Energy and Industrial Strategy

4 October 2022

ANNEX

REASONS FOR THE DECISION TO ISSUE THE DIRECTION

The Secretary of State is of the opinion that the Direction should be issued because:

- The proposed project is of national significance, as it is necessary for the deployment of the generation assets of the Morgan and Morecambe Offshore Wind Farms (if consented) and hence the delivery of up to 1980MW of renewable electricity.
- The proposed project will play an important role in enabling an energy system that meets the UK's commitment to reduce carbon emissions and the Government's objectives to create a secure, reliable and affordable energy supply for consumers.
- By progressing the development through the Planning Act 2008 development consent process, it would provide the certainty of a single, unified consenting process and fixed timescales.