

# **XLINKS MOROCCO-UK POWER PROJECT**

## **Planning Statement**

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## XLINKS MOROCCO – UK POWER PROJECT

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## **Glossary**

The Glossary used for the Planning Statement can be found within Volume 1, Chapter 1 of the Environmental Statement (document ref. 6.1).

## EXECUTIVE SUMMARY

This Planning Statement has been prepared on behalf of Xlinks 1 Limited (the ‘Applicant’) and presents the planning balance undertaken for the United Kingdom (UK) elements of the Xlinks Morocco-UK Power Project (the ‘Project’). The UK elements of the Project are referred to in the Planning Statement as the ‘Proposed Development’.

This Planning Statement accompanies the application to the Planning Inspectorate for development consent for the Proposed Development, which comprises of two converter stations to the immediate west of the existing Alverdiscott 400 kV substation, with associated underground electricity cables to the Cornborough Range (Landfall), North Devon, and offshore cable infrastructure within the UK Exclusive Economic Zone (EEZ), alongside additional works to facilitate the Proposed Development.

The Proposed Development forms part of the wider Project proposed by the Applicant to develop a sub-sea electricity connection between the UK and Morocco. The Project would be an electricity generation facility entirely powered by solar and onshore wind energy combined with a battery energy storage facility. This is to be located within Morocco’s renewable energy rich region of Guelmim Oued Noun. The Applicant proposes to install 11.5 Gigawatts peak (GWp) generation capacity that would cover an approximate area of 1,500 km<sup>2</sup> and would be connected exclusively to the UK via High Voltage Direct Current (HVDC) sub-sea cables. The Project would include an offshore route of approximately 4,000 km, which would run through Moroccan, Spanish, Portuguese, and French Waters before arriving within the UK EEZ.

The Project proposes to facilitate the import of up to 3.6 Gigawatts (GW) of low carbon electricity into the national grid. Once complete, the Project would be capable of supplying approximately 8 percent (%) of the UK’s annual electricity needs. This would 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 a Section 35 Direction made by the Secretary of State (SoS) on 26 September 2023 the Proposed Development has been classed as a Project of National Significance.

The Applicant considers that NPS EN-1, NPS EN-3 and NPS EN-5 (‘the Energy NPSs’) ‘have effect’ and therefore that the Proposed Development must be determined in accordance with them as a matter of law under Section 104 of the Planning Act 2008 (PA 2008). This approach is consistent with NPS EN-1 at 1.3.10; NPS EN-3 at 1.6.3; and NPS EN-5 at 1.6.4 and the SoS’s decision on the Net Zero Teesside Order.

The Applicant does not consider there to be any proper basis for concluding that there is no NPS that has effect in relation to the Application. However, if contrary to this view and the position established in the NPSs, the SoS concludes that there is no NPS that ‘has effect’ for the purposes of the PA 2008 in respect of its application, the NPSs referred to previously (or any one of them) would still form highly material important and relevant matters to take into account in the SoS’s decision. In order to address this eventuality, this Planning Statement also considers the planning balance should the Proposed Development be considered under Section 105, with the relevant NPS as an important and relevant consideration, rather than requiring the Proposed Development to be determined in accordance with it as a matter of law.

The Energy NPSs and other national energy policies set out the government’s aims to provide secure and affordable energy supplies whilst decarbonising the energy system. This is in order to enable the UK to achieve its legally binding commitment to reduce carbon emissions and achieve net zero carbon emissions by 2050; as well as provide a

resilient, flexible and low-cost energy network for the future. The Government recognises in policy that the need to deliver these aims and commitments is immediate and therefore renewable energy NSIPs need to be delivered urgently.

NPS EN1 also emphasises the importance of increasing flexible assets to support the delivery of a low carbon and reliable electricity system and to reduce costs in support of an affordable electricity supply. Even with major improvements in overall energy efficiency and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050.

Although the Proposed Development is not an interconnector (because it does not operate so as to export energy as well as importing it), it shares many of the same characteristics. As such, many of the benefits that the NPSs attribute to interconnectors apply by analogy with the Proposed Development, including that they provide access to a diverse pool of generation, enabling the import of cheaper electricity.

The Proposed Development will deliver these policy aims, to enable to a significant amount of low-carbon electricity generated in Morocco to be transmitted to the UK on a secure and reliable basis; and providing resilience, security and affordability of supplies. It is clear that there is a compelling case for the need for the Proposed Development and that it will deliver national economic and social benefits in line with the government's wider objectives of delivering sustainable development.

The UK does not currently import electricity or other energy supplies from Morocco. The Proposed Development therefore increases the geographic and political diversity of the UK's energy and electricity imports, improving the country's energy security.

Therefore, the Proposed development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UK's ability to meet future Carbon Budgets and Net Zero 2050.

The Government has also concluded that there is a Critical National Priority (CNP) for nationally significant low-carbon infrastructure to come forwards urgently to achieve the UK's energy objectives of delivering a low-carbon, secure, and affordable energy system (EN-1, para 4.2.4).

EN-1 confirms that low carbon infrastructure for the purposes of the CNP policy includes energy infrastructure that has been directed into the NSIP regime via a Section 35 Direction, where that fits within the normal definition of low carbon. It identifies this as including infrastructure such as interconnectors (albeit the definition is not exclusive).

The Proposed Development satisfies this definition of CNP Infrastructure. It is (a) electricity infrastructure that has been directed into the NSIP regime by the Secretary of State and (b) is low carbon in nature, supplying into the UK 100% renewable energy from sources in Morocco. As a consequence:

"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" (EN-1, para 3.3.63).

Sections 1-6 of this Planning Statement set out the background to the Proposed Development including a description of the Site and its context and of the Proposed Development, with the need and benefits of the Proposed Development set out in Section 4. Section 2 sets out the Vision and Project Principles which have informed the development of the Proposed Development to date and will continue to inform detailed

design. Section 6 summarises the steps taken by the Application to engage with relevant key stakeholders.

Section 7 outlines the decision-making framework; the planning policy context for the Proposed Development; and other legislation and policy considered by the Applicant to be both important and relevant to the SoS.

Section 8 then provides a detailed assessment against the key policy tests in the NPS and also considers compliance with relevant NPPF and local planning policy. These are set out on a topic-by-topic basis and draw on the outputs of the Environmental Assessment to describe how the Proposed Development performs against the key policy tests.

In Section 9, this Planning Statement concludes with a consideration of the planning balance in both the event that the SoS agrees with the Applicant that S104 applies, or in the contrary event that the decision is made under S105.

The implication of the CNP policy is that development should only be refused in the most exceptional of cases, either as a matter of law under S104 or an important and relevant consideration under S105.

This is clearly not the case for the Proposed Development – no adverse effects are identified in relation to internationally or nationally recognised landscapes or other designations. An adverse effect has been identified to a SAM as a result of changes in its setting, but this is considered to be less than substantial in terms of the tests in the NPS and NPPF.

There will also be an effect of moderate adverse significance arising from emissions from manufacturing during construction, however this effect is identified in the ES under the worse-case scenario and, overall, the cumulative assessment results in a significant beneficial effect in EIA terms as a result of the avoided emissions resulting from the displacement of higher emitting electricity generation sources enabled by the Proposed Development.

Other residual effects arise as a result of inevitable disturbance during the course of construction. Residual effects during operation are limited to the impact on the SAM and due to the impact of the Converter Station site on the landscape, which reduces over time as planting matures. In the majority of cases these effects reduce to not significant by year 15, except for LCT 5A where effects reduce from major to moderate adverse, but still significant. There will also be a permanent loss of a small area of BMV agricultural land.

The Applicant has sought to reduce effects as far as possible due to a positive approach to mitigation and site selection, and compliance with the mitigation hierarchy, however, these residual effects cannot be completely avoided. Residual landscape effects in particular are recognised by NPS EN-1 as inevitable from nationally significant infrastructure projects (paragraph 5.10.5 of EN-1).

This Planning Statement shows that there is a clear and compelling need for the Proposed Development as established by the NPSs and the Statement of Need (**Document Ref. 7.1**). There are also other benefits arising in terms of significant economic impact and job creation.

When weighed against the residual effects of the Proposed Development, the balance clearly falls in favour of the Proposed Development proceeding.



# 1 INTRODUCTION

- 1.1.1 This Planning Statement has been prepared on behalf of Xlinks 1 Limited (the 'Applicant') and presents the planning balance undertaken for the United Kingdom (UK) elements of the Xlinks Morocco-UK Power Project (the 'Project'). For ease of reference, the UK elements of the Project are referred to in this chapter as the 'Proposed Development'. This Planning Statement accompanies the application to the Planning Inspectorate for development consent for the Proposed Development.
- 1.1.1.2 The Proposed Development is considered a Project of National Significance comprising of two converter stations to the immediate west of the existing Alverdiscott 400 kV substation, with associated underground electricity cables to the Cornborough Range (Landfall), North Devon, and offshore cable infrastructure within the UK Exclusive Economic Zone (EEZ), alongside additional works to facilitate the Proposed Development.
- 1.1.1.3 The Location Order Limits and Grid Coordinate Plan (**Document Ref. 2.1**) indicates the Order Limits for the Proposed Development, which comprises approximately 200 hectares of land, located within the administrative boundaries of Devon County Council (DCC) and Torridge District Council (TDC) (the Order Limits). However, parts of an Abnormal Indivisible Loads route on the east side of the River Torridge fall within the administrative boundary of North Devon District Council (NDDC).

## 1.2 Overview of the Project and Proposed Development

- 1.2.1 The Proposed Development forms part of the wider Project proposed by the Applicant to develop a sub-sea electricity connection between the UK and Morocco. The Project would be an electricity generation facility entirely powered by solar and onshore wind energy combined with a battery energy storage facility. This is to be located within Morocco's renewable energy rich region of Guelmim Oued Noun. The Applicant proposes to install 11.5 Gigawatts peak (GWp) generation capacity that would cover an approximate area of 1,500 km<sup>2</sup> and would be connected exclusively to the UK via High Voltage Direct Current (HVDC) sub-sea cables. The Project would include an offshore route of approximately 4,000 km, which would run through Moroccan, Spanish, Portuguese, and French Waters before arriving within the UK EEZ.
- 1.2.2 The Project proposes to facilitate the import of up to 3.6 Gigawatts (GW) of low carbon electricity into the national grid. Once complete, the Project would be capable of supplying approximately 8 percent<sup>1</sup> (%) of the UK's annual electricity needs. This would play an important role in enabling an energy system that meets the UK's commitment to reduce carbon emissions and the Government's

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<sup>1</sup> Annual Demand in 2023 was 284.6Wh (NESO FES 2024, Table ED1) and the Project would deliver 3.6GW x 24hrs x 365 days x 77% (24.3TWh) = 8.5% of annual system demand.

objectives to create a secure, reliable and affordable energy supply for consumers.

- 1.2.3 Together with the generation infrastructure located in Morocco, the Proposed Development would provide a reliable and flexible supply of electricity to help address the needs of the UK power market, through the deployment of technologies which, due to their geographic separation from the UK, would complement other UK supplies, including UK-based generation.
- 1.2.4 The Project proposes to use Direct Current (DC) cable infrastructure for the long-distance transmission of electricity, this is due to this type of technology offering significant advantages in comparison with the use of equivalent Alternating Current (AC) systems. HVDC transmission systems provide increased reliability and efficiency when transmitting a significant load of electricity across long distances, as the systems are less susceptible to transmission losses of power compared with equivalent AC systems. Whilst the use of DC systems brings significant benefits (for example reduced electrical losses when deployed over long distances), it requires the construction of converter stations at either end of the system to convert from AC to DC at the generation point and then from DC to AC for the connection to the National Grid.
- 1.2.5 The Project includes the following works which are outside of the UK and therefore do not form part of the Proposed Development for which a Development Consent Order (DCO) is sought. Works outside of the UK include:
- In the Territorial Waters and EEZ of Morocco, Portugal, Spain, and France<sup>2</sup>:
    - Cable route of approximately 3,600 km buried in the seabed or laid on the seabed with protection.
  - In Morocco (onshore):
    - Generation assets comprising approximately 7.5 GWp solar photovoltaic array, 4 GW wind turbine array and 5 GW / 22.5 GWh battery storage. In combination, and taking into account losses associated with generation plant and transmission, generating up to 3.6 GW of power at the UK grid connection point.
    - High Voltage Alternating Current (HVAC) Cables connecting the generation assets to the converter stations.
    - Converter stations to change electricity from AC to DC.
    - Onshore HVDC Cables from the converter stations to the western coast of Morocco.
    - Transition joint bays to connect the onshore cables to the subsea cables.

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<sup>2</sup> Whilst the Project is routed through the Territorial Waters and Exclusive Economic Zones of Morocco, Portugal, Spain, and France, it would not connect to the Moroccan, French, Portuguese, or Spanish grids.

## 1.3 The Applicant

1.3.1.1 The Applicant for the Proposed Development is Xlinks 1 Limited.

1.3.1.2 The Applicant is a UK company with a mission to capture the power of nature to generate a near constant, low-cost energy supply and connect it to the point of consumption in real time. It's vision is to unlock the potential for remote renewable energy generation and to enable markets with high energy demand to achieve net zero emissions. Through the development of large-scale power infrastructure spanning across both land and sea, the Applicant aims to transmit reliable but flexible power from resource rich remote locations, where it can be most economically and sustainably generated at scale.

## 1.4 Legislative Context Overview

1.4.1.1 Section 7 of this document sets out the legislative and policy context, including the legal requirements of the PA 2008, National Planning Statements (NPS) and local policy. Section 8 then sets out the Proposed Development's compliance with relevant policy.

1.4.1.2 By a Section 35 Direction made by the Secretary of State or SoS on 26 September 2023 (see Annex 4) the Proposed Development has been classed as a Project of National Significance. This direction confirmed that elements of the Proposed Development should be treated as development for which development consent is required. The PA 2008 prescribes that the SoS is responsible for determining DCO Applications, with the power to appoint an Examining Authority (ExA) of appointed person(s) to manage and examine the Application. The ExA, appointed through the Planning Inspectorate, will make procedural decisions and examine the Application. The ExA will make a recommendation to the SoS who will then decide whether to grant a DCO Application.

1.4.1.3 The SoS published a suite of energy NPSs in November 2023, which took effect in January 2024. The Applicant considers that the following NPSs have effect and therefore that the Proposed Development must be determined in accordance with them as a matter of law under Section 104 of the Planning Act 2008 (see section 6.2 and summarised below):

- Overarching National Policy Statement for Energy 2023 (EN-1) (NPS EN-1);
- National Policy Statement for Renewable Energy 2023 (EN-3) (NPS EN-3); and
- National Policy Statement for Electricity Networks Infrastructure 2023 (EN-5) (NPS EN-5).

1.4.1.4 These NPSs are considered to have effect in respect of the Proposed Development on the basis that:

- the Proposed Development relates to a field and technology type (energy in general and renewable energy in particular) and infrastructure (converter stations and other related electricity network infrastructure) which is the subject of those NPSs; and
- the Secretary of State has directed that the Proposed Development which is the subject of the application should be treated as nationally significant development requiring development consent.

1.4.1.5 This approach is consistent with NPS EN-1 at 1.3.10; NPS EN-3 at 1.6.3; and NPS EN-5 at 1.6.4.

1.4.1.6 The approach is also consistent with the SoS's recent decision (16 February 2024) on the Net Zero Teesside Order (PINS Ref. EN010103). In the case of that project, the CO<sub>2</sub> gathering network element had been directed into a PA 2008 regime by the SoS under Section 35 on 17 January 2020 following a request by the Applicant.

1.4.1.7 The SoS in determining the application stated (paragraph 7.2 of the SoS's decision letter) that:

*“As set out above, the Secretary of State concludes, as the ExA did, that NPS EN-1 can be applied to the whole of the Proposed Development and the application for consent can therefore be determined under section 104.”*

- 1.4.1.8 Section 104 (2) to (3) of the PA 2008 provides that where an NPS has effect, the SoS must determine the application in accordance with the relevant NPSs and appropriate marine policy documents (if any) having regard to any local impact report produced by the relevant local planning authority; any matters prescribed in relation to development of the description to which the application relates; and any other matters which the SoS thinks are both “important and relevant” to their decision, unless this would:
- lead to the UK being in breach of its international obligations;
  - be in breach of any statutory duty that applies to the SoS;
  - be unlawful;
  - result in the adverse impacts of the development outweighing the benefits;  
or
  - be contrary to any condition prescribing how decisions regarding an NSIP application are to be taken.
- 1.4.1.9 These ‘tests’ are considered further in Section 9 of this Planning Statement which confirms that none of them are engaged.
- 1.4.1.10 In the circumstances, the Applicant therefore considers that the Proposed Development should be determined under Section 104 of the PA 2008 and where the NPSs contain policies relevant to the Proposed Development the Application should be determined in accordance with them.

- 1.4.1.11 Conversely, Section 105 of the PA 2008 relates to decisions on applications where no NPS has effect, that is, where there is no NPS in place relating to the specific type of development that is the subject of the application. Where there is no relevant NPS, Section 105(2) of the PA 2008 provides the basis for deciding DCO applications which includes taking into account ‘important and relevant’ matters. In such cases, Section 105 states that in deciding the application the SoS must have regard to any relevant local impact report produced by the relevant local planning authority; any matters prescribed in relation to development of the description to which the application relates; and any other matters which the SoS thinks are both important and relevant to their decision.
- 1.4.1.12 The Applicant does not consider there to be any proper basis for concluding that there is no NPS that has effect in relation to its application. However, if contrary to this view and the position established in the NPSs, the Secretary of State concludes that there is no NPS that ‘has effect’ for the purposes of the PA 2008 in respect of its application, the NPSs referred to previously (or any one of them) would still form highly material important and relevant matters to take into account in the SoS’s decision.
- 1.4.1.13 In order to address this eventuality, this Planning Statement also considers the planning balance should the Proposed Development be considered under Section 105, with the relevant NPS as an important and relevant consideration, rather than requiring the Proposed Development to be determined in accordance with it as a matter of law.

## 1.5 Pre-Application Consultation

- 1.5.1.1 The PA 2008 requires Applicant for DCOs to carry out statutory pre-application consultation on their proposals with relevant stakeholders. The government has also published guidance on pre-application consultation for NSIPs which was published in April 2024.
- 1.5.1.2 The Applicant conducted an initial period of public consultation between 23 November 2022 and 12 December 2022. Two further consultations were carried out during March to April 2023 (Stage 1). At this time, the Applicant expected to submit a planning application to Torridge District Council for the onshore elements of the Proposed Development. The focus of this consultation was to enable the community in the vicinity of the onshore elements of the Proposed Development to provide feedback on the proposals. Following the SoS determination that the project would be determined as a DCO, these initial stages of consultation form the Applicant's non-statutory consultation.
- 1.5.1.3 The Applicant consulted with both TDC and DCC on its draft Statement of Community Consultation (SoCC) and took into account their comments before the publication of the final SoCC in May 2024.
- 1.5.1.4 To meet its statutory requirements under the PA 2008 the Applicant carried out its statutory consultation (Stage 2) fully in accordance with SoCC, and in compliance with Sections 42 and 47 of the PA 2008 between 16<sup>th</sup> May 2024 and 11<sup>th</sup> July 2024, supported by a Preliminary Environmental Impact Report (PEIR).
- 1.5.1.5 Following the closure of statutory consultation, the Applicant made a number of minor changes to the Order Limits having regard to feedback from the consultation, and therefore conducted a targeted consultation with the relevant consultees between 6<sup>th</sup> September 2024 to 7<sup>th</sup> October 2024.
- 1.5.1.6 In addition to the two-stage approach outlined above, the Applicant has undertaken extensive engagement with DCC, TDC and NDC (the Host Authorities), statutory prescribed persons, relevant statutory undertakers, those with an interest in the land, as well as those who may be affected by the Proposed Development throughout the development of the proposals. This ongoing consultation with the Host Authorities has comprised of regular meetings where updates have been provided on the Scheme, including the development of the design, and technical meetings with the Host Authorities' relevant technical specialists.
- 1.5.1.7 The pre-application consultation undertaken by the Applicant, and how feedback from various consultees has informed the Proposed Development, is further documented in the Consultation Report (**Document Ref. 5.1**).

## 1.6 Purpose and Structure of the Document

- 1.6.1.1 The purpose of this document is to provide an assessment of the Proposed Development against relevant policy and to provide a conclusion on the planning balance.

1.6.1.2 The remainder of this Planning Statement is structured as follows:

- Section 2 describes the Vision and Project Principles which have driven the design of the Proposed Development;
- Section 3 describes the Site context including demonstrating an understanding of the Site and surrounding area, the process of selecting the Site and relevant planning history within the Order limits;
- Section 4 establishes the need and benefits of the Proposed Development, highlighting the urgent need for renewable energy and the benefits of the Proposed Development.
- Section 5 outlines the components and project timeline of the Proposed Development and where the Applicant is seeking to secure flexibility;
- Section 6 provides an overview of the steps of engagement taken between the Applicant and relevant key stakeholders;
- Section 7 outlines the decision-making framework; the planning policy context for the Proposed Development; and other legislation and policy considered by the Applicant to be both important and relevant to the SoS;
- Section 8 provides an assessment of the Proposed Development against the relevant legislation and policy;
- Section 9 represents the conclusions of the Planning Statement and planning balance; and
- In addition, annex 1 – 4 are available at the end of the document including the Policy Compliance Tables, Project Development and Consideration of Options document, Planning History and Section 35 Direction.



## 2 VISION AND PROJECT PRINCIPLES

### 2.1.1.1 The Vision for the Proposed Development is as follows:

*“Xlinks was created to harness the power of nature to generate a near constant, affordable, dedicated clean energy supply, and connect it to the point of consumption in real time.*

*Xlinks’ first project, the Morocco – UK Power Project will generate 11.5GW of zero-carbon electricity from solar intensity twice that of the UK and strong, reliable trade winds, combined with battery storage to deliver 3.6GW of affordable, reliable energy for over 19+ hours a day, directly into the UK national grid via a dedicated 4,000km HVDC sub-sea cable route.*

*The Project will meet 8% of Britain’s electricity needs (equivalent of powering 7m homes) with affordable, reliable, clean power by the early 2030s. In the first year of operation, it will reduce wholesale prices by 9.3%, cut power sector emissions by 9.9% and enhance energy security without government investment.*

*The Project is backed by highly regarded, international investors including TAQA, TotalEnergies, Octopus Energy, GE Vernova and AFC.”*

## 2.2 Project Principles

- 2.2.1.1 The National Infrastructure Commission (NIC) provides expert impartial advice to Government on major infrastructure projects. The NICs Design Group has identified four principles to guide the planning and delivery of major infrastructure projects: climate, people, places, and value.
- 2.2.1.2 The NIC define the role of principles as: “*reminders to the delivery organisation, a steer in the right direction, and a means of restoring focus to the big picture... Design Principles should be a point of departure, setting out a common understanding of the issues to be addressed.*” (Developing Design Principles for National Infrastructure (NIC, 2018)). The Proposed Development has adopted the NIC Design Principles of climate, people, place and value to guide the design development of the Proposed Development. These NIC Design Principles have been used to frame a set of specific Project Principles to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy and good design.
- 2.2.1.3 Specific Project Principles have been identified for the Proposed Development which are described in further detail in the Design Approach Document (**Document Ref. 7.3**).

## 2.3 Morocco to UK Power Project Design Principles

- 2.3.1.1 The NIC Design Principles have been used to frame the Project Design Principles for this Proposed Development. As demonstrated throughout the ES, there is a very limited number of elements of the Proposed Development that require design principles due to their nature. However, the principles which have informed the design of Proposed Development are set out below:
- Integrated Development – where possible, development and construction will be integrated to streamline the Onshore Infrastructure areas delivery, mitigate any unnecessary environmental impacts and limit local receptor and stakeholder disruption.
  - Safeguard Sensitive Receptors – Where possible, cable route and Converter Station locations have been chosen to avoid sensitive receptors, including settlements, ecologically valuable and designated sites, and habitat areas.
  - Minimise Construction Impact – construction in the Onshore Order Limits will adapt to existing conditions and designations to minimize impact. This includes installing cables underground to reduce visible infrastructure, narrowing corridor widths, and employment trenchless crossings to limit disturbance where feasible.
  - Landscape Restoration – where landscape features have been significantly disturbed or removed, they will be restored wherever possible.
  - Ecological Enhancement – Design proposals will aim to compensate for any loss by reinstating and creating new habitats and vegetation, ensuring

ecological enhancements. The goal is to achieve no net loss to biodiversity and, where possible, promote a net gain in biodiversity.

2.3.1.2 The design document of the Proposed Development, and how the Project Principles have been applied to the DCO Application are set out in the Design Approach Document (**Document Ref. 7.3**), the Design Principles document (**Document Ref. 7.4**) and the outline Landscape and Ecology Management Plan (oLEMP) (**Document Ref. 7.10**) which will be secured as part of any DCO granted.

## 2.4 Why Morocco?

2.4.1.1 Morocco was identified as an attractive host country for the generation site of the wider Project for several reasons. Some of these reasons include the following:

- The Applicant would benefit from the well-established Moroccan renewable energy expertise whilst supporting the continued development of its renewable energy supply chain and creating a new export industry.
- Hosting large scale renewable energy projects is consistent with Morocco's foreign and energy policies.
- Morocco offers an attractive and stable investment climate. Multiple international power companies have invested successfully in the Moroccan energy market, including TAQA of the United Arab Emirates, ACWA Power of Saudi Arabia, TotalEnergies, Engie and EDF of France, and Siemens of Germany.
- Morocco benefits from the ideal solar and wind resources required for firm and flexible power generation throughout the year. It has the third highest Global Horizontal Irradiance (GHI) in North Africa, which is 20% greater than Spain's GHI and over twice that of the UK. Furthermore, the shortest winter day still offers more than 10 hours of sunlight. This helps in providing generation profiles that address the needs of the UK power market, including during periods of low UK offshore wind production.

## 2.4.2 Morocco's energy strategy

- 2.4.2.1 Morocco has become, over the last 10 years, an international leader in renewable energy. Morocco's National Energy Strategy, which has a focus on the deployment of renewable generation, was launched in 2008, and Morocco has pledged to generate 52% of its electricity from renewables including solar, wind, and hydro by 2030 – it is on track to exceed that target. There is a track record in Morocco of the development of large, innovative renewable energy projects, such as the Noor Ouarzazate Complex, which in aggregate constitutes the largest concentrated solar power (CSP) plant globally. Furthermore, the country has established a solid legal framework to foster investments in the renewable energy field.
- 2.4.2.2 Morocco already has a comprehensive strategy for decarbonisation and an abundance of suitable wind and solar sites much closer to points of demand. It invested \$5.8bn in renewable energy projects in the previous decade (2010-2020).
- 2.4.2.3 Despite Morocco's electricity demand increasing by 5% per year since 2004, renewables accounted for 37% of the country's electricity mix by the end of 2020.
- 2.4.2.4 Therefore, due to the abundance of power in Morocco it is considered a benefit to the UK power mix to seek to harness some of this energy.

## 3 SITE CONTEXT AND LOCATION

### 3.1 Introduction

- 3.1.1.1 This section provides a summary of the physical characteristics of the Site and its surrounding context, including policy allocations and designations.
- 3.1.1.2 The Order Limits comprise approximately 20,600 ha over the wider offshore and onshore works. However, the Order limits located in TDC and DCC will be approximately 200ha in total.
- 3.1.1.3 The Order Limits is the anticipated maximum area of land that will be required to facilitate the construction, operation (and maintenance), and decommissioning of the Proposed Development. The Site boundary allows for the flexibility required to enable contractor innovation and changes of technology in the detailed design and is sufficiently large to enable the maximum parameters to be delivered. Further details and justification for this approach is provided in Section 5.3 of this document.
- 3.1.1.4 The Site lies in close proximity to the settlements of Alverdiscott, Gammaton Moor, Huntshaw Water, Westward Ho!, Bideford, East-of-the-Water and Landcross.

### 3.2 Site Description

- 3.2.1.1 The full description of the Order Limits is included in Volume 1, Chapter 3: Project Description of the ES (**Document Ref. 6.1.3**). However, a summary of the key components that make up the Proposed Development are set out below, with an indicative layout plan shown in plate 1.1.

#### Offshore Site Context

- 3.2.1.2 The offshore elements of the Proposed Development are proposed to be located within the Offshore Cable Corridor, which lies within the South West Inshore and South West Offshore Marine Plan Areas (Marine Management Organisation, 2021). The Offshore Cable Corridor is proposed to be routed through the Bristol Channel and Celtic Sea, extending from the landfall to the limit of the UK EEZ, south west of the UK. The total length of the Offshore Cable Corridor in UK waters is approximately 370 km.
- 3.2.1.3 Furthermore, the Offshore Cable Corridor passes to the immediate east of the Crown Estate’s Project Development Area 3 (Offshore Wind Leasing Round 5), which is located within the Celtic Sea.
- 3.2.1.4 Part of the Bristol Channel Approaches Special Area of Conservation is situated within the Offshore Cable Corridor, with the South West Approaches to Bristol Channel Marine Conservation Zone (MCZ) located adjacent to the Offshore Cable Corridor. The Bideford to Foreland Point MCZ and East of Haig Fras MCZ are also situated within 550 m of the Offshore Cable Corridor.

### Landfall

- 3.2.1 The Landfall for the Proposed Development is located at Cornborough Range on the North Devon coast, to the south-west of Cornborough and approximately 4 km west of Bideford (see Volume 1, Figure 3.1: Onshore Infrastructure Area **(Document Ref. 6.1.3.1)**). This part of the site lies within the North Devon Coast National Landscape and the Heritage Coast. The Mermaid’s Pool to Rowden Gut Site of Special Scientific Interest (SSSI) is also situated along the coastline.
- 3.2.2 Landfall refers to the area where the Offshore HVDC Cables come ashore (i.e., make landfall) and are joined to the Onshore HVDC Cables via the transition joint bays. This includes all compounds required to facilitate the construction works within the Landfall (see Volume 1, Figure 3.1: Onshore Infrastructure Area **(Document Ref. 6.1.3.1)**). This would be undertaken using trenchless techniques (e.g., HDD) that allows for installation under sensitive features and avoidance of direct impact to Mermaid’s Pool to Rowden Gut SSSI and the South West Coastal Path.

### Other Onshore elements

- 3.2.1.5 The onshore elements of the Proposed Development are proposed to be located within the Onshore Infrastructure Area (See Document Ref. 2.1). The Onshore Infrastructure Area is wholly located within the local authority areas of TDC and DCC, in north Devon, and extends from the Alverdiscott Substation Site to the landfall at Cornborough Range.
- 3.2.1.6 The Onshore Infrastructure Area is located in an area that is predominantly rural. The settlements of Abbotsham, Bideford, Ford, Littleham, Landcross, East-of-the-Water, Gammaton Moor, Woodtown and Stony Cross are situated close to the Onshore Infrastructure Area. The existing Alverdiscott Substation is located within the Onshore Infrastructure Area and there are existing overhead electricity lines, and additional infrastructure, that cross the Draft Order Limits and connect to the existing Alverdiscott Substation.
- 3.2.1.7 The Onshore Infrastructure Area includes parts of the North Devon National Landscape and Kynoch's Foreshore Local Nature Reserve. The Taw-Torridge Estuary Site of Special Scientific Interest (SSSI) is also situated approximately 1.3 km north of the Onshore Infrastructure Area.
- 3.2.1.8 The Onshore Development Area has been subject to a site selection process which has sought to avoid settlements and sensitive habitats whilst also taking into account other technical and environmental constraints. Further information around this can be found within the Project Development and Consideration of Options document at Annex 2 of this document.
- 3.2.1.9 The key components of the onshore elements of the proposed Development include:
- Converter Site: which would contain two converter stations (known as Bipole 1 and Bipole 2) immediately west of the Alverdiscott Substation Site, as well as associated infrastructure (e.g. access roads, security fencing, etc.) and landscaping to provide visual screening.
  - HVAC Cables: underground cable connection between the proposed converter stations and the connection point to the national grid would be via the new 'Alverdiscott Substation Connection Development', of which planning and construction is to be taken forward by National Grid Electricity Transmission (NGET). This is assessed cumulatively in the ES. The HVAC Cables would be located within the HVAC Cable Corridors.
  - HVDC Cables: underground cable connection of approximately 14.5 km between the proposed converter stations and the transition joint bays at the Landfall. The onshore HVDC Cables would be located within the Onshore HVDC Cable Corridor.
  - Other works to facilitate the development, including permanent road improvement works, temporary and permanent utility connections, permanent utility diversions and temporary construction compounds, drainage and access. The Proposed Development also includes opportunities for environmental mitigation, compensation and enhancement.

## **Point of Connection**

3.2.1.10 The Point of Connection ('PoC') for the Proposed Development is at National Grid Electricity Transmission's Alverdiscott 400kV Substation, which is part of the UK's National Electricity Transmission System (NETS).



# XLINKS MOROCCO – UK POWER PROJECT

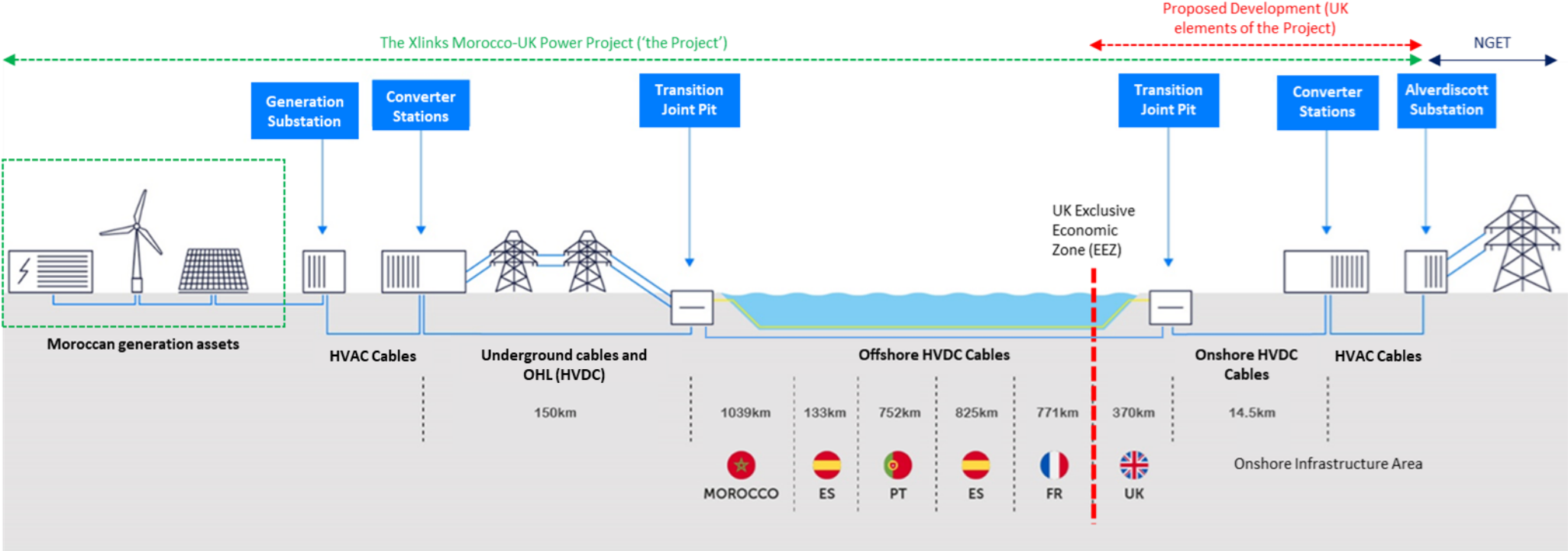


Plate 1.1 – Overview of the Xlinks Morocco - UK Power Project

## 3.3 Commitments Register

3.3.1.1 The Proposed Development has adopted a Commitments Register which includes commitments that will be made relating to measures such as primary design principles, installation techniques, management plans and frameworks, to make sure mitigation replied upon in the ES is delivered and that good design is achieved. Further information can be found in ES Volume 1, Appendix 3.1 Commitments Register (**Document Ref. 6.1.3.1**).

## 3.4 Designations and Allocations

3.4.1.1 The Order Limits have been selected and designed to avoid designated areas where possible. There are no listed buildings, Scheduled Monuments or registered Parks and gardens within the Order Limits. None of the land within the Order Limits is covered by any statutory landscape designations.

3.4.1.2 However, not all allocations and designations could be avoided, and therefore those within the Order Limits comprise of the following:

- The Site is predominantly located in Flood Zone 1 with smaller areas within Flood Zone 2 and 3 along the crossings by River Torridge.
- The Site is partially located within a National Landscape, alongside being situated within the Coast and Estuary Zone.
- Bristol Channel Approaches / Dynesfeydd Môr Hafren Special Area of Conservation.
- Mermaid's Pool to Rowden Gut Site of Special Scientific Interest (SSSI).
- North Devon Biosphere Reserve (UNESCO Designation).
- Hartland Heritage Coast (non-designated Site).
- A section of the offshore cable corridor is situated within Crown Estates Land.
- A section of the Site falls under Special Category Land; however, the Proposed Development is anticipated to HDD (or other trenchless methods) under this land to limit any above ground works in the area. While there will be underground cabling it is anticipated that this will not impact the elements that make it Special Category Land.

## 3.5 Relevant Planning History

3.5.1.1 As a largely agricultural Site, the relevant planning history of the land within the Order Limits is very limited. A schedule of planning history is provided in Annex 3 of this document. This indicates that the Order Limits is agricultural in nature and without extensive levels of existing development.

## 4 NEED FOR AND BENEFITS OF THE PROPOSED DEVELOPMENT

### 4.1 Need for the Proposed Development

- 4.1.1.1 This section summarises the need for the Proposed Development as set out in the Statement of Need (**Document Ref. 7.1**), including and how it is supported by international and national climate change legislation and policy, and a range of other factors. It also includes a summary of the benefits of the Proposed Development.
- 4.1.1.2 If, as the Applicant considers, the Proposed Development falls to be determined in accordance with Section 104 of the PA 2008, then the need for the development is conclusively established by the NPSs. That need is described in Section 4.2 below. The remaining matters set out in this statement will be important and relevant insofar as they confirm the scale and nature of the benefits the Proposed Development can facilitate.
- 4.1.1.3 If the Secretary of State considers that the Proposed Development falls to be determined in accordance with Section 105 PA 2008, then this section (including the section on the NPSs) establishes both the need for and benefits of the Proposed Development, which decisively outweigh any adverse impacts to which it may give rise.

### 4.2 Need in the National Policy Statements

- 4.2.1.1 Urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets.
- 4.2.1.2 The suite of Energy NPSs, which came into force in January 2024, set out national policy for energy infrastructure in England and Wales and explains the urgent need for significant amounts of large-scale energy infrastructure in meeting government's energy objectives. The reasons for the UK's urgent need for new (and particularly low-carbon) electricity NSIPs, given the crucial role of electricity as the UK decarbonises its economy, are discussed throughout this section.
- 4.2.1.3 NPS EN-1 describes that government's objectives for the energy system are:  
*"To ensure our supply of energy always remains secure, reliable, affordable, and consistent with meeting our target to cut GHG emissions to net zero by 2050, including through delivery of our carbon budgets and Nationally Determined Contribution."* and  
*"Meeting these objectives necessitates a significant amount of new energy infrastructure" (EN-1 paras 2.3.3 & 2.3.4)."*

- 4.2.1.4 Although *"it is not the role of the planning system to deliver specific amounts or limit any form of infrastructure"* (EN-1, para 3.2.3), *Government expects that the UK will be powered mainly by wind and solar in 2050, therefore significant capacities of these low-carbon generation technologies will need to come forward to meet that expectation* (EN-1, Para 3.3.20).
- 4.2.1.5 An increase in new flexible assets is also needed to support the delivery of a low carbon and reliable electricity system and to reduce costs in support of an affordable electricity supply (EN-1, para 3.3.5). Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other (EN-1, para 3.3.7).
- 4.2.1.6 Even with major improvements in overall energy efficiency and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 (EN-1, para 3.3.3). The Government therefore considers that *"it is prudent to plan on a conservative basis to ensure that there is sufficient supply of energy to meet demand across a wide range of future scenarios"* (EN-1, para 3.4.29), including, for example, where the future use of new technologies is limited, or *"to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events"* (EN-1, para 3.3.1).
- 4.2.1.7 Although the Proposed Development is not an interconnector (because it does not operate so as to export energy as well as importing it), it shares many of the same characteristics. As such, many of the benefits that the NPSs attribute to interconnectors apply by analogy with the Proposed Development. In this regard, NPS EN-1 notes that:
- "Interconnection provides access to a diverse pool of generation, enabling the import of cheaper electricity..."* (EN-1, para 3.3.34).
- 4.2.1.8 The Government has also reiterated the need for new electricity network infrastructure to come forward at pace to meet its energy objectives. It states:
- "The security and reliability of the UK's current and future energy supply is highly dependent on having an electricity network which will enable new renewable electricity generation, storage, and interconnection infrastructure that our country needs to meet the rapid increase in electricity demand required to transition to net zero while maintaining energy security. The delivery of this important infrastructure also needs to balance cost to consumers, accelerated timelines for delivery and the minimisation of community and environmental impacts."* (EN-1, para 3.3.66).
- 4.2.1.9 EN-1 goes on to state that, further to this need case, the need for a new connection is demonstrated if the proposed development represents an efficient and economical means of (amongst other things) connecting a new generating station and storage facility to the network (EN-1, para 3.3.78).
- 4.2.1.10 Government also considers that:

*“Moreover, given the crucial role of networks in connecting all of the other kinds of electricity infrastructure described above, it is especially important that the Secretary of State considers network projects as elements of a coherent and strategically necessary system, whether or not they are linked together in specific NSIPs. For instance, when evaluating applications for new electricity networks infrastructure the Secretary of State should have regard to the fact that given,*

- i) the government’s strategic commitment to ambitious levels of interconnection capacity and offshore wind generation, and*
- ii) the tightly interdependent infrastructure chain linking interconnection and offshore generation with onshore demand centres,*

*delays in the approval of associated new network developments could cause significant economic waste and set back the strategically vital goals of decarbonisation and energy security.”* (EN-1, para 3.3.79).

4.2.1.11 This ultimately leads to the conclusion that there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy (EN-1, para 3.3.83).

4.2.1.12 EN-1 confirms that the need for new nationally significant electricity infrastructure (i.e. in relation to which the NPS has effect) is such that:

- The Secretary of State should assess all applications for it on the basis that the government has demonstrated that there is a need for that infrastructure, which is urgent; and
- Substantial weight should be given to this need when considering the application for development consent (paras. 3.2.6 and 3.2.7).

4.2.1.13 EN-1 para 3.2.12 confirms that the giving of substantial weight to the need for new electricity infrastructure applies to applications for new electricity network infrastructure that has been brought into the PA 2008 regime by virtue of a Section 35 Direction, as in the case of the Proposed Development.

4.2.1.14 Where the NPS has effect, the Secretary of State is not required to consider the specific contribution the Proposed Development will make to meeting that established need (para 3.2.8).

4.2.1.15 In light of all of the above, the Government has also concluded that there is a Critical National Priority (CNP) for nationally significant low-carbon infrastructure to come forwards urgently to achieve the UK’s energy objectives of delivering a low-carbon, secure, and affordable energy system (EN-1, para 4.2.4).

4.2.1.16 EN-1 confirms that low carbon infrastructure for the purposes of the CNP policy includes energy infrastructure that has been directed into the NSIP regime via a Section 35 Direction, where that fits within the normal definition of low carbon. It identifies this as including infrastructure such as interconnectors (albeit the definition is not exclusive).

4.2.1.17 The Proposed Development satisfies this definition of Critical National Priority Infrastructure. It is (a) electricity infrastructure that has been directed into the NSIP regime by the Secretary of State and (b) is low carbon in nature, supplying into the UK 100% renewable energy from sources in Morocco. As a consequence:

*"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"* (EN-1, para 3.3.63).

4.2.1.18 Similar statements of need are contained within NPS EN-3 and NPS EN-5. In NPS EN-3, the Government confirms that the Secretary of State should consider EN-1 and EN-3 together, and draws attention to its conclusion that there is an urgent need for new major electricity infrastructure, and that the Secretary of State should act on the basis that the need for infrastructure covered by EN-3 has been demonstrated (EN-3, para. 2.1.5 – 2.1.6).

4.2.1.19 Likewise, NPS EN-5 states that new networks infrastructure is needed in support of the development of generation by technologies other than offshore wind, including those in EN-3 (EN-5, para 1.1.3). This new grid infrastructure is confirmed as being CNP infrastructure (EN-5, paras. 1.1.5 and 2.1.5).

### 4.3 Other factors going to need for the Proposed Development

4.3.1.1 Beyond the policies set out in the NPSs, the need for the Proposed Development is more broadly drawn from:

- Enabling reductions in carbon emissions
- The need to create a secure and reliable energy supply
- The need to create an affordable energy supply
- Other benefits, including efficient utilisation of capacity and the use of tried and tested technology to deliver at pace

4.3.1.2 Each of these matters is covered in detail in the Statement of Need (**Document Ref. 7.1**). Below is a summary of the conclusions drawn in relation to each of these matters.

## 4.4 Enabling Reductions in Carbon Emissions

- 4.4.1.1 The IPCC Working Group III (IPCC WG3) published its Summary of Climate Change as part of the IPCC's Sixth Assessment Report in April 2022. The report notes average global annual GHG emissions during the last decade were higher than in any previous decade on record. Global climate change commitments are not yet sufficient to meet nor sustain a (likely) successful track towards containing global temperature rise below 1.5°C. Policies implemented to date fall short even of those commitments, and the delivery of measures will be required beyond 2030 to ensure that the 2050 target is met. The report findings also imply that mitigation after 2030 can no longer establish a pathway which will likely not exceed 1.5°C global temperature increase vs. 1990, during the 21st Century.
- 4.4.1.2 The potential impacts associated with such a global temperature rise could include:
- Increased frequency of extreme weather events such as floods and drought;
  - Reduced food supplies;
  - Impacts on human health;
  - Increased poverty; and
  - Ecosystem impacts, including the potential for species extinction.
- 4.4.1.3 The UK Committee on Climate Change, in its 2023 progress report noted that 2022 was the UK's warmest recorded year and one of the six warmest years on record globally; 2020, and 2023 are also considered some of the warmest years in the UK (Met Office, 2024).
- 4.4.1.4 A commitment was made by the UK during COP26 in Glasgow in 2021 to pursue efforts to limit the global temperature increase to within 1.5°C of the pre-industrial average temperature.
- 4.4.1.5 As a consequence of this commitment, the UK's future energy system must evolve to become net zero, through the deployment of low-carbon and flexible assets. This commitment is also reflected in the Government's Clean Power 2030 Report and (the previous Government's) Powering Up Britain Strategy.
- 4.4.1.6 In order to achieve these ambitions, low-carbon generation is needed to remove carbon emitting assets from the UK's electricity system. A large quantity of low-carbon power must be generated from new assets before electricity system emissions are reduced to zero. The generating assets comprised in the Project are capable of providing such low-carbon generation.

- 4.4.1.7 Abundant low-carbon generation at times is necessary to create opportunities for flexible assets to store low-carbon power. Flexible assets, full of stored low-carbon power, are then necessary to displace carbon emitting flexible assets from the energy system at times when low-carbon supplies cannot displace those assets themselves. Again, the Project and Proposed Development provide such flexible assets and dispatch.
- 4.4.1.8 This secure, reliable, and affordable low-carbon energy supply is required to move other energy intensive sectors off carbon-emitting fuels and onto low-carbon supplies, thereby delivering wider decarbonisation throughout the UK. Decarbonising other sectors will require a similar quantity of low-carbon generation to be developed in the 2030s, as is required in the 2020s.
- 4.4.1.9 Delivering an insufficient quantum of low-carbon generation risks not achieving the UK's commitment to reduce carbon emissions, and also places at risk the achievement of the Government's objectives to create a secure, reliable, and affordable energy supply for consumers.
- 4.4.1.10 The Proposed Development, by enabling the transmission of low-carbon energy from the Project into the UK's energy system, enables an energy system that meets the UK's commitment to reduce carbon emissions.

## **4.5 The need to create a secure and reliable energy supply**

- 4.5.1.1 In 2022, the British Energy Security Strategy (BESS) was produced. The BESS reported on the record rises in global energy prices that had occurred in 2021-2022 and identified that, in order to counter the UK's vulnerability to these, it is necessary to reduce exposure to international oil and gas prices through reduced dependence upon imported oil and gas.
- 4.5.1.2 Although affirming the role the UK-based generation would have to play in this, the BESS did also acknowledge the potential for clean, affordable and secure power from other international projects.
- 4.5.1.3 This potential is also recognised through the policy support for interconnectors, as set out in the NPSs and described above.
- 4.5.1.4 The Proposed Development represents a clear and deliverable opportunity to enable low-carbon electricity generated in Morocco to be transmitted to the UK on a secure and reliable basis, thus contributing to the BESS objectives, as well as those set out in EN-1.
- 4.5.1.5 The UK does not currently import electricity or other energy supplies from Morocco. The Proposed Development therefore increases the geographic and political diversity of the UK's energy and electricity imports, improving the country's energy security.



- 4.5.1.6 Although UK net energy imports would increase (by approximately 3%) if the Proposed Development was to be operational (based on the UK's 2023 international energy balance, production, and consumption), this would be to the benefit of enabling an increase in low-carbon imported electricity supplies, and a consequent future reduction in the UK's demand for hydrocarbons, thereby applying a downward pressure on future UK oil and gas imports.
- 4.5.1.7 The Proposed Development therefore will, if consented, provide a secure and less volatile energy supply for consumers.
- 4.5.1.8 Further, analysis of the generation profile of the offshore wind and solar assets which connect through the Proposed Development to the UK's electricity system has shown that it is not likely to be correlated to the generation profile of the same technologies based in the UK.
- 4.5.1.9 The government expects that by 2050, the majority of UK electricity supply will be from wind and solar (the constituent generation technologies included within the Project scope). The consequence, and benefit, of the uncorrelated nature of UK-based solar and wind supplies when compared to those generated by the Project will be to add diversity to the supply of energy for UK consumers, increasing the security and reliability of supplies in the UK.
- 4.5.1.10 As previously noted, the NPSs also confirm that assets which provide flexibility to the national electricity system, or to the energy system generally, are also needed to achieve national decarbonisation and energy security aims.
- 4.5.1.11 The Proposed Development, which is critical infrastructure to transmit low carbon energy from an internationally located solar, onshore wind, and storage facility, to the UK's electricity system, is therefore fully aligned with the government's aims.

## 4.6 The need to create an affordable energy supply

- 4.6.1.1 NPS EN-1 confirms that "value for money assessments are not required on applications for development consent for energy infrastructure projects" (para 3.3.14). However, in demonstrating the need for the Proposed Development, the Statement of Need has sought to demonstrate that the Proposed Development would play an important role in enabling an energy system that meets the Government's objectives to create an affordable energy supply for consumers.
- 4.6.1.2 As a starting point, onshore wind and utility scale solar power, as utilised by the Project, are currently two of the cheapest forms of electricity generation currently available. Both technologies provide the potential to realise a significant benefit against the cost of other leading electricity generation technologies, especially those which rely on input fuels.

- 4.6.1.3 The Applicant has stated that their cost projections for the Project, including the Proposed Development, indicate that the Project would be deliverable at a level which is competitive with other low-carbon baseload technologies already contracted under the CfD scheme, although final financial matters would be undertaken only following consent being granted for the Project.
- 4.6.1.4 The competitive marginal cost of generation and levelized cost of energy (a metric which allows the costs of generation for different technologies to be compared on a consistent basis) for the technologies utilised by the Project indicate that delivering that power through the Proposed Development would be likely to help to enable an energy system that meets the government's objectives to create an affordable energy supply for consumers.
- 4.6.1.5 The Applicant has assessed that the government's CfD scheme is currently the most suitable financial support mechanism for the Project although other support mechanisms, either in existence today or yet to be developed, may in the future be determined to be more suitable. By entering a CfD contract, or any support mechanism which fixes or regulates project revenues, the Project would contribute to an increase in the stability of consumer bills and provide a shield for consumers against volatile international energy prices (which as noted above was an objective of the BESS).

## 4.7 Other Benefits of the Proposed Development

- 4.7.1.1 The Proposed Development would give rise to a number of additional benefits, which support its need case. These include benefits relating to the efficient use of existing capacity within the UK national electricity transmission system (NETS), the utilisation of proven technologies for deployment at pace and at scale, as encouraged in the NPSs, and also capitalising on local support for renewable energy at the location of the Proposed Development.
- 4.7.1.2 The Proposed Development is consistent with the identified urgent need for schemes to maximise the benefits of valuable available grid connection capacity as described in the Government and Ofgem's Connections Action Plan. To provide the same quantity of energy from schemes with lower capacity factors would require a greater number of schemes, each with their own (potentially separate or new) point of connection to the NETS.
- 4.7.1.3 The wider Project comprises large-scale onshore wind, large-scale ground-mount solar and large-scale battery energy storage facilities. Each of these components has already been delivered at a large scale globally. Projects currently under development globally are proposed at a greater scale than those already delivered, and the Project.
- 4.7.1.4 Schemes of a similar scale to the Proposed Development have already been delivered in the UK. Sub-sea HVDC cables which are proposed to link the international generation assets with the Proposed Development have also been delivered in the UK, with many more proposed and under construction. As a consequence of these factors, the technologies are tried and tested and there can therefore be confidence in both their deliverability and their reliability.

- 4.7.1.5 Moreover, the Project will be constructed utilising multiples of standard solar, wind, and battery storage components. The delivery risk profile of the Project should therefore be considered to be more similar to that associated with mature technologies, than that of nascent technologies. Constructing large scale facilities from multiples of smaller, standard components eases the construction and commissioning phase of the project development process and means that they would be able to proceed with pace to support the urgency of the need to enable carbon emission reductions and deliver other related benefits in the UK.
- 4.7.1.6 Alverdiscott substation is away from areas of Great Britain where transmission networks are already constrained and are in need of upgrades. The connection of the Proposed Development at Alverdiscott would make efficient use of existing and available network infrastructure without needing excessive transmission investment cost or transmission system operational interventions.
- 4.7.1.7 Again, this is consistent with delivering to the need identified in the Connection Actions Plan to increase network capacity in an efficient and low-cost way.
- 4.7.1.8 Although not mentioned in the Statement of Need, the Proposed Development would be able to capitalise on local policy support for renewable energy.
- 4.7.1.9 In July 2019, Torridge District Council declared a ‘Climate Emergency’, with both TDC and NDC having signed the Devon Climate Declaration.
- 4.7.1.10 TDC is a member of the Devon Climate Emergency Response Group, whose core objectives are to:
- Improve the resilience of Devon's environment against the effects of climate change;
  - Facilitate the reduction of carbon emissions to net-zero by 2050 at the latest, to include substantial nature improvement to absorb carbon; and
  - Prepare Devon's communities for the necessary adaptations to infrastructure and services to respond to a warmer world.
- 4.7.1.11 In June 2021, TDC published their Carbon, Environment and Biodiversity Plan. The plan was subsequently updated in September 2023. In it, the council outlines the actions already taken to reduce its carbon emissions, their vision to further decrease their carbon emissions and those opportunities in the council to decrease carbon emissions. The council writes in reference to the Proposed Development that:
- “The Xlinks Morocco-UK Power Project intends to develop a new electricity generation facility in Morocco entirely powered by solar and wind energy combined with a battery storage facility which will be connected exclusively to Great Britain via 3,800km HVDC sub-sea cables. These cables are proposed to connect to the National Grid at a site in Alverdiscott.*”

*This “first of a kind” project could generate 10.5GW of zero carbon electricity from the sun and wind to deliver 3.6GW of reliable energy for an average of 20+ hours a day. If built, the project will be capable of supplying up to 8 percent of Great Britain’s electricity needs and could make a considerable contribution to the UK’s target of being net zero by 2050.”*

- 4.7.1.12 Devon County Council has also declared a climate emergency, with DCC having committed to a reduction in carbon emissions to net-zero by 2050.
- 4.7.1.13 DCC is leading the partnership to make a Devon Carbon Plan and a Devon, Cornwall and Isles of Scilly Adaptation Plan, of which TDC is partnered within.
- 4.7.1.14 In February 2021, DCC updated the Devon County Council’s Carbon Reduction Plan (2020-2030), which outlines DCC’s plan to become net-zero by 2030. Additionally, the council reports its carbon footprint yearly of each financial year.
- 4.7.1.15 The Project would be entirely consistent with the local declarations of a climate emergency and help to realise those local net zero and carbon reduction objectives as well as national objectives for net zero.
- 4.7.1.16 Finally, the Proposed Development would realise a number of economic benefits. As outlined in Volume 4, Chapter 3: Socio-Economics (**Document Ref. 6.4.3**) of the ES, the construction of the Proposed Development is estimated to support 2050 jobs across the UK for both onshore and offshore works, including 460 jobs supported across the Devon region. In terms of employment during the operational and maintenance phase, the economic employment will be minimal due to the infrequent need for anyone to access the Site. This is capped at approximately 20 full-time staff members.
- 4.7.1.17 Further to the creation of jobs, the Proposed Development would result in significant expenditure in manufacturing, services, materials and equipment, as outlined in Volume 4, Chapter 3 (Socio-Economics) (**Document Ref. 6.4.3**). Adding together direct, indirect, and induced impacts it was estimated that the total impact of developing and constructing the Proposed Development would be up to £825.2 million GVA for the onshore elements. In terms of the construction of the offshore works, the total expenditure associated with the 371km length of offshore cable was estimated to be £875.3 million.
- 4.7.1.18 A detailed Skills and Employment Strategy will be prepared prior to the commencement of pre-construction activities and is secured by draft DCO requirement 15. This Strategy will set out measures that the Proposed Development will implement to advertise and promote employment and training opportunities associated with the construction and operation (and maintenance) of the Proposed Development locally. An outline version of the Skills and Employment Strategy (**Document Ref. 7.23**) has been submitted with the application following engagement with key local stakeholders. All of this provides certainty as to the delivery of these employment-related benefits.

4.7.1.19 As well as significantly contributing to meeting policy commitments and legal decarbonisation targets for securing renewable energy, the Proposed Development would deliver other benefits. These benefits arise from the construction, operation (including maintenance), and decommissioning.

## 5 THE PROPOSED DEVELOPMENT

- 5.1.1.1 This section provides an overview description of the Proposed Development, including the components of the Proposed Development, alongside the proposed construction, operation, and decommissioning activities.
- 5.1.1.2 A summary of the description of the Proposed Development can be found in Volume 1, Chapter 3: Project Description of the ES (**Document Ref. 6.1.3**).
- 5.1.1.3 The onshore HVDC cables and the HVAC cables will be completely buried underground for their entire length. No HVAC overhead pylons will be installed as part of the Proposed Development.
- 5.1.1.4 In addition to the permanent components outlined above, temporary onshore infrastructure would be required for the construction phase, including construction compounds and accesses.
- 5.1.1.5 These components are briefly described in the following sections. Realistic worst-case parameters (dimensions and numbers where appropriate) are provided to indicate the potential scale of the Proposed Development.

### 5.2 Flexibility

- 5.2.1.1 The Applicant wishes to retain flexibility regarding the design detail of certain components of the Proposed Development, as is acknowledged in EN-1 Part 4.3.
- 5.2.1.2 Paragraph 4.3.11 of EN-1 recognises that in some instances, it may not be possible at the time of the application for development consent for all aspects of the Proposed Development to have been settled in precise detail. Paragraph 4.3.12 continues that where some details are still to be finalised, the ES should access the best of the Applicant's knowledge, what the likely worst-case environmental, social, and economic effects of the Proposed Development assess on that basis to ensure that the impacts of the Proposed Development as it may be constructed have been properly assessed
- 5.2.1.3 It is important to note that the exact design details of the Proposed Development cannot be confirmed until consent is granted and the construction tendering process for the design has been completed. The detailed design must be in accordance with Requirement 4 of the Draft DCO (**Document Ref. 3.1**) and the details in the works descriptions, which are linked to Schedule 1 of the Draft DCO (**Document Ref. 3.1**) and the Works Plans (**Document Ref. 2.3**).
- 5.2.1.4 This is to allow for flexibility to accommodate changes in technological advancements, and contractor choice. For example, the enclosure or building sizes may vary depending on the contractor selected, their specific configuration, and plant selection. This is particularly important to maintaining flexibility due to the rapid pace of change within the technological world, as technology that does not currently exist could be utilised for this Proposed Development. Therefore, sufficient flexibility has been sought for the final design within the DCO Application.

- 5.2.1.5 The adoption of this flexible approach allowed for a meaningful EIA to take place by defining a ‘maximum design scenario’ on which to base the identification of likely environmental effects. The maximum design scenario is the scenario that would give rise to the greatest impact (and subsequent effect). By identifying the maximum design scenario for any given impact, it can be concluded that the impact (and therefore the resulting effect) would be no greater for any other design scenario.
- 5.2.1.6 Furthermore, this approach utilises a ‘Limit of Deviation’ in order to provide a proportionate degree of flexibility to accommodate any changes before the final alignment and design of the Proposed Development. The Order Limits define the maximum extent within which the development works can be carried out, allowing for a realistic worst-case assessment. For example, in relation to the offshore and onshore cables, the Order Limits identify the extent of the limits of deviation within which the cables may be installed, allowing for flexibility in final routing to avoid various aspects including any identified utilities or features (e.g. gas mains, archaeology, important habitats, etc.). In addition, the width of the Order Limits has been created to allow flexibility in order to facilitate work areas and also optimal routing.
- 5.2.1.7 The use of this approach has been recognised in the Overarching National Policy Statement (NPS) for Energy (NPS EN-1) (DESNZ, 2023a), the NPS for Renewable Energy Infrastructure (NPS EN-3) (DESNZ, 2023b) and the NPS for Electricity Networks Infrastructure (NPS EN-5) (DESNZ, 2023c).

## 5.3 Construction, Operation and Decommissioning

### 5.3.1 Construction

- 5.3.1.1 The Applicant would adopt best practice environmental management measures for all elements of the Proposed Development, in line with the requirements of all relevant legislation, codes of practice and standards as identified in the ES to actively limit adverse effects on the environment.
- 5.3.1.2 A key aspect of this approach is the development of an Offshore CEMP(s) and Onshore CEMP(s) prepared prior to commencement of construction to explain how construction of the Proposed Development would avoid, minimise or mitigate any adverse effects. The Offshore CEMP(s) and Onshore CEMP(s) will detail the best practice approach to offshore and onshore activities and would implement those measures and environmental commitments identified in the EIA. The Offshore CEMP(s) and Onshore CEMP(s) will be developed in accordance with Outline Offshore CEMP(s) and Outline Onshore CEMP(s), as required by requirement 7 of the draft DCO and the Deemed Marine Licence which is presented as a Schedule to the DCO, submitted with the DCO application, and it will be a live document that is reviewed and updated throughout the construction of the Proposed Development.
- 5.3.1.3 The Onshore CEMP(s) will be prepared and signed off post consent by the relevant consenting body as per requirement 7 of the draft Development Consent Order (**Document Ref. 3.1**) and the Offshore CEMP via the Deemed Marine Licence which is presented as a Schedule to the DCO.

### 5.3.2 Operation

- 5.3.2.1 Outside of normal maintenance periods, the Proposed Development would be designed to operate on a continuous basis throughout the year, to allow for maintenance to occur on one Bipole while the other is in operation. Details of the operation and maintenance activities associated with the Proposed Development, including converter stations, onshore cable route (HVDC and HVAC), and offshore cable route can be found within the ES Volume 1, Chapter 3 Project Description (**Document Ref. 6.1.3**).

### 5.3.3 Decommissioning

- 5.3.3.1 The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (document reference 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the Local Planning Authority prior to the operation of the Proposed Development.



- 5.3.3.2 However, the converter stations have been designed, manufactured and installed for a minimum operational lifetime, which is currently anticipated to be 50 years. Taking account of ongoing repairs and maintenance, the operational lifetime of the onshore and offshore electricity cables (including both HVDC and HVAC) is anticipated to exceed that of the converter stations. The highways improvements will not have a forecast end of life and will not be decommissioned.
- 5.3.3.3 For the electricity infrastructure only, the end of the operational lifetime is anticipated to be 50 years from date of full commissioning. Subject to relevant additional consents and legislative requirements, it is anticipated that potential refurbishment and operational life extension of the Proposed Development may occur. This potential refurbishment and extension of operational life would be considered closer to the end of the initial operational lifetime.
- 5.3.3.4 In the event that the operational lifetime of the Proposed Development is not extended, decommissioning would take place. The decommissioning sequence will generally be the reverse of the construction sequence and involve similar types and numbers of vehicles, vessels and equipment.

## 6 ENGAGEMENT

### 6.1 Statements of Common Ground

- 8.1.1 The Applicant has conducted a range of engagement activities over the course of developing the Proposed Development to seek to understand and address local issues. Further information on this is set out in the submitted Consultation Report **(Document Ref. 5.1)**.
- 8.1.2 The Statements of Common Ground (SoCGs) will adopt a standard format to ensure consistency in the approach taken to document matters both agreed, ongoing discussion and not agreed.
- 8.1.3 There are no SoCGs which are being submitted with the Application, but there are a number that are being progressed and will be submitted once Examination has begun. The SoCGs in the process of being drafted and discussed with the relevant stakeholders include:
- *Torrige District Council;*
  - *Devon County Council;*
  - *Environment Agency;*
  - *Historic England;*
  - *Natural England; and*
  - *Marine Management Organisation (MMO).*
- 8.1.4 At the time of submission, the SoCGs will be supplemented by a Statement of Commonality. The Statement of Commonality will set out the areas of agreement and disagreement with the various Stakeholders. This document would be a live document that continues to be updated over the course of the examination.

## 7 LEGISLATION AND POLICY FRAMEWORK

- 7.1.1.1 This section provides an overview of the legislative framework and the planning policy context for the Proposed Development. Section 8 outlines how the Proposed Development complies with the following legislative framework and policy context.
- 7.1.1.2 Section 7 is split into sub-headings which focus on the outline of the legislative context, including the relationship between the PA 2008, National Planning Statements (NPS) which have effect in this case, and the Proposed Development. This leads onto a discussion around other relevant and important national and local planning policy frameworks and documents which are considered to be relevant.
- 7.1.1.3 By letter to the SoS received on 30 August 2023, the Applicant formally requested that the Secretary of State exercise the power vested under section 35(1) of the Planning Act 2008 to direct that the Proposed Development, as set out in the Direction request, be treated as development for which development consent under the Planning Act 2008 is required. The SoS directed that the Proposed Development is to be treated as nationally significant for which development consent is required on 26 September 2023.

## 7.2 Legislative Context

### 7.2.1 Planning Act 2008

- 7.2.1.1 The PA 2008 establishes the legal framework for applying for, examining, and determining applications for NSIPs. However, as noted above, while the Proposed Development does not automatically constitute NSIP development, within the wording in Part 3 of the Planning Act 2008, the Secretary of State is of the opinion that the Proposed Development should progress through the Planning Act 2008 development consent process by virtue of his section 35 Direction.
- 7.2.1.2 Part 5 of the PA 2008 sets out that an application for an order granting development consent must be made to the SoS. The approach to pre-application and engagement was designed to ensure compliance with the legislative requirements set out in sections 42, 47, 48, 49 and 50 of the PA 2008 while also exceeding these minimum requirements to ensure best practice. A Consultation Report (**Document Ref. 5.1**) has been prepared that details the compliance towards sections 42, 47, 48, 49 and 50 of the PA 2008.
- 7.2.1.3 Part 6 of the PA 2008 is to be applied when determining applications for orders granting development consent. Sections 103 to 107 provide the framework for decision-making, which in turn frames the focus of the examination of the application for a draft development consent order.
- 7.2.1.4 In addition to the above, under section 104(2) of the PA 2008, the SoS must have regard to the following:

- *Any national policy statement which has effect in relation to development of the description to which the application relates, determined in:*
- *Any local impact report submitted;*
- *Any matters prescribed in relation to development of the description to which the application relates; and*
- *Any other matters which the SoS thinks are both important and relevant to the SoS's decision.*

7.2.1.5 Section 104(3) of PA 2008 notes that the SoS must decide the Application in accordance with any relevant National Policy Statement(s), except to the extent that one or more of subsections (4) to (8) of section 104 apply.

7.2.1.6 Section 105 applies when there is no NPS that is relevant to the Proposed Development. Under section 105(2) of the PA 2008, the SoS must have regard to the following:

- *Any local impact report (within the meaning given by section 60(3)) submitted to the SoS before the deadline specified in a notice under section 60(2);*
- *Any matters prescribed in relation to development of the description to which the application relates; and*
- *Any other matters which the SoS thinks are both important and relevant to the SoS's decision.*

7.2.1.7 As set out in Section 1.4 above, the Proposed Development should be determined in accordance with Section 104 of the PA 2008 because the following NPSs 'have effect' for the purposes of decision-making:

- Overarching NPS For Energy (NPS EN-1)
- NPS For Renewable Energy Infrastructure (NPS EN-3)
- NPS For Electricity Networks Infrastructure (NPS EN-5)

7.2.1.8 In the event that the SoS disagrees and considers that the Application should be determined under Section 105, the Applicant considers that these NPSs contain important and relevant policy which should be given significant weight in the decision process, given the importance that government places on delivering CNP infrastructure at speed and scale.

7.2.1.9 TDC, and DCC, as the host authorities and potentially the neighbouring authorities of North Devon District Council, have the opportunity to submit Local Impact Reports (LIR). The report should give details of the likely impact of a Project on the local authority's area. Sections 104(2)(b) and 105(2)(a) of the PA 2008 explains that the Examining Authority and SoS must have regard to any LIR submitted when deciding the application, as explained in the updated guidance on Nationally significant Infrastructure Projects: Advice for Local Authorities.

## 7.3 National Policy Statements

- 7.3.1.1 The UK Government produces NPSs, and the Energy NPSs set out the Government’s policy for the delivery of energy infrastructure and provide the legal framework for planning decisions for major infrastructure projects.
- 7.3.1.2 This section of the Planning Statement explains how NPS EN-1, NPS EN-3, and NPS EN-5 provide the primary policy basis for deciding the DCO Application.
- 7.3.1.3 NPS EN-1 provides the overarching policy position for renewable energy and confirms in the glossary (and paragraph 4.2.4) that CNP infrastructure is defined as nationally significant low carbon infrastructure. It then provides a list of what it means by “low carbon” which includes:
- for electricity generation, all onshore and offshore enabling electricity generation that does not involve fossil fuel combustion;
  - for electricity grid infrastructure, all power lines in scope of EN-5;
  - for other energy infrastructure technologies, fuels, pipelines and storage infrastructure which fits within the normal definition of low carbon;
  - for energy infrastructure which are directed into the NSIP regime under section 35 of the Planning Act 2008 and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore.
- 7.3.1.4 The above definition is intended to ensure that all onshore and offshore low carbon energy generation and the infrastructure required to connect it to the grid is included within the definition of CNP Infrastructure. This is clearly the case with the Proposed Development
- 7.3.1.5 NPS EN-1 sets out the policy approach to CNP Infrastructure in paragraphs 4.2.1 to 4.2.17. The implications of this to the Proposed Development are set out below and considered further in Section 8.
- 7.3.1.6 While NPS EN-3 contains policies that could be relevant to both the offshore development and onshore cabling development and so compliance with these policies has also been considered where relevant. Alongside the NPSs, compliance with the NPPF and local policies have also been considered as important and relevant considerations.

## 7.3.2 Overarching National Policy Statement for Energy (EN-1)

- 7.3.2.1 The Overarching NPS for Energy (EN-1), adopted by the Department of Energy Security and Net Zero (DESNZ) in November 2023, sets out the national policy for delivering major energy infrastructure in England and Wales. The NPS has effect in combination with the relevant technology-specific NPS and National Policy for Renewable Energy Infrastructure (EN-3), and together, they provide the primary basis for decisions made by the Examining Authority.
- 7.3.2.2 The policies relating to the need for the Proposed Development contained within EN-1 have already been addressed in Section 4 above.
- 7.3.2.3 EN-1 confirms in paragraph 2.3.2 that in October 2021 the government published the Net Zero Strategy. This set out [its] vision for transitioning to a net zero economy and the policies and proposals for decarbonising all sectors of the UK economy to meet [its] net zero target by 2050, making the most of new growth and employment opportunities across the UK.
- 7.3.2.4 Paragraph 2.3. goes on to confirm what this means and confirms that the government’s *“objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with meeting our target to cut GHG emissions to net zero by 2050, including through delivery of our carbon budgets and Nationally Determined Contribution.”*
- 7.3.2.5 Importantly, it acknowledges that: *“This will require a step change in the decarbonisation of our energy system”*.
- 7.3.2.6 EN-1 acknowledges at paragraph 2.3.9 that *‘To ensure that supplies remain reliable and to keep our energy affordable we will also need to reduce the amount of energy we waste, using new and innovative local carbon technologies and more energy efficiency measures’*.
- 7.3.2.7 This translates into an urgent need for new energy NSIPs at paragraph 3.3.58 which states:
- “Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.”*
- 7.3.2.8 Importantly, this urgent need requires NSIPs to be brought forward as soon as possible.
- 7.3.2.9 Part 3 of EN-1 identifies the need that exists for nationally significant energy infrastructure. With regard to decision-making, paragraphs 3.2.1 and 3.2.2 of EN-1 states how *“The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable and consistent with Net Zero emissions in 2050... We need a range of different types of energy infrastructure to deliver these objectives”*.

7.3.2.10 Paragraph 3.2.3 states: “*It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government*”.

7.3.2.11 Paragraph 3.2.4 goes on: “*...A large number of consented projects can help deliver an affordable electricity system, by driving competition and reducing costs within and amongst different technology and infrastructure types...A diversity of supply can aid in ensuring affordability for the system overall and relative costs can change over time, particularly for new and emerging technologies*”. (our emphasis)

7.3.2.12 Paragraph 3.3.25 of the NPS EN-1 recognises that “*storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat, and transport can be integrated*”.

7.3.2.13 Paragraph 4.1.3 goes on to explain that the need for energy infrastructure is such that there is a presumption in favour of granting consent, as follows:

*“Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, 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.”*

7.3.2.14 Our conclusions with regard to this presumption are set out in Section 9 in the planning balance.

7.3.2.15 Paragraph 4.1.5 of the NPS EN-1 states that “*in considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the Examining Authority 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[; and ]*

*Its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.”*

7.3.2.16 Section 4.2 of the NPS EN-1 is related to the requirement for assessing likely significant environmental effects and reporting within an Environmental Statement for projects subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the ‘EIA Regulations’).

- 7.3.2.17 Paragraphs 4.2.1 to 4.2.17 of NPS EN-1 sets out the policy approach to CNP Infrastructure. There is a presumption under the NPSs that the urgent need for CNP infrastructure will outweigh any residual effects in all but the most exceptional cases (paragraph 4.1.7 of EN-1). This presumption does not apply to residual impacts that present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats, or unacceptable risk to achieving net zero. Where no such residual impacts exist, the presumption weighs in favour of the need for CNP infrastructure.
- 7.3.2.18 Paragraph 4.2.2 explains that ensuring a smooth transition to abundant, low carbon energy generation will ensure the UK is energy independent, resilient and secure. It identifies the criticality of the deployment of "*new low carbon sources of energy at speed and scale*" in terms of our energy security and net zero ambitions.
- 7.3.2.19 Paragraph 4.2.4 is fundamental in highlighting the government's position on the criticality of the delivery of low carbon energy generation. It states that the government has "*concluded there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure*".
- 7.3.2.20 Paragraph 4.2.5 relates to definitions of low carbon infrastructure for the purposes of the CNP policy. It states that "*for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion*" is included. It also advises the infrastructure relating to the electricity grid is covered, including "*network reinforcement and upgrade works, and associated infrastructure such as substations*".
- 7.3.2.21 Paragraph 4.2.6 expands further on how low carbon energy infrastructure should be considered, and references earlier paragraphs in the NPS, namely 3.2.6 to 3.2.8 which confirm that applications for NSIPs covered by EN-1 should be assessed "*on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent*". Paragraph 3.2.7 goes on to state that the SoS has "*determined that substantial weight should be given to this need when considering applications for development consent*". Paragraph 3.2.8 further advises that there is no requirement on the SoS to consider separately the specific contribution of any individual project in satisfying the need established in EN-1.
- 7.3.2.22 Paragraph 4.2.7 advises that the CNP policy applies "*following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy*". It points out that it is therefore relevant during SoS decision making and with particular reference to any residual impacts that have been identified and should be given consideration by the ExA when making its recommendation to the SoS.



- 7.3.2.23 Paragraphs 4.2.10 - 4.2.12 cover the applicant's assessment and require the applicant to show how their proposals meet the requirements of the NPS, applying the mitigation hierarchy and any other relevant legal requirements. Applicant are required to "*apply the mitigation hierarchy and demonstrate that it has been applied*" and demonstrate that all "*residual impacts are those that cannot be avoided, reduced or mitigated*". It further advises Applicant to demonstrate, as far as possible, how residual effects may be compensated for to the extent that the relevant topic specific policy requires compensation.
- 7.3.2.24 Paragraph 4.2.15 refers to SoS decision making. It 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".

7.3.2.25 Paragraph 4.3.4. of NPS EN-1 states that:

*“To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.”*

7.3.2.26 Paragraph 4.3.5 continues:

*“For the purposes of this NPS and the technology-specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation (and maintenance) and decommissioning of the project”.*

7.3.2.27 Paragraph 4.3.9 sets out government policy on alternatives and confirms that:

*“As in any planning case, the relevance or otherwise to the decision making process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and habitats sites, the NPS does not change requirements in relation to compulsory acquisition and habitats sites.”*

7.3.2.28 The alternatives considered in relation to the Proposed Development, to the extent that they are required by policy, are explained further in section 8 of this Planning Statement.

7.3.2.29 The policy requirements of NPS EN-1 with regard to generic impacts, and the extent to which the Proposed Development addresses them, are set out in Section 8 of the Planning Statement and the accompanying policy compliance tables at **Annex 1**.

### 7.3.3 National Policy for Renewable Energy Infrastructure (EN-3)

7.3.3.1 The NPS on Renewable Energy Infrastructure (EN-3), updated and published by the DESNZ in November 2023, taken together with the Overarching NPS for Energy (EN-1), provides the primary basis for decisions by the Examining Authority on applications it receives for nationally significant renewable energy infrastructure.

7.3.3.2 The importance of generation of electricity from renewable sources is stated at Paragraph 1.1.2 of NPS EN-3, which notes:

*“Electricity generation from renewable sources is an essential element of the transition to net zero and meeting our statutory targets for the sixth carbon budget (CB6)”.*

7.3.3.3 Section 1.6 of NPS EN-3 notes the type of generating stations that it covers, but paragraph 1.6.3 specifically notes “...it will apply to offshore transmission infrastructure projects in English waters which are directed into the NSIP regime under Section 35 of the Planning Act 2008. This could include interconnectors, Multi-Purpose Interconnectors...”. Whilst the Proposed Development is not an interconnector, there are elements that are similar.

7.3.3.4 Paragraph 2.8.64 of NPS EN-3 notes that where Applicant are seeking consent for offshore transmission infrastructure, consideration should also be given at a strategic level to the overall environmental impacts of the offshore development and transmission infrastructure. NPS EN-3 has been considered during the assessment of the Proposed Development as set out within Section 8 of this document.

### 7.3.4 National Policy Statement for Electricity Networks Infrastructure (EN-5)

7.3.4.1 The NPS for Electricity Networks Infrastructure (EN-5) was updated and published by the DESNEZ in November 2023 and forms part of the suite of energy NSPs. It will be read with the Overarching NPS for Energy (EN-1).

7.3.4.2 NPS EN-5 is relevant to the Proposed Development as Paragraph 1.6.1 recognises electricity networks as “*transmission systems ( the long-distance transfer of electricity through 400kV and 275kV lines), and distribution systems (lower voltage lines from 132kV to 230kV from transmission substations to the end-user) which can either be carried on towers/poles or undergrounded*” and “*associated infrastructure, e.g. substations (the essential link between generation, transmission, and the distribution systems that also allows circuits to be switched or voltage transformed to a useable level for the consumer) and converter stations to convert DC power to AC power and vice versa.*”

7.3.4.3 Paragraph 1.6.4 also notes that “*In addition, this NPS will apply to other kinds of electricity networks infrastructure including offshore transmission of any type (defined at section 2.12.4), underground cables at any voltage, associated infrastructure as referred to above and lower voltage overhead lines, where that infrastructure becomes subject to the 2008 Act in the following circumstances:*

*(ii) If the Secretary of State gives a direction under Section 35 of the 2008 Act (for developments which, when completed, will be wholly in one or more of the areas specified in subsection 35(3)) that it should be treated as an NSIP and requires a Development Consent Order (DCO)”*

7.3.4.4 NPS EN-5 sets out further technology-specific considerations, in addition to those impacts covered in NPS EN-1, for Biodiversity and Geological Conservation, Landscape and Visual, and Noise and Vibration. Furthermore, NPS EN-5 sets out technology-specific considerations for the impact of electromagnetic frequencies (EMFs).

## 7.4 National Planning Policy Framework

- 7.4.1.1 While not determinative under the Planning Act 2008, the NPPF contains policies that may be considered important and relevant for the purposes of the Secretary of State’s decision-making. The NPPF also provides relevant context for certain individual assessment topics.
- 7.4.1.2 The NPPF was published by the Ministry of Housing, Communities and Local Government (formerly the Department of Communities and Local Government) in March 2012 and was updated in July 2021, and then again in December 2023. In addition, there is currently a draft NPPF which finished consultation in September 2024 that has not yet been adopted but consideration has been given in this document (see paragraph 7.4.1.6). The NPPF sets out Government’s planning policies and how these should be applied in England.
- 7.4.1.3 The NPPF does not contain specific policies for NSIPs; however, Chapter 2 of the NPPF, ‘Achieving sustainable development’ sets out that the planning system should contribute to the achievement of sustainable development, considering economic, social, and environmental roles.
- 7.4.1.4 Paragraph 157 of the NPPF states:
- “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage to reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”.*
- 7.4.1.5 Paragraph 163 continues to state that, whilst the local planning authority is not the determining authority for the application for development consent when determining application for renewable and local carbon development, local planning authorities should:
- “a) not require Applicant to demonstrate the overall need for renewable or low carbon energy, and recognises that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- b) approve the application if its impacts are (or can be made) acceptable...”.*
- 7.4.1.6 Paragraph 164 of the draft NPPF states that:
- “Local planning authorities should support planning applications for all forms of renewable and low carbon development. When determining planning applications for these developments, local planning authorities should not require Applicant to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the proposal’s contribution to renewable energy generation and a net zero future”.*

## 7.5 UK Marine Policy Statement

7.5.1.1 The United Kingdom (UK) Marine Policy Statement (MPS) was adopted in 2011 pursuant to the Marine and Coastal Access Act 2009 (MCA). The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment. It aims to facilitate and support the formulation of Marine Plans, ensuring that marine resources are used in a sustainable way in line with a number of high-level marine objectives. These objectives are:

- Promoting sustainable economic development;
- Enabling the UK's move towards a low-carbon economy, in order to mitigate the causes of climate change and ocean acidification and adapt to their effects;
- Ensuring a sustainable marine environment which promotes healthy, functioning marine ecosystems and protects marine habitats, species and our heritage assets; and
- Contributing to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues.

- 7.5.1.2 Marine Plans translate the MPS framework into detailed policy and guidance for particular geographical areas. Marine Plans are intended to inform and guide decisions on marine and coastal development by conserving and enhancing the environment, manage competing demands on the marine area, reducing costs and increasing certainty for developers whilst also boosting economic and employment benefits.
- 7.5.1.3 Paragraph 1.1.3 of NPS EN-1 states that, “*under the Planning Act 2008, where an NPS has effect, the Secretary of State must also have regard to ... the Marine Policy Statement (MPS) and any applicable Marine Plan.*”

## 7.6 Local Marine Policy Plans

- 7.6.1.1 The Proposed Development sits within the South West Inshore and South West Offshore Marine Plan, and this was adopted in June 2021. This Marine Plan provides a framework that will shape and inform decisions over how the areas’ waters are developed, protected and improved over the next 20 years.
- 7.6.1.2 The South West Marine Plan’s aim is to help enhance and protect the marine environment and achieve sustainable economic growth while respecting local communities both within and adjacent to the marine plan areas. Policies are presented within an economic, social and environmental framework, helping to deliver the high level marine objectives set out in the wider UK Marine Policy Statement (see above section 7.5).

## 7.7 Local Planning Context

- 7.7.1.1 Local Impact Report(s) prepared by the LPA(s) would typically be informed by the relevant local planning policy context.
- 7.7.1.2 The Proposed Development lies within the administrative areas of DCC and TDC and relevant local planning policies are therefore contained within the North Devon and Torridge District Council Local Plan (adopted 2018). Compliance with these policies is provided in the policy compliance tables at Annex 1 and section 8 of this Planning Statement where relevant.

## 7.8 Other Policy and Legislation

- 7.8.1.1 The Statement of Need (**Document Ref. 7.1**) includes a summary of relevant government policy on energy which together provide an imperative to deliver new low carbon energy projects at speed and scale to enable the UK government to meet its legally binding commitments to Net Zero.

## 8 PLANNING ASSESSMENT

8.1.1.1 This section considers how the Proposed Development complies with national policy in NPSs. Emphasis is placed on the Energy NPSs which are the primary policy context for the SoS's decision making; however, reference has also been made to NPPF and Local Planning Policies where relevant.

8.1.1.2 This section assesses the Proposed Development against Part 4 and 5 of NPS EN-1 (Assessment Principles), Parts 1 and 2 of NPS EN-3 (Introduction and assessment and technology specific information) and part 2 of NPS EN-5.

8.1.1.3 The section has been broken down into four subsections which, provides an assessment of:

- the general NPS principle and policies
- the technical onshore only topics
- the technical offshore only topics; and
- the onshore/offshore topics.

8.1.1.4 Policy compliance tables are included at Annex 1 which sets out a paragraph-by-paragraph response to the policies in NPS EN-1, alongside relevant sections of NPS EN-3 and EN-5, the NPPF, marine policy and local development plan policy. The Applicant notes that the principal detail of the assessment of the Proposed Development against the relevant policy is set out within Annex 1 and the remainder of this statement focuses on the high-level points.

### 8.2 General principles

8.2.1.1 Paragraph 4.1.3 of NPS EN-1 states that *“Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, 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.”* The presumption applies to the Proposed Development as it does to other development which is subject to the NPS.

8.2.1.2 When weighing the adverse impacts against the benefits of nationally significant energy projects, paragraph 4.1.5 of NPS EN-1 states that the SoS 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*
- *Take into account its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy*

- 8.2.1.3 As a follow on to the above, NPS EN-1 reinforces this in paragraph 4.1.6, bringing to the SoS's attention that environmental, social, and economic benefits and adverse impacts across national, regional, and local levels should be considered.
- 8.2.1.4 Paragraph 4.1.12 of NPS EN-1 confirms that the SoS may consider development plan documents as both important and relevant within their decision-making. Notwithstanding, NPS EN-1 confirms that the NPSs constitute the primary policy documents and would take precedence in the event of a conflict between them and other matters, given the national significance of the infrastructure.
- 8.2.1.5 Sections 7.4 and 7.6 of this Statement establish the NPPF and local policy context for the Proposed Development, whilst Table 4 and Table 5 of Annex 1 (Policy Compliance Assessment Tables) provides a detailed assessment and appraisal of the relationship between the Proposed Development, the NPPF and the local planning policy.
- 8.2.1.6 NPS EN-1 states, in paragraph 4.1.17, that the SoS should consider the guidance in the NPPF, the Planning Practice Guidance: Use of Planning conditions and any successor documents, where appropriate. Paragraph 56 of the NPPF makes clear that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.
- 8.2.1.7 Paragraph 4.1.19 of NPS EN-1 emphasises the importance of early engagement with project stakeholders. The Consultation Report (**Document Ref. 5.1**) details this process of early engagement with public regulators, statutory bodies, and those persons likely to have an interest in the Application.
- 8.2.1.8 In terms of the financial and technical feasibility of developments, paragraph 4.1.21 of NPS EN-1 requires Applicant to have considered this. The Applicant confirm that they have considered both commercial and financial matters through the submitted Funding Statement (**Document Ref. 4.2**). Technical feasibility was a key consideration in the decision making process for the options considered for various components of the Proposed Development including the landfall point, converter station location, onshore and offshore cable route. This is explained further in the Project Development and Consideration of Options (**Annex 2 of the Planning Statement**).
- 8.2.1.9 NPS EN-1 emphasises, through paragraph 4.7.5, that Applicant have a responsibility to ensure good design is embedded in project development. NPS EN-1 highlights that design principles should be established from the outset to guide the development from conception to operation.
- 8.2.1.10 Implementing and complying with the Projects' design principles has been important to the Applicant throughout the process. Section 8.2.5 of this Planning Statement focuses on how the Proposed Development have considered good design and demonstrated compliance with the criteria for good design, as established through NPS EN-1. The Design Approach Document (**Document Ref. 7.3**), and Design Principles Statement (**Document Ref. 7.4**) identify how the Proposed Development's design principles have influenced the design of the Proposed Development.



8.2.1.11 Part 4 of NPS EN-1 sets out the general principles that should be applied in assessing development consent applications across the range of energy technologies.

8.2.1.12 Part 5 of NPS EN-1 sets out a policy assessing specified generic impacts common across various technologies. The policies discussed within NPS EN-3 are in addition to those on generic impacts of NPS EN-1, which are still relevant.

### 8.2.2 HRA Derogation

8.2.2.1 Section 4.2 of NPS EN-1 establishes the critical national priority for the provision of nationally significant low carbon infrastructure, such as the Proposed Development.

8.2.2.2 Paragraph 4.2.10, 4.2.15 and 4.2.17 explain how the CNP policy will influence how non-HRA and non-MCZ residual impacts are considered in the planning balance. Paragraph 4.2.10 of EN-1 states that Applicant for CNP infrastructure must nonetheless continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy and any other legal and regulatory requirements.

8.2.2.3 Paragraph 4.2.13 of EN-1 also confirms that that where residual impacts relate to HRA then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.

8.2.2.4 The Applicant has provided details of the HRA in the Report to Inform Appropriate Assessment (RIAA) (**Document Ref. 7.16**). The Applicant confirm that the RIAA has been consulted upon during the pre-application stage and all HRA matters have been discussed with relevant stakeholders and during this it was agreed that there was no requirement for a HRA Evidence Plan to document the matters.

8.2.2.5 The Applicant considers that the RIAA has appropriately assessed all likely potential effects of the Proposed Development upon Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites both alone and in combination with other plans and projects. The RIAA concludes that:

- For some designated sites, there are potential likely significant effects (LSE);
- For designated sites with potential LSE, after taking account of embedded mitigation measures it was concluded that there would be no adverse effects on integrity to any of the sites;
- It is recognised that a separate HRA will be undertaken for the Xlinks Morocco-UK Power Project activities within the French jurisdiction; and
- The in-combination assessment identified two potential projects with potential for additive or in-combination effects beyond those associated with individual projects in isolation, i.e. White Cross Offshore Windfarm and Hinkley Point C. After further assessment of the potential for in-combination impacts it was concluded that there would be no potential for additive or in-combination effects on any European Sites.

- 8.2.2.6 For all sites and features assessed in the RIAA, the Applicant confirms that a conclusion of no adverse effect on site integrity is reached.
- 8.2.2.7 In light of the above there would be no residual adverse effects on site integrity arising from the Proposed Development. For clarity, the Proposed Development's embedded mitigation, of relevance to HRA, is secured via the Deemed Marine Licence which is presented as a Schedule to the DCO. There are no further actions necessitated, or compensatory measures required to be secured by the SoS as the competent authority to ensure No Adverse Effect on Integrity. The Proposed Development is in full compliance with the requirements of both NPS EN-1 and NPS EN-3.

### **8.2.3 The Environmental Statement**

- 8.2.3.1 Paragraph 4.3.1 of NPS EN-1 states that all proposals for Proposed Developments that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the Proposed Development. Paragraph 4.3.2 of EN-1 further discusses the requirements for the ES. The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.
- 8.2.3.2 Paragraph 4.3.3 of EN-1 reiterates the requirements of the EIA Regulations in that it requires an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.
- 8.2.3.3 In compliance with the EIA Regulations and the requirements of section 4.3 of NPS EN-1, the Applicant has submitted an ES alongside the DCO Application. In accordance with NPS EN-1, the ES has been split to enable a clear understanding of the construction, operational (and maintenance), and decommissioning phases of the Proposed Development.
- 8.2.3.4 The EIA for the Proposed Development is based on a Project Design Envelope (or 'Rochdale Envelope') approach on a topic-by-topic basis. Resultingly, each chapter of the ES has assessed the 'realistic worst-case' scenario for each of the identified potential impacts. Therefore, the Proposed Development is in accordance with paragraph 4.3.12 of NPS EN-1.

## 8.2.4 Alternatives and Site selection

- 8.2.4.1 Paragraph 4.3.9 of NPS EN-1 states that the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. The paragraph goes on further to state that NPS EN-1 does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective.
- 8.2.4.2 In term of site selection, paragraph 2.3.5 of NPS EN-3 sets out that *"It is for Applicant to decide what applications to bring forward. In general, the government does not seek to direct Applicant to particular sites for renewable energy infrastructure. In specific circumstances it may be appropriate to provide some direction or guidance, for example to areas of search or areas to avoid through Marine Plans, Strategic Environmental Assessments (SEAs) or The Crown Estate Leasing Rounds, in respect of marine renewable technology. All of the examples given consider marine specific aspects of many of the assessment principles set out in Part 4 of EN-1.2."*
- 8.2.4.3 EN-1 paragraphs 4.3.16 and 4.3.17 further note that: *"In some circumstances, the NPSs may impose a policy requirement to consider alternatives."* And that where *"there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements."*
- 8.2.4.4 Paragraph 4.3.22 helps set the framework for decision making around alternatives and provides the key principles which should be considered when attributing weight:
- The consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and
  - Only alternatives that can meet the objectives of the proposed development need to be considered.
- 8.2.4.5 Paragraph 4.3.23 advises the SoS should be guided by whether there is a *"reasonable prospect of the alternative delivering the same infrastructure capacity... in the same timescale as the proposed development"*. Paragraph 4.3.24.34 importantly recognises that the SoS should not *"refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure"*. The paragraph continues to say that the SoS should have regard to the possibility it is possible that *"all suitable sites for energy infrastructure of the proposed type may be needed by future proposals"*. There are also specific circumstances where there is a requirement to consider alternatives. The circumstances relating to when they are required and the Applicant's response to these circumstances is set out, below:
- Where a scheme would involve the compulsory acquisition of land or interests in land (NPS EN-1 paragraph 4.3.9). As the application seeks powers for the compulsory acquisition of third-party land and rights, it is necessary as a matter of policy to consider whether there are any

reasonable alternatives to compulsory acquisition, or that would result in a lesser degree of interference. There are no alternatives to compulsory acquisition for the reasons set out in the Statement of Reasons (**Document Ref. 4.1**).

- Where a scheme would be located near a sensitive receptor site for air quality (NPS EN-1 paragraph 5.2.7). The Proposed Development is not within an Air Quality Management Area (AQMA) and there are no designated AQMAs in the North Devon and Torridge districts, following the revocation of the Braunton AQMA in June 2024.
- Where a scheme would lead to significant harm to biodiversity and geological conservation interests (NPS EN-1 section 5.4). The Proposed Development would not likely give rise to significant harm on such receptors, as reported in ES Volume 2, Chapters 1 onshore ecology and nature conservation and 4 Geology, hydrogeology and ground conditions and ES Volume 3 Chapters 1, 2, 4 and 9.
- Where a scheme would result in an adverse effect on the integrity of a European site that cannot be avoided (NPS EN-1 section 5.4.6). The Applicant has provided details of the HRA in the Report to Inform Appropriate Assessment (RIAA) (**Document Ref. 7.16**) which confirms the Proposed Development would not result in an adverse impact on the integrity of a European Site, therefore there is no requirements to consider alternatives.
- Where a scheme would be located within, or partially within, Flood Zone 2 or Flood Zone 3 (NPS EN-1 section 5.8). In this case the Converter Station site is located in Flood Zone 1, however because the cable route is located within Flood Zones 2 and 3 where it crosses rivers and watercourses and a Flood Risk Assessment (**ES, Volume 2, Appendix 3.1**) has been submitted with the application which demonstrates that the sequential test and exception test has been complied with.
- Where a development would be located within a National Park, the Broads or an AONB (now National Landscape) (NPS EN-1 section 5.10). The Proposed Development is not located within either any of these designations, therefore no further considerations of alternatives in this regard is required.

8.2.4.6 Schedule 4 of the EIA regulations requires that a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects be provided.

8.2.4.7 The Applicant has considered reasonable alternatives that could realistically achieve the objectives for the Proposed Development. This is set out in ES Volume 1, Chapter 4: Need and Alternatives. The Applicant has also considered alternative sites the core components of the project (Point of Connection, Converter Site, Landfall, and both Onshore and Offshore cable corridors) which are explained in Project Development and Consideration of Options (**Annex 2 of the Planning Statement**).

- 8.2.4.8 The Applicant has therefore considered alternatives so as to comply with all applicable legal and policy tests.
- 8.2.4.9 The site selection and assessment of alternatives process undertaken by the Applicant is outlined within **Volume 1**, Chapter 4: Need and Alternatives, of the ES (**Document Ref. 6.1**) and the Project Development and Consideration of Options (**Annex 2 of the Planning Statement**). Alternatives to compulsory acquisition are addressed in the Statement of Reasons (**Document Ref. 4.1**).
- 8.2.4.10 In respect of the starting point established by paragraph 2.3.6 of NPS EN3, the Applicant has utilised design principles, environmental constraints, and engineering assumptions in developing initial site selection long lists for the Point of Connection, Converter Site, Landfall, and both Onshore and Offshore cable corridors elements of the Proposed Development. The Order Limits have been refined to a preferred option from these long lists having regard to those and other relevant matters (such as land requirements) and assessed accordingly through the ES.
- 8.2.4.11 In summary, alternatives have been considered in accordance with the relevant regulatory requirements. In the context of the clear and urgent need case for the Proposed Development, the site selection process has been undertaken per the NPSs.

## 8.2.5 Good Design

- 8.2.5.1 Part 4.7 of NPS EN1 and Part 2.3 of NPS EN3 establish the criteria for ‘Good Design’ relating to Energy Infrastructure.
- 8.2.5.2 Paragraph 4.7.2 of NPS EN1 states, “*Applying good design to energy project should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.*”
- 8.2.5.3 Paragraph 4.7.2 of NPS EN1 recognises, however, that the very nature of energy infrastructure developments will often be limited to the extent by which they can contribute to the enhancement of the quality of an area.
- 8.2.5.4 Paragraphs 4.7.6 and 4.7.10 of NPS EN1 also state that Applicant may have a very limited choice in the physical appearance of some energy infrastructure. This is also reflected in paragraph 2.4.2 of EN2 which emphasizes the primacy of safe and secure infrastructure design. However, given the importance the PA 2008 places on good design and sustainability, the SoS needs to ensure that energy infrastructure development is as attractive, durable, and adaptable as possible. NPS EN-1 also details that design principles should be established from the outset of the Proposed Development to guide their development.
- 8.2.5.5 The Applicant confirm that design principles have been developed to guide the Converter Site, Landfall, and Onshore cable corridor design and have responded to various technical and environmental development criteria.
- 8.2.5.6 The Proposed Development design principles reflect the structure of the headings from the National Infrastructure Commission’s Design Principles for National Infrastructure (Climate, People, Places, and Value) and have sought to ensure that good design has been embedded into the design of the Proposed Development. These design principles, which comply with the policy requirements of Part 4.7 of NPS EN-1 and Part 2.3 of NPS EN-3, are established within the Design Principles Statement (**Document Ref. 7.4**). The design principles are the subject of requirement 4 within the draft DCO which is to be approved by the relevant LPA and other stakeholders post-consent. It is at this stage that the final design will be developed and allow for the relevant stakeholders to discuss the visual elements of the Proposed Development.
- 8.2.5.7 Paragraph 4.7.7 of NPS EN-1 specifically requires Applicant to demonstrate how the design process was conducted and how the proposed design has evolved. The Applicant has detailed how the Proposed Developments’ design evolved and how the Proposed Developments’ design principles have been applied to the DCO Application to minimise impacts to the local environment, as far as practical, through section 1.3 of Design Approach Document (**Document Ref. 7.3**).

- 8.2.5.8 Paragraph 4.7.6 of NPS EN-1 goes on to state that Applicant should seek to embed opportunities for nature inclusive design within the design process. The Applicant can confirm that the Proposed Development design principles have been supported by a wide range of technical documents which have secured the implementation of nature inclusive measures.
- 8.2.5.9 Notably, an Outline Landscape and Ecology Management Plan (**oLEMP**) (**document ref: 7.10**) has been developed and secured by Requirement 6 of the Draft Development Consent Order (**Document Ref. 3.1**). The oLEMP provides the framework to agree details relating to the soft landscaping proposals (planting and seeding) around the Converter Site and the replacement of hedgerows and trees along the Onshore Cable Corridor, where required.
- 8.2.5.10 In addition, as per Requirement 14 of the draft DCO (**Document Ref. 3.1**), the Applicant will secure a Community Liaison Group which will be appointed for the Proposed Development. It would be their responsibility to ensure that the Proposed Development is designed and built to the highest practicable standard and ensure that all design elements secured under Requirement 4 would be met.
- 8.2.5.11 The Applicant therefore considers that through the early adoption of design principles, the implementation of a Community Liaison Group, and the imposition of the outline Management plans (as secured via the requirements of the draft DCO), the Proposed Development is compliant with the ‘good design’ criteria as detailed within the NPSs.

## 8.2.6 Network Connection

- 8.2.6.1 Part 4.11 of NPS EN-1 and paragraphs 2.8.59 to 2.8.73 of NPS EN-3 principally consider ‘Network Connection’ as a technical consideration for both Applicant to assess and the SoS to consider when making a decision.
- 8.2.6.2 Paragraph 4.11.1 of EN-1 recognises that the grid connection point of a proposed electricity development to the electricity network is an important consideration for Applicant wanting to construct or extend a generation plant. Whilst paragraph 2.8.61 of NPS EN-3 specifically recognises that:
- “for many...projects...connection agreement will be limited to connection points proposed through strategic network design exercises such as those undertaken by the National Grid Electricity System Operator, including the Holistic Network Design for offshore-onshore transmission”.*
- 8.2.6.3 The Applicant have developed the Proposed Development transmission infrastructure in accordance with the National Grid Electricity System Operator (ESO) evolving Holistic Network Design (HND), as updated in February 2024 (HND, 2024).



## 8.2.7 Pollution Control and Other Environmental Regulatory Regimes

- 8.2.7.1 Part 4.12 of NPS EN-1 considers the potential issues relating to discharges or emissions from a proposed project. Such issues which lead to either direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework and or other consenting and licensing regimes, for example marine licences.
- 8.2.7.2 Part 4.12 of NPS EN-1 seeks to prohibit or limit, in a worst case, the release of polluting substances to the environment to their lowest practicable level through the use of measures. With this in mind, paragraph 4.12.8 suggests Applicant submit applications for Environmental Permits (and or other necessary consents) at the same time as making an application to the SoS for development consent wherever possible. It is the Applicant' position that Environmental Permits will be sought post-consent with the relevant bodies and that discussions between the Applicant and the Environment Agency are ongoing.
- 8.2.7.3 Paragraph 4.12.9 of EN-1 states that in considering an application for development consent the SoS should focus on whether the development itself is deemed to be an acceptable use of the land or sea, and the impact of that use, rather than the control of processes, emissions or discharges themselves.
- 8.2.7.4 The Applicant confirm that, as has been detailed within the Schedule of Other Consents and Licenses (**Document Ref. 7.21**), the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator(s). The Other Consents and Licenses document also provides further information on the other consents, licences or permits that may be required in connection with the construction, operation, maintenance or decommissioning of the Proposed Development. This document includes reference to the consents that are required for the connection from the UK EEZ zone, to Morocco through the waters of Portugal, France and Spain.
- 8.2.7.5 As part of this Application, the Applicant have submitted an Outline Onshore Construction Environmental Management Plan (**Document Ref. 7.7**), and an Outline Offshore Construction Environmental Management Plan (**Document Ref. 7.9**).
- 8.2.7.6 The Outline Offshore CEMP establishes a framework for the detailed Offshore CEMP and includes measures which are proposed to manage the environmental risks associated with the construction of the offshore elements of the Proposed Development. Whereas the Outline Onshore CEMP relates to the onshore elements of the Proposed Development, landward of MLWS. The principles and controls contained within the Outline Onshore CEMP relate to the management of construction impacts to mitigate the potential environmental impacts of onshore construction of the Proposed Development.

8.2.7.7 It is the Applicant position that given the above, the Proposed Development is compliant with the requirements of Part 4.12 of NPS EN-1.

## **8.2.8 Safety**

8.2.8.1 Part 4.13 of NPS EN-1 principally considers ‘Safety’ as a technical consideration for both Applicant to assess and the SoS to consider when making a decision.

8.2.8.2 Paragraph 4.13.1 of EN-1 explains that the Health and Safety Executive (HSE) is the independent regulator for workplace health and safety, and responsible for enforcing a range of health and safety legislation, some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Paragraph 4.13.3 of EN-1 confirms that some energy infrastructure will be subject to the Control of Major Accident Hazards Regulations 2015 (“COMAH”).

8.2.8.3 The Applicant confirm that the Proposed Development will not be subject to the COMAH Regulations, no safety report is required, and so no further assessment of the Proposed Development against Part 4.13 of NPS EN-1 is required either.

## **8.2.9 Hazardous Substances**

8.2.9.1 Paragraph 4.14.1 of NPS EN-1 states that all establishments wishing to hold stocks of certain hazardous substances above a threshold require ‘Hazardous Substances Consent.’

8.2.9.2 The Projects are not expected to hold stocks of those hazardous substances which require the need for ‘Hazardous Substance Consent’.

## **8.2.10 Common Law Nuisance and Statutory Nuisance**

8.2.10.1 Paragraph 4.15.5 of NPS EN-1 states that, at the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the Secretary of State so that appropriate requirements can be included in any subsequent order granting development consent

8.2.10.2 The Applicant have prepared and submitted a Statutory Nuisance Statement (ref. EN010164/APP/7.5) as is required under APFP Regulation 5(q)(f) and paragraph 4.15.5 of NPS EN-1.

8.2.10.3 The Statutory Nuisance Statement has been informed by and reports on the conclusions of the ES (Ref. EN01016/APP/6.1). Appropriate mitigation measures, both embedded and additional, have been identified to mitigate for the likely potential impacts arising from the Proposed Development’s construction, operation, and decommissioning. The Proposed Development has adopted commitments which are inclusive of, but not limited to primary design principles, installation techniques, management plans and frameworks.

- 8.2.10.4 The Statutory Nuisance Statement concludes the only statutory nuisance matters provided for in the EPA 1990 which could potentially be engaged are those relating to general site condition, air quality, artificial light and noise and vibration.
- 8.2.10.5 Following the implementation of the identified mitigation measures, the Environmental Statement concludes that there will not be any significant effects as a result of those matters. The Statutory Nuisance Statement therefore concludes it is not expected that the Proposed Development would give rise to a statutory nuisance in relation to these matters.
- 8.2.10.6 The Draft Development Consent Order (**Document Ref. 3.1**) contains provision in Article 47 that would provide a defence, subject to certain criteria, to proceedings in respect of statutory nuisance falling within sub-paragraphs: (d) dust, steam, smell or other effluvia; (fb) artificial light; (g) noise; and (ga) noise from a street of section 79(1) of the EPA 1990.
- 8.2.10.7 The Applicant therefore conclude that the Proposed Development is in compliance with the requirements of Part 4.15 of NPS EN-1 in respect of Common Law Nuisance and Statutory Nuisance.

### 8.2.11 Security Considerations

- 8.2.11.1 Paragraph 4.16.1 of NPS EN-1 establishes that national security considerations apply across all national infrastructure sectors.
- 8.2.11.2 Paragraph 4.16.4 of EN-1 states that government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development.
- 8.2.11.3 Paragraph 4.16.7 of EN-1 states that the applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.
- 8.2.11.4 The Applicant confirm that, through the design of the Proposed Development, any potential effects on Ministry of Defence (MOD) Danger and Exercise Areas have been considered. However, the Proposed Development is located within a broad military Practice and Exercise Area (PEXAs) that extends to cover the majority of the offshore south west extent of the UK EEZ, but is not situated within a firing zone. The Applicant is continuing to consult with the relevant stakeholders to refine and identify further defence interests in proximity to the Proposed Development.
- 8.2.11.5 The Applicant will continue to consult with the MoD through examination and at a post-consent stage, to ensure that all reasonable mitigation measures are integrated into the Proposed Development. Through this process, the Applicant considers that residual effects both for the Proposed Development and cumulatively with other projects and plans will result in a likely effect that is no greater than 'not significant'.

- 8.2.11.6 The Proposed Development will make use of both security lighting and fencing in securing the Proposed Development during the construction and operation including maintenance. The Proposed Development will make use of security lighting, as necessary, in relation to the construction of the Onshore Cable Corridor and Converter Stations. In terms of operational lighting, this will only be for the converter station Site. Security fencing is also proposed to secure the operational Onshore Converter Stations. Further detailed security measures proposed as part of the Proposed Development will come forward during the detailed design stage, which occurs post-consent.
- 8.2.11.7 Further information on the security measures provisioned as part of the Proposed Development is detail in the Design Approach Document (**Document Ref. 7.3**).
- 8.2.11.8 Therefore, the Applicant confirm that the Proposed Development are in compliance with the security consideration requirements as are set out in Part 4.16 of NPS EN-1.

### 8.2.12 Marine Conservation Zones Assessment

- 8.2.12.1 Paragraph 5.4.9. of NPS EN-1 confirms that “Marine Conservation Zones” (MCZs), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest”. The same paragraph recognises that the protected feature(s) and conservation objectives for MCZ are stated in the specific MCZ designation order and can vary between MCZs.
- 8.2.12.2 Paragraph 5.4.9 highlights that “*if a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act 2009*”.
- 8.2.12.3 The Applicant has submitted a Marine Conservation Zone (MCZ) Assessment (**Document Ref. 7.15**) as the marine licensable activities sought have a maximum distance of 3.5 km between the Order Limits and the following:
- Bideford to Foreland Point MCZ – 0.5 km;
  - Lundy MCZ – 3.5 km;
  - South West Approaches to Bristol Channel MCZ – 0 km (adjacent); and
  - East of Haig Fras MCZ – 0.65 km.
- 8.2.12.4 It is therefore considered that the licensable activities have the potential to impact the MCZ.
- 8.2.12.5 The Marine Conservation Zones Assessment (MCZA) concludes a Stage 1 assessment as, based on the information assessed in the MCZA, it can be concluded that the only MCZ and feature combinations for which potentially significant effects were determined which were taken forward to Stage 1 assessment were:

- Bideford and Foreland Point MCZ: Pink sea-fan (*Eunicella verrucosa*)
- South West Approaches to Bristol Channel MCZ: Subtidal coarse sediment and subtidal sand
- East of Haig Fras MCZ: Sea-pen and burrowing megafauna communities and Fan mussel *Atrina fragilis*

8.2.12.6 The only impacts taken forward to assessment for each of these features were both changes in suspended solids (water clarity) and smothering and siltation rate changes (light).

8.2.12.7 A more detailed assessment was conducted for impacts on these features for the Stage 1 assessment and it was concluded that the Proposed Development will not hinder the achievement of the objectives for the features considered for these MCZs. Consequently, no Stage 2 assessment is required.

8.2.12.8 In combination effects with other projects/plans were also considered. Nine projects/plans were considered, and it was concluded that no in combination impacts were expected that would change the outcome of the assessment.

8.2.12.9 Consequently, it is anticipated that no further stages of MCZA are required. The information presented by the Applicant is sufficient to enable the Secretary of State to discharge his obligations under sections 125 and 126 of the Marine and Coastal Access Act 2009, and paragraph 4.2.51 of EN-1 can be satisfied.

### 8.2.13 Water Framework Directive (WFD)

8.2.13.1 Section 5.16 of NPS EN-1 discusses how infrastructure development has the potential to have adverse effects on the water environment, including groundwater, inland surface water, transitional waters, coastal and marine waters.

8.2.13.2 Paragraph 5.16.7 notes that *“The ES should in particular describe: any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions”*.

8.2.13.3 The Applicant has submitted an Offshore Water Framework Directive Assessment (**Document Ref. 7.14**) with the application. The Applicant confirms that the Water Framework Directive (WFD) Assessment has been undertaken in accordance with the Planning Inspectorate Advice Note 18. The assessment considers the potential impact of the Proposed Development within the Onshore Infrastructure Area during the construction, operation and maintenance and decommissioning phases.

8.2.13.4 The Applicant consider that the WFD has appropriately assessed all likely potential effects of the Proposed Development upon the water environment both alone and in combination with other plans and projects.

## 8.3 Technical Summary - Onshore Components

### 8.3.1 Introduction

8.3.1.1 This section summarises the key findings of the ES for the onshore specific technical studies. Each subsection below considers the Proposed Developments compliance with the most relevant policies and paragraphs from the NPSs, and where both important and relevant, the NPPF and relevant Local Plan policies.

### 8.3.2 Onshore Ecology, Nature and Geological Conservation

8.3.2.1 Section 5.4 of NPS EN-1 makes it clear that where development is subject to EIA, Applicant are to ensure that assessments clearly set out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.

8.3.2.2 NPS EN-1 also requires Applicant to demonstrate how a project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. NPS EN-3 recognises that good design is a key mechanism through which projects can mitigate for potential impacts.

8.3.2.3 Paragraph 4.6.6 of NPS EN-1 states that, proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible.

8.3.2.4 Paragraph 5.4.4 states that the highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). Paragraph 5.4.5 of EN-1 confirms that as a matter of policy HRA will also be required for potential and possible SPA and SACs, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph. Internationally important sites such as SPA and SAC should be subject to Habitats Regulations Assessment (HRA) where there is a risk of impacts.

8.3.2.5 Paragraph 5.4.42 of EN-1 states with regard to Secretary of State decision-taking that:

*“As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.”*

- 8.3.2.6 In terms of the local plan, North Devon and Torridge Local Plan 2011 – 2031 policy ST14 supports NPS EN-1 by stating that Proposed Developments must provide a net gain in biodiversity, while also protecting the hierarchy of designated sites and conserving European Protected Species. Specifically looking at ensuring the wider benefits of the Proposed Development outweigh any potential impact on the Site.
- 8.3.2.7 NPS EN-1 and the NPPF require that projects follow the mitigation hierarchy to first seek to avoid and then mitigate and compensate as necessary harm to biodiversity, while also considering whether there are opportunities for enhancements.
- 8.3.2.8 Paragraph 4.6.6 of EN-1 advises that applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered and, where appropriate, incorporated into the project's design (including any relevant operational aspects). Opportunities to deliver wider environmental gains are outlined by topic in the relevant sections of the ES and further set out within the outline Landscape and Ecology Management Plan (**Document Ref. 7.10**).
- 8.3.2.9 BNG is not however a legal requirement for nationally significant energy projects and the relevant provisions of the Environment Act 2023 are not expected to come into force for such projects until at least November 2025. At a national level, this delay reflects the need for the complexities of nationally significant infrastructure projects and their interaction with the BNG metric to be fully understood by Natural England and developers, acknowledging that they are not the same as blocks of land lost to housing developments. As a result of this, BNG is not proposed to be secured for this project.
- 8.3.2.10 The likely significant effects of the Proposed Development on onshore ecology and nature conservation have been considered within Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (**Document Ref. 6.1**). The assessment has considered the Projects' effects upon: statutorily designated and non-statutorily designated sites of ecological or geological importance, death, injury, or disturbance to species inclusive of protected and notable species, temporary habitat loss and fragmentation, permanent habitat loss and habitat and species disturbance resulting from construction, operation, and decommissioning.
- 8.3.2.11 The Mermaid's Pool to Rowden Gut SSSI is located within the Order Limits, along the coastline at the landfall. In order to avoid impacts, the Proposed Development passes underground via trenchless techniques). This SSSI is designated for its geological interest and so potential effects on it are considered further in Volume 2, Chapter 4 of the ES, which confirms that there will be no significant adverse effect on the SSSI as a result of the proposed use of HDD under the SSSI, with the launch pit set well back from the coastal path. There are several other SSSI located outside of the Order Limits which are listed in Table 1.12 of Volume 2, Chapter 1 of the ES.

- 8.3.2.12 The assessment for Onshore Ecology concludes that, for construction and operation, there are a number of potential effects including some permanent habitat loss of typical improved grassland and arable lands and temporary habitat damage and disturbance to features such as Devon hedgerows as a result of construction of the Onshore HVDC Cable Corridor. Indirect potential impacts included disturbance and damage to habitats supporting protected species and potential contamination events to nearby designated sites.
- 8.3.2.13 The detail and scope of the decommissioning works will be determined by the relevant legislation and guidance at the time of decommissioning and agreed with the contractor. As such, impacts during the decommissioning stage are assumed to be the same as those identified during the construction stage. The Applicant ES assessment found that the Proposed Development would have moderate effects on hedgerows as a result of long-term temporary loss associated with the construction of the cable route and permanent loss associated with the construction of the Converter site. As a result of this, it impacts both dormice and bat habitat/foraging locations.
- 8.3.2.14 Additionally, the assessment found that the cumulative effects from the Proposed Development alongside other projects/plans would be significant by a potential increase in disturbance to light-sensitive bat species and there is likely to be some increase in pressure on breeding birds during overlapping construction periods.
- 8.3.2.15 Impacts on statutorily sites designated for their ecological or nature conservation interest are assessed to be minor adverse (not significant in EIA terms) at most during all stages of the Proposed Development.
- 8.3.2.16 The identified moderately significant residual effect for construction, and cumulatively with other projects, reflect the minority of onshore ecology and nature conservation effects and are predominantly as a result of the impact on hedgerows during construction as a result of the cable route construction. Through the adoption of embedded and additional mitigation measures and good design principles, the Applicant has been able to reduce the majority of significant effects to a position where residual effects are not significant in EIA terms.
- 8.3.2.17 In order to mitigate for the identified pre-mitigation effects, the Applicant have developed and submitted an onshore Outline Landscape and Ecology Management Plan (**Document Ref. 7.10**). This sets out an outline of the actions that are proposed to avoid or mitigate both landscape and ecological impacts during the construction and operation (and maintenance) phases of the Proposed Development.
- 8.3.2.18 The moderate effects occur during construction only and are reduced to minor adverse or negligible during operation as a result of the measures secured in the OLEMP.
- 8.3.2.19 In terms of compliance with 5.4.42 of NPS EN-1, the Proposed Development has sought to avoid impacts on the SSSI through the use of HDD. The remaining effects on biodiversity are inevitable as a result of the construction of infrastructure development in a rural area, but are being limited as much as possible through the OLEMP.



8.3.2.20 Overall, it is concluded that the Proposed Development is wholly compliant with the relevant policy requirements including NPS EN-1, NPS EN-5 NPPF and the local plan (where relevant).

### 8.3.3 Historic Environment

8.3.3.1 NPS EN-1 establishes that it is for Applicant to undertake an assessment of any likely significant heritage impacts of the Proposed Development, as part of the EIA process, and to describe these together with the application of the mitigation hierarchy.

8.3.3.2 NPS EN-1 also establishes that it is for the Applicant to describe the significance of heritage assets affected by proposals and that, as per the requirements of NPS EN-3, an applicant's assessment should be informed by information from Historic Environment Records (HERs) or the local authority.

8.3.3.3 Similarly, NPPF paragraph 200 requires Applicant to describe the significance of any heritage assets affected by a proposal, including any contribution made by their setting, whilst also providing a level of detail which is proportionate to the assets' importance and no more than is sufficient to understand the proposal's potential impacts. Paragraph 199 states that when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraphs 206-208 set out how levels of harm to designated heritage assets should be considered and weighed, with paragraph 209 setting out the process for non-designated heritage assets. The detailed policy response to these paragraphs is provided in Table 4 of Annex 1.

8.3.3.4 The NPPF makes clear that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the Proposed Development.

8.3.3.5 NPS EN-1 requires Applicant to carefully consider their proposals impacts on the historic environment. The NPPF makes clear that where a proposal will lead to less than substantial harm, such harm should be weighed against the public benefits of the Proposed Development. This is particularly noted at paragraph 5.9.19 of EN-1 which sets out the importance given to harm caused by loss of significance and the level of justification required for varying degrees of harm to designated heritage assets and their setting.

8.3.3.6 Finally, under NPS EN-5, Applicant must also take into account Schedule 9 of the Electricity Act 1989 which requires Applicant to have regard for the desirability of preserving historic or archaeological interests.

8.3.3.7 Volume 2, Chapter 2 Historic Environment of the ES (**Document Ref. 6.2.2**) considers the potential likely significant heritage impacts resulting from the construction, operation (including maintenance), and decommissioning of the Proposed Development and how these impacts have been mitigated for to reduce their significance of effect upon the identified receptors.

- 8.3.3.8 The assessment of the existing environment has been informed by utilising a range of data and information sources which includes site-specific surveys, desk-based research and other available data sources including Historic England's archive.
- 8.3.3.9 Construction activities within the Onshore Infrastructure Area may lead to direct physical impacts on buried archaeological remains and/or deposits of geoarchaeological and paleoenvironmental interest as a result of the laying of the cable and reprofiling of land within the converter site. Chapter 2 confirms that the effect on buried archaeological remains will be of up to moderate or major adverse significance.
- 8.3.3.10 The chapter goes on to explain that there is a level of uncertainty attached to this level of significance. This uncertainty has been addressed through the adoption of precautionary threshold.
- 8.3.3.11 For designated heritage assets, the assessment of the potential effects has identified that no designated heritage assets would be directly physically impacted by the construction, operation (including maintenance) of the Proposed Development. Any impacts on the significance of designated heritage assets would arise from a change within the setting of the asset. Potential impacts and residual effects in respect of the historic environment could occur as a result of construction, operation (including maintenance) and decommissioning of the proposed development.
- 8.3.3.12 In the context of EIA, Volume 2, Chapter 2 confirms the following effects:
- an effect of up to major adverse significance arising from loss of, or harm to, buried archaeological remains and deposits of geoarchaeological and paleoenvironmental interest during construction – this has been identified on a precautionary basis and the likelihood of this may reduce or disappear as the programme of archaeological evaluation continues;
  - an effect of moderate adverse significance arising from the change within the setting of one Scheduled Monument during construction of the converter stations and associated landscaping; and
  - an effect of moderate adverse significance arising from the change within the setting of one Scheduled Monument during operation and maintenance of the converter stations and associated landscaping.
- 8.3.3.13 In terms of the significance of effect, the role of EIA is to identify likely significant effects, which can arise from low, medium or high magnitude impacts, and depend on the value/importance of a heritage asset. Overall, it is concluded that there will be a significant residual effects arising from the Proposed Development during the construction phase of the Proposed Development in terms of the loss or harm to buried archaeological remains and deposits of geoarchaeological and paleoenvironmental interest within the settings of designated heritage assets during construction of the converter stations. The impact may reduce over time as any proposed landscape planting reaches maturity.

- 8.3.3.14 However, with mitigation measures in place, alongside the Commitments set out by the Applicant, the residual level of impact on heritage assets would be offset so that the residual impact would not be significant. Full details of this assessment and proposed mitigation measures can be found in Volume 2, Chapter 2: Historic Environment, of the ES.
- 8.3.3.15 The results of this assessment show that the Proposed Development has appropriately mitigated potentially significant effects in relation to the construction, operation and maintenance or decommissioning of the Proposed Development on the historic environment, and prevented any substantial harm on assets.
- 8.3.3.16 NPS EN-1 paragraphs 5.9.28 – 5.9.33 requires consideration of the harm to, or loss of, the heritage significance of an asset, asking (in the case of designated heritage assets) if the harm is substantial, or less than substantial, and sets up tests depending on the value/importance of the asset. This follows the tests established within the NPPF. There is no direct correlation between the results and terminology of the NPPF / NPS process and those of the EIA process, and no current published guidance on this matter.
- 8.3.3.17 All of the impacts on designated heritage assets identified with regard to the Proposed Development have been assessed as representing less than substantial harm to the significance of those assets. None of the identified impacts would represent substantial harm as this is a particularly high test, as explained in the NPPG.
- 8.3.3.18 The Proposed Development design has been carefully considered to avoid, reduce, or mitigate potentially significant effects on cultural heritage and archaeology assets as set out in Design Approach Document (**Document Ref. 7.3**). This resulted in a Proposed Development that avoids direct physical impact on designated heritage assets. Whilst there will be some residual impacts resulting from changes to the setting of some designated heritage assets, these have been assessed to result in 'less than substantial harm' as the assessment.
- 8.3.3.19 In recognising that the Proposed Development will result in harm of a 'less than substantial' nature, the key policy test (as per paragraph 5.9.32 of NPS EN-1) is that such harm is weighted against the public benefits. Given the clear and urgent need to deploy renewable energy at speed and scale, the Proposed Development demonstrably gives rise to substantial public benefits, which outweigh the less than substantial harm identified.
- 8.3.3.20 In accordance with NPS EN-1 paragraph 5.9.32 (and taking account of the principles set out by 4.2.16 and 4.2.17 of NPS EN-1), the substantial public benefits and need for the Proposed Development as set out in Section 4 of this Planning Statement, including the delivery of CNP infrastructure to contribute towards meeting national energy security objectives and carbon reduction commitments, clearly and demonstrably outweigh the less than substantial harm to designated heritage assets and decision tests relating to substantial harm are therefore not triggered.

8.3.3.21 Therefore it can be considered compliant with EN-1, EN-3, and EN-5, as the residual significance of the impact to the historical environment is minimal and does not outweigh the public benefit of the development.

## **8.3.4 Flood Risk and Drainage**

8.3.4.1 Section 5.8 of NPS EN-1 states that Applicant should undertake an assessment of the existing status and impacts of the Proposed Development upon water quality, water resources and the physical characteristics of the water environment.

8.3.4.2 NPS EN-5 goes on to require Applicant to set out to what extent the Proposed Development is expected to be vulnerable, and, as appropriate, how resilient it would be to flooding.

8.3.4.3 The NPPF sets out the UK Government planning policies for England and seeks to ensure that flood risk is considered at all stages of the planning and development process. Its policies aim to avoid inappropriate development in areas at highest risk of flooding, and to direct development away from these areas.

8.3.4.4 The baseline risk of flooding to the Onshore Infrastructure Area of the Proposed Development has been explored. This area includes Landfall area, onshore cable corridor, converter stations and the onward connection to Alverdiscott National Grid Substation. The Flood Map for Planning (EA, 2023) indicates the Onshore Infrastructure Area is located within Flood Zones 1, 2 and 3. The majority of the Onshore HVDC Cable Corridor is located within Flood Zone 1.

8.3.4.5 Areas along the Onshore HVDC Cable Corridor where it is proposed to cross Main Rivers and ordinary watercourses are located within Flood Zones 2 and 3. Aside from highways improvements, all temporary and permanent elements of the proposed development are located within Flood Zone 1 aside from cables which pass underneath extents of Flood Zones 3 via HDD. HDD compounds which include the entry and exit pits are all located within Flood Zone 1. In regards to highways improvements located within Flood Zone 3, these elements of development relate to junction upgrades and road widening and are expected to tie into existing ground levels. As such, no floodplain displacement will occur and no floodplain compensation will be required.

8.3.4.6 These areas therefore cannot be avoided and development within these areas has been subjected to the Sequential Test and Exception Test and have deemed to be passed (see Flood Risk Assessment (**ES, Volume 2, Appendix 3.1**)).

8.3.4.7 The assessment in Volume 2, Chapter 3 Flood Risk and Hydrology of the ES (**Document Ref. 6.2.2**) undertaken for the Proposed Development concluded that the only above ground infrastructure, during the operational phase, is the Converter Site which is located within Flood Zone 1. Therefore, it was not considered necessary to assess the credible maximum climate change scenario for flood risk further as Flood Zone 1 has a low probability of flooding.

- 8.3.4.8 Details of the proposed surface water drainage design, including the approach to the adoption of the Sustainable Drainage System (SUDs) Hierarchy, during construction and operation has been set out within the Outline Operational Drainage Strategy (**Document Ref. 7.22**). The production of a detailed drainage strategy has been secured via Requirement 13 of the Draft Development Consent Order (**Document Ref. 3.1**).
- 8.3.4.9 The assessment concludes that there are no significant residual effects arising during the construction, operation (including maintenance) and decommissioning phases of the Proposed Development in relation to a reduction in water quality.
- 8.3.4.10 The results of this assessment found that there are likely to be no significant residual effects as a result of the development during the construction, operation (including maintenance) and decommissioning stages on flood risk and drainage, following the implementation of the proposed mitigation and commitments. Therefore, it can be considered that the Proposed Development complies with NPS EN-1, NPS EN-5 and the NPPF policies.

### 8.3.5 Traffic and Transport

- 8.3.5.1 Section 5.14 of NPS EN-1 states that the consideration and mitigation of transport impacts is an essential part of the Government's wider policy objectives for sustainable development, and that if a Proposed Development is likely to have significant transport implications, the Applicant's ES should include a Transport Assessment. The Applicant should also prepare a travel plan for including demand management and monitoring measures to mitigate transport impacts.
- 8.3.5.2 NPS EN-1 also notes that a new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure, and the SoS should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the Proposed Development.
- 8.3.5.3 Policy ST10 'Transport Strategy' of the North Devon and Torridge Local Plan 2011-2031 notes the significance of having sustainable transport and travel options.
- 8.3.5.4 Volume 2, Chapter 5 Traffic and Transport of the ES (**Document Ref. 6.2**) focuses the majority of the assessment upon the construction phase effects. This is due to the fact that operational traffic numbers are expected to be minimal as they will only be required for maintenance as and when required at the Converter Stations and cables. An Outline Construction Traffic Management Plan (**Document Ref. 7.12**) is submitted in support of the wider application. This plan will be developed further into a detailed plan post consent, as per requirement 8 of the draft Development Consent Order (**Document Ref. 3.1**).
- 8.3.5.5 An assessment of potential impacts associated with an increase in construction traffic has been undertaken. The assessment assessed a range of impacts including driver delay, severance, non-motorised user delay, non-motorised user amenity and fear and intimidation, road safety and AILs.

- 8.3.5.6 From the assessment conducted, it can be confirmed that there will be no significant effects arising from the Proposed Development during the construction, operation (including maintenance), and decommissioning phases. A range of mitigation will be committed to by the Applicant to manage the impact of construction traffic including committing to core working hours within defined times and the development of an Outline Construction Traffic Management Plan (**Document Ref. 7.12**).
- 8.3.5.7 Therefore, due to the minor level of significance of the traffic and transport impacts, as per the assessments undertaken and the proposed mitigation measures being included, the Proposed Development is therefore compliant with the relevant policies within NPS EN-1, NPS EN-3, the NPPF and the local plan.

### 8.3.6 Noise and Vibration

- 8.3.6.1 Section 5.12 of NPS EN-1 states that Applicant should provide a noise assessment that is proportionate to the likely noise impact of the Proposed Development. NPS EN-1 requires projects to demonstrate good design through the selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.
- 8.3.6.2 NPS EN-5 highlights the potential for noise to be generated by electricity transmission infrastructure such as substations.
- 8.3.6.3 The NPPF requires decisions to contribute to and enhance natural and local environments by preventing new development from contributing to, or being adversely affected by, unacceptable levels of noise pollution.
- 8.3.6.4 Policy DM02 of the North Devon and Torridge Local Plan 2011-2031 notes that development will be supported where it does not result in unacceptable impacts to the noise and vibration around the local landscape.
- 8.3.6.5 Volume 2, Chapter 6: Noise and Vibration, of the ES (**Document Ref. 6.2**) assesses the potential effects of the onshore elements of the Proposed Development on the surrounding noise receptors. The assessment has been informed by consultation with relevant stakeholders.
- 8.3.6.6 The Proposed Development's baseline noise environment and conditions were established using a series of noise surveys undertaken in November 2022, March 2023, and June 2023. Within this assessment, the Applicant considered a number of potential noise and vibration impacts associated with all phases of the Proposed Development. Some of the potential impacts included noise impacts arising from the construction of the Onshore cable corridor and the converter Site. Consideration has also been given to the potential impacts due to the vibration due to dynamic compaction and piling activities landward of MHWS. For all impacts, across the assessment's identified receptors, no residual effect is greater than minor adverse, if mitigation measures are adopted accordingly, and so not significant in EIA terms.

- 8.3.6.7 Operational noise impacts due to the Converter Site have also been assessed, and the noise limits will be derived and agreed with the Local Planning Authority to be secured as a requirement of the draft Development Consent Order (**Document Ref. 3.1**).
- 8.3.6.8 The assessment has confirmed that there are minor adverse residual effects during both the construction and decommissioning phases. However, the Applicant have adopted embedded mitigation measures to ensure that no significant adverse effects arise across the lifespan of the Proposed Development. These include construction environmental management measures which are detailed in further detail within the Outline Onshore Construction Environmental Management Plan (**Document Ref. 7.9**). The onshore oCEMP, as secured by Requirement 7 of the Draft Development Consent Order (**Document Ref. 3.1**), details site-specific best practicable means in response to construction noise. In addition, an outline Construction Traffic Management Plan (**Document Ref. 7.12**) has been submitted and includes methods to manage peak construction traffic flows and so will also serve to reduce associated construction traffic noise and relative noise change.
- 8.3.6.9 Therefore, it is considered that the Proposed Development achieves good design through the adoption of best practicable means which avoid causing significant amenity harm. It can therefore be concluded that the Proposed Development is supported by the policy requirements of NPS EN-1, NPS EN-5, the NPPF, and the local plan noise policy requirements which have been further assessed within Annex 1 Policy Compliance Assessment Tables.

### 8.3.7 Air Quality

- 8.3.7.1 Section 5.2 of NPS EN-1 states that the ES should describe existing air quality concentrations and the relative change in air quality from existing levels; any significant air quality effects, mitigation action taken and any residual effects. In addition, the predicted absolute emissions, concentration change and absolute concentrations as a result of the Proposed Development, after mitigation should be considered and any potential eutrophication impacts.
- 8.3.7.2 NPS EN-3, states that the SoS should generally give air quality and emissions considerations substantial weight, following the guidance set out in section 5.2 of EN-1. Applicant should include in the ES an assessment of the air emissions resulting from the Proposed infrastructure and demonstrate compliance with the relevant regulations.
- 8.3.7.3 The NPPF paragraphs 191 and 193 requires that planning policies and decisions contribute to and enhance the natural and local environment by preventing new development from contributing to the creation of unacceptable levels of pollution. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

- 8.3.7.4 Policy DM02 of the North Devon and Torridge Local Plan 2011-2031 notes that development will be supported where it does not result in unacceptable impacts to atmospheric pollution, resulting from gas or particles, including odour, dust, fumes, grit, smoke or dirt.
- 8.3.7.5 The Applicant's assessment of air quality in Volume 2, Chapter 7 Air Quality (**Document Ref. 6.2.7**) provides a characterisation of the existing environment for air quality based on existing data, and an assessment of the potential impacts of the construction of the Proposed Development. The assessment has been informed by consultation with relevant stakeholders.
- 8.3.7.6 The air quality study area for the assessment with respect to construction dust included an area up to 250 m around the Onshore Infrastructure Area (which excludes the Abnormal Indivisible Load (AIL) routes), and 250 m from construction site entrances. In accordance with IAQM guidance (IAQM, 2024), receptors are also considered within 20 m, 50 m, 100 m, and 250 m in the air quality assessment. With respect to the AIL routes, the air quality study area covers 50 m from the edge of the roads, up to 250 m from the site entrances, in line with the IAQM (2024) guidance. Beyond 250 m from construction site entrances, the AIL routes are not considered as the impact of trackout declines with distance from the site.
- 8.3.7.7 In order to secure the outcomes of the assessment being minor adverse and negligible in terms of residual effects, an outline onshore Construction Environmental Management Plan (**Document Ref. 7.7**) has been submitted which will later be updated to be an Onshore CEMP as per Requirement 7 of the Draft Development Consent Order (**Document Ref. 3.1**). The Onshore CEMP would include measures to reduce temporary disturbance to residential properties, recreational users and existing land users. This will include dust control measures based on the guidance provided by the Institute of Air Quality Management.
- 8.3.7.8 Additionally, the Proposed Development includes a number of commitments to reduce impacts on air quality, including the adoption of an Outline Dust Management Plan (DMP) (**Document Ref. 7.7 – Appendix C**) which includes best practice measures, as outlined in IAQM guidance. Following the incorporation of such commitments no significant effects have been identified in relation to air quality.
- 8.3.7.9 The detail and scope of the decommissioning works would be determined by the relevant legislation and guidance at the time of decommissioning and agreed with the contractor. A Decommissioning Plan would be developed prior to any decommissioning works commencing for the onshore infrastructure elements of the Proposed Development, but as part of the submission an Outline Decommissioning Strategy (**Document Ref. 7.17**) has been submitted which will form the basis of the detailed decommissioning strategy.
- 8.3.7.10 Therefore, due to the minor level of significance of the air quality impacts, as per the assessments undertaken and the proposed mitigation measures being included, the Proposed Development is therefore compliant with the relevant policies within NPS EN-1, NPS EN-3, the NPPF and the local plan.



## 8.3.8 Land Use and Recreation

- 8.3.8.1 Section 5.11 of NPS EN-1 states that the ES should identify existing and proposed land uses both within the Proposed Development, and near to the Proposed Development and any effects of replacing an existing development or use of the Site with the Proposed Development or preventing development of use on a neighbouring site from continuing.
- 8.3.8.2 Section 5.11 also discusses how, although in the case of many energy infrastructure projects, there may be very little than can be done to mitigate the direct effects of a Proposed Development on the existing use of the proposed Site, Applicant should nevertheless seek to minimise these effects and the effects on existing or planned uses near the Site by the application of good design principles, including the indicative and future layouts of the respective Proposed Development.
- 8.3.8.3 Volume 2, Chapter 8 Land Use and Recreation of the ES (**Document Ref. 6.2.8**) notes the impacts that could arise as a result of the Proposed Development. These specifically focuses upon the impact of the agricultural land quality and the Public Rights of Ways (PRoWs).
- 8.3.8.4 Mitigation measures which respond to the identified impacts on the existing agricultural land and PRoW routes, during construction and operation, have been secured within the Outline Public Rights of Way Management Plan (**Document Ref. 7.11**).
- 8.3.8.5 The Applicant have sought to minimise the likely impacts to BMV agricultural land, where practicable. However, the predominant land cover between landfall and the Converter Stations are classes as BMV due to falling into Grade 2 and Grade 3a land. Resultingly, the Applicant's ability to avoid use of BMV agricultural land would be extremely limited.
- 8.3.8.6 An Outline Soil Management Plan (oSMP) has been provided for as Appendix D to the Outline Onshore Construction Environmental Management Plan (**Document Ref. 7.7**) and is secured by Requirement 7 of the Draft Development Consent Order (**document ref: 3.1**). The oSMP forms part of the embedded mitigation measures for the Projects as contained within the Land Use assessment The detailed SMP will be produced at the detailed design stage, post-consent.
- 8.3.8.7 The assessment concluded that there will be significant effects arising from the Proposed Development on agricultural land quality during the construction phase. However, due to the type of development these effects will be temporary and once the cables are buried the agricultural land quality will revert back to the original grade and use with no external features. The assessment concluded that there will be significant cumulative effects from the Proposed Development on agricultural land quality alongside other projects/plans. However, no potential transboundary impacts have been identified in regard to effects of the Proposed Development.

- 8.3.8.8 With mitigation measures in place, alongside the Commitments set out by the Applicant, the residual level of impact on agricultural land and land use would be offset so that the residual impact would not be significant.
- 8.3.8.9 Following the incorporation of commitments no significant effects have been identified in relation to land use or agriculture. Therefore, no significant impacts to the existing land use and agriculture were identified, meaning the Proposed Development can be considered to comply with EN-1 on this topic, as through good design and existing commitments to mitigation, any direct effects of the proposal have been minimised accordingly.

## 8.4 Technical Summary – Offshore Components

### 8.4.1 Introduction

- 8.4.1.1 This section summarises the findings of the ES for the offshore specific technical studies. Each subsection below considers the Proposed Development's compliance with the most relevant policies and paragraphs from the NPSs and the relevant Marine Policies, including the South West Inshore and South West Offshore Marine Plan.

### 8.4.2 Benthic Ecology

- 8.4.2.1 Paragraph 5.16.7 of NPS EN-1 states that the ES should in particular describe any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.
- 8.4.2.2 Paragraph 5.4.19 of EN-1 states that the Applicant should show how the Proposed Development has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. This is further explored within paragraph 5.4.23 of EN-1 which states that energy projects will need to ensure vessels used by the project follow existing regulations and guidelines to manage ballast water
- 8.4.2.3 Paragraph 2.8.103 of NPS EN-3 recognises that Applicant should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity, as well as negative effects.
- 8.4.2.4 Paragraph 2.14.2 of NPS EN-5 states that in the assessments of their designs, Applicant should demonstrate how environmental, community and other impacts have been considered and how adverse impacts have followed the mitigation hierarchy i.e. avoidance, reduction and mitigation of adverse impacts through good design; and how enhancements to the environment post construction will be achieved including demonstrating consideration of how proposals can contribute towards biodiversity net gain as well as wider environmental improvements in line with the Environmental Improvement Plan and environmental. This paragraph further discusses how *“in addition, all Applicant are encouraged to demonstrate how the construction planning for the Proposed Development has been coordinated with that for other similar projects in the area on a similar timeline”*.

- 8.4.2.5 The UK Marine Policy Statement's high level marine objectives include living within environmental limits, which requires that biodiversity is protected, conserved and where appropriate recovered and loss has been halted, healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystem, and our oceans support viable populations of representative, rare, vulnerable, and valued species.
- 8.4.2.6 An assessment was undertaken of the potential impacts that could arise as a result of the from the construction, operation (including maintenance) and decommissioning of the Proposed Development on intertidal and subtidal benthic ecology, in order to satisfy EN-1 and EN-5 for this topic.
- 8.4.2.7 Across the study area, a total of 1643 individuals were recorded across 469 single types of macroinvertebrate (taxa).
- 8.4.2.8 Overall, the assessment concluded that there will be no significant residual effects on benthic ecology receptors arising from the Proposed Development during the construction, operation and maintenance or decommissioning phase. The Applicant confirms that the Proposed Development will be burying the offshore cables to be in accordance with the relevant Marine Plans and this will be secured via the Cable Burial Risk Assessment which is submitted in outline form **(Document Ref. 6.1.3.4)**.
- 8.4.2.9 Therefore, the Applicant assessment demonstrates that the Proposed Development will avoid causing 'significant harm' and is compliant with the relevant policies.

### 8.4.3 Fish and Shellfish Ecology

- 8.4.3.1 Paragraph 5.4.22 of NPS EN-1 states that the design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.
- 8.4.3.2 Paragraph 2.8.147 of NPS EN-3 states that fish in the context of this NPS also includes elasmobranchs (sharks and rays) and shellfish (e.g., crabs) which have been included within the ES assessment conducted under Volume 3, Chapter 4: Marine Mammals and Turtles **(Document Ref. 6.3.4)**.
- 8.4.3.3 Paragraph 2.8.149 of EN-3 raises that there are potential impacts associated with energy emissions into the environment (e.g. noise or electromagnetic fields (EMF)), as well as potential interaction with seabed sediments. This is further explored within later paragraph 2.8.150 of EN-3 which notes that the applicant should identify fish species that are the most likely receptors of impacts with respect to feeding areas; spawning grounds; nursery grounds; overwintering areas for crustaceans; migration routes and protected sites.

- 8.4.3.4 The South West Inshore and South West Offshore Marine Plan policy SW-FISH-3 notes that proposed developments must encourage and support the delivery of biodiversity net gain for essential fish habitats, by requiring Proposed Developments to avoid impacts on essential fish habitats and to manage impact on essential fish habitats, where complete avoidance cannot be met.
- 8.4.3.5 The UK Marine Policy Statement's high level marine objectives, set out in Chapter 2, include living within environmental limits, which requires that biodiversity is protected, conserved and where appropriate recovered and loss has been halted, healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystem, and our oceans support viable populations of representative, rare, vulnerable, and valued species.
- 8.4.3.6 NPS EN-3 identifies several 'likely receptors' for which Applicant should be cognisant of when undertaking their assessment. NPS EN-3 paragraph 2.8.151 goes on to state that it is for Applicant to consider the potential implications of underwater noise from construction and unexploded ordnance (UXO) and that the construction and decommissioning phases of a project are likely to be the most impactful to fish communities, migration routes, spawning activities and nursery areas of particular species. However, the Applicant has not assessed the UXO at this stage but rather the Final Offshore CEMP, subject to being secured via the DML, will include a commitment to undertake any UXO investigation and clearance works ahead of the main construction activities and thus, may be addressed separately (in advance and by separate contractors where relevant).
- 8.4.3.7 NPS EN-3 also requires Applicant to consider the potential impacts of EMF upon fish and shellfish habitats. Volume 3, Chapter 2 (Fish and Shellfish) of the ES (**Document Ref. 6.3.2**) assessment has utilised a range of data sources, as discussed during consultation discussions with stakeholders, in establishing an understanding of the existing environment.
- 8.4.3.8 In accordance with the requirements of NPS EN-3, the South West Inshore and South West Offshore Marine Plan, the assessment has considered: temporary habitat disturbances to fish and shellfish species and spawning and or nursery grounds; increases in local suspended sediment concentrations and sediment settlement; the release of sequestered contaminants following sediment disturbance; impacts on fish and shellfish species as a result of noise and vibration; effects on fish stocks and increased fishing pressure outside of the cable corridor; the potential permanent loss of habitat and or changes in habitat type as a result of changes in substrate composition; and EMF effects arising from the cabling.
- 8.4.3.9 Overall, the assessment concluded that there will be no significant residual effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. The assessed cumulative impact found that the cumulative impact would not be significant that the individual assessment impact of the Proposed Development alone. Potential transboundary and inter-related impacts have also been assessed and no significant effects have been identified.

- 8.4.3.10 While concluding the above, in order to have negligible/minor adverse residual effects, the fish and shellfish assessment has incorporated a range of embedded mitigation measures into the design of the Proposed Development. These measures are further set out within the Volume 1, Appendix 3.1 Commitments Register (**Document Ref. 6.1.3.1**).
- 8.4.3.11 Therefore, it is of the Applicant's understanding that there will be no significant effects on the fish and shellfish receptors arising from the Proposed Development during the construction, operation (and maintenance) or decommissioning phase, therefore complying with NPSs EN-1 and EN-3, the South West Inshore and South West Offshore Marine Plan, and the UK Marine Policy Statement. Full details of this assessment can be found in Volume 3, Chapter 2: Fish and Shellfish Ecology (**Document Ref. 6.3.2**), of the ES.

### 8.4.4 Commercial Fisheries

- 8.4.4.1 Paragraph 4.4.8 of NPS EN-1 states that Applicant for a Development Consent Order must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent. The Applicant has developed a commercial fisheries impact assessment that takes into account the relevant Marine Plans.
- 8.4.4.2 Paragraph 2.8.159 of NPS EN-3 states that Applicant should consider guidance on best practice for fisheries liaison, which has been jointly agreed by the renewables industry and fishing community.
- 8.4.4.3 Paragraph 2.8.160 of EN-3 notes that in some circumstances, transboundary issues may be a consideration as fishing vessels from other coastal states may fish in waters within which offshore projects are sited. This is further explored within NPS EN-3 which acknowledges the diverse nature of the UK fishing industry and how this will therefore lead to varying levels of significance and impact to certain fishing fleets. It is therefore an applicant's responsibility to consider both the direct and indirect impacts of potential displacement and the ability of fleets to relocate. Applicant are therefore minded to undertake early engagement with a cross section of the fishing industry.
- 8.4.4.4 Paragraph 2.8.154 of EN-3 states that Applicant should undertake early consultation with a cross-section of the fishing industry, as well as MMO, SNCBs, relevant Inshore Fisheries and Conservation Authorities (IFCAs), Defra and Welsh Government, to identify impacts, and actively encourage input from active fishers to provide evidence of their use of the area to support the impact assessments.

- 8.4.4.5 Paragraph 2.8.155 of EN-3 continues that where any part of a proposal involves a grid connection to shore, appropriate inshore fisheries groups should also be consulted. Paragraph 2.8.157 of EN-3 states that Applicant will be expected to undertake dialogue with the fishing industry during the planning and design of transmission proposals to maximise the potential for co-existence/co-location and reduce potential displacement. Finally, paragraph 2.8.322 states that the SoS should be satisfied that the applicant has sought to design the proposal having consulted the MMO and representatives of the fishing industry with the intention of minimising the loss of fishing opportunity taking into account effects on other marine interests.
- 8.4.4.6 Consultation with statutory advisors and representatives of the fishing industry has been ongoing, and this is further documented within the Consultation Report **(Document Ref. 5.1)**.
- 8.4.4.7 Paragraph 2.8.157 of EN-3 states that applicant assessments should include robust baseline data and detailed surveys of the effects on fish stocks of commercial interest and any potential reduction in such stocks, as well as any likely constraints on fishing activity within the Proposed Development boundaries.
- 8.4.4.8 Paragraphs 2.8.250-2.8.251 of EN-3 states that any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry, IFCAs, the MMO and the relevant Defra policy team in England and NRW. Mitigation should be designed to enhance, where reasonably possible, any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment.
- 8.4.4.9 Paragraph 2.8.318 of EN-3 states that the SoS should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself.
- 8.4.4.10 Paragraph 2.8.323 of EN-3 states that the SoS will need to consider the extent to which disruption to the fishing industry, whether short term during pre-construction (e.g. surveying) or construction or long term over the operational period, including that caused by the future implementation of any safety zones, has been mitigated where reasonably possible.
- 8.4.4.11 Policies SW-FISH-1 and SW-FISH-2 state that proposals that support a sustainable fishing industry, including the industry's diversification and proposals that enhance access for fishing activities should be supported. SW-FISH-2 further states that proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference, avoid, minimise or mitigate adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.

- 8.4.4.12 In general, the Applicant's assessment found that the impact of the Proposed Development on commercial fisheries receptors identified residual impacts were not exceeding minor adverse significance and therefore additional mitigation, beyond the embedded mitigation proposed as part of the Proposed Development is not considered necessary.
- 8.4.4.13 An exception to this is the impact of temporary loss of fishing grounds and associated displacement during the construction phase for the UK potting fleet, for which a potential moderate adverse impact significance was identified. The Applicant assessment has considered the loss or restricted access to fishing grounds and is recognised that in some instances the removal or relocation of static gear may be required during the construction phase. Where this is the case, appropriate mitigation will be implemented for affected vessels following an evidence-based approach, in line with FLOWW guidance, via the establishment of co-operation agreements, which will reduce the significance of the effect to minor adverse, which is considered to be not significant.
- 8.4.4.14 As the Proposed Development is not anticipated to have significant residual effects on commercial fisheries, it will not undermine existing fishing restrictions and byelaws or hinder the implementation of fisheries management measures. The cumulative effects assessment concludes that the no residual cumulative effects are significant in EIA terms. Full details of this assessment can be found in Volume 3, Chapter 3: Commercial Fisheries, of the ES.
- 8.4.4.15 Finally, regarding the potential for transboundary effects of the Proposed Development in relation to commercial fisheries, the assessment found that the displacement effects of fishing activity was to be minor and so the potential transboundary effect of the displacement of fishing vessels is considered not significant.

- 8.4.4.16 Following the requirements of NPS EN1, NPS EN-3, and the South West Inshore and South West Offshore Marine Plan which require projects to avoid, minimise and then mitigate any significant adverse effects, it is the Applicant position that the mitigation hierarchy has been adhered to as far as practicable.
- 8.4.4.17 Additionally, it is the Applicant' firm stance (as written in Policy) that there is an overriding needs case for the Proposed Development and so under NPS EN-1's categorisation of CNP infrastructure, these minor cumulative residual adverse impacts are outweighed by the needs case and so the Projects comply with the commercial fisheries policy requirements.

### 8.4.5 Marine Mammals and Sea Turtles

- 8.4.5.1 NPS EN-1 establishes that it is for the Applicant of energy proposals to consider the movement of both mobile and migratory marine mammals and their potential to interact with the relevant infrastructure. In some cases, the potential to affect marine mammals may extend further afield across Europe and so it is for the Applicant to consider the transboundary effects as well. This is specifically discussed within paragraph 5.4.22.
- 8.4.5.2 Paragraph 5.4.17 of NPS EN-1 states that where the development is subject to EIA, the applicant should demonstrate that the ES submitted clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. This is further reiterated within paragraph 2.8.98 of NPS EN-3 which notes that Applicant should have regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure developments namely marine animals.
- 8.4.5.3 Paragraph 2.8.131 of EN-3 states that where necessary, assessment of the effects on marine mammals should include details of: likely feeding areas and impacts on prey species and prey habitat; known birthing areas/haul out sites for breeding and pupping; migration routes; protected sites; baseline noise levels; predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance; operational noise; duration and spatial extent of the impacting activities including cumulative/in-combination effects with other plans or projects; collision risk; entanglement risk; and barrier risk. All of the listed considerations have been included in the assessment of the effects on marine mammal ecology in Volume 3, Chapter 4 of the ES.



- 8.4.5.4 NPS EN-3 goes on to recognise that construction activities including piling may reach noise levels which are high enough to cause disturbance, injury or even death to marine mammals. If such noise levels are likely to lead to an offence under Part 3 of the Habitats Regulations, then it is for the Applicant to apply for a wildlife licence to allow the activity to take place. Alongside this, paragraph 2.8.133 states that “*the applicant should discuss any proposed noisy activities with the relevant statutory body and must reference the joint JNCC and SNCB underwater noise guidance, and any successor of this guidance, in relation to noisy activities within SACs, SPAs, and Ramsar sites*”. It can be confirmed that the Applicant has undertaken consultation with both the JNCC and SNCB extensively during the course of the Proposed Development’s development. This is further discussed within both Volume 3, Chapter 4 Marine Mammals and Sea Turtles of the ES (**Document Ref. 6.3.4**) and the Consultation Report (**Document Ref. 5.1**).
- 8.4.5.5 Policy SW-UWN-1 of the South West Inshore and Offshore Marine Plan notes that Proposed Developments that result in the generation of impulsive sound must contribute to the UK Marine Noise Registry as per any currently agreed requirements.
- 8.4.5.6 Harbour porpoise, Bottlenose dolphin, Risso’s dolphin, Common dolphin, Minke Whale, Grey Seal and Leatherback turtle have been identified by the assessment as being most likely to be present at the Proposed Development’s offshore elements and so have been the focus of assessment. The potential impacts to these mammals, as receptors, has been considered within the assessment as to how they may interact with the Proposed Development. As is acknowledged in the assessment, marine mammals are highly mobile and so it is recognised that there is the potential for transboundary effects, especially with regard to noise. The extent to which impacts may affect marine mammals from other designated sites has been assessed within the Report to Inform Appropriate Assessment (**Document Ref. 7.16**).
- 8.4.5.7 The Applicant assessment of the Proposed Development is conscious of the fact that, as is captured within NPS EN-3, projects have the potential to give rise to net positive effects as well as negative effects.
- 8.4.5.8 The Marine Mammals and Sea Turtles assessment in ES Volume 3, Chapter 4 (**Document Ref. 6.3.4**) concludes that for the aforementioned mammal receptors, no construction, operation or cumulative impacts are to result in higher than negligible or minor adverse significance which is not significant in EIA terms.
- 8.4.5.9 The Applicant assessment has considered:
- Disturbance from underwater noise (e.g. cable laying, dredging, rock-dumping); and
  - Disturbance from increased vessel presence.

- 8.4.5.10 The Applicant have made use of several embedded mitigation measures, as per Table 4.18 in Volume 3, Chapter 4 Marine Mammals and Sea Turtles of the ES (**Document Ref. 6.3**) which is submitted with the Application to ensure that there is no residual adverse effects resulting in a significance of residual effect which is greater than the concluded negligible or minor adverse significance.
- 8.4.5.11 Overall, it is concluded that there will be no significant residual effects arising from the construction, operation (and maintenance), or the decommissioning phases of the Proposed Development. Overall, it has been concluded that there are no significant cumulative effects from the Proposed Development alongside other projects/plans. Finally, it is concluded that there will be no significant effects associated with Transboundary impacts on marine mammals and sea turtles.
- 8.4.5.12 The Applicant therefore conclude that the Projects will avoid causing ‘significant harm’ to marine mammals and so the Projects are in compliance with the policy requirements of NPS EN-1, NPS EN-3, and the relevant marine policy. Full details of this assessment can be found in Volume 3, Chapter 4: Marine Mammals and Turtles, of the ES.

### 8.4.6 Shipping and Navigation

- 8.4.6.1 NPS EN-3 notes that to ensure safe passage and navigation of shipping, Applicant are required to reduce risks to navigational safety to as low as reasonably possible (ALARP) for offshore developments.
- 8.4.6.2 It is encouraged that Applicant engage with interested parties during consultation and pre-submission to ensure that mitigation measures have been identified where required in order to reduce any navigational risks to ALARP. This is further reiterated in terms of general engagement with NPS EN-1 paragraph 4.12.7 stating that Applicant should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other consents, such as marine licences.
- 8.4.6.3 NPS EN-1 does not contain any specific references to shipping and navigation, however it has formed part of the assessment for this topic due to the overarching guidance principles.
- 8.4.6.4 Paragraph 2.8.189 of EN-3 states that Applicant must undertake a Navigational Risk Assessment (NRA) in accordance with relevant government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above. To ensure that the Application is in accordance with NPS EN-3, as mentioned above, the Applicant can also confirm that a compliant assessment in Volume 3, Appendix 5.1 Navigation Risk Assessment of the ES (**Document Ref. 6.3.5.1**) has been produced in line with Marine Guidance Note (MGN) 654. The Applicant have ensured that the key shipping and navigation stakeholders, such as the MCA, have been consulted with throughout the Navigation Risk Assessment process.
- 8.4.6.5 Paragraph 2.13.23 of NPS EN-5 states that onshore connection locations for offshore transmission must seek to minimise environmental and other impacts, both onshore and in the marine environment and including to local communities.

8.4.6.6 The Shipping and Navigation Assessment considers the impacts of:

- Collision of a passing third-party vessel with a vessel associated with cable installation, maintenance, or decommissioning;
- Cable installation/decommissioning causing disruption to passing vessel routing/timetables;
- Increase in the risk of a vessel-to-vessel collision due to construction/decommissioning vessel activity;
- Cable installation/decommissioning causing disruption to fishing and recreational activities;
- Cable installation/decommissioning causing disruption to third party marine activities (e.g., military, dredging);
- Reduced access to local ports/harbours; Anchor interaction with the cable;
- A vessel engaged in fishing snags its gear on the cable;
- Reduction in under keel clearance resulting from laid cable and associated protection; and
- Interference with marine navigational equipment.

- 8.4.6.7 Overall, from the Shipping and Navigation assessment is concluded that there will be no significant residual effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases, no significant cumulative effects from the Proposed Development alongside other projects/plans and no potential transboundary impacts in regard to effects of the Proposed Development.
- 8.4.6.8 In response to the early engagement requirements of NPS EN-3, the Applicant confirm that they have consulted with, and will continue to consult with, relevant stakeholders and interested parties to continue to identify mitigation measures to reduce navigational risks to ALARP.
- 8.4.6.9 Full details of this assessment can be found in Volume 3, Chapter 5: Marine Shipping and Navigation, of the ES (**Document Ref. 6.3.5**).

### 8.4.7 Other Marine Users

- 8.4.7.1 There is no specific mention of Other Marine Users (OMU) in the NPSs. Paragraph 5.13.5 of EN-1 states that the applicant's assessment should consider all relevant socio-economic impacts, which may include effects (positive and negative) on tourism and other users of the area impacted.
- 8.4.7.2 NPS EN-1 expresses that the impact of the Proposed Development on military activities and interests must be considered. Paragraph 5.5.35 goes on to state that new energy infrastructure does not unacceptably impede or compromise the safe and effective use of any defence assets. Paragraph 5.5.37 further reiterates that there the Proposed Development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES. The MoD has been consulted in order to identify the defence interests that are included in the OMU Zol baseline.
- 8.4.7.3 NPS EN-3 states that Applicant of energy Proposed Developments must consult with interested parties who infrastructure could become affected by the proposal. EN-3 further requires Applicant to undertake an assessment of the potential effect of the proposed development on existing or permitted offshore infrastructure or activities. EN-3 also states that where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, these adverse effects should be given substantial weight in the decision-making process.
- 8.4.7.4 Paragraph 3.2.9 of the UK Marine Policy Statement, states that the construction and operation of offshore marine infrastructure, installations and activities may impact on defence interests in certain areas. Marine plan authorities and decision makers should take full account of the individual and cumulative effects of marine infrastructure on both marine and land-based MoD interests. Marine plan authorities, decision makers and developers should consult the MoD in all circumstances to verify whether defence interests will be affected.

- 8.4.7.5 Policy SW-CO-1 of the South West Inshore and Offshore Marine Plan reaffirms the above position in that to realise sustainable social, environmental and economic benefits it is important to plan for and make efficient use of space. The Policy encourages proposals to be spatially planned, take account of existing activities, and promote co-existence.
- 8.4.7.6 Volume 3, Chapter 6 ‘Other Marine Users’ of the ES (**Document Ref. 6.3.6**) has considered the potential for interactions between the Proposed Development and potential nearby receptors which include: nearby offshore wind farms, oil and gas infrastructure, carbon capture and storage sites, sub-sea cables and pipelines, and MOD activities.
- 8.4.7.7 With regard for the above receptors, the potential impacts assessed as arising from the Proposed Development construction, operation, and decommissioning are the potential for interference with wind farms, interference with oil and gas and carbon capture storage operations (including decommissioning activities), physical impacts on electrical infrastructure, impacts on disposal sites and MOD activities.
- 8.4.7.8 As concluded within the ES assessment, there are negligible to minor adverse residual effects on OMU associated with the construction, operation and maintenance and decommissioning phases of the Proposed Development were identified. These included an increase in vessel traffic, the physical presence of infrastructure and safe passage zones, increases in suspended sediment concentrations and increases in subsea noise. With the measures adopted as part of the Proposed Development in place, no likely significant effects have been identified at this stage in relation to potential impacts of the Proposed Development on other marine users.
- 8.4.7.9 The Applicant confirm that they have consulted with, and will continue to consult with, owners and operators of other offshore infrastructure both formally, and through wider discussions. Consultation has served to identify the potential issues and impacts, as identified within the assessment.
- 8.4.7.10 Overall, it is concluded that the Proposed Development is wholly compliant with the relevant policy requirements, including NPS EN-3 (where relevant), South West Inshore and Offshore Marine Plan, and the overarching policy test which is set out within NPS EN-1 which requires the Proposed Development to avoid causing ‘significant harm’.

### 8.4.8 Marine Archaeology and Cultural Heritage

- 8.4.8.1 NPS EN-1 notes that it is for Applicant to undertake an assessment of any likely significant heritage impacts of a proposal, as part of the EIA process, and to describe these together with the application of the mitigation hierarchy. EN-1 also requests for Applicant to describe the significance of heritage assets affected by the Proposed Development and to consider any contribution made by their setting.

- 8.4.8.2 NPS EN-3 notes that offshore transmission developments have the potential to affect the marine historic environment in two ways. These are either through direct effects arising from the physical siting of the infrastructure itself; and through indirect changes to the physical marine environment caused either by the infrastructure itself or the construction process.
- 8.4.8.3 Policy SW-HER-1 of the South West Inshore and Offshore Marine Plan aims to conserve and enhance marine and coastal heritage assets by considering the potential for harm to their significance.
- 8.4.8.4 NPS EN-3 makes clear that desk-based assessments (DBAs) should be undertaken to assess the potential for likely significant effects to arise. Where available, geotechnical and or geophysical surveys should be considered as part of an assessment. NPS EN-3 states that it is an applicant's responsibility to conduct all necessary examination and assessment exercises, using a variety of techniques, to plan the development. This idea of DBAs is further reiterated in paragraph 5.6.10 of NPS EN-1 which states that where relevant, Applicant should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.
- 8.4.8.5 In all cases, both EN-3 and EN-1 encourage Applicant to consult with Historic England and other relevant stakeholders as early as possible. Paragraph 5.6.12 of EN-1 states that "*for any project involving dredging or deposit of any substance or object into the sea, the applicant should consult the MMO and Historic England*". It can be confirmed by the Applicant that in-depth consultation has taken place with both stakeholders, and further information regarding this can be found within the Consultation Report (**Document Ref. 5.1**).
- 8.4.8.6 Under NPS EN-5, Applicant must also take into account Schedule 9 of the Electricity Act 1989 which requires Applicant to have regard for the desirability of preserving historic and archaeological interests. This is explored further within paragraph 2.9.25 which reiterates that the SoS will look for potentially very disruptive effects of undergrounding of subsea cables on marine environments. The Applicant can confirm that regard has been given to preserving any relevant historic and archaeological interests that interact with the Proposed Development, and the cable routing has avoided impacts and future micro-routing will further avoid elements.
- 8.4.8.7 The Applicant confirm that, in line with the consultation requirements contained within NPS EN-3, early consultation with the relevant statutory consultees (e.g., Historic England) regarding offshore archaeology and cultural heritage has been undertaken, as evidenced within Volume 3, Chapter 7: Offshore Archaeology and Cultural Heritage of the ES (**Document Ref. 6.3.7**) and within the Consultation Report (**Document Ref. 5.1**).

- 8.4.8.8 Paragraph 5.6.11 of EN-1 states that the ES should include an assessment of the effects on the coast, tidal rivers and estuaries. In particular, Applicant should assess the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the Proposed Development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast.
- 8.4.8.9 Volume 3, Chapter 7 - Offshore Archaeology and Cultural Heritage (**Document Ref. 6.3.7**) of the ES can confirm that assessments have been conducted and there are both minor adverse and moderate adverse residual impacts expected upon local marine archaeology.
- 8.4.8.10 The potential residual impacts on OMU associated with the construction, operation and maintenance and decommissioning phases of the Proposed Development were identified, and further explored within table 7-32 of Volume 3, Chapter 7 - Offshore Archaeology and Cultural Heritage (**Document Ref. 6.3.7**). However, it was noted that the key potential impacts would be direct, via activities involving penetration or compression of the seabed, and indirect through potential changes to the geomorphology of the seabed during all phases of the Proposed Development. From the assessment, it can be confirmed that given the Proposed Developments' commitment to develop archaeological mitigation strategies along the entire wider project length, no residual significant impacts (following mitigation strategies) are anticipated.
- 8.4.8.11 During site selection, the Proposed Development included a design principle relating to the Offshore Cable Corridor which made it a requirement of the Proposed Development to avoid historic assets as far as practicable. Following the completion of the archaeological assessment of marine geophysical data, Archaeological Exclusion Zones (AEZs) have been recommended and so no development activities relating to the Proposed Development will take place within these identified zones. The Outline Offshore Written Scheme of Investigation (Volume 3, Appendix 7.5 of the ES) (**Document Ref. 6.3**) secures the implementation, monitoring, and modification any AEZs.
- 8.4.8.12 Overall, the Applicant can confirm that the assessment and its outcomes are wholly in compliance with the policy requirements set out in NPS EN-1, NPS EN-3, NPS EN-5 and the South West Inshore and Offshore Marine Plan.

### 8.4.9 Physical Processes

- 8.4.9.1 NPS EN-1 notes at paragraph 5.6.11 that “*where relevant, Applicant should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures*”.
- 8.4.9.2 NPS EN-1 goes on to recognise that the ES should include an assessment of the effects on the coast, tidal rivers and estuaries. In particular assessing the impact of the Proposed Development on coastal processes and geomorphology.

- 8.4.9.3 The Physical Processes assessment considers the likely impacts including metocean conditions (notably waves and currents), seabed geology, sediment transport, and water/ sediment quality.
- 8.4.9.4 From this assessment, it can be confirmed that a number of potential impacts on physical processes, associated with the construction, operation and maintenance, and decommissioning phases, were identified. These included potential changes to metocean conditions, sediment disturbance or seabed change, and changes to water quality. With the measures adopted as part of the Proposed Development in place, all of these impacts result in effects of either negligible or minor adverse significance.
- 8.4.9.5 As noted within the commitments register at Volume 1, Appendix 3.1 of the ES (**Document Ref. 6.1.3.1**) a range of mitigation measures are to be introduced by the Applicant to ensure that the level of impact remains as either negligible or minor adverse significance.
- 8.4.9.6 Based on the above, the Applicant's assessment demonstrates that the Proposed Development will avoid causing any significant harm to the physical processes in the area surrounding the Order Limits. The Application is therefore compliant with the relevant policies in NPS EN-1.

### 8.4.10 Offshore Ornithology

- 8.4.10.1 NPS EN-1 establishes that, as for marine mammals and fish and shellfish ecology, it is for Applicant of energy Infrastructure proposals to consider the movement of mobile and migratory birds and their potential to interact with infrastructure. Paragraph 5.4.22 specifically states that "*the design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure*".
- 8.4.10.2 In undertaking ornithology assessments for an offshore development, NPS EN-3 requires Applicant to consult at an early stage of pre-application on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options which should be undertaken. EN-3 further develops upon this by requiring Applicant to undertake a detailed assessment of offshore ornithology which takes into account the physical impacts, as above, of the Proposed Development for all phases of the lifespan of the development.
- 8.4.10.3 With respect to the species identified for assessment in Volume 3, Chapter 9: Offshore Ornithology, of the ES (**Document Ref. 6.3.9**) (being: kittwake, great black-beaked gull, herring gull, lesser black-beaked gull, guillemot, razorbill, puffin, storm petrel, fulmar, great shearwater *Ardenna gravis*, manx shearwater, balearic shearwater, gannet and cormorant *Phalacrocorax carbo*), the assessment methodology, baseline data collection methods, potential avoidance, mitigation and compensation options were consulted on with Natural England from an early pre-application stage.



- 8.4.10.4 The outcome of the Offshore Ornithology assessment concludes that there is negligible adverse residual effect and cumulative arising from the Proposed Development's construction, operation (and maintenance), and decommissioning phases would lead to any significant adverse impacts, and therefore considered to be minor and not significant in EIA terms, across all development phases.
- 8.4.10.5 In accounting for the migratory nature of birds, the Applicant assessment of transboundary effects concludes that such effects are expected to be minimal and will therefore not require any additional mitigation.
- 8.4.10.6 It is therefore the Applicant' position that the Projects are in compliance with the requirements of NPS EN-1 and NPS EN-3 since, as recognised via paragraph 3.1.2 NPS EN-1, it will not be possible to deliver such necessary amounts of renewable energy infrastructure without some significant residual adverse effects.

## 8.5 Technical Summary – Offshore and Onshore Combined

### 8.5.1 Introduction

- 8.5.1.1 This section summarises the findings of the ES for the combined technical studies, which incorporate both offshore and onshore components.

### 8.5.2 Climate Change and Greenhouse Gas Emissions

- 8.5.2.1 The international agreements relevant for climate change and renewable energy are detailed within Volume 4, Chapter 1 Climate Change of the ES (**Document Ref. 6.4.1**). This highlights the United Nations Framework Convention on Climate Change (UNFCCC), the implementation of measures under the UNFCCC such as the Kyoto Protocol, the Paris Agreement and the UK's climate goals.
- 8.5.2.2 NPS EN-1 paragraph 3.3.3 acknowledges that, to ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand.
- 8.5.2.3 NPS EN-1 goes on to further discuss at paragraph 4.10.8 that as new energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate, that applications for renewable energy projects should set out how the Proposed Development will take account of the projected impacts of climate change. Applicant should also demonstrate that proposals have a high level of climate resilience built-in from the outset and how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations.

- 8.5.2.4 As part of NPS EN-1 requirements, it is encouraged that Applicant should assess the GHG emissions of all states of the Proposed Development and take any reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the Proposed Development.
- 8.5.2.5 While not as relevant as NPS EN-1, NPS EN-3 sets out some generic considerations that Applicant and the SoS should consider helping to ensure that renewable energy infrastructure is safe and resilient to climate change, and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.
- 8.5.2.6 Paragraph 2.3.5 of NPS EN-5 states that, as climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, Applicant should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient.
- 8.5.2.7 The NPPF advises that the planning system should support the transition to a low carbon future by taking a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.
- 8.5.2.8 The NPPF is supported by Policy ST03 of the North Devon and Torridge Local Plan 2011 – 2031 which states “*the local plan details that development should be design and constructed to take account of the impacts of climate change and minimise the risk to and vulnerability of people, land, infrastructure and property*”.
- 8.5.2.9 Resilience to climate change has been taken into account in the design of the Proposed Development, as discussed in further detail in the submitted Design Principles Statement (**Document Ref. 7.4**). Examples of this include the following:
- Converter buildings and associated electrical equipment should be designed with durable materials in line with durability quality standards and guidance; and
  - the converter stations will house auxiliary equipment e.g. appropriate cooling plant to account for a range of temperature conditions, as consistently heightened temperatures could lead to efficiency losses due to overheating, or the failure of electrical equipment.

- 8.5.2.10 The applicant's assessment includes a Climate Change Risk Assessment (CCRA). The assessment considers: several climate change variables (such as sea level rise, annual average temperature, precipitation, and extreme weather events); the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding) and the possible receptors affected such as the atmospheric mass. The CCRA concluded that when the proposed design considerations is considered, the potential risk posed to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms.
- 8.5.2.11 Overall, it has been assessed that over the lifetime of the Proposed Development, when considered cumulatively with the Moroccan generation assets, potential transboundary impacts and resulting effects will be beneficial on climate change and greenhouse gas emissions.
- 8.5.2.12 The conclusion of the assessment within Volume 4, Chapter 1 Climate Change of the ES (**Document Ref. 6.4.1**) has confirmed that there is a moderate adverse effect on the construction phase of the Proposed Development, while the remainder is negligible and therefore not significant. However, following the inclusion of relevant mitigation methods to reduce construction related emissions, as set out in the Commitments Register, the residual effect of the Proposed Development is negligible/ minor adverse and therefore not significant.
- 8.5.2.13 As the Project will have a beneficial impact in relation to climate change and a reduction in greenhouse gas emissions over its lifetime, it is considered to be in accordance with the requirements as set out in NPS EN-1, EN-3, EN-5, the NPPF and the Local Plan.

### 8.5.3 Landscape, Seascape and Visual Resources

- 8.5.3.1 NPS EN-1 requires Applicant to carry out a landscape and visual assessment and report it within the ES. EN-1 goes on to further state that the landscape and visual assessment should include some reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the Proposed Development.
- 8.5.3.2 Following on from the above, EN-1 discusses that an applicant's assessment should include the effects during the construction of the Proposed Development, alongside the effects of the final development during its operation on landscape components and wider landscape character. This assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the Proposed Development and potential impacts on views and visual amenity.
- 8.5.3.3 Paragraph 2.9.10 of NPS EN-5 states that, cumulative adverse landscape and visual impacts may arise where new overhead lines are required along with other related developments such as substations, and/or other new sources of generation. In terms of the Proposed Development, it is the Converter Stations which will be visible in the landscape and subsequently require mitigating against to reduce landscape impacts.

- 8.5.3.4 Policy ST04 ‘Improving the quality of development’ of the North Devon and Torridge Local Plan 2011-2031 requires development to achieve high quality design, responding the local characteristics of the Site, its wider context and surrounding area. The Applicant has produced a number of design principles **(Document Ref. 7.4)** focused around achieving high quality design and these will be approved by the relevant LPA as part of Requirement 4 of the DCO **(Document Ref. 3.1)**.
- 8.5.3.5 Volume 4, Chapter 2 Landscape, Seascape and Visual Resources of the ES **(Document Ref. 6.4.2)** has considered the character and sensitivity of the landscapes to accommodate the Proposed Development. For example, in duly considering the character and landscape sensitivity, the identification of representative viewpoints in informing the assessment of the Onshore Converter Stations has been selected and agreed with stakeholders.
- 8.5.3.6 The Applicant’s assessment concludes the following significant residual effects for landscape, seascape and visual resources:
- Effects on landscape resources and receptors during construction (locally significant but not generally over wider area):
    - North Devon Biosphere Reserve - localised, temporary moderate adverse to major adverse (at night) significant effects from the construction compound at the Landfall and the potential for night-time effects during 24-hour, task-related operations;
    - North Devon Coast NL – localised, temporary moderate adverse to major adverse (at night) (significant) effects from the construction compound at the landfall and the potential for night-time effects during 24-hour, task-related operations;
    - NCA 149 – The Culm – localised, temporary moderate adverse significant effects from construction works;

- Bideford Bay Coast LCA – localised temporary significant effects from construction works and the potential for night time effects;
- Torridge Valley LCA – localised, temporary moderate adverse (significant) effects from the construction compound to the west of the River Torridge and the potential for night-time effects during 24-hour, task-related operations;
- High Culm Ridges LCA – localised temporary moderate to major adverse (significant) effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations;
- LCT 3H Secluded Valleys - localised, temporary moderate adverse (not significant) effects from the HDD compound to the west of the River Torridge and the potential for night-time effects during 24-hour, task-related operations; and
- LCT 5A Inland Elevated Undulating Land - localised temporary moderate to major adverse (significant) effects from the construction works at the Converter Site (and related compound) a People using the South West Coast Path – localised, temporary significant effects from the construction compound at the Landfall and the potential for night-time effects during 24-hour, task-related operations.

- Effects on views and visual amenity during construction:
  - People using PRow where managed crossing would be put in place – localised, temporary moderate to major adverse significant effects from construction works;
  - People using the Tarka Trail and South West Coast Path - localised, temporary major adverse (significant) effects from the HDD compound to the west of the River Torridge and the potential for night-time effects during 24-hour, task-related operations;
  - People using the beach and accessing the sea via the beach – localised, temporary major adverse significant effects during 24-hour, task-related operations;
  - Walkers using the minor roads in the vicinity of Gammaton Moor and close to the Converter Site – localised temporary major adverse (significant) effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations;
  - People at work at the converter stations, HVAC cables and NG substation site - localised moderate adverse (significant) effects;
  - Night time effects on receptors – localised, temporary up to major adverse significant effects from the HDD compounds during 24-hour, task-related operations;
  - Recreational sailors – localised, temporary moderate adverse significant effects close to landfall that decrease with distance; and

- People at several of the representative viewpoints – representative viewpoints 23, 27, 31, 33, 34 and 35 - localised temporary moderate-major adverse (significant) effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations.
- Effects on landscape and seascape effects (locally significant but not generally over wider area) during operation:
  - North Devon Biosphere Reserve (Transition Zone) – localised moderate adverse effect of the Converter Site on tranquillity, with the potential for night-time effects of the manned Converter Site, reducing over time to minor adverse (not significant) as the mitigation planting matures;
- Effects on views and visual amenity during operation:
  - High Culm Ridges LCA – localised major adverse (significant) effect from the Converter Site;
  - North Devon and Torridge District Landscape Character Types 5A Inland Undulating Land major adverse significant effects from the Converter Site;
  - People at representative viewpoint 34 – localised major adverse effect of the Converter Site with the potential for night-time effects of the manned Converter Site, reducing over time as the mitigation planting matures; and
  - Night time moderate adverse significant effects due to lighting at the Converter Site.

8.5.3.7 The above significant residual effects reflect a minority of LSVR effects where the majority of LSVR residual effects are, through the use of mitigation measures, no greater than Moderate adverse. In the majority of cases these effects reduce to not significant by year 15, except for LCT 5A where effects reduce from major to moderate adverse, but still significant.

8.5.3.8 Furthermore, embedded mitigation includes the Outline Landscape and Ecology Management Plan (**Document Ref. 7.10**), landscape screening, and hedgerow reinstatement which is to be secured by design as per requirement 6 of the DCO (**Document Ref. 3.1**) and the principles set out within the Outline Landscape and Ecology Management Plan (**Document Ref. 7.10**).

8.5.3.9 NPS EN-1 recognises that adverse landscape effects are to some extent inevitable for nationally significant infrastructure stating at 5.10.5:

*“Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.”*

8.5.3.10 Furthermore 5.10.13 recognises:

*“All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites.”*

8.5.3.11 NPS EN-1 sets out policy on SoS decision-taking for developments outside of a National Landscape, but that may be visible from them, stating:

*“The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.”*

8.5.3.12 Further, it recognises that:

*“The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.”*

8.5.3.13 In this case, the LSVR assessment identifies a potential significant adverse effect on the North Devon Coast NL which is localised, temporary moderate adverse to major adverse (at night) from the construction compound at the landfall and the potential for night-time effects during 24-hour, task-related operations. The Applicant has sought to reduce the effect of the Proposed Development on the wider landscape as set out in the Design Approach Document (**Document Ref. 7.3**) and the Project Development and Consideration of Options annexed to this Planning Statement.



- 8.5.3.14 These adverse effects must also be weighed against NPS EN-1 which establishes that there is an “*urgent need for CNP infrastructure to achieve our energy objectives, together with the national security, economic, commercial, and net zero benefits*”. CNP Infrastructure “*will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy*”.
- 8.5.3.15 In summary, the Applicant notes that having completed a detailed LVSR assessment which sets out the effects of the Proposed Development and with the mitigation measures proposed as well as taking account of the importance attached to CNP infrastructure that the Project satisfies the tests set out in NPS EN-1 and NPS EN-5 as well the North Devon and Torridge Local Plan relating to landscape and visual matters.

### 8.5.4 Socio-Economics and Tourism

- 8.5.4.1 NPS EN-1 discusses that where the Proposed Development is likely to have socio-economic impacts at either local or regional levels, the Applicant is expected to undertake and include in their application an assessment of these impacts as part of the submitted ES.
- 8.5.4.2 NPS EN-3 states that Offshore transmission would occupy an area of the sea or seabed. While there will be no offshore infrastructure above the seabed, there is the potential that it could impact on navigation in and around the Order Limits. This is therefore relevant to both the commercial and recreational users of the sea who may be affected by disruption or economic loss because of the proposed offshore transmission infrastructure.
- 8.5.4.3 Policy ST11 of the North Devon and Torridge Local Plan 2011-2031 notes that they are in support of delivering employment and economic development which states that the Council’s will maintain and enhance a diverse local economy and encourage inward investment.
- 8.5.4.4 Volume 4, Chapter 3 Socio-Economics of the ES (**Document Ref. 6.4.3**) has considered how the Proposed Development could have an effect on the economic conditions of the study areas, with a particular focus upon the tourism economy. It provides a characterisation of the existing socio-economic environment based on publicly available data and considers evidence on demography, and the economy. Potential impacts and residual effects were then assessed.
- 8.5.4.5 The assessment of socio-economic effects concluded that there was a major beneficial significant effect identified on the impact on British Energy Consumers, however the effect on the tourism economy has been assessed as Moderate (adverse) because it is expected that the transient workforce required to construct the Proposed Development will displace tourists from accommodation and reduce spending in the wider tourism economy. This impact is expected to be temporary and concentrated in the summer months, when demand for visitor accommodation is highest.

- 8.5.4.6 The Applicant has submitted an Outline Accommodation Strategy with the Application to set out measures to monitor effects during construction to minimise likely significant effects as far as practicable.
- 8.5.4.7 The Proposed Development will also result in beneficial economic effects in terms of employment during construction (460 FTE jobs) and operation (20 FTE jobs) as well as a significant economic benefit of £825.2m GVA related to the onshore components and £875.3m GVA related to the offshore components. The Applicant is also committed to an Employment and Skills Strategy to increase the opportunity for local people to access the economic opportunities created by the Proposed Development.
- 8.5.4.8 Based on this assessment and the outcomes from it, the Proposed Development is therefore supported by NPS EN-1, NPS EN-3, and the local plan in relation to the socio-economics as the Proposed Development provides beneficial outcomes to the local economy whilst not adversely impacting upon social infrastructure of the local area.

### 8.5.5 Human Health

- 8.5.5.1 NPS EN-1 highlights that energy infrastructure has the potential to impact on the health and well-being of the population and may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity.
- 8.5.5.2 NPS EN-1 also notes that access to energy is clearly beneficial to society and health as a whole, but that the construction of such infrastructure and production, distribution and use of energy may have negative impacts on some people's health. Where a Proposed Development has an effect on humans, the ES should assess these effects for each element of the development, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. Where the impacts of more than one development may affect people simultaneously, the applicant should consider the cumulative impact on health in the ES where appropriate.
- 8.5.5.3 NPS EN-5 states that overhead power lines produce both electric and magnetic fields and although putting cables underground, rather than above ground, eliminates the electricity field, they still can produce magnetic fields, which are highest directly above the cable.
- 8.5.5.4 The objectives of the South West Inshore and Offshore Marine Plan, states that Development must ensure a strong, healthy and just society.
- 8.5.5.5 For Human Health, potential impacts on population health from changes due to the Proposed Development have been assessed. The assessment in Volume 4, Chapter 4 Human Health of the ES (**Document Ref. 6.4.4**) has been informed by a review of relevant public health evidence sources as well as residual effect conclusions from other relevant offshore and onshore ES Chapters.

- 8.5.5.6 Population health varies given factors such as personal choice, location, mobility and exposure whilst vulnerability relates to experiencing effects differently due to age, income level, health status, degree of social disadvantage or ability to access services or resources.
- 8.5.5.7 The Outline Onshore Construction Environmental Management Plan (**Document Ref. 7.7**) sets out all procedures and measures to be followed during construction, operation (and maintenance) and decommissioning phases for pollution prevention for onshore health receptors to avoid significant impacts on human health. The outline Dust Management Plan and the outline Pollution Prevention Management Plan are included as appendices to the onshore oCEMP and include embedded and specific mitigation measures to minimise for example noise, air quality, and visual impacts for onshore health receptors.
- 8.5.5.8 Overall, it has been concluded that there will be a negligible impact, which is not significant, on population health effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. Additionally, it has been concluded that there will be no significant adverse population health cumulative effects from the Proposed Development in terms of cumulative effects. A significant beneficial public health effect in relation to energy security is noted.

### 8.5.6 Inter-related effects

- 8.5.6.1 NPS EN-1 discusses that the SoS should consider how the accumulation of, and interrelationship between effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.
- 8.5.6.2 This is reiterated and supported by the NPPF which notes the importance of the need to consider inter-related effects.
- 8.5.6.3 Due to the differing spatial extent of potential effects experienced by different receptors, the study area and baseline environments for potential inter-related effects varies according to individual topics and receptor(s). The potential inter-related effects considered in this chapter are, therefore, also limited to the study areas defined in each of the topic chapters.
- 8.5.6.4 Following the implementation of mitigation measures adopted as part of the project and further mitigation (if required), project lifetime effects arising during the construction, operation and maintenance, and decommissioning phases of the Proposed Development are unlikely to result in effects of greater significance than those reported in each individual ES chapter.
- 8.5.6.5 For receptor-led effects, overall, it is unlikely that receptors would experience increased significance of inter-related effects than that which has already been reported in the individual chapters for the identified receptors. Therefore, there is no change in significance resulting from the inter-related assessment.

8.5.6.6 Based on the outcomes of the inter-related effects study, through the inclusion of the proposed mitigation measures set out within each ES chapter, it is concluded that there are no effects which would increase in significance which need to be considered in the SoS's decision.

## 9 PLANNING BALANCE AND CONCLUSION

### 9.1 Introduction

- 9.1.1.1 This section considers the conclusions of the earlier sections in terms of the need for, and other benefits of, the Proposed Development, and weighs this in the context of any harms identified and compliance with relevant national and local policy.
- 9.1.1.2 It considers the balancing exercise required both in the context of determination under section 104 PA 2008 (as per the Applicant's primary case) and under section 105.
- 9.1.1.3 In both cases, it concludes that the benefits of the Proposed Development decisively outweigh any adverse impacts and that development consent ought to be granted.

### 9.2 National Policy Statements

- 9.2.1.1 As set out earlier in this Planning Statement, the Applicant's position is that it is clear that the Application should be determined under Section 104 of the PA 2008 and therefore that the NPSs (EN-1, EN-3 and EN-5) provide the primary basis for the SoS's decision and the Application should be determined in accordance with them. If the SoS reaches a contrary view, notwithstanding the clear position set out, the NPSs still form important and relevant considerations to the decision.
- 9.2.1.2 There are a growing number of national and international policy commitments that demonstrate the need for new energy generation infrastructure, particularly renewable sources, in order to meet climate commitments and contribute to addressing the climate crisis. The NPSs support the Government's policies and legislative obligations to achieve Net Zero by bringing forward renewable energy national projects as soon as possible.
- 9.2.1.3 Section 4 above described in detail the need for new electricity infrastructure, which includes electricity network infrastructure such as the Proposed Development, as set out in NPSs EN-1, EN-3 and EN-5. NPS EN-1 presents a compelling case for the need for new electricity generating capacity in order to meet the UK's legally binding targets to cut greenhouse gas emissions and meet the net zero by 2050, whilst NPS EN-5 states that the security and reliability of the UK's energy supply, both currently and in the future, is heavily dependent on an electricity network that will allow for generation, storage, and interconnection infrastructure to meet the required rapid increase in electricity demand for the transition to net zero.
- 9.2.1.4 The need therefore derives from the need for the UK to decarbonise, and to ensure a secure, reliable and affordable supply of electricity.

- 9.2.1.5 EN-1 makes clear that, where the NPS has effect as a consequence of a section 35 Direction, the Secretary of State should proceed on the basis that an urgent need for that infrastructure has been demonstrated and that substantial weight is to be given to that need. As a consequence, the Applicant's case is that there is no need for it to demonstrate, albeit that it has done so in the Statement of Need on a precautionary basis.
- 9.2.1.6 Nonetheless, the Statement of Need (**Document Ref. 7.1**) should be read alongside this Planning Statement as it outlines how the urgent need for renewable energy projects is established beyond the policy requirements of the NPSs, and emphasises the nature and scale of the benefits that the Proposed Development will help realise.
- 9.2.1.7 As set out in detail in Section 4 above, the NPSs particularly specify an urgent need for the deployment of nationally significant energy infrastructure which is of a critical national priority (CNP) status, such as this Proposed Development. The CNP policy means that, subject to any legal requirements, the urgent need for energy infrastructure in achieving the Government's 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.
- 9.2.1.8 NPS EN-3 and EN-5 set out a number of those generic impacts that should be considered when determining the Proposed Development.
- 9.2.1.9 The North Devon and Torridge Local Plan (2011 – 2031) also requires climate change, landscape, local amenity, biodiversity and heritage impacts to be addressed. Local council support for the renewable energy sector is evident as Torridge District Council have declared a climate emergency and have developed a Carbon, Environment and Biodiversity Plan (Torridge District Council, 2023), which includes the vision to become net zero by 2030 and enhance the environment, biodiversity and sustainability.
- 9.2.1.10 There is in the circumstances a clear and established need for the electricity network infrastructure comprised in the Proposed Development.
- 9.2.1.11 Together with the generation infrastructure located in Morocco, the Proposed Development would provide a reliable and flexible supply of electricity to:
- Assist with decarbonising UK energy supplies and meeting net zero targets, both nationally and locally;
  - Help address the needs of the UK power market, through the deployment of technologies which, due to their geographic separation from the UK, would complement UK-based low carbon generation, especially during periods of low offshore wind production and reduced levels of solar index, in comparison to the high solar index in Morocco, around the other UK supplies;
  - Supporting diversification and therefore security of supply;

- Reducing exposure to imported gas and oil and price fluctuations;
- Providing a highly reliable supply, given both the Project's generation mix and the use of battery storage; and
- Provide an affordable source of power.

9.2.1.12 Under the policy considerations of the NPSs, the Proposed Development will represent a significant constituent part of the future generation mix; and make an important contribution to the achievement of Net Zero and a fully decarbonised UK.

### 9.3 Decision under Section 104

9.3.1 As set out earlier in this Planning Statement, under Section 104 of the PA 2008, the SoS must make a decision in accordance with the NPS unless any of the following apply.

- lead to the UK being in breach of its international obligations;
- be in breach of any statutory duty that applies to the SoS;
- be unlawful;
- result in the adverse impacts of the development outweighing the benefits; or
- be contrary to any condition prescribing how decisions regarding an NSIP application are to be taken.

9.3.2 None of the first three limbs of this provision apply. The fourth limb requires consideration of whether the adverse impacts of the development, on balance, outweigh its benefits. The fifth limb also does not apply as there are no prescribed conditions relevant to the consideration of this application.

9.3.3 This Planning Statement together with the other documents accompanying the Application, including the ES, has shown that the adverse residual impacts identified as a result of the Proposed Development are limited to those set out in the table below, following the application of mitigation. The vast majority of these arise during construction of the Proposed Development and are reduced to minor adverse or negligible during operation. The principal residual effects arising from the operational phase are landscape and visual effects, partly due to the wide parameters required for the Converter Station site at the current stage of design development, but even in that scenario these reduce over time as the mitigation planting matures.

9.3.4 In addition, there is a major adverse effect during operation as a result of the loss of 3.5 hectares of best and most versatile agricultural land at the Converter Station site (or up to 18.8ha if the un-surveyed land is included). In context, this represents 9% of the Converter Site area (up to 48% if un-surveyed land is included).

**Table 9.1 – Summary of Residual effects from ES Assessment**

Chapter Topic	Residual Effect
<p>Volume 2, Chapter 1: Onshore Ecology and Nature Conservation</p>	<p><b>DURING CONSTRUCTION:</b></p> <ul style="list-style-type: none"> <li>- An effect of up to <b>moderate adverse</b> significance arising from the permanent loss of hedgerows as a result of the <b>construction</b> of the Converter Site</li> <li>- An effect of up to <b>moderate adverse</b> significance arising from the Permanent loss of Devon hedgerows as a result of <b>construction</b> of Converter Site in combination with the minor hedgerow losses for other schemes considered</li> <li>- An effect of up to <b>moderate adverse</b> significance arising from the temporary and permanent loss of improved grassland and arable leys as a result of <b>construction</b> of the HVDC cable route and Converter Site. In combination there will be additional loss of this habitat</li> <li>- An effect of up to <b>moderate adverse</b> significance arising from the temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to <b>construction</b> works as a result of construction of HVDC cable route, compounds, road widening and Converter Site</li> <li>- An effect of up to <b>moderate adverse</b> significance arising from the damage to hedgerows used as foraging/migration flight-lines for bats. Removal of small number of trees potentially supporting bat roosts. Potential disturbance to adjacent habitats potentially including bat roosts from <b>construction</b> works.</li> </ul> <p><b>DURING OPERATION</b></p> <p>None</p>
<p>Volume 2, Chapter 2: Historic Environment</p>	<p><b>DURING CONSTRUCTION</b></p> <ul style="list-style-type: none"> <li>- an effect of up to <b>major adverse</b> significance arising from loss of, or harm to, buried archaeological remains and deposits of geoarchaeological and palaeoenvironmental interest <b>during construction</b></li> <li>- an effect of <b>moderate adverse</b> significance arising from the change within the setting of one Scheduled Monument <b>during</b></li> </ul>



	<p><b>construction</b> of the converter stations and associated landscaping</p> <p><b>DURING OPERATION</b></p> <ul style="list-style-type: none"> <li>- an effect of <b>moderate adverse</b> significance arising from the change within the setting of one Scheduled Monument <b>during operation</b> and maintenance of the converter stations and associated landscaping.</li> </ul>
<p>Volume 2, Chapter 5: Traffic and Transport</p>	<p><b>DURING CONSTRUCTION</b></p> <ul style="list-style-type: none"> <li>- an effect of <b>moderate adverse</b> significance arising from the impact on driver delay <b>during construction</b></li> <li>- an effect of <b>moderate adverse</b> significance arising from the impact on road safety <b>during construction</b></li> </ul> <p><b>DURING OPERATION</b></p> <p>None</p>
<p>Volume 2, Chapter 8: Land Use and Recreation</p>	<ul style="list-style-type: none"> <li>- An effect of <b>major adverse</b> significance arising from the impact of permanent loss of 3.5 hectares of best and most versatile agricultural land at the converter station site.</li> </ul>
<p>Volume 3, Chapter 7: Marine Archaeology and Cultural Heritage</p>	<p><b>DURING CONSTRUCTION</b></p> <ul style="list-style-type: none"> <li>- An effect of <b>moderate adverse</b> significance arising from the direct impact through seabed disturbance during route preparation, penetration, compression, and disturbance activities, laying of cables, the anchoring of jack-up barges and other construction vessels, and laying of rock protection over cable crossings <b>during construction</b>.</li> </ul> <p><b>DURING OPERATION</b></p> <p>None</p>
<p>Volume 4, Chapter 1: Climate Change</p>	<p><b>DURING CONSTRUCTION</b></p> <ul style="list-style-type: none"> <li>- An effect of moderate adverse significance arising from emissions from the manufacturing during construction</li> </ul> <p><b>DURING OPERATION</b></p> <ul style="list-style-type: none"> <li>- A significant beneficial impact arising from the Net Whole Life GHG Emissions including Proposed Development, cumulative Project and Alverdiscott Substation Connection Development</li> </ul>

<p>Volume 4, Chapter 2: Landscape, Seascape and Visual Resources</p>	<p><b>DURING CONSTRUCTION</b> – Effects on landscape resources and receptors (locally significant but not generally over wider area)</p> <ul style="list-style-type: none"> <li>- North Devon Biosphere Reserve - localised, temporary <b>moderate adverse to major adverse (at night) significant</b> effects from the construction compound at the Landfall and the potential for night-time effects during 24-hour, task-related operations;</li> <li>- North Devon Coast NL – localised, temporary <b>moderate adverse (significant)</b> effects from the construction compound at the Landfall and the potential for night-time effects during 24-hour, task-related operations;</li> <li>- NCA 149 – The Culm – localised, temporary moderate adverse significant effects from construction works;</li> <li>- Bideford Bay Coast LCA – localised temporary significant effects from construction works and the potential for night time effects;</li> <li>- Torridge Valley LCA – localised, temporary <b>moderate adverse (significant)</b> effects from the construction compound to the west of the River Torridge and the potential for night-time effects during 24-hour, task-related operations;</li> <li>- High Culm Ridges LCA – localised temporary <b>moderate to major adverse (significant)</b> effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations;</li> <li>- LCT 3H Secluded Valleys - localised, temporary <b>moderate adverse (not significant)</b> effects from the HDD compound to the west of the River Torridge and the potential for night-time effects during 24-hour, task-related operations; and</li> <li>- LCT 5A Inland Elevated Undulating Land - localised temporary <b>moderate to major adverse (significant)</b> effects from the construction works at the Converter Site (and related compound) a People using the South West Coast Path – localised, temporary significant effects from the construction compound at the Landfall and the potential for night-time effects during 24-hour, task-related operations.</li> </ul> <p><b>DURING CONSTRUCTION</b> – Effects on views and visual amenity</p>
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	<ul style="list-style-type: none"> <li>- People using PRow where managed crossing would be put in place – localised, temporary <b>moderate to major adverse (significant)</b> effects from construction works;</li> <li>- People using the beach and accessing the sea via the beach – localised, temporary major adverse significant effects during 24-hour, task-related operations;</li> <li>- People using the Tarka Trail and South West Coast Path - localised, temporary <b>major adverse (significant)</b> effects from the HDD compound to the west of the River Torridge and the potential for night-time effects during 24-hour, task-related operations;</li> <li>- Walkers using the minor roads in the vicinity of Gammaton Moor and close to the Converter Site – localised temporary <b>major adverse (significant)</b> effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations;</li> <li>- People at work at the converter stations, HVAC cables and NG substation site - localised <b>moderate adverse (significant)</b> effects;</li> <li>- Night time effects on receptors – localised, temporary up to <b>major adverse (significant)</b> effects from the HDD compounds during 24-hour, task-related operations;</li> <li>- Recreational sailors – localised, temporary <b>moderate adverse (significant)</b> effects close to landfall that decrease with distance; and</li> <li>- People at several of the representative viewpoints – representative viewpoints 23, 27, 31, 33, 34 and 35 - localised temporary <b>moderate-major adverse (significant)</b> effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations.</li> </ul> <p><b>DURING OPERATION</b> – Effects on landscape and seascape effects (locally significant but not generally over wider area)</p> <ul style="list-style-type: none"> <li>- North Devon Biosphere Reserve (Transition Zone) – localised <b>moderate adverse</b> effect of the Converter Site on tranquillity, with the potential for night-time effects of the manned Converter Site, reducing over time <b>to minor adverse (not significant)</b> as the mitigation planting matures.</li> </ul>
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	<p><b>DURING OPERATION</b> – Effects on views and visual amenity</p> <ul style="list-style-type: none"> <li>- High Culm Ridges LCA – localised <b>major adverse (significant)</b> effect of the Converter Site, with the potential for night-time effects of the manned Converter Site, reducing over time to <b>moderate adverse (not significant)</b> as the mitigation planting matures; and</li> <li>- LCT 5A Inland Elevated Undulating Land - localised <b>major adverse</b> effect of the Converter Site, with the potential for night-time effects of the manned Converter Site, reducing over time to <b>moderate adverse (significant)</b> as the mitigation planting matures.</li> <li>- People at viewpoint 34 – localised <b>major</b> (cyclists and walkers) to <b>moderate adverse</b> effect of the Converter Site, reducing over time to <b>moderate to minor adverse (not significant)</b> as the mitigation planting matures.</li> <li>- Night-time <b>moderate adverse (significant)</b> effects due to lighting at the Converter Site. The significance has not been able to be reduced as the detailed design of the lighting is subject to a requirement on the draft DCO.</li> </ul>
<p>Volume 4, Chapter 3: Socio-Economics, Tourism and Recreation</p>	<p><b>DURING CONSTRUCTION</b></p> <ul style="list-style-type: none"> <li>- An effect of <b>moderate adverse</b> significance as a result of cumulative impacts with other development arising from workforce requiring accommodation during <b>construction</b>.</li> </ul> <p><b>DURING OPERATION</b></p> <ul style="list-style-type: none"> <li>- An effect of <b>major beneficial</b> significance arising from the impact on British energy consumers during <b>operation</b>.</li> </ul>

9.3.4.1 In considering the balance of whether these adverse effects outweigh the benefits of the Proposed Development, Section 4 of the Planning Statement sets out the significant benefits in terms of delivery of low carbon infrastructure as follows – the Proposed Development will deliver infrastructure which will:

- improve the security and diversity of the UK’s electricity supply;
- play an important role in enabling an energy system that meets the UK’s commitment to reduce carbon emissions; and
- play an important role in enabling an energy system that meets the Government’s objectives to create a secure, reliable and affordable energy supply for consumers.

9.3.4.2 It will also provide a number of other benefits, including:

- Creation of 460 FTE jobs during construction and 20 during the operation and maintenance phase;
- An economic benefit of £825.2m GVA as a result of the onshore works and £875.3m as a result of the offshore works; and
- Commitment to an Employment and Skills Strategy, working with local providers to maximise the economic benefits of the project for local people.

9.3.4.3 In terms of the ‘test’ under Section 104, the adverse impacts of the Proposed Development are considered to be more than outweighed by its benefits. The Proposed Development therefore benefits from the full effect of NPS EN-1 and its recognition of the Proposed Development as “CNP Infrastructure” and the presumption in favour of granting consent for energy NSIPs.

9.3.4.4 The implication of this is that development should only be refused in the most exceptional of cases.

9.3.4.5 This is clearly not such a case – no adverse effects are identified in relation to internationally or nationally recognised landscapes or other designations, with the exception of one temporary moderate to major adverse effect on the North Devon NL as a result of views of the construction compound at landfall, particularly at night, which will be removed by the operational phase. An adverse effect has been identified to a SAM as a result of changes in its setting, but this is considered to be less than substantial in terms of the tests in the NPS and NPPF.

9.3.4.6 There will also be an effect of moderate adverse significance arising from emissions from manufacturing during construction, however this effect is identified in the ES under the worse-case scenario and, overall, the cumulative assessment results in a significant beneficial effect in EIA terms as a result of the avoided emissions resulting from the displacement of higher emitting electricity generation sources, enabled by the Proposed Development.

- 9.3.4.7 Other residual effects arise as a result of inevitable disturbance during the course of construction. Residual effects during operation are limited to the impact on the SAM and due to the impact of the Converter Station site on the landscape, which reduces over time as planting matures. In the majority of cases these effects reduce to not significant by year 15, except for LCT 5A where effects reduce from major to moderate adverse, but still significant, and night time impacts as a result of lighting from the construction compound at the landfall site which is subject to a requirement in the draft DCO. There will also be a permanent loss of a small area of BMV agricultural land.
- 9.3.4.8 The Applicant has sought to reduce effects as far as possible due to a positive approach to mitigation and site selection, and compliance with the mitigation hierarchy, however, these residual effects cannot be completely avoided. Residual landscape effects in particular are recognised by NPS EN-1 as inevitable from nationally significant infrastructure projects (paragraph 5.10.5 of EN-1).
- 9.3.4.9 In addition, the Applicant has sought to integrate ‘good design’ throughout the process. The Design Approach Document (**Document Ref. 7.3**) and Design Principles Statement (**Document Ref. 7.4**) set out the indicative design for the scheme, which is to later be developed into a detailed design and secured via a requirement in the Development Consent Order (**Document Ref. 3.1**). The Applicant considers that the benefits of Proposed Development outweigh the localised landscape and visual effects.
- 9.3.4.10 The Proposed Development accords with the NPS as summarised above, in Section 8 and in the detailed tables at Annex 1 of this Planning Statement. The Proposed Development also accords with relevant local policies in the Development Plan as set out in Annex 1. There is a clear and compelling need for the Proposed Development as established by NPS EN-1 and the Statement of Need (**Document Ref. 7.1**). Development consent should therefore be granted.

## 9.4 Decision under Section 105

- 9.4.1.1 Notwithstanding the clear evidence presented to the contrary, should the SoS reach a view that the NPS does not ‘have effect’ either for some or all of the components of the Project, the above considerations are still important and relevant to the decision.
- 9.4.1.2 In this case, there is a clear and compelling need for the Proposed Development as established by the NPSs and the Statement of Need (**Document Ref. 7.1**). There are also other benefits arising in terms of significant economic impact and job creation.
- 9.4.1.3 When weighed against the residual effects of the Proposed Development, the balance clearly falls in favour of the Proposed Development proceeding.

## 9.5 Conclusion

- 9.5.1.1 This Planning Statement has been prepared to assist the SoS with the determination of the DCO application for the Xlinks Morocco to UK Power Project.

- 9.5.1.2 The purpose of this Planning Statement has been to give an overview of the Proposed Development's location and description and benefits of it, the detailed planning and legislative policy context against which this Application should be decided and an assessment of the Proposed Development's compliance with the relevant policy requirements of the NPSs, the Marine Plans and any other policy documents that are deemed to be both important and relevant to the SoS's decision.
- 9.5.1.3 There is an urgent 'need' for new dispatchable low carbon electricity generating capacity in the UK. That need is confirmed in NPS EN-1 and within recent UK energy and climate change policy. That need is not open to debate or interpretation and should be afforded substantial weight in decision-making. Furthermore, the energy NPSs are the primary basis for the determination of development consent applications for energy infrastructure.
- 9.5.1.4 It is demonstrated in this statement that the Proposed Development will support and make a significant contribution to the UK in its transition to a low carbon economy, helping to meet legislated 2050 Net Zero targets. This is through the proposal to facilitate the import of up to 3.6 Gigawatts (GW) of low carbon electricity into the national grid. Once complete, the Project would be capable of supplying approximately 8 percent<sup>3</sup> (%) of UK's annual electricity needs. This would help enable the UK to diversify its energy supply, increase energy resilience and help support local and national carbon emission reduction targets.
- 9.5.1.5 There is a large amount of policy support for energy infrastructure in the NPSs and relevant Marine Plans. The NPSs provide the basis against which the DCO application should be assessed against as stated by Section 104 (2) of the PA2008. NPS EN-1 sets out that given the level and urgency of need for energy infrastructure, the decision maker should start with a presumption in favour of granting consent to applications for energy NSIPs unless more specific policies set out in relevant NPSs clearly indicate that consent should be refused or the adverse impacts will outweigh the benefits. The Proposed Development has been developed to limit any adverse impacts in line with the NPSs as demonstrated in the policy analysis.
- 9.5.1.6 When taking into account the evidence presented in the submitted ES and this Planning Statement, it is not considered that there are any adverse impacts that cannot be mitigated or that outweigh the benefits associated with Proposed Development. It has been demonstrated that the project is in accordance with both national and local planning policy. Therefore, the Proposed Development should be consented without delay.

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<sup>3</sup> Calculation assumes an annual electricity demand of 45 GW (3.6 GW / 45 GW = 8%).

## Annex 1: Policy Compliance Tables



**National Policy Statement for Overarching Energy (EN-1)**

Ref	Topic & Relevant NPS Section	Relevant paragraph and Policy Text	Assessment	Relevant Application Documents
<b>EN-1, Part 3 – The need for new nationally significant energy infrastructure projects</b>				
1.1	<p><b>Introduction:</b></p> <p>EN-1 (3.1)</p>	<p>3.1.1 This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers that the need for such infrastructure is urgent.</p> <p>3.1.2 However, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.</p>	<p>The Proposed Development would make a significant contribution to the achievement both the national renewable energy targets and to the UK’s contribution to global efforts to reduce the effects of climate change.</p> <p>The Proposed Development would enable the delivery of an output of up to 3.6 Gigawatts (GW) of clean energy. The Climate Change Chapter identifies a cumulative environmental effect (being Net Whole Life Green House Gas (GHG) Emissions across construction, operation and maintenance and decommissioning) which considers the renewable generation assets in Morocco and is a beneficial significant effect, significant in Environmental Impact Assessment (EIA) terms.</p> <p>By a Section 35 direction made by Secretary of State (SoS) on 26 September 2023 the Proposed Development has been classed as a Project of National Significance. This direction confirmed that elements of the Proposed Development should be treated as development for which development consent is required.</p>	<p>Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Planning Statement (Document Ref. 7.2)</p>

			<p>The Environmental Statement (ES) accompanying the Application assesses any likely significant environmental effects of the Proposed Development and aims to avoid and mitigate these wherever possible. However, as noted in Section 3.2 of the NPS, given the large and complex nature of the Proposed Development, it is not always possible to avoid having any adverse effects. The need for the Proposed Development should, therefore, be ascribed substantial weight in the balance of considerations applying the presumption in favour of such developments.</p>	
1.2	<p><b>Secretary of State decision making:</b></p> <p>EN-1 (3.2)</p>	<p>3.2.1 The government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and NDC.</p>	<p>As discussed in the Introduction Chapter of the ES, the Proposed Development proposes to facilitate the import of up to 3.6 GW of low-carbon electricity into the National Grid. The Proposed Development would contribute towards the UK Government meeting the overarching key national policy aims of:</p> <ul style="list-style-type: none"> <li>- Achieving Net Zero by 2050 and reducing emissions;</li> <li>- Increasing the security of energy supply</li> <li>- Lowering the cost and increasing the affordability of generated electricity; and</li> <li>- Contributing to sustainable development and economic opportunities</li> </ul> <p>This would help the UK diversify its energy supply, increase energy resilience, and support local and national carbon emission reduction targets. Together with the generation infrastructure located in Morocco, it would provide a reliable supply of electricity that seeks to help address the needs of</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p>

			<p>the UK power market, especially during periods of low offshore wind production around the UK.</p> <p>It would also help the UK to meet carbon reduction commitments, by significantly increasing the proportion of electricity supplied by renewable sources.</p>	
		<p>3.2.2 We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.</p>	<p>The Proposed Development would help the UK diversify its energy supply, increase energy resilience and help support local and national carbon emission reduction targets.</p> <p>Together with the generation infrastructure located in Morocco, it would provide a reliable supply of electricity that seeks to help address the needs of the UK power market, especially during periods of low offshore wind production around the UK.</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p>
		<p>3.2.3 It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects within the strategic framework set by government. With the exception of new coal or largescale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the government's ambitions in energy policy and other policy areas.</p>	<p>The Policy and Legislation Chapter of the ES highlights several policies and paragraphs within NPS EN-1, which highlight that the Proposed Development is in conformity with the Government's ambitions in terms of transitioning the energy system.</p> <p>The Proposed Development is not considered an interconnector in terms of the NPSs, however, the Proposed Development will serve to increase energy flexibility whilst also reducing costs in the delivery of affordable supplies of electricity. For this reason, it is clear that there is an established need for the Proposed Development in light of this NPS, and thus, substantial weight should be placed on this need by the SoS.</p>	<p>Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).</p>

		<p>3.2.6 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, as described for each of them in this Part.</p> <p>3.2.7 In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.</p>	<p>Section 3.3 of the NPS EN-1 identifies an urgent need for new nationally significant electricity infrastructure. The Proposed Development delivers against that need because it will provide facilitate the import of up to 3.6 GW of low-carbon electricity into the National Grid. Further detail is provided in the Planning Statement, the Statement of Need and the Need and Alternatives Chapter of the ES.</p> <p>As noted above, the Secretary of State determined under a Section 35 notice that the Proposed Development (or part of it) constitutes a nationally significant infrastructure project. Therefore, the Secretary of State can place significant weight on this need when considering the application.</p> <p>Therefore, the established need for the Proposed Development and substantial weight that the SoS may place on this need. Further, the new NPSs for Energy now consider this need to be 'urgent'. The clearly established need for the Proposed Development is summarised in Chapter 4 of the Planning Statement.</p>	<p>Volume 1, Chapter 4 Need and Alternatives (Document Ref. 6.1.4).</p> <p>Statement of Need, (Document Ref. 7.1)</p> <p>Planning Statement, (Document Ref.7.2)</p>
		<p>3.2.9 This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.</p>	<p>The Applicant acknowledges this Paragraph and confirms that a policy review of all relevant NPSs for Energy has been undertaken.</p>	<p>Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).</p>
<p>1.3</p>	<p><b>The need for new nationally significant</b></p>	<p>3.3.1 Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our</p>	<p>The Proposed Development allows for a maximum export of 3.6 GW to the UK's electricity system and the Applicant's analysis indicates that through the course of a year, energy exported from the</p>	<p>Volume 1, Chapter 1 Introduction</p>

<p><b>electricity infrastructure:</b></p> <p>EN-1 (3.3)</p>	<p>net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.</p>	<p>international generation assets will be equivalent to approximately 18 hours of full export a day (i.e. an annual load factor of approximately 75%).</p> <p>The Proposed Development therefore presents a unique opportunity to connect a high capacity, high load factor low-carbon energy source to the UK electricity system through a single existing grid connection point, with a proposed first connection date in 2030. This is a material issue when considering how the UK is to meet the urgent need for low-carbon generation as is set out in the NPSs, given the current constraint in configuring existing connections and delivering new connections for proposed low-carbon electricity generators in the UK.</p>	<p>(Document Ref. 6.1.1).</p> <p>Statement of Need (Document Ref. 7.1)</p>
	<p>3.3.2 The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases overall costs of the system.</p>	<p>The Proposed Development would support the objectives within NPS EN-1, which recognises that connections across national borders have an essential role in delivering a secure and low carbon electricity system at a low cost.</p> <p>NPS EN-1 recognises that there is presently 8.4 GW of Great British interconnection and an ambition to realise at least 18 GW of operational interconnector capacity by 2030. The Proposed Development proposes to import up to 3.6 GW and so this is seen as a significant contribution to the 2030 target.</p> <p>Further, and together with the generation infrastructure located in Morocco, the Proposed Development would provide a reliable supply of electricity which would, more widely, help to</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p> <p>Statement of Need (Document Ref. 7.1)</p>

			<p>address the needs of the UK power market, especially during periods of low offshore wind production around the UK.</p>	
		<p>3.3.3 To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465 - 515TWh in 2035 and 610 - 800TWh in 2050.</p>	<p>As noted in response to the NPS EN-1 provisions made in Paragraphs 3.3.1 and 3.3.2, the Proposed Development is in accordance with the overarching needs case set out within NPS EN-1.</p> <p>Given the nature of the Proposed Development connecting the UK to another country, it would serve to increase flexibility and resilience within the UK's energy system. This is particularly relevant for the connection to a different region where weather conditions will generally be substantially different to those in the UK, bringing a natural complement and flexible energy into the UK energy system.</p> <p>This aligns with the Government's ambition of delivering several different types of infrastructure to meet future demand and provide an affordable, secure and reliable energy system where the Proposed Development is a key technology type to be rolled out to meet this objective.</p> <p>Considering the above, there is a clear and established need for the Proposed Development and substantial weight by SoS should be placed on this need.</p> <p>The need for the Proposed Development has been further set out in the Statement of Need and Need and Alternatives Chapter of the ES.</p>	<p>Volume 1, Chapter 4 Need and Alternatives (Document Ref. 6.1.4).</p> <p>Statement of Need (Document Ref. 7.1)</p>

<p>1.4</p>	<p><b>Delivering affordable decarbonisation:</b></p> <p>EN-1 (3.3)</p>	<p>3.3.16 If demand doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.</p> <p>3.3.19 Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.</p>	<p>The Applicant is cognisant of the energy pressures the UK could be under in future years should demand double by 2050. The Applicant also recognises that sufficient Policy (as contained within the NPSs for Energy) is in place to encourage energy deployment from low carbon sources, in line with the Net Zero Strategy.</p> <p>The Applicant has secured connection agreements with NGENSO for each of the Proposed Development's two Bipoles. Each connection agreement is for 1.8 GW export to the national grid at the existing Alverdiscott 400 kV Substation site, with the first connection in 2030 and the second connection in 2032.</p> <p>The NPSs also confirm that assets which provide flexibility to the national electricity system, or to the energy system generally, are also needed to achieve national decarbonisation and energy security aims. The Proposed Development, which is critical infrastructure to transmit low carbon energy from an internationally located solar, onshore wind, and storage facility to the UK's electricity system, is therefore fully aligned with the government's aims.</p> <p>Decarbonisation will increase the demand for electricity. Policies are already in-flight, and electricity demand is increasing or set to increase. Therefore, a significant number of new low-carbon electricity schemes, including the Proposed Development, are required to meet that demand and enable an energy system consistent with the</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p> <p>Statement of Need (Document Ref. 7.1)</p> <p>Grid and Cable Connection Statement (Document Ref. 7.5)</p>
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			<p>UK's objectives to reduce carbon emissions while ensuring a reliable, secure, and affordable supply.</p> <p>Together with the generation infrastructure located in Morocco, it would provide a reliable supply of electricity that seeks to help address the needs of the UK power market, especially during periods of low offshore wind production around the UK.</p> <p>The Proposed Development would also help the UK to meet carbon reduction commitments, by increasing the proportion of electricity supplied by renewable sources.</p> <p>Considering the above, the Proposed Development reflects a significant constituent part of a diverse electricity landscape.</p>	
1.5	<p><b>The need for electricity generating capacity:</b></p> <p>EN-1 (3.3)</p>	<p>3.3.59 All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type) providing an affordable, reliable system (through the deployment of technologies with complementary characteristics) ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology).</p>	<p>As discussed in the above responses to NPS EN-1 Paragraphs 3.2.1 and 3.3.2, the Proposed Development is urgently needed in order to meet the Government's energy objectives.</p> <p>The Statement of Need concludes that the benefits brought by the Proposed Development to the national urgent need to reduce UK carbon emissions while ensuring a reliable, secure, and affordable supply, should be afforded significant weight when assessing the planning balance.</p> <p>Urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding</p>	<p>Statement of Need (Document Ref. 7.1)</p>



			<p>climate change targets. Increasing the supply of energy from renewable sources is a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'.</p> <p>However, the need for new clean power does not stop at 2030. The continued delivery of low-carbon generation facilities beyond 2030 is necessary to meet future electricity demand growth and achieve essential wider societal carbon savings. It is also important to continue to bring forward schemes in case 'Clean Power by 2030' is not achieved.</p> <p>The NPSs do not set out any maximum targets for low-carbon infrastructure development (see paragraph 3.2.3 of NPS EN-1). The UK should be developing as much low-carbon infrastructure as possible and as quickly as possible to meet the urgent need to reduce carbon emissions while ensuring a reliable, secure, and affordable supply.</p>	
		<p>3.3.63 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.</p>	<p>The Applicant recognises that the Proposed Development constitutes CNP Infrastructure and that this gives rise to a need which will, in general, outweigh any other residual impacts that are not capable of being addressed by the application of the mitigation hierarchy.</p> <p>Adverse impacts during the Proposed Development's construction, operation and maintenance and decommissioning are identified and assessed across the ES with each Chapter highlighting the embedded and, where required, additional mitigation measures (further secondary</p>	<p>Volume 1, Chapter 5 EIA Methodology (Document Ref. 6.1.5).</p> <p>Statement of Need (Document Ref. 7.1)</p> <p>Planning Statement,</p>

			<p>mitigation) secured to reduce the significance of likely significant adverse effects.</p> <p>The EIA Methodology Chapter of the ES confirms that the EIA methodology has involved a 'feedback loop'. Where the findings of initial assessments indicate that effects may be significant, changes have been made, where reasonably practicable, to the Proposed Development to reduce or offset the impact. This process has been repeated until the EIA practitioner is satisfied that either:</p> <ul style="list-style-type: none"> <li>- the effect is reduced to a level that is which is not significant in EIA terms; or</li> <li>- no further primary or secondary mitigation could be applied to reduce the impact magnitude (and hence the significance of the effect). In these cases, an overall effect still significant in EIA terms has been presented.</li> </ul>	(Document Ref.7.2)
1.6	<p><b>The need for new electricity networks:</b></p> <p>EN-1 (3.3)</p>	<p>3.3.82 Government has committed to reduce emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand.</p> <p>3.3.83 Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as</p>	<p>The Proposed Development therefore presents a unique opportunity to connect a high capacity, high load factor low-carbon energy source to the UK electricity system through a single existing grid connection point, with a proposed first connection date in 2030. This is a material issue when considering how the UK is to meet the urgent need for low-carbon generation as is set out in the NPSs, given the current constraint in configuring existing connections and delivering new connections for proposed low-carbon electricity generators in the UK.</p> <p>The Applicant has secured connection agreements with National Grid Energy System</p>	<p>Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Part 7, Statement of Need (Document Ref. 7.1)</p> <p>Part 7, Planning Statement,</p>

		soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	Operator (NGESO) for each of the Proposed Development's two Bipoles. Each connection agreement is for 1.8 GW export to the national grid at the existing Alverdiscott 400 kV Substation site, with the first connection in 2030 and the second connection in 2032.	(Document Ref.7.2).
<b>EN-1 Part 4 – Assessment Principles</b>				
1.7	<b>General Policies and Considerations:</b>  EN-1 (4.1)	<p>4.1.2 The Energy White Paper and British Energy Security Strategy emphasises the importance of the government's net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs.</p> <p>4.1.3 Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, 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.</p> <p>4.1.4 The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.4 of this NPS.</p>	<p>The Proposed Development meets the requirements of the relevant NPSs. Therefore, the presumption in favour of granting consent should apply, given the urgent need for this type of infrastructure. The Applicant is cognisant that the SoS is to start with a presumption in favour of granting consent for energy NSIPs that provision low carbon infrastructure unless any more specific NPS Policies indicate otherwise.</p> <p>Chapter 4 of the Planning Statement provides a summary of the need for the Proposed Development, recognised as CNP in the 2024 NPSs, and which informs the presumption in favour of granting consent. The Applicant recognises the provisions of Paragraph 1.1.4 of NPS EN-1 in the SoS determination of the Proposed Development and has sought to ensure the Development Consent Order (DCO) Application is consistent with the instructions and guidance of the relevant NPSs.</p> <p>The Government has therefore concluded that there is a Critical National Priority for low-carbon infrastructure to come forward urgently to achieve the UK's energy objectives of delivering a low-carbon, secure, and affordable energy system.</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p> <p>Part 7, Planning Statement, (Document Ref.7.2).</p>

			<p>The Proposed Development is within the definition of Critical National Priority Infrastructure set out in the National Policy Statements. If the Proposed Development is determined under Section 104 of the Planning Act 2008, then the policy test is set out in NPS EN1.</p> <p>The Project Description, Policy and Legislative Context and Climate Change Chapters of the ES demonstrate that the Proposed Development accords with the relevant policies of the NPS.</p>	
1.8	<p><b>General Policies and Considerations, weighing impacts and benefits:</b></p> <p>EN-1 (4.1)</p>	<p>4.1.5 In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:</p> <ul style="list-style-type: none"> <li>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;</li> <li>potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.</li> </ul>	<p>The Planning Statement, submitted as part of this Application, sets out the planning balance for the Proposed Development, drawing together the likely significant beneficial effects of the Proposed Development and the likely significant residual adverse effects.</p> <p>The Proposed Development's assessment concludes that there are a number of significant adverse effects identified throughout the ES Chapters. However, by incorporating both embedded and additional mitigation measures, most of these significant adverse effects are reduced to minor adverse residual effects, where feasibly practicable. This notwithstanding, some assessments still conclude significant adverse residual effects.</p> <p>However, even though there are a number of significant residual effects as a result of the Proposed Development, the Proposed Development is wholly compliant with and widely supported by the relevant policy tests as set out in</p>	<p>Part 7, Planning Statement, (Document 7.2).</p>

		<p>each of the NPSs for each environmental topic. The assessment of the Proposed Development concludes that there are no planning policies in conflict with the Proposed Development and that there are no overall grounds for refusing development consent.</p> <p>This position has been reached by the Applicant as, subject to any legal requirements, the urgent need for CNP infrastructure will, in general, outweigh any other residual impacts not capable of being addressed by the application of the mitigation hierarchy.</p> <p>When taking into account the evidence presented in the submitted ES and the Planning Statement, it is not considered that there are any adverse impacts that can be mitigated further or that these adverse impacts outweigh the benefits associated with Proposed Development. It has been demonstrated that the Proposed Development is in accordance with both national and local planning policy. Therefore, consent for the Proposed Development should be consented without delay.</p>		
		<p>4.1.6 In this context, the Secretary of State should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other</p>	<p>The Planning Statement sets out the planning balance for the Proposed Development by weighing the benefits of the Proposed Development against the significant residual adverse effects (at local, regional and national levels) which, following the mitigation hierarchy, have been mitigated for as far as reasonably practicable.</p>	<p>Part 7, Planning Statement (Document Ref. 7.2).</p>

		<p>material considerations as outlined in Section 1.1).</p>	<p>The Planning Statement, together with these Policy Compliance Tables, considers the Proposed Development's compliance with the relevant NPSs, NPPF, Marine Plan, Local Plan and Marine Policy Statement.</p> <p>The Planning Statement concludes that there is a presumption in favour of granting consent for the Proposed Development, and that the Proposed Development would provide a reliable supply of electricity which would help to address the needs of the UK power market, especially during periods of low offshore wind production around the UK whilst also helping the UK to meet carbon reduction commitments, by increasing the proportion of electricity supplied by renewable sources.</p>	
		<p>4.1.7 Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence,</p>	<p>The residual adverse effects associated with the Proposed Development's construction, operation and maintenance and decommissioning have been identified across the ES with each Chapter highlighting, where required (and to the extent that is has been reasonably practicable), the additional mitigation measures proposed to minimise the residual significance of effect to the lowest reasonably practicable level.</p> <p>The Applicant is cognisant that there are some residual adverse effects that remain after the implementation of additional mitigation measures. These adverse effects have been weighted against the benefits of the Proposed Development within the Planning Statement.</p>	<p>Part 7, Planning Statement (Document Ref. 7.2).</p>

		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.	The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the Proposed Development when considering the planning balance. The Proposed Development will contribute to addressing a CNP which the Government have described as being both critical and urgent.	
1.9	<b>General Policies and Considerations, land Rights:</b>  EN-1 (4.1)	<p>4.1.8 Where the use of land at a specific location is required to facilitate the development by providing for mitigation, landscape enhancement and biodiversity net gain, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land.</p> <p>4.1.9 The Secretary of State will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.</p>	<p>The Applicant is seeking to secure all of the land and rights required for the Proposed Development through voluntary negotiation.</p> <p>At the point of Application, the Applicant has secured the majority of agreements voluntarily with landowners, with a number projected to conclude through bilateral negotiations.</p> <p>The Applicant notes that as is the current status. However, in certain limited instances, the Applicant's negotiations with certain landowners and/or occupiers has proven challenging to voluntarily agree.</p> <p>The Applicant therefore considers that there is the potential need to utilise powers of Compulsory Acquisition, as made available in the draft DCO should it prove necessary. The Applicant stresses that it will continue to seek voluntary agreement in parallel with the review of the Application.</p>	<p>Part 4, Statement of Reasons (Document Ref. 4.1).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
1.10	General Policies and Considerations, other Documents:	4.1.10 The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally	The Applicant has considered these policies and confirms that the Proposed Development is classed as a Project of National Significance as defined under the Section 35 direction (under the Planning Act 2008) made by the Secretary of	Part 7, Planning Statement (Document Ref. 7.2).

EN-1 (4.1)	<p>significant energy infrastructure, (or therefore the “benchmark” for what is, or is not, an acceptable nationally significant energy development).</p> <p>4.1.11 The energy NPSs have taken account of the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate.</p> <p>4.1.12 Other matters that the Secretary of State may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.</p>	<p>State on 26 September 2023. This direction confirmed that the Proposed Development should be treated as development for which development consent is required.</p> <p>The other planning matters the Applicant considers both important and relevant to the SoS’s decision-making includes:</p> <ul style="list-style-type: none"> <li>- NPS EN-3 (2024) and NPS EN-5 (2024);</li> <li>- The National Planning Policy Framework (NPPF, 2024);</li> <li>- The North Devon and Torridge Local Plan 2011 – 2031 (NDTLP, October 2018)</li> <li>- The UK Marine Policy Statement (MPS, 2011); and</li> <li>- The South West Inshore and South West Offshore Marine Plan (2021).</li> </ul> <p>Further information regarding the policy and legislation that is considered both relevant and important to the SoS’s decision-making is outlined in the Policy and Legislation Chapter and considered throughout the ES.</p>	<p>Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).</p>
	<p>4.1.13 Where the project conflicts with a proposal in a draft Development Plan, the Secretary of State should take account of the stage which the Development Plan document in England or Local Development Plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented, or precluded.</p>	<p>The North Devon and Torridge District Local Plan (adopted 2018) is in place and covers both the administrative areas of North Devon Council and Torridge District Council.</p> <p>The Applicant notes the two Councils may produce an updated local plan. Should a local plan update be made during the course of the examination, the Applicant would give consideration to it and any proposals within it</p>	<p>Part 7, Planning Statement (Document Ref. 7.2).</p>



			<p>which may conflict with the Proposed Development.</p> <p>The Proposed Development's compliance with the adopted local plan has been considered within the Planning Statement and Table 5 of these Policy Compliance Assessment Tables.</p>	
		4.1.15 In the event of a conflict between these documents and an NPS, the NPS prevails for the purpose of Secretary of State decision making given the national significance of the infrastructure.	At present, this Paragraph is not relevant to the Proposed Development. Should a local plan update be published, the Applicant will consider any proposals within it against the Proposed Development.	N/A
1.11	<p><b>General Policies and Considerations, Development Consent:</b></p> <p>EN-1 (4.1)</p>	<p>4.1.16 The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p> <p>4.1.17 The Secretary of State should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.</p>	<p>The draft DCO sets out the Requirements considered necessary to control the delivery of the Proposed Development. The Applicant considers that the provisions within the draft DCO meet the tests listed.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
		4.1.18 The Secretary of State may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the Application acceptable in planning terms, directly related to the Application, fairly and reasonably related in scale and kind to the Application, and reasonable in all other respects.	The Applicant recognises that there may be a need for certain planning obligations, in the meaning set out in the NPS, to be secured. Where such a need is identified, the Applicant will submit any such proposed planning obligation to the ExA and/or SoS for consideration.	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

<p>1.12</p>	<p><b>General Policies and Considerations, Early engagement:</b></p> <p>EN-1 (4.1)</p>	<p>4.1.19 Early engagement both before and at the formal pre-application stage between the applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government's pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the Examining Authority and leading to a clear recommendation report to the Secretary of State.</p> <p>4.1.20 This is particularly so in the case of HRA matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the applicant to submit sufficient information to enable the Secretary of State to conduct an Appropriate Assessment if required.</p>	<p>The Applicant has conducted an ongoing programme of consultation and engagement to inform the design of the Proposed Development. This included consultation and engagement, which took place before the Section 35 direction and informed the evolution of the Proposed Development up to that point.</p> <p>The Applicant recognises the importance of consulting on the Proposed Development from an early stage in development and the benefits this could bring in terms of delivering an improved Proposed Development. By example, the Applicant has engaged with the Department for Energy Security and Net Zero, National Grid Energy Transmission PLC, local authorities and landowners as it prepared its initial plans for the Proposed Development.</p> <p>In summary, the completed s55 checklist provides evidence of compliance with the pre-application consultation requirements within the PA 2008, APFP Regulations, EIA Regulations 2017, and the MHCLG pre-application guidance (2024).</p> <p>Further, the Applicant has submitted a Habitats Regulation Assessment Report to Inform Appropriate Assessment (RIAA) which provides information to allow the SoS (as the competent authority) to determine whether there will be an adverse effect on the integrity of any European Site(s) in view of their Conservation Objectives (COs) as a result of the Proposed Development.</p>	<p>Part 1, Section 55 Checklist (Document Ref. 1.4).</p> <p>Part 5, Consultation Report (Document Ref. 5.1).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>
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			Strictly speaking, the SoS will undertake the final Appropriate Assessment, with this RIAA representing a 'shadow HRA' i.e. a suggested assessment undertaken independently on behalf of the Applicant.	
1.13	<p><b>General Policies and Considerations, Financial and technical viability:</b></p> <p>EN-1 (4.1)</p>	<p>4.1.21 In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the Application, within the market framework and taking account of government interventions.</p> <p>4.1.22 Where the Secretary of State considers that the financial viability and technical feasibility of the Application has been properly assessed by the applicant, it is unlikely to be of relevance in Secretary of State decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).</p>	<p>The Applicant has considered these policies and confirms that the Proposed Development is expected to be project financed. The overall objective of the financing strategy for the Proposed Development is to provide full funding commitments from both debt and equity investors prior to the commencement of construction and minimise the overall cost of funds to provide value for money on the cost of the delivered energy from this capital-intensive project.</p> <p>The siting, design and refinement of the Proposed Development's offshore and onshore Elements would combine proven and existing technologies; when considering the connection to Morocco and the renewable generation assets, these would be at a more significant scale than previous projects.</p> <p>The Applicant has followed a site selection process that has taken into account environmental, physical, technical, social, and commercial considerations and opportunities, as well as engineering requirements. Therefore, the Applicant is confident that they have developed a sensitive and technically viable proposal at this stage.</p> <p>Further, and at this time, decisions on the exact locations of specific components and the precise</p>	<p>Part 4, Funding Statement (Document Ref. 4.2).</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p> <p>Part 7, Grid and Cable Connection Statement</p>

			<p>technologies, as well as construction methods to be employed, are yet to be confirmed. These details remain pending as the Applicant is following a Project Design Envelope approach (PDE) and will develop the detailed design in conjunction with contractors during and following its procurement events for the development. The detailed design would be finalised post consent, once a Principal Contractor has been appointed, prior to the start of construction. The detail design would require approval from the Local Planning Authority (Torrige District Council) in line with the relevant DCO requirements before construction begins; and in line with the Design Principles Statement as secured via Requirement 4 of the draft DCO.</p> <p>The Funding Statement and a Grid Connection Statement are submitted with the DCO application setting out how the Proposed Development is to be funded, and the status of the grid connection is confirmed.</p>	(Document Ref 7.5)
1.14	<p><b>The critical national priority for low carbon infrastructure:</b></p> <p>EN-1 (4.2)</p>	<p>4.2.1 Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology.</p> <p>4.2.2 Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-</p>	<p>The CNP for the provision of nationally significant low carbon infrastructure is recognised by the Applicant. The Proposed Development would respond to the CNP and contribute to delivery of the Government's net zero ambitions by facilitate the import of up to 3.6 GW of low carbon electricity into the National Grid. Once complete, the Proposed Development would be capable of supplying approximately 8 percent (%) of UK's annual electricity needs.</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p> <p>Part 7, Planning Statement, (Document Ref. 7.2).</p>

		<p>carbon energy. The UK's strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.</p> <p>4.2.3 With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.</p>	<p>This would help enable the UK to diversify its energy supply, increase energy resilience and help support local and national carbon emission reduction targets. Together with the generation infrastructure located in Morocco, it would provide a reliable and renewable supply of electricity which seeks to help address the needs of the UK power market, especially during periods of low offshore wind production around the UK.</p> <p>It would also help the UK to meet carbon reduction commitments, by significantly increasing the proportion of electricity supplied by renewable sources.</p> <p>In summary, the Proposed Development would support the UK's transition to Net Zero whilst simultaneously supporting the UK's energy resiliency.</p>	
		<p>4.2.4 Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure.</p>	<p>The Proposed Development is classed as a Project of National Significance as defined under the Section 35 direction (under the Planning Act 2008) made by the SoS on 26 September 2023. This direction confirmed that the Proposed Development should be treated as development for which development consent is required.</p> <p>Being a project of national significance, and in line with test set out in Paragraph 4.2.5 of NPS EN-1, the Proposed Development is of a critical national priority to the UK.</p>	<p>Part 7, Planning Statement (Document Ref. 7.2).</p>
		<p>4.2.5 This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon</p>	<p>The Proposed Development is a form of renewable energy generation and therefore meets the definition of low carbon infrastructure. Which has been defined under the Section 35 direction</p>	<p>N/A</p>

		<p>infrastructure for the purposes of this policy means:</p> <ul style="list-style-type: none"> <li>• for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy, including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready</li> <li>• 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</li> </ul>	<p>made by the SoS. Therefore, under this policy test, the Proposed Development constitutes 'low carbon infrastructure' and nationally significant infrastructure.</p>	
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		<ul style="list-style-type: none"> <li>• for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution</li> <li>• for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore</li> <li>• Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects.</li> </ul>		
		<p>4.2.6 The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.</p>	<p>The Applicant notes this Paragraph and refers to the above two assessment pieces to demonstrate compliance.</p>	<p>N/A</p>
		<p>4.2.7 The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project,</p>	<p>The Proposed Development has followed the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in assessing the impacts of the Proposed Development.</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p>

		<p>and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the Examining Authority when it is making its recommendation to the Secretary of State.</p> <p>4.2.8 During decision making, the CNP policy will influence how non-HRA and non-MCZ residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2.</p>	<p>Each ES Chapter provides an overview of significant effects (whether adverse or beneficial) as well as the primary ('embedded') mitigation measures and further ('secondary' and or 'additional') mitigation measures that influence the residual significance of effect.</p> <p>Each ES Chapter also provides an overview of the significant residual effects, as well as the mitigation measures secured to reduce the significance of such effect to its lowest reasonably practicable level. Section 4 of the Planning Statement draws a summary from the ES's assessment of effects and the needs case.</p> <p>As noted in the Planning Statement, the identified residual impacts are considered, on balance, to be clearly outweighed by the overarching needs case for the Proposed Development (being that of a critical national priority) and the substantial weight which is to be given to such a need.</p>	<p>Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).</p> <p>Part 7, Planning Statement (Document Ref. 7.2).</p>
		<p>4.2.9 During decision making, the CNP policy also explains the Secretary of State's approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and IROPI tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.</p>	<p>A Marine Conservation Zone (MCZ) assessment has been prepared alongside the Proposed Development's EIA.</p> <p>When considering benthic ecology features it was determined in the ES that the impact with the greatest Zone of Influence (Zol) would be dispersion of suspended sediment. A semi-empirical approach was used to estimate the Zol for suspended sediment dispersion and has indicated that disturbed sediments could, under worst case assumptions, be dispersed up to 15.2</p>	<p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA)</p>



			<p>km in an east northeast and west southwest direction within Bideford Bay.</p> <p>This 15.2 km dispersal would only ever be associated with a peak spring tide and has been applied as a worst-case scenario assessment.</p> <p>The Proposed Development embeds mitigation measures which ensure that all potential sediment disturbance activities in Bideford Bay would avoid peak spring tides and significant wave activity to limit the potential for sediment mobilisation. Therefore, an extent of 15.2 km is unlikely to be reached by the sediment plume in Bideford Bay.</p> <p>The conclusion of the MCZ Assessment is that the Proposed Development will not hinder the achievement of the objectives for the features considered for MCZs and that no Stage 2 assessment is required</p> <p>The submitted RIAA reports updates to the Stage 1 assessment (being the HRA Screening Report) to account for regulator comments.</p> <p>The RIAA submitted at this stage presents the results of the Stage 2 assessments, or the RIAA. Therefore, a Stage 3 Derogations case is not required.</p>	<p>(Document Ref. 7.16).</p> <p>Volume 3, Appendix 8.1 Sediment source concentrations and assessment of disturbance (Document Ref. 6.3.8.1).</p>
1.15	<b>The critical national priority for low carbon infrastructure,</b>	4.2.10 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 Applicant has considered this NPS and relevant technology specific NPS's, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, as listed within the Policy and Legislation Chapter of the ES.	Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).

<p><b>applicant's Assessment:</b></p> <p>EN-1 (4.2)</p>	<p>the mitigation hierarchy, as well as any other legal and regulatory requirements.</p>	<p>The EIA Methodology Chapter confirms that the EIA methodology has involved a 'feedback loop'. Where the findings of initial assessments indicate that effects may be significant, changes have been made, where reasonably practicable, to the Proposed Development to reduce or offset the impact. This process has been repeated until the EIA practitioner is satisfied that either:</p> <ul style="list-style-type: none"> <li>- the effect is reduced to a level that is not significant in EIA terms; or</li> <li>- no further primary or secondary mitigation could be applied to reduce the impact magnitude (and hence the significance of the effect). In these cases, an overall effect still significant in EIA terms has been presented.</li> </ul> <p>The submitted RIAA reports updates to the Stage 1 assessment (being the HRA Screening Report) to account for regulator comments. The RIAA submitted at this stage presents the results of the Stage 2 assessments, or the Report to Inform Appropriate Assessment. Therefore, a Stage 3 Derogations case is not required.</p>	<p>Volume 1, Chapter 5 Environmental Impact Assessment Methodology (Document Ref. 6.1.5).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p> <p>Part 7, Planning Statement (Document Ref. 7.2).</p>
	<p>4.2.11 Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They 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.</p>	<p>The Applicant has demonstrated throughout the ES, the Marine Conservation Zone (MCZ) Assessment and the Offshore Water Framework Directive (WFD) Assessment how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p> <p>Topic specific consultation responses and the Applicant's approach to them is set out in each</p>	<p>Volumes 1 to 4, the Environmental Statement (document refs. 6.1.1 to 6.4.5).</p> <p>Part 7, Marine Conservation Zone (MCZ)</p>

			<p>individual ES Chapters. These demonstrate the regard that the Applicant has had to advice received on the approach to assessment, mitigation and impacts. In addition, full details on the consultation process undertaken for the Proposed Development is contained in the Consultation Report.</p> <p>Consultation relating to the HRA, in accordance with statutory requirements set out under the Conservative of Habitats and Species Regulations 2017 (known as the Habitats Regulations) is set out in the RIAA. It evidences that the Applicant has consulted the relevant bodies being PINS, Natural England, the Marine Management Organisation and the Joint Nature Conservation Committee.</p>	<p>Assessment (Document Ref. 7.15).</p> <p>Part 7, Offshore Water Framework Directive (WFD) Assessment (Document Ref. 7.14).</p> <p>Part 5, Consultation Report (Document Ref. 5.1).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>
		<p>4.2.12 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</p>	<p>The ES Chapters are structured to outline the construction, operation and maintenance and decommissioning phase impacts of the Proposed Development. The ES Chapters identify the significance of an impact upon an assessed receptor, taking account of the embedded mitigation measures secured by the Proposed</p>	<p>Part 3, draft Development Consent Order (Document Ref. 3.1)</p>

		<p>e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.</p>	<p>Development's design. Where these effects are identified as being significant (in EIA terms), further mitigation measures are provisioned and secured via the draft DCO. Those residual effects which remain, post-further mitigation measures, have been reduced to their lowest reasonably practicable level of significance.</p> <p>No compensation measures are proposed for offshore; the only significant residual effect for offshore is in relation to marine archaeology as, by definition, disturbance to unknown features could be significant.</p> <p>With regards to the MCZ Assessment and RIAA, the Applicant points to the assessment piece provided for in relation to Paragraph 4.2.9 of NPS EN-1 above.</p>	
		<p>4.2.13 Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.</p>	<p>The Applicant confirms that the Proposed Development's construction, operation and maintenance and decommissioning phases would not give rise to residual impacts relating to HRA or MCZ sites.</p>	<p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>

<p>1.16</p>	<p><b>The critical national priority for low carbon infrastructure, Secretary of State decision making:</b></p> <p>EN-1 (4.2)</p>	<p>4.2.14 The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant's assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.</p>	<p>As described above, the Applicant's assessment through the:</p> <ul style="list-style-type: none"> <li>- EIA, as set out in the ES;</li> <li>- HRA, as set out in the RIAA; and</li> <li>- MCZA, as set out in the Marine Conservation Zone (MCZ) Assessment</li> </ul> <p>Demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant policy and legislative tests under the NPSs and other legislation have been met.</p>	<p>Volumes 1 to 4, the Environmental Statement (Document Ref. 6.1.1 to 6.4.5).</p> <p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>
<p>1.17</p>	<p>The critical national priority for low carbon infrastructure, Non-HRA—and non MCZ residual impacts of CNP Infrastructure:</p> <p>EN-1 (4.2)</p>	<p>4.2.15 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</p>	<p>With regard for non-HRA or non-MCZ residual impacts (remaining after the application of the mitigation hierarchy), the Applicant confirms that no significant residual effects, which would represent an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or result in an unacceptable risk to the achievement of Net Zero, are expected.</p> <p>The Applicant does recognise that the ES identifies a number of significant adverse residual effects across the construction and operation and</p>	<p>Volumes 1 to 4, the Environmental Statement (Document Ref. 6.1.1 to 6.4.5).</p> <p>Part 7, Marine Conservation Zone (MCZ) Assessment</p>

		<p>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.</p> <p>4.2.16 As a result, the Secretary of State will take as the starting point for decision-making that such 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.</p>	<p>maintenance phases of the Proposed Development, following the application of the mitigation hierarchy (as far as it has been reasonably practicable).</p> <p>As such, having followed the mitigation hierarchy, the Applicant is confident that the residual adverse effects associated with the Proposed Development do not present an exceptional case for consent to be refused given the urgent need for the Proposed Development which demonstrably outweighs the residual adverse effects.</p>	<p>(Document Ref. 7.15).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p> <p>Part 7, Planning Statement (Document Ref. 7.2).</p>
1.18	<p><b>The critical national priority for low carbon infrastructure, HRA derogations and MCZ assessments for CNP Infrastructure:</b></p> <p>EN-1 (4.2)</p>	<p>4.2.18 Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively.</p> <p>4.2.19 Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</p> <p>4.2.20 Similarly, if during an MCZ assessment, CNP Infrastructure has residual</p>	<p>The Applicant has prepared a Marine Conservation Zone (MCZ) Assessment alongside the Proposed Development's ES. When considering benthic ecology features it was determined in the ES that the impact with the greatest Zone of Influence (Zoi) would be dispersion of suspended sediment. A semi-empirical approach was used to estimate the Zoi for suspended sediment dispersion and has indicated that disturbed sediments could, under worst case assumptions, be dispersed up to 15.2 km in an east northeast and west southwest direction within Bideford Bay. This 15.2 km dispersal would only ever be associated with a peak spring tide and has been applied as a worst-case scenario assessment.</p>	<p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p> <p>Volume 3, Appendix 8.1</p>

		<p>impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.</p>	<p>The Proposed Development secures, as embedded mitigation, that all construction activities undertaken on the seabed including boulder clearance activities will remain entirely within the Offshore Cable Corridor and a minimum distance of 20 m from any MCZ boundary. These measures, ensure that all potential sediment disturbance activities in Bideford Bay would avoid peak spring tides and significant wave activity to limit the potential for sediment mobilisation. Therefore, an extent of 15.2 km is unlikely to be reached by the sediment plume in Bideford Bay. The conclusion of the MCZ assessment is that the Proposed Development will not hinder the achievement of the objectives for the features considered for MCZs and that no Stage 2 assessment is required.</p> <p>The submitted RIAA reports updates to the Stage 1 assessment (being the HRA Screening Report) to account for regulator comments. The RIAA submitted at this stage presents the results of the Stage 2 assessments, or the RIAA. Therefore, a Stage 3 Derogations case is not required.</p> <p>The Proposed Development therefore complies with the policy requirements of Paragraphs 4.2.18 to 4.2.20 of NPS EN-1.</p>	<p>Sediment source concentrations and assessment of disturbance (Document Ref. 6.3.8.1).</p>
		<p>4.2.21 For both derogations, the Secretary of State will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:</p>	<p>The Applicant refers to the above assessment piece which confirms a derogation case is not considered necessary.</p>	<p>N/A</p>

		<ul style="list-style-type: none"> <li>• requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and</li> <li>• are capable of amounting to imperative reasons of overriding public interest (IROPI) for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.</li> </ul>		
		<p>4.2.22 For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by</p>	<p>The Applicant refers to the assessment provided in response to Paragraphs 4.2.18 to 4.2.20 of NPS EN-1 (above) which confirms a derogation case is not considered necessary.</p>	<p>N/A</p>



		the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.		
1.19	<b>Environmental Effects / Considerations:</b>  EN-1 (4.3)	<p>4.3.1 All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project.</p> <p>4.3.2 The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.</p> <p>4.3.3 The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the project, and also of the</p>	<p>The Proposed Development has followed the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in assessing the impacts of the Proposed Development, as outlined within the Introduction and Policy and Legislation Chapters of the ES, through the production of a full ES.</p> <p>The ES has included Topic assessments of those specifically referenced topics covered under Paragraph 4.3.2. The ES Chapters have each considered the inter-related effects of the Proposed Development on the same receptor.</p> <p>In response to Paragraphs 4.3.3 and 4.3.4, the Applicant confirms that, as established within the EIA Methodology Chapter of the ES, the ES assessment:</p> <ul style="list-style-type: none"> <li>- considers the likely significant effects of the Proposed Development on the environment;</li> <li>- considers the direct and indirect impacts of the Proposed Development;</li> </ul>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p> <p>Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).</p> <p>Volume 1, Chapter 5 EIA Methodology (Document Ref. 6.1.5).</p>

		<p>measures envisaged for avoiding or mitigating significant adverse effects.</p> <p>4.3.4 To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.</p>	<ul style="list-style-type: none"> <li>- considers whether impacts and resulting effects are cumulative, transboundary, and/or interrelated;</li> <li>- whether effects are short, medium, long, permanent or temporary;</li> <li>- Includes both embedded and, where necessary, further mitigation measures.</li> </ul> <p>It is therefore considered that the Proposed Development's ES is in accordance with paragraphs 4.3.1 to 4.3.3 of NPS EN-1.</p>	
1.20		<p>4.3.5 For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project.</p> <p>4.3.6 Where the NPSs use the term 'environment' they are referring to both the natural and historic environments.</p> <p>4.3.7 In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.</p>	<p>The ES has considered the environmental, social, and economic effects through the topic chapters and considers the potential for these effects to arise during the construction, operation and maintenance and decommissioning phases.</p> <p>Both the natural and historic environments have been considered. The predicted effects of the Proposed Development has been presented within the ES and includes consideration of the construction, operation and maintenance and decommissioning phases for both the onshore and offshore works.</p> <p>As such it is considered that the Proposed Development's ES accords with the requirements of Paragraphs 4.2.6 and 4.2.7 of NPS EN-1.</p>	<p>Volume 1, Chapter 5 EIA Methodology (Document Ref. 6.1.5).</p>

<p>1.21</p>	<p><b>Environmental Effects/Considerations, Applicant assessment:</b></p> <p>EN-1 (4.3)</p>	<p>4.3.10 The applicant must provide information proportionate to the scale of the project, ensuring the information is sufficient to meet the requirements of the EIA Regulations.</p> <p>4.3.11 In some instances, it may not be possible at the time of the application for development consent for all aspects of the Application to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the Application have yet to be finalised, and the reasons why this is the case.</p> <p>4.3.12 Where some details are still to be finalised, the ES should, to the best of the applicant's knowledge, assess the likely worst-case environmental, social and economic effects of the Application to ensure that the impacts of the project as it may be constructed have been properly assessed.</p> <p>4.3.13 To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the project on the likely significant environmental, social, and economic effects.</p>	<p>The Applicant has considered these policies and considers that the Proposed Development is based on a parameter-led level of detail (provided for in the EIA process that is proportionate to the scale of the Proposed Development). The EIA Process has made effective use of Scoping, ongoing engagement, a mitigation schedule and other digital outputs to deliver a proportionate approach.</p> <p>Where full details cannot be provided, the Applicant has explained (through Section 5.5 of the EIA Methodology Chapter of the ES) the maximum design scenario approach which allows flexibility for elements that are likely to require more detailed design after the submission of the ES and the reasons why this is the case. For example, the proposed cable route (onshore and offshore) are defined within a Limit of Deviation (the 'Offshore Cable Corridor' and 'Onshore HVDC Cable Corridor') to provide a proportionate degree of flexibility to accommodate any changes before the final alignment and design of the Proposed Development.</p> <p>In response to Paragraph 4.3.12, the Applicant confirms that each topic chapter of the ES sets out the assumptions made regarding the maximum design scenario relevant to that Chapter and for each impact.</p> <p>In accordance with the above, the realistic worst-case scenarios for each topic are summarised within each topic Chapter. These are based on the</p>	<p>Volume 1, Chapter 5 EIA Methodology (Document Ref. 6.1.5).</p> <p>Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p> <p>Part 7, Design Principle Statement (Document Ref. 7.4)</p>
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			design parameters, where relevant, described in the Project Description Chapter of the ES which provides further details regarding the maximum design scenario approach and the Proposed Development's parameters.	
		<p>4.3.15 Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility.</p> <p>4.3.16 In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</p> <p>4.3.17 Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.</p>	<p>The Need and Alternatives Chapter of the ES provides a description of the detailed site selection and assessment of alternatives process undertaken by the Applicant.</p> <p>The assessment considers the locational criteria (being environmental, social and economic, electrical and engineering constraints) which geographically influenced the area of search. Then, following the selection of the preferred locations for the Proposed Development Components, based on the application of the locational criteria and factors mentioned above, the Applicant then developed a set of core design principles which are described in the Design Approach Document document.</p> <p>These have then influenced the optioneering and the identification of a preferred design which then underwent further technical and feasibility assessments.</p>	<p>Volume 1, Chapter 4 Needs and Alternatives (Document Ref. 6.1.4).</p> <p>Part 7, Design Approach Document (Document Ref. 7.4).</p>
1.22	<b>Environmental Effects/ Considerations, Secretary of State decision making:</b>	4.3.18 The Secretary of State should consider the worst-case impacts in its consideration of the application and consent, providing some flexibility in the consent to account for uncertainties in specific project details.	To allow the SoS to consider the worst-case impacts of the Proposed Development, the Project Description Chapter of the ES, which forms the basis of ES topic assessments, provides a description of the Proposed Development and the parameters used for assessment within this ES.	Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).

	EN-1 (4.3)	<p>4.3.19 The Secretary of State should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.</p>	<p>Where parameters have been adopted, these are realistic and considered worst-case estimations of future design parameters. Therefore, each chapter assesses the 'realistic worst-case' scenario for each of the identified potential impacts.</p> <p>Each topic assessment has taken the maximum design scenario approach which considers the likely worst cast environmental, social and economic effects.</p> <p>In addition, the inter-relationship of different disciplines across the physical, biological, ecological and human environments during the construction, operation and maintenance and decommissioning phases of the offshore and onshore elements of the Proposed Development have been considered across the specific ES Chapters.</p> <p>Each ES Chapter also considers and assesses cumulative effects as well as the embedded mitigation and, where required, additional mitigation measures for the construction, operation and maintenance and decommissioning of the Proposed Development.</p> <p>Based on the above assessment, the Applicant considers that the approach and level of information contained within the ES is consistent with the requirements of Paragraphs 4.3.18 and 4.3.19 of NPS EN-1.</p>	
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		<p>4.3.23 The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate</p>	<p>In the Proposed Development’s case, there is no legal or policy requirement which means that the development must demonstrate that it and all its Elements are located in the optimum location.</p>	<p>Part 7, Project Development and Considerations of Options</p>

		<p>change, and other environmental benefits) in the same timescale as the Application.</p> <p>4.3.24 The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.</p>	<p>However, certain policy preferences (for instance, with regard to considering lower quality agricultural land before higher quality land and previously developed land before greenfield land as well as consideration of flood risk for the permanent above ground elements of the Proposed Development) for the location of elements.</p> <p>There are also certain legal tests with regard to the consideration of alternative sites, for instance where there would be an adverse effect on the integrity of a European protected site or where land is proposed to be acquired compulsorily.</p> <p>In noting the above, it is the Applicant's view that the Converter Site, Landfall, Onshore Cable Route Corridor, Offshore Cable Corridor and Temporary Construction Compounds have been located in the preferred locations, taking account of the locational criteria and design principles which have informed these preferred locations.</p>	<p>(Document Ref. 7.2 – annex 2).</p>
1.23		<p>4.3.25 Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision.</p> <p>4.3.26 As the Secretary of State must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the Secretary of State concludes that a</p>	<p>The Planning Statement explains why the Applicant considers that the Proposed Development, including the specified elements, should be determined under Section 104 of the Planning Act 2008 in accordance with the appropriate National Policy Statements (NPSs), and therefore where the NPSs contain policies relevant to the Proposed Development those should be given substantial weight by the SoS. In this case, the Statement of Need provides additional support to the arguments made in the NPSs, which support the Critical National Priority</p>	<p>Volume 1, Chapter 4 Needs and Alternatives.</p> <p>Part 7, Statement of Need (Document Ref. 7.1).</p> <p>Part 7, Planning Statement</p>

		<p>decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the Secretary of State's decision.</p> <p>4.3.27 Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.</p> <p>4.3.28 Alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.</p>	<p>for the Proposed Development because of the significant national security, economic, commercial, and Net Zero benefits that the Proposed Development will contribute towards for the UK.</p> <p>The Applicant notes these Paragraphs and considers that the Proposed Development's site selection process has considered and ruled out other alternatives for the Proposed Development's elements on commercial and/or technical feasibility grounds and/or due to environmental constraints.</p>	<p>(Document Ref. 7.2).</p> <p>Part 7, Project Development and Considerations of Options (Document Ref. 7.2 – Annex 2).</p>
1.24		<p>4.3.29 It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State</p>	<p>The Applicant notes this Paragraph and the onus it places on other person(s) to propose and, importantly, evidence the suitability of such alternative sites.</p> <p>The Applicant confirms that alternatives for the location of the Proposed Development's Elements had been considered prior to the submission of this Application. For example, the location of the proposed Converter Stations had originally been at the old Webbery Site.</p>	<p>Part 7, Planning Statement (Document Ref. 7.2).</p> <p>Part 7, Project Development and Considerations of Options (Document Ref. 7.2 – Annex 2).</p>



		<p>should not necessarily expect the applicant to have assessed it.</p>	<p>This was then presented to Torridge District Council (TDC) as the preferred option during the TCPA pre-application process. TDC came back to issue the Applicant advice which requested that an alternative site be found, due to site vulnerabilities and it's raised profile. Following this, the Applicant identified an alternative preferred location (being the Huntshaw Converter Site) which was then presented as the preferred option at the first non-statutory consultation event.</p> <p>Strong opposition was had for the Huntshaw Converter Site by consultees and so the Applicant brought back the old Webbery Site as the preferred option during a second non-statutory event. This Site was supported by the consultees and is the preferred site for the Converter Stations.</p>	
1.25	<p><b>Health:</b> EN-1 (4.4)</p>	<p>4.4.1 Energy infrastructure has the potential to impact on the health and well-being ("health") of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people's health.</p> <p>4.4.4 As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid,</p>	<p>The Applicant has considered these policies as part of the Proposed Development's assessment.</p> <p>The Human Health Chapter of the ES considers the likely impacts and effects of the Proposed Development on human health during the construction, operation and maintenance and decommissioning phases. The effects on population health, including the potential for adverse effects and opportunities to enhance health and wellbeing, are considered in the Chapter. Specifically, the Chapter considers both the onshore and offshore elements of the Proposed Development. Well-being is an integral consideration throughout this Chapter, reflecting</p>	<p>Volume 4, Chapter 4 Human Health (Document Ref. 6.4.4).</p>

		<p>reduce or compensate for these impacts as appropriate.</p> <p>4.4.5 The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate.</p> <p>4.4.6 Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society as a whole.</p>	<p>that the WHO define health in terms of states of wellbeing.</p> <p>The Chapter assesses a number and range of impacts on human health, including but not limited to impacts on air quality, noise and vibration, housing and water quality are considered in the assessment. Indirect effects that could influence public open space, public rights of way (PRoW) and recreational activities.</p> <p>The Chapter also considers the potential wider societal benefits to public health accrue from renewable energy generation assets.</p> <p>Overall, the Chapter concludes that there would be no significant adverse population health effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. This conclusion extends to the cumulative effects assessment and no potential transboundary impacts have been identified within the assessment either.</p> <p>The Human Health Chapter of the ES concludes that an operational impact (being wider societal infrastructure and resources) in relation to energy security leads to a moderate beneficial effect, significant in EIA terms. This conclusion of significance of effect extends to cumulative effects assessment.</p>	
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<p>1.26</p>	<p><b>Health, Secretary of State decision making:</b></p> <p>EN-1 (4.4)</p>	<p>4.4.7 Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008.</p> <p>4.4.8 However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.</p>	<p>As noted above, the Human Health Chapter of the ES concludes that there would be no significant residual adverse population health effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. This conclusion extends to cumulative effects assessment, and no potential transboundary impacts have been identified.</p> <p>To ensure that no residual adverse effect is greater than negligible, not significant in EIA terms, the Proposed Development embeds a number of mitigation measures via control management plans (such as secured via Requirement 4 of the draft DCO). These embedded measures would be adopted as part of the Proposed Development and are set out in Table 4.22 of the Human Health Chapter of the ES. These measures are intended to form part of the final design and are therefore taken into account in the assessment of effects.</p> <p>These include but are not limited to the production of detailed/final versions of:</p> <ul style="list-style-type: none"> <li>- The Outline Onshore Construction Environmental Management Plan (On-CEMP) (secured via dDCO Requirement 7);</li> <li>- The Outline Dust Management Plan, as appended to the On-CEMP (secured via dDCO Requirement 7);</li> <li>- The Outline Construction Traffic Management Plan (secured via dDCO Requirement 8); and</li> </ul>	<p>Volume 4, Chapter 4 Human Health (Document Ref. 6.4.4).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.4).</p> <p>Part 7, Outline Dust Management Plan (Document Ref. 7.4 – annex 3).</p> <p>Part 7, Outline Construction Traffic Management Plan (Document Ref. 7.12).</p> <p>Part 7, Outline Public Rights of Way Management Plan (Document Ref. 7.11).</p>
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			<p>- An Outline Public Rights of Way Management Plan (OPRoWMP) (secured via dDCO Requirement 7).</p> <p>Overall, it is concluded that there will be no significant adverse population health effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. A significant beneficial public health effect in relation to energy security is identified.</p> <p>Further, there will be no significant adverse cumulative effects on the population's health from the Proposed Development alongside other projects/plans. The significant beneficial public health effect in relation to energy security extends into the cumulative effects assessment.</p> <p>No potential transboundary impacts have been identified regarding the effects of the Proposed Development on the human health of populations in other states.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
1.27	<p><b>Marine Considerations:</b> EN-1 (4.5)</p>	<p>4.5.1 The Marine Policy Statement (MPS) is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide.</p>	<p>The Applicant has considered the MPS which provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made to enable sustainable development. The relevant marine plan(s) and MPS have been considered in developing the Proposed Development, with an assessment of the MPS contained within Table 6 of these Policy Compliance Assessment Tables and the Planning Statement.</p>	<p>Part 7, Planning Statement (Document Ref. 7.2).</p>

		<p>4.5.2 Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations.</p> <p>4.5.3 The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.</p>	<p>The relevant Marine Plan (being the South West Inshore and South West Offshore Marine Plan 2021) is considered within the Chapters contained within Volumes 3 and 4 of the ES.</p> <p>As concluded in Tables 6 and 7 of these Policy Accordance Tables and the Planning Statement, the Proposed Development accords with the policy requirements of the Marine Plan.</p>	
1.28		<p>4.5.5 The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on Marine Protected Areas (MPAs), including applying the mitigation hierarchy and using strategic approaches. The guidance will not extend to waters where the devolved administrations have competence for managing MPAs.</p> <p>4.5.6 A deemed marine licence can be granted as part of the Development Consent Order and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of</p>	<p>Through careful route selection, the Proposed Development avoids all MPAs with the exception of the Bristol Channel Approaches SAC, which is unavoidable for any cable that seeks to make landfall across much of the south-west.</p> <p>The RIAA has assessed the potential for impact on the Bristol Channel Approaches SAC. Multiple consultations have been held with Natural England and JNCC to discuss the specific proposed infrastructure and the proposed activities that would take place within (and in close proximity) to the Bristol Channel Approaches SAC. The RIAA concludes that no adverse effects on site integrity, and there is no HRA compensatory measures or derogation case to present. There is considered no residual unacceptable HRA impact which would prevent consent being granted.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p> <p>Part 5, Consultation Report (Document Ref. 5.1).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA)</p>

		<p>proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and offshore substations.</p> <p>Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea. Further information on marine licencing is provided in section 1.2 of this NPS and paragraphs 2.3.16 to 2.3.24 of EN-3.</p> <p>4.5.7 Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their Development Consent Order application.</p>	<p>Elsewhere, following JNCC consultations, the specific commitment to apply a 20 m buffer around all MCZs has been developed.</p> <p>The submitted draft DCO identifies requirements that may be applied to the Proposed Development. This incorporates a draft deemed Marine Licence (ddML) that would otherwise be required under the MCAA 2009. The ddML identifies the conditions that may be applied to the Proposed Development.</p> <p>With regard to Paragraph 4.5.7 of NPS EN-1, the Applicant made first contact with the Marine Management Organisation (MMO) in October 2021 as it was expected that the MMO would need to provide consent for a Marine Licence application. This meeting introduced the Proposed Development to the MMO whilst the Applicant sought to understand the Marine Licensing requirements.</p> <p>The Applicant has held several pre-application meetings with the MMO regarding the offshore elements of the Proposed Development. These have confirmed the need for a Marine Licence, and discussions around the specific terms are ongoing. A ddML is included in the DCO submission.</p>	<p>(Document Ref. 7.16).</p> <p>Volume 1, Appendix 3.1: Commitments Register of the ES (Document Ref. 6.1.3.1).</p> <p>Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9)</p>
1.29	<b>Marine Considerations, Applicant Assessment:</b>	4.5.8 Applicants for a development consent order must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information	The Applicant has considered the relevant Marine Plan relating to the Proposed Development is the South West Inshore and South West Offshore Marine Plan 2021.	Part 7, Planning Statement (Document Ref. 7.2).

	EN-1 (4.5)	<p>to support an application for development consent.</p> <p>4.5.9 Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.</p>	<p>The Applicant has used the Marine Plan's policy within the ES to inform assessment from an early stage. Table 6 of these Policy Accordance Tables and the Planning Statement reflect a holistic assessment of the Proposed Development's compliance with the Marine Plan's policies.</p>	
1.30	<p><b>Marine Considerations, Secretary of State decision making:</b></p> <p>EN-1 (4.5)</p>	<p>4.5.10 Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a development consent order where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas.</p> <p>4.5.11 In making a decision, the Secretary of State is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>4.5.12 In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.</p>	<p>The Applicant has considered the relevant Marine Plan relating to the Proposed Development which is the South West Inshore and South West Offshore Marine Plan 2021.</p> <p>The Applicant confirms that the Offshore Chapters (contained within Volumes 3 and 4 of the ES) provide an assessment of the potential environmental effects and identify the approaches to mitigation and monitoring during the construction, operation and maintenance and decommissioning of the Proposed Development.</p> <p>Each assessment has had regard to the relevant requirements for assessment in NPS EN-1 and the relevant Marine Plan and has been carried out in accordance with these requirements, in noting that NPS requirements prevail over the Marine Plan.</p>	<p>Volumes 3 and 4, the Environmental Statement (document refs. 6.3.1 to 6.4.5)</p> <p>Part 7, Planning Statement (Document Ref. 7.2)</p>

<p>1.31</p>	<p><b>Environmental and Biodiversity Net Gain:</b></p> <p>EN-1 (4.6)</p>	<p>4.6.1 Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only mitigate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements.</p> <p>4.6.2 Biodiversity net gain is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain.</p>	<p>The Applicant is cognisant of the importance of achieving environmental net gains, such as to leave the natural environment in a better state.</p> <p>The EIA Methodology Chapter of the ES confirms that the EIA methodology has involved a 'feedback loop'. Where the findings of initial assessments indicate that effects may be significant, changes have been made, where reasonably practicable, to the Proposed Development to reduce or offset the impact.</p> <p>In terms of seeking opportunities for enhancement, the Applicant has submitted an Outline Landscape and Ecology Management Plan which provides an overview of how existing and newly created habitats within the Proposed Development would be restored, enhanced and managed during the implementation and establishment stage and during the lifetime of the Proposed Development. A final Landscape and Ecology Management Plan would be produced substantially in accordance with the Outline document, as is secured via Requirement 6 of the draft DCO.</p> <p>In response to paragraph 4.6.2, and in terms of the interaction of the Proposed Development and environmental net gain, there is currently no Biodiversity Net Gain (BNG) strategy, but the Application is looking at opportunities both inside and outside of the Order Limits.</p>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
		<p>4.6.3 Currently biodiversity net gain policy in England only applies to terrestrial and</p>	<p>The Applicant notes this Paragraph, and the provisions made in the Environment Act 2021 to</p>	<p>N/A</p>



		intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by the Government, who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future.	allow for Marine Net Gain in the future. However, the Proposed Development is not subject to a mandatory net gain under the Environment Act 2021. This notwithstanding, the Application is looking at opportunities both inside and outside of the Order Limits which includes the marine environment.	
1.32	<p><b>Environmental and Biodiversity Net Gain, Applicant Assessment:</b></p> <p>EN-1 (4.6)</p>	<p>4.6.6 Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, or the wider environment where possible.</p> <p>4.6.7 In England applicants for onshore elements of any development are encouraged to use the most current version of the Defra biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This calculation data should be presented in full as part of their application.</p> <p>4.6.8 Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority and Natural England for discussion at the preapplication stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.</p>	<p>The Applicant confirms that opportunities to contribute to and enhance the natural environment have been captured within the Outline Landscape and Ecology Management Plan which seeks to, for example, provide the mechanism to deliver the environmental commitments as set out in the ES whilst also ensuring the protection and health of retained vegetation within the Order Limits. A final Landscape and Ecology Management Plan would be produced substantially in accordance with the outline document, as secured via Requirement 6 of the draft DCO.</p> <p>In further response to 4.6.6, and in terms of the interaction of the Proposed Development and environmental net gain, there is currently no BNG strategy, but the Application is looking at opportunities both inside and outside of the Order Limits.</p> <p>In response to paragraphs 4.6.7 and 4.6.8, BNG is not a legal requirement for DCO projects until November 2025, meaning that it is not currently possible to compulsorily purchase land for BNG purposes. Previous aspirations to achieve landscape scale habitat creation have not been possible as a result. There remains an aspiration</p>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

			<p>from the Applicant to carry out substantial landscape scale habitat improvements and methods to achieve these are being explored and progressed. Once finalised with third parties the habitat baseline, loss and creation will be reported in a separate BNG assessment report accompanied by the statutory metric calculator.</p>	
		<p>4.6.10 Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain.</p> <p>4.6.11 Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent.</p> <p>4.6.12 When delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site</p>	<p>As noted above, the Proposed Development is not subject to a mandatory net gain under the Environment Act 2021.</p> <p>Notwithstanding this, mitigation measures adopted as part of the Proposed Development have been secured and include enhancement measures such as habitat creation at the Converter Site, including the securing of features which would increase connectivity with habitat features beyond the Site. These measures also provides mitigation habitat for protected species such as dormice, bats and breeding birds. This approach is also present in habitat creation areas to be formed in blocks to either side of the Torridge Estuary and further hedgerow enhancements along the HVDC cable route.</p> <p>In response to Paragraph 4.6.11 and in part response to Paragraph 4.6.12, the Applicant confirms that there is currently no BNG strategy but that the Application is looking at opportunities both inside (i.e., onsite) and outside (i.e., off-site) of the Order Limits.</p> <p>Should opportunities to deliver BNG offsite be concluded, the Applicant confirms that these gains</p>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Volume 2, Appendix 1.1: Phase 1 Habitat Survey (Document Ref. 6.2.1.1).</p>

		<p>biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use.</p>	<p>would be realised in a manner which best contributes towards the achievement of wider strategic outcomes and objectives. For example, the Applicant has already had regard for the Devon Local Habitat Map which contains reference to priority habitats and have been recorded within the Phase 1 habitat survey results and plan.</p> <p>With regards to LNRSs, these are not yet currently available in the Proposed Development's area. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRSs should be in place across the whole of England. Devon County Council is the appointed responsible authority to develop the Local Nature Recovery Strategy in conjunction with supporting authorities and all Devon Local Authorities. The LNRS is being developed by Devon County Council, supporting authorities and other stakeholders under the umbrella of the Devon LNP to ensure a collaborative approach. According to the latest (July 2024) Overview Project Plan for the Devon LNRS, the final 28 day consultation is due to be held in April – May 2025.</p>	
		<p>4.6.13 In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as:</p> <ul style="list-style-type: none"> <li>• reductions in GHG emissions</li> <li>• reduced flood risk</li> </ul>	<p>In addition to delivering BNG, the Proposed Development principally proposes to facilitate the import of up to 3.6 GW of low carbon electricity into the National Grid. The Proposed Development would therefore help the UK to meet carbon reduction commitments, by increasing the proportion of electricity supplied by renewable sources.</p>	<p>Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).</p> <p>Volume 2, Chapter 3</p>

		<ul style="list-style-type: none"> <li>• improvements to air or water quality,</li> <li>• climate adaptation,</li> <li>• landscape enhancement</li> <li>• increased access to natural greenspace, or</li> <li>• the enhancement, expansion or provision of trees and woodlands</li> </ul> <p>The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.</p> <p>4.6.14 The Environment Act 2021 mandated the preparation of Local Nature Recovery Strategies (LNRs) across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRs will also</p>	<p>Hydrology and flood risk matters are considered in the Hydrology and Flood Risk Chapter of the ES. Meanwhile, Air Quality matters are considered in the Air Quality Chapter of the ES. Both Chapters conclude that there would be no significant adverse effects (not significant in EIA terms) arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>In terms of the wider benefits of the Proposed Development to the local area, the Proposed Development is anticipated to give rise to the following socio-economic construction phase impacts which are beneficial effects but not significant in EIA terms:</p> <p>Economic impact and increased employment from onshore activity in:</p> <ul style="list-style-type: none"> <li>- The Local Area leading to £33.6 million GVA and 400 years of employment; and</li> <li>- Devon leading to £86.2 million GVA and 890 years of employment.</li> </ul> <p>Further, the Proposed Development is anticipated to give rise to the following socio-economic operational and maintenance phase impacts which are beneficial but not significant effects in EIA terms:</p> <p>Economic impact and increased employment from onshore activity in:</p>	<p>Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Volume 2, Chapter 6 Air Quality (Document Ref. 6.2.6).</p> <p>Volume 4, Chapter 3 Socio-Economics and Tourism (Document Ref. 6.4.3).</p>
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		<p>drive the creation of a Nature Recovery Network (NRN), a major commitment in the government's 25 Year Environment Plan.</p>	<ul style="list-style-type: none"> <li>- The Local Area leading to £0.6 million GVA and 19 jobs; and</li> <li>- Devon leading to £0.8 million GVA and 24 jobs.</li> </ul> <p>In response to Paragraph 4.6.14 and with regards to LNRs, this is not yet available in the Proposed Development's location. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRs should be in place across the whole of England.</p> <p>Devon County Council is the appointed responsible authority to develop the Local Nature Recovery Strategy in conjunction with supporting authorities and all Devon Local Authorities. The LNR is being developed by Devon County Council, supporting authorities and other stakeholders under the umbrella of the Devon LNP to ensure a collaborative approach. According to the latest (July 2024) Overview Project Plan for the Devon LNR, the final 28-day consultation is due to be held in April – May 2025.</p> <p>Further, whilst the Applicant confirms that there is currently no BNG strategy for the Proposed Development, the Application is looking at ecological and biodiversity opportunities both inside (i.e., onsite) and outside (i.e., off-site) of the Order Limits. Should the LNR be in place at a similar time to the consideration of a BNG Strategy, the Applicant will have regard for the strategic requirements of the LNR to seek how</p>	
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			<p>best the Strategy could support the requirements and objectives of the LNRS.</p>	
		<p>4.6.15 Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project.</p>	<p>The Applicant confirms that enhancing habitats and creating additional biodiverse habitats are intrinsic parts of the landscape strategy plan at the Converter Site. These enhancement and creation considerations have been had from an early stage as they have served to inform good design, as well as the achievement of net gains where reasonably practicable.</p> <p>The Outline Landscape and Ecology Management Plan which seeks to, for example, provide the mechanism to deliver the environmental commitments as set out in the ES whilst also ensuring the protection and health of retained vegetation within the Order Limits. A final Landscape and Ecology Management Plan would be produced substantially in accordance with the Outline document, as is secured via Requirement 6 of the draft DCO.</p> <p>In terms of good design and early consideration for environmental net gains, the Need and Alternatives Chapter of the ES provides a description of the detailed site selection and assessment of alternatives process undertaken by the Applicant. This assessment considered the locational criteria (being environmental, social and economic, electrical and engineering constraints) which geographically influenced the area of search.</p>	<p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref 3.1).</p> <p>Volume 1, Chapter 4 Need and Alternatives (Document Ref. 6.1.4).</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p>

			<p>Then, following the selection of the preferred locations for the Proposed Development's Elements, based on the application of the locational criteria and factors mentioned above, the Applicant developed a design rationale, as contained within the Design Approach Document.</p> <p>A key aspect of the Design Approach Document has been to ensure that ecological impacts have been continually considered with effects on ecological and biodiverse assets being minimised, through design evolution, as far as reasonably practicable.</p>	
		<p>4.6.16 Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', Defra's guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.</p>	<p>The Applicant recognises the importance of making use of available guidance and tools for measuring natural capital. The Onshore Ecology and Nature Conservation Chapter of the ES, through Section 1.5, confirms the relevant guidance that the assessment has considered. The guidance and tools used in the assessment include the:</p> <ul style="list-style-type: none"> <li>- Bat Conservation Trust (2016) Bat Surveys for Professional Ecologists Good Practice Guidelines;</li> <li>- Bat Conservation Trust (2023) Bat Surveys for Professional Ecologists Good Practice Guidelines;</li> <li>- CIEEM (2023) UK Bat Mitigation Guidelines;</li> <li>- Devon Great Crested Newt consultation Zones (Devon Biodiversity Records Centre);</li> </ul>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p>

			<ul style="list-style-type: none"> <li>- English Nature (2006) Dormouse Conservation Handbook;</li> <li>- Natural England (2008) Devon field boundaries: restoration standards for agri-environment schemes Natural England Technical Information Note 039;</li> <li>- Bibby, C.J., Burgess, N.D., Hill, D.A. and Mustoe, S.H. (2000). Bird Census Techniques: 2nd edition. Academic Press, London;</li> <li>- Joint Nature Conservation Committee (JNCC, 1998) The Herpetofauna Workers' Manual; and</li> <li>- JNCC (2003) Handbook for Phase 1 habitat survey.</li> </ul> <p>The Applicant considers that the above guidance and tools are sufficient for the needs of the assessment and that, for example, the Natural Capital Committee's 'How to Do it: natural capital workbook' has not been necessary to inform the assessment.</p>	
		<p>4.6.17 Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.</p>	<p>The Proposed Development has undergone an iterative design and site selection process in order to ensure that the Proposed Development makes the greatest possible contribution to renewable energy targets and the building of energy resiliency whilst also minimising environmental impacts by following the principles of good design.</p> <p>The principles which have guided the location of the Proposed Development have not explicitly considered environmental net gain, but they have had ongoing consideration to avoiding and</p>	<p>Part 7, Design Approach Document (Document Ref. 7.3).</p>



			<p>minimising environmental effects throughout the design evolution process.</p>	
		<p>4.6.18 Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.</p>	<p>The Applicant notes this Paragraph and the need it places on ensuring that environmental, social and economic enhancement, protection and mitigation is secured where new energy infrastructure is delivered.</p> <p>The Applicant confirms that the ES (Volumes 1 to 4) considers and explores the potential for the Proposed Development to deliver social, economic and environmental benefits whilst also securing mitigation, as necessary.</p> <p>For example, the Applicant has submitted an Outline Skills and Employment Strategy which seeks to secure positive and meaningful commitments and activities in relation to the Proposed Development. The outline Strategy sets out an approach which will be adopted and detailed within the detailed Strategy with the aim of promoting skills and employment opportunities for local economic benefit. The production of a final/ detailed Skills and Employment Strategy is secured via Requirement 15 of the draft DCO. Further, the Applicant confirms that an approach to a Community Benefit Fund is being developed but recognises that it is not material to the planning application and therefore is not assessed within the ES.</p>	<p>Part 7, Outline Skills and Employment Strategy (Document Ref. 7.23).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
1.33	<b>Environmental and Biodiversity Net Gain,</b>	<p>4.6.1 Although achieving biodiversity net gain is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when</p>	<p>The Applicant acknowledges Paragraph 4.6.1 and the consideration the SoS may or may not give to the fact that the Applicant has not yet developed a BNG Strategy, but that the Application is looking</p>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature</p>

	<p><b>Secretary of State Decision Making</b></p> <p>EN-1 (4.6)</p>	<p>commenced, mean the Secretary of State may not grant an application for Development Consent Order unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.</p> <p>4.6.2 The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.</p> <p>4.6.3 The Secretary of State should give appropriate weight to environmental and biodiversity net gain, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p>	<p>at biodiversity opportunities both inside and outside of the Order Limits.</p> <p>The Applicant confirms that The Environment Act 2021, which relates particularly to issues of BNG, has been considered and is relevant to the legislative and policy context of the Onshore Ecology and Nature Conservation Chapter of the ES.</p> <p>Further and in response to Paragraphs 4.6.2 and 4.6.3 (and for the benefit of the SoS), the Applicant confirms that the initial BNG aspirations for the Proposed Development have not been possible to progress as, currently, the requirement for DCO projects to provide BNG enhancements does not come into effect until November 2025. It is therefore not possible to obtain land for BNG under the CPO powers associated with DCO projects. Without this, it has not been possible to achieve voluntary agreements with local landowners to undertake the off-site habitat enhancements originally envisaged with the Proposed Development. Alternate means to develop and enact meaningful landscape-scale habitat creation will continue to be investigated and pursued. Where successful, these measures will be reported in a BNG assessment report through the Application process.</p>	<p>Conservation (Document Ref. 6.2.1).</p>
1.34	<p><b>Criteria for good design for Energy Infrastructure:</b></p>	<p>4.7.1 The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high</p>	<p>The Design Principles Statement establishes the core design principles for the Proposed Development and seeks to balance good design with the functional requirements of the infrastructure by outlining the design</p>	<p>Part 7, Design Principles Statement</p>

	EN-1 (4.7)	<p>quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.</p>	<p>considerations for the Onshore Converter Stations. The infrastructure within the Converter Site would have the most significant visual impact on the surrounding context. Careful consideration has been given to ensure balance is achieved between the visual appearance, sustainability and functionality of each building and operational equipment.</p>	<p>(Document Ref. 7.4).</p>
		<p>4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</p>	<p>At this time, decisions on the exact locations of specific components and the precise technologies, as well as construction methods to be employed, are yet to be confirmed. These details remain pending as the Applicant is following a Project Design Envelope approach (PDE) and will develop the detailed design in conjunction with contractors during and following its procurement events for the development.</p> <p>The PDE approach defines a design envelope and parameters within which the final design would sit. It allows flexibility for elements that would require more detailed design subsequent to submission of the Application for development consent, such as siting of infrastructure and construction methods.</p> <p>The above notwithstanding, the Design Principles Statement document includes a number of overarching Onshore Design Principles as well as some more granular design principles and parameters for each Onshore and Offshore Element of the Proposed Development. These principles and parameters, secured via Requirement 4 Detailed design approval of the</p>	<p>Volume 1, Chapter 4 Need and Alternatives (Document Ref. 6.1.4).</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p>

			<p>draft DCO would serve to shape the final design of each Element (inclusive of landscaping) to enable the Proposed Development to assimilate into the landscape.</p> <p>The Proposed Development has undergone an iterative design and site selection process in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. This is set out in the design evolution section part of the Design Approach Document.</p> <p>Further, regarding landscape mitigation planting, an Outline Landscape and Ecology Management Plan (oLEMP) accompanies the application. The oLEMP includes an illustrative landscape strategy plan that identifies areas of landscape mitigation planting at the Converter Site, as well as along the Onshore HVDC Cable Corridor and road verges. A detailed LEMP would be prepared post consent (as secured via Requirement 6 of the draft DCO) and would be agreed with the relevant authorities. This would include details such as the number, location, and species of plants, as well as details on their management and maintenance.</p> <p>Where practical, landscape mitigation planting would be established as early as reasonably practicable in the construction phase.</p>	
		<p>4.7.3 Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show</p>	<p>The Design Principles Statement document sets out the design principles and parameters guiding the detailed design of the Proposed Development</p>	<p>Part 7, Design Principles Statement</p>

		<p>how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.</p>	<p>which, as noted above, has followed a PDE approach.</p> <p>Good design has been embedded into the Proposed Development, as detailed within the Design Approach Document, to help protect sensitive receptors and minimise the extent of direct interaction with receptors. For example, the Proposed Development includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>- The installation of cables in ducts under the seabed and shoreline using trenchless techniques to help avoid physical obstacles and minimise impacts to the local environment;</li> <li>- For the Onshore Converter Stations, these would be built to achieve the functional technical and structural requirements set out within Regulation 7 of the Building Regulations (2010) whilst also helping to reduce the visual and noise impacts to ensure the integration of the element into the local landscape.</li> <li>- For the Onshore Converter Stations' construction, the temporary construction roads would be developed using recycled aggregates to minimise embodied carbon impacts; and</li> <li>- For the Onshore Converter Stations' construction, materials would be sustainably sourced with the potential to reuse or recycle at the end of its operational life.</li> </ul>	<p>(Document Ref. 7.4).</p> <p>Volume 1, Chapter 4 Need and Alternatives (Document Ref. 6.1.4).</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p>
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1.35	<p><b>Criteria for good design for Energy Infrastructure, Applicant assessment:</b></p> <p>EN-1 (4.7)</p>	<p>4.7.5 To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.</p> <p>4.7.6 Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any</p>	<p>A Design Principles Statement has been submitted as part of the DCO application. It has been an evolving document, updated throughout the design development process to capture key design principles to be adhered to post-consent.</p> <p>The Applicant intends on nominating a Project Design Champion, which would be confirmed in 2025, along with the relevant Construction Contractors. The Design Champion is accountable for delivering coherent, good design and holds the project team accountable for a macro vision of design. The Design Champion would guide and champion an iterative design process to test the best way of achieving the design principles as set out in this document.</p> <p>Following on from the selection of the preferred locations for the Proposed Development Components, based on the application of the</p>	<p>Part 7, Project Development and Considerations of Options (Document Ref. 7.2 – annex 2).</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4).</p>

		<p>associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.</p>	<p>locational criteria and factors mentioned in above assessment pieces, the Applicant has developed a set of core design parameters which are described in the Project Development and Consideration of Options document. These have influenced the optioneering and the identification of a preferred design which then underwent further technical and feasibility assessments.</p> <p>The Project Development and Considerations of Options document outlines the site selection assessment. The document includes the early considerations and criteria which have shaped the Proposed Development, which include but are not limited to:</p> <ul style="list-style-type: none"><li>- Locating the landing point in the UK to allow proven engineering techniques to be utilised within an acceptable risk envelope and minimising the impact on the local environment and people directly impacted by the works; and</li><li>- Aligning with the grid connection agreement to National Grid Electricity Transmission (NGET) transmission network to the existing Grid Code.</li></ul> <p>Further, a number of important factors have influenced the location of project components and the design of the Proposed Development. The factors influencing the site selection, which was considered by the Applicant, include environmental, social and economic, electrical and engineering considerations.</p>	
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		<p>4.7.7 Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.</p>	<p>As noted in the above, the Proposed Development has undergone an iterative design and site selection process, in order to ensure that the Proposed Development makes the greatest possible contribution to renewable energy targets and the building of energy resiliency whilst minimising environmental impacts by following the principles of good design.</p> <p>The Project Development and Considerations of Options document outlines the locational criteria and other important factors (such as environmental, social and economic, electrical and engineering considerations) which have shaped the selection of the preferred locations for the Elements of the Proposed Development. This document, for example, outlines why the old Webbery Site has been selected, through design evolution, as the preferred location for the location of the Converter Site.</p>	<p>Part 7, Project Development and Considerations of Options (Document Ref. 7.2 – Annex 2).</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p>
		<p>4.7.8 Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are</p>	<p>The Applicant has not considered it necessary to engage the Design Council on the Proposed Development. However, engagement with the local planning authorities was undertaken during pre-application stage, and their feedback was taken into consideration when developing the</p>	<p>Part 5, Consultation Report (Document Ref 5.1).</p>



		encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.	design for the Proposed Development, as documented in the Consultation Report and the Design Approach Document.	Part 7, Design Approach Document (Document Ref 7.3).
		4.7.9 Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.	The Applicant notes this Paragraph and confirms that, where applicable, the technology specific NPSs have been used to inform the good design of the Proposed Development.  An assessment of compliance with NPS EN-3 and EN-5 is captured in Tables 2 and 3 of these Policy Compliance Assessment Tables.	Part 7, Planning Statement (Document Ref. 7.2 – annex 1).
1.36	<b>Criteria for good design for Energy Infrastructure, Secretary of State decision Making:</b>  EN-1 (4.7)	4.7.10 In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.  4.7.11 In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.	The Applicant has considered good design and sustainability to be central to the Proposed Development.  The Proposed Development has undergone an iterative design and site selection process to ensure that the Proposed Development makes the greatest possible contribution to renewable energy targets and the building of energy resiliency whilst minimising environmental impacts by following the principles of good design.  The Design Approach Document sets out how the design of the Proposed Development has considered the criteria of the NPS in relation to good design. It sets out the local context in which the Proposed Development is situated. It also outlines the design response to the relevant context in seeking to mitigate adverse impacts and integrate 'good design' principles, including	Part 3, Development Consent Order (Document Ref. 3.1)  Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).  Part 7, Design Approach Document (Document Ref 7.3)  Part 7, Design Principles

			<p>ensuring that the design is as sustainable, attractive, durable and adaptable as possible.</p> <p>The Design Approach Document sets out how understanding the local context, assessment of environmental effects, and iterative engagement have influenced the design. Recognising the constraints presented by some infrastructure and identifying how technical considerations have, in some instances, limited design choices. The Design Principles underpin the Proposed Development and would be required to be implemented in the future detailed design, as secured via Requirement 4 of the dDCO.</p> <p>The Climate Change Chapter of the ES considers the effects of climate change on the Proposed Development during the construction, operation and maintenance and decommissioning phases. The Chapter has confirmed that there is a moderate adverse effect on the construction phase of the Proposed Development, while the remainder is negligible and therefore not significant. However, following the inclusion of relevant mitigation methods to reduce construction related emissions, as set out in the Commitments Register, the residual effect of the Proposed Development is negligible/ minor adverse and therefore not significant..</p>	Statement (Document Ref. 7.4).
		4.7.12 In considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has	Ultimately, the Proposed Development proposes to facilitate the import of up to 3.6 GW of low carbon electricity into the National Grid. Once complete, the Proposed Development would be capable of supplying approximately 8 percent (%)	Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).

		<p>to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process.</p> <p>4.7.13 The Secretary of State should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the Application rather than a shorter time period.</p> <p>4.7.14 The Secretary of State should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects.</p> <p>4.7.15 Further advice on what the Secretary of State should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.</p>	<p>of UK's annual electricity needs. This would help enable the UK to diversify its energy supply, increase energy resilience and help support local and national carbon emission reduction targets. Together with the generation infrastructure located in Morocco, it would provide a reliable supply of electricity that seeks to help address the needs of the Great British power market, especially during periods of low offshore wind production around the UK. The Proposed Development would also help the UK to meet carbon reduction commitments, by increasing the proportion of electricity supplied by renewable sources.</p> <p>The Project Description Chapter of the ES captures how the Proposed Development is to be made safe and secure during the construction, operation and maintenance and decommissioning phases. For example, it details that the design of the Converter Stations would comply with all relevant statutory requirements including building regulations, building control requirements and fire safety in consultation with the fire authority and that the detailed design of lighting would be consulted on and approved by Torridge District Council (at the detailed design stage) to ensure the safety and security of the Proposed Development.</p> <p>The ES considers the impacts of the Proposed Development and considers, where applicable, the policy tests contained within the NPS suite. As noted in the Environmental Impact Assessment Methodology Chapter of the ES, the Proposed</p>	<p>Volume 1, Chapter 4 Project Description (Document Ref. 6.1.4).</p> <p>Volume 1, Chapter 5 Environmental Impact Assessment Methodology (Document Ref. 6.1.5).</p>
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			<p>Development's impacts have been considered across the whole design life of the Proposed Development which includes consideration for the construction, operation and maintenance and decommissioning phases.</p> <p>The Applicant welcomes the SoS to consider taking independent professional advice on the design aspects of the Proposed Development.</p>	
1.37	<p><b>Climate Change Adaptation and Resilience,</b></p> <p>EN-1 (4.10)</p>	<p>4.10.1 Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.</p>	<p>The Climate Change Chapter of the ES provides an assessment of the Proposed Development in relation to its effects on climate and its resilience to the effects of climate change. Relevant sections of the technology-specific NPSs EN-3 and EN-5 relating to climate change and topics such as flood risk are considered in this Chapter.</p> <p>The Climate Change Risk Assessment assesses the potential adverse effects of climate change on the Proposed Development through the consideration of climate-related current and anticipated physical risks throughout the Proposed Development's 50-year lifetime, in line with the UK's guidance on climate change risk assessments.</p> <p>The Assessment concludes that, with mitigation measures in place, the identified potential risks posed to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms. Therefore, the Proposed Development complies with this policy test.</p>	<p>Volume 4, Chapter 1: Climate Change (Document Ref. 6.4.1)</p> <p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>
		<p>4.10.2 Climate change is already altering the UK's weather patterns and this will continue</p>	<p>The Applicant is cognisant of the risks associated with climate change. The Climate Change Risk</p>	<p>Volume 4, Appendix 1.2:</p>

		<p>to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.</p>	<p>Assessment identifies and assesses some of the following risks, for example:</p> <p>For onshore construction:</p> <ul style="list-style-type: none"> <li>- Increased frequency of flood events resulting from increased precipitation intensity;</li> <li>- Increased frequency and intensity of extreme weather (i.e. storms, drought, wildfires); and</li> <li>- Increases in average and extreme temperatures, both in winter and summer.</li> </ul> <p>For offshore construction:</p> <ul style="list-style-type: none"> <li>- Increases in average and extreme temperatures, both in winter and summer;</li> <li>- Increased frequency and intensity of extreme weather i.e. storms; and</li> <li>- Increased wind speeds and changes to wind patterns.</li> </ul> <p>The Assessment also considers the risks associated with operation and maintenance and decommissioning phases for both the onshore and offshore elements of the Proposed Development.</p>	<p>Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>
		<p>4.10.3 To support planning decisions, the government produces a set of UK Climate Projections as well as hazard specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power will ensure that</p>	<p>The Applicant notes this Paragraph and confirms that the Climate Change Risk Assessment has been undertaken in line with the UK's guidance on climate change risk assessments.</p> <p>The Flood Risk Assessment, as appended to the Hydrology and Flood Risk Chapter of the ES, makes use of the Environment Agency's latest</p>	<p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>

		reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.	climate change allowances (being Adapting to Climate Change: Advice to Flood and Coastal Risk Management (EA 2022) when assessing the flood risks.	Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).
		4.10.4 The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).	The Applicant notes this Paragraph and confirms that this Section of NPS EN-1 has been read together with Sections 5.3, 5.6 and 5.8 of EN-1.	N/A
1.38	<b>Climate Change Adaptation and Resilience, Applicant Assessment</b>  EN-1 (4.10)	4.10.5 In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques.	<p>The design of the Proposed Development has incorporated nature-based solutions were practicable, such as developing biodiversity enhancement measures and considering hydrology, flood risk, landscape, and ecology in the outline design of the Converter Site.</p> <p>The purpose of the Proposed Development is to connect the Moroccan generation assets to the National Grid (via subsea cabling). The cumulative climate change effects of the Proposed Development with the cumulative Project are provided for within the Climate Change Chapter.</p> <p>The assessment has confirmed that there is a moderate adverse effect on the construction phase of the Proposed Development, while the remainder is negligible and therefore not significant. However, following the inclusion of</p>	<p>Volume 4, Chapter 1: Climate Change (Document Ref. 6.4.1)</p> <p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4).</p>

			<p>relevant mitigation methods to reduce construction related emissions, as set out in the Commitments Register, the residual effect of the Proposed Development is negligible/ minor adverse and therefore not significant.</p> <p>Climate Change Risk Assessment considers the mitigation measures secured as part of the Proposed Development when assessing the significance of climate-related risks to the Proposed Development.</p> <p>The mitigation measures that the assessment relies upon are included in outline management plans:</p> <ul style="list-style-type: none"><li>- The Outline Onshore Construction Environmental Management Plan;</li><li>- The Outline Offshore Construction Environmental Management Plan;</li><li>- The Outline Decommissioning Strategy;</li><li>- The Outline Landscape and Ecology Management Plan; and</li><li>- The Design Principles Statement.</li></ul> <p>Outline management plans would be further developed in detail in conjunction with the construction contractors and are proposed by the Applicant to be subject to approvals by the relevant local planning authority as defined in the Requirements submitted under the draft DCO.</p> <p>The above mitigation measures are principally monitoring and management control documents</p>	
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			<p>for construction and decommissioning activities. Some of the secured mitigation measures mentioned above, such as the Outline Landscape and Ecology Management Plan and Design Principles Statement document, frame the parameters within which the detailed design is to be completed.</p> <p>The Design Principles Statement, for example, secures sustainable design, which would involve considering the SuDS hierarchy with respect to flooding in the detailed design stage.</p>	
		<p>4.10.6 Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.</p>	<p>The Flood Risk Assessment considers the flood risk associated with the Onshore Elements and demonstrates how flood risk would be managed, taking climate change into consideration.</p> <p>The Flood Risk Assessment details conceptual drainage strategies for the Converter Stations. These strategies have been developed in accordance with NPS, NPPF, PPG ID7, the SuDS Manual and Local Council Policy guidance. For example, and with regard to the Converter Stations, surface water from the 1 in 100-year storm event plus an allowance for climate change is to be stored within a basin, with flows to be discharged following the SuDS hierarchy.</p> <p>With regard to wastewater, the Outline Onshore Construction Environmental Management Plan has been developed to manage the containment, management and disposal of wastewater.</p>	<p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p>



		<p>4.10.7 In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.</p>	<p>The Applicant is cognisant of the wide-ranging benefits nature-based solutions could give rise to, whilst also mitigating for risks. As captured within the Design Principles Statement document, one of the five overarching onshore design principles is to deliver 'Ecological Enhancement' where:</p> <ul style="list-style-type: none"> <li>- Design proposals would aim to compensate for any loss by reinstating and creating new habitats and vegetation, ensuring ecological enhancements. The goal is to achieve no net loss to biodiversity and, where reasonably practicable, promote a net gain in biodiversity.</li> </ul> <p>In terms of the interaction of the Proposed Development and environmental net gain, there is currently no BNG strategy, but the Application is looking at opportunities both inside and outside of the Order Limits.</p> <p>The above notwithstanding, the final Landscape and Ecology Management Plan (which would be developed in accordance with the submitted Outline plan) would detail the design of the landscaping across the Proposed Development and the planting specification, which would include a selection of plant species that are resilient to warmer and drier conditions (i.e., a nature-based design solution accounting for the impacts of climate change).</p>	<p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p>
		<p>4.10.8 New energy infrastructure will typically need to remain operational over many</p>	<p>The Climate Change Risk Assessment assesses the potential adverse effects of climate change on</p>	<p>Volume 4, Appendix 1.2:</p>

		<p>decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g. site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g. access roads or other critical dependencies impacted by flooding, storms, heatwaves or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.</p>	<p>the Proposed Development through the consideration of climate-related current and anticipated physical risks throughout the Proposed Development's 50-year lifetime, in line with the UK's guidance on climate change risk assessments.</p> <p>The Assessment concludes that, with mitigation measures in place, the identified potential risks posed to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms. Therefore, the Proposed Development complies with this policy test.</p>	<p>Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>
		<p>4.10.9 The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations.</p>	<p>The methodology considered within the climate change assessment is consistent with the:</p> <ul style="list-style-type: none"> <li>- Institute of Environmental Management and Assessment (IEMA) Guidance on Climate Change Adaptation and Resilience (IEMA, 2020); and</li> <li>- IEMA guidance on 'Assessing Greenhouse Gas Emissions and Evaluating their Significance' (IEMA, 2022).</li> </ul>	<p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1)</p>
		<p>4.10.10 Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</p>	<p>The maximum climate change scenario, informed by climate projections using the Representative Concentration Pathway (RCP) 8.5, a high-emissions scenario assuming 'business as usual' growth globally with little additional mitigation. This represents a maximum credible scenario. The chapter has been prepared taking into account the latest guidance available from IEMA. Further, the Climate Change Risk Assessment has been</p>	<p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>

			undertaken in line with the UK's guidance on climate change risk assessments.	
		4.10.11 Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.	<p>The Climate Change Risk Assessment assesses the potential adverse effects of climate change on the Proposed Development through the consideration of climate-related current and anticipated physical risks throughout the Proposed Development's 50-year lifetime, in line with the UK's guidance on climate change risk assessments. Specifically, it considers the resilience of the Proposed Development to extreme weather events and projected future climate change impacts. It concludes that all risks identified have a low or very low-risk rating.</p> <p>The Assessment concludes that, with mitigation measures in place, the identified potential risks posed to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms. Therefore, the Proposed Development complies with this policy test.</p>	<p>Volume 2, Chapter 3: Hydrology and Flood Risk (Document Ref. 6.2.3)</p> <p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).</p> <p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>
		4.10.12 Where energy infrastructure has safety critical elements, the applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.	<p>The Climate Change Risk Assessment considers the maximum climate change scenario, informed by climate projections using the Representative Concentration Pathway (RCP) 8.5, a high-emissions scenario assuming 'business as usual' growth globally with little additional mitigation. This represents a maximum credible scenario. The Assessment has been prepared taking into account the latest guidance available from IEMA.</p> <p>The Assessment concludes that, with mitigation measures in place, the identified potential risks</p>	<p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>

			posed to the Proposed Development, inclusive of critical elements, would be reduced to an acceptable and non-significant level in EIA terms. Therefore, the Proposed Development complies with this policy test.	
1.39	<p><b>Climate Change Adaptation and Resilience, Secretary of State decision making:</b></p> <p>EN-1 (4.10)</p>	<p>4.10.13 The Secretary of State should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA's Climate Change Allowances for Flood Risk Assessments or the Welsh Government's Climate change allowances and flood consequence assessments) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.</p>	<p>The Climate Change Chapter of the ES sets out the methodology employed for assessing the likely significant effects of climate change on the construction, operational and decommissioning phases of the Proposed Development. It confirms that the climate change risk assessment.</p> <p>The methodology considered within the Climate Change Assessment is consistent with the:</p> <ul style="list-style-type: none"> <li>- Institute of Environmental Management and Assessment (IEMA) Guidance on Climate Change Adaptation and Resilience (IEMA, 2020); and</li> <li>- IEMA guidance on 'Assessing Greenhouse Gas Emissions and Evaluating their Significance' (IEMA, 2022).</li> </ul> <p>Further, the Climate Change Risk Assessment, as appended to the Climate Change Chapter of the ES, has been undertaken in line with the UK's guidance on climate change risk assessments.</p> <p>The Flood Risk Assessment, as appended to the Hydrology and Flood Risk Chapter of the ES, makes use of the Environment Agency's latest climate change allowances (being Adapting to Climate Change: Advice to Flood and Coastal</p>	<p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).</p> <p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p> <p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p>

			<p>Risk Management (EA 2022) when assessing the flood risks.</p> <p>The Applicant considers that appropriate mitigation and/or adaptation measures have been embedded into the Proposed Development.</p>	
		<p>4.10.14 Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.</p>	<p>The Applicant notes this Paragraph and will be lead by the Secretary of State (or the Examining Authority during the examination stage).</p>	N/A
		<p>4.10.15 The Secretary of State should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.</p>	<p>The Proposed Development has been developed with a full understanding of the potential consequences of climate change and has incorporated mitigation measures embedded in the design.</p> <p>The Proposed Development demonstrates that the consequences of current climate change impacts have been addressed, minimised and mitigated to the extent where no significant adverse residual effects are predicted during the construction, operation and maintenance and decommissioning stage of the Proposed Development, except for a construction phase impact of GHG emissions arising from the manufacturing and installation of the Proposed Development which is to result in a moderate adverse residual effect, significant in EIA terms.</p>	<p>Volume 2, Chapter 3: Hydrology and Flood Risk (Document Ref. 6.2.3)</p> <p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p> <p>Volume 4, Appendix 1.2: Climate Change Risk Assessment</p>
		<p>4.10.16 If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the</p>		

		<p>impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS.</p> <p>4.10.17 Any adaptation measures should be based on the latest set of UK Climate Projections, the government's latest UK Climate Change Risk Assessment, when available, and in consultation with the EA's Climate Change Allowances for Flood Risk Assessments, or the Welsh Government's Climate change allowances and flood consequence assessments.</p> <p>4.10.18 The Secretary of State may take into account energy utilities' reports to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure.</p> <p>4.10.19 Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the Secretary of State may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the</p>	<p>Summary of the potential impacts and residual effects in respect to climate change. The impacts assessed include the following.</p> <ul style="list-style-type: none"> <li>• The impact of GHG emissions arising from the manufacturing and installation of the Proposed Development.</li> <li>• The impact of GHG emissions arising from the consumption of materials and activities required to facilitate the operations and maintenance of the Proposed Development.</li> <li>• The impact of GHG emissions from decommissioning works (plant, fuel and vessel use) and recovery or disposal of materials.</li> <li>• The impact of GHG emissions arising from land use and sea bed change.</li> <li>• The impact of the effects of climate change on the Proposed Development's onshore and offshore infrastructure over the operation and decommissioning phases.</li> </ul> <p>Overall, it is concluded that there will be the following significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>Construction phase: emissions from the manufacturing of the Proposed Development would result in emissions of up to 508,548 tCO<sub>2e</sub>. This would be a significant moderate adverse</p>	<p>(Document Ref. 6.4.1.2).</p>
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		<p>development (for example increasing height of existing, or requiring new, sea walls).</p>	<p>residual effect, significant in EIA terms. This includes the securing of additional mitigation measures.</p> <p>The Climate Change Risk and Flood Risk Assessments have made use of the latest UK guidance on climate change risk and the Environment Agency's latest climate change allowances (being Adapting to Climate Change: Advice to Flood and Coastal Risk Management (EA 2022) respectively.</p> <p>An assessment of an increase of peak river flow, peak rainfall intensities and sea level rise driven by climate change has been made within the Flood Risk Assessment to the end of the construction phase for the Landfall, Onshore HVDC Cable Corridor and HVAC Cables and the operation and maintenance phase for the Converter Site. Peak river flow and sea level rise are accounted for within fluvial flood risk sections. Peak rainfall intensity is taken into account within surface water flooding sections as well as the operational drainage strategies for the Converter Site.</p> <p>In regard to an assessment of residual flood risk, whilst flood defences are present within the study area and provide a degree of protection against flooding, the undefended scenario has been used to assess residual fluvial and tidal flood risk throughout the development lifetime, taking into account the effects of climate change.</p>	
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1.40	<p><b>Network Connection:</b> EN-1 (4.11)</p>	<p>4.11.1 The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant.</p> <p>4.11.2 In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned</p>	<p>The Applicant has secured connection agreements with NGENSO for each of the Proposed Development's two Bipoles. Each connection agreement is for 1.8 GW export to the National Grid at the existing Alverdiscott 400 kV Substation site, with the first connection in 2030 and the second connection in 2032.</p> <p>NGESO considered existing substation sites with the potential to be expanded rather than zones for</p>	<p>Part 7, Appendix 2 - Project Development and Considerations of Options (Document Ref. 7.2 – Annex 2).</p> <p>Part 7, Grid and Cable Connection</p>



		<p>transmission or distribution network to accommodate the electricity generated.</p> <p>4.11.3 To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission.</p> <p>4.11.4 Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in 2.8.8 of EN-3 and 2.12.7 of EN-5.</p>	<p>potential new substations along the line where available capacity could be sourced. Although a new substation could be designed and constructed, connecting to existing sites, in principle, entails fewer constraints and is usually more economically feasible.</p> <p>NGESO investigated several potential connection options for the Proposed Development. Ultimately, the outcome of these assessments (concluded by NGESO) resulted in the Alverdiscott Substation being identified as the preferred option as it had sufficient space for the development of any required additional infrastructure within the substation site (owned by National Grid) and the development of the Proposed Development's Converter Site on land close to the substation site.</p> <p>The Proposed Development therefore presents a unique opportunity to connect a high capacity, high load factor low-carbon energy source to the UK electricity system through a single existing grid connection point, with a proposed first connection date in 2030. This is a material issue when considering how the UK is to meet the urgent need for low-carbon generation as is set out in the NPSs, given the current constraint in configuring existing connections and delivering new connections for proposed low-carbon electricity generators in the UK.</p> <p>Urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is</p>	<p>Statement (Document Ref. 7.5)</p>
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			<p>needed for the UK to meet its legally binding climate change targets. Increasing the supply of energy from renewable sources is a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'</p> <p>Many technologies with the potential to play a role in the delivery of a net zero energy system currently have uncertain delivery timescales. All techno-commercial elements of the Proposed Development and the international generation assets to which it connects, are already proven in delivery at or approaching the scale proposed, in the UK or globally. Developments with the proven ability to achieve carbon savings comfortably within the next decade, such as the Proposed Development, are essential to keep the UK on its legally binding carbon reduction path.</p> <p>The Proposed Development allows for a maximum export of 3.6 GW to the UK's electricity system and the Applicant's analysis indicates that through the course of a year, energy exported from the international generation assets will be equivalent to approximately 18 hours of full export a day (i.e. an annual load factor of approximately 75%). The Proposed Development, therefore, presents a unique opportunity to connect a high capacity, high load factor, low-carbon energy source to the UK electricity system through a single existing grid connection point, with a proposed first connection date in 2030.</p>	
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<p>1.41</p>	<p><b>Network Connection, Applicant assessment:</b></p> <p>EN-1 (4.11)</p>	<p>4.11.5 The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional DNO or TSO to secure a grid connection.</p> <p>4.11.6 Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application. In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.</p>	<p>The Applicant has secured connection agreements with NGEN for each of the Proposed Development's two Bipoles. Each connection agreement is for 1.8 GW export to the national grid at the existing Alverdiscott 400 kV Substation site, with the first connection in 2030 and the second connection in 2032.</p> <p>As captured within the Consultation Report, early engagement between the Applicant and National Grid has informed the preferred option which is for a connection of the Proposed Development into the National Grid at Alverdiscott National Grid Substation.</p> <p>The connection to the National Electricity Transmission System forms part of the Proposed Development for which development consent is being sought via the DCO Application.</p> <p>As such, the Applicant considers that, if the DCO is granted on substantively the same terms as those set out in the draft DCO then development consent for the Proposed Development, including the connection works, would have been secured.</p> <p>The consent for the Alverdiscott Substation Connection Development would be sought by NGET following completion of their initial design phase. NGET have advised that they would seek consent for the development through a Town and Country Planning Act 1990 application, to be submitted to Torridge District Council in early 2026</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p> <p>Part 5, Consultation Report (Document Ref. 5.1).</p> <p>Part 7, Grid and Cable Connection Statement (Document Ref. 7.5).</p>
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			to allow for completion of the new 400kV substation in time for connection by the Applicant.	
		<p>4.11.7 The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Coordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the Secretary of State or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall.</p> <p>4.11.8 On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and</p>	<p>The connection to the NGET forms part of the Proposed Development for which development consent is being sought via the DCO Application.</p> <p>As such, the Applicant considers that, if the DCO is granted on substantively the same terms as those set out in the draft DCO then development consent for the Proposed Development, including the connection works, would have been secured.</p> <p>The consent for the Alverdiscott Substation Connection Development would be sought by NGET following completion of their initial design phase. NGET have advised that they would seek consent for the development through a Town and Country Planning Act 1990 application, to be submitted to Torridge District Council in early 2026 to allow for completion of the new 400kV substation in time for connection by the Applicant.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p> <p>Part 7, Grid and Cable Connection Statement (Document Ref. 7.5).</p>

		<p>explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.</p>		
		<p>4.11.9 If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.</p> <p>4.11.10 It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms as outlined in EN-5.</p>	<p>Following discussions with NGET, the anticipated Alverdiscott Substation Connection Development would be planned and developed by NGET. The Alverdiscott Substation Connection Development does not form part of the Proposed Development; however, it is considered cumulatively within the Environmental Impact Assessment as it is necessary to facilitate connection to the National Grid.</p>	<p>Volume 1, Chapter 5 Environmental Impact Assessment Methodology (Document Ref. 6.1.5).</p>
1.42	<p><b>Network Connection, Secretary of State decision making:</b></p> <p>EN-1 (4.11)</p>	<p>4.11.12 The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.</p> <p>4.11.13 Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State's ability to take subsequent decisions on any related projects.</p>	<p>The consent for the Alverdiscott Substation Connection Development would be sought by NGET following the completion of their initial design phase. NGET have advised that they would seek consent for the development through a Town and Country Planning Act 1990 application, to be submitted to Torridge District Council in early 2026 to allow for completion of the new 400kV substation in time for connection by the Applicant.</p>	<p>Part 7, Grid and Cable Connection Statement (Document Ref. 7.5).</p>
1.43	<p><b>Pollution Control and Other Environmental Regulatory Regimes:</b></p>	<p>4.12.3 Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016 (EPR). The EPR</p>	<p>As detailed in the Other Consents and Agreements Statement, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 would be applied for</p>	<p>Volume 1, Chapter 2: Policy and Legislation</p>

	EN-1 (4.12)	<p>requires industrial facilities to have an EP and meet limits on allowable emissions to operate.</p> <p>4.12.4 Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are will now be determined through a new UK-specific BAT process.</p>	<p>post consent, with applications made to the relevant regulator, where necessary.</p> <p>The document also provides further information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation and maintenance and decommissioning of the Proposed Development.</p>	<p>(Document Ref. 6.1.2)</p> <p>Part 7, Statutory Nuisance Statement (Document Ref. 7.6)</p> <p>Part 7, Other Consents and Agreements (Document Ref. 7.21).</p>
1.44	<p><b>Pollution Control and Other Environmental Regulatory Regimes, Applicant assessment:</b></p> <p>EN-1 (4.12)</p>	<p>4.12.5 Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.</p>	<p>The Applicant first contacted the Marine Management Organisation (MMO) in October 2021, as it was expected that the MMO would need to provide consent for a Marine Licence application. This meeting introduced the Proposed Development to the MMO whilst the Applicant sought to understand the Marine Licensing requirements. There has been ongoing engagement with the MMO, with continued engagement around design development and topic-specific issues.</p> <p>The Applicant has held several pre-application meetings with the MMO regarding the offshore elements of the Proposed Development. These have confirmed the need for a Marine Licence, and discussions around the specific terms are ongoing. A ddML is included in the DCO submission.</p>	<p>Part 5, Consultation Report (Document Ref. 5.1).</p>

			<p>The Applicant has considered the relevant marine plan and policy, which is set out in Tables 6 – UK Marine Policy Statement and 7 – South West Inshore and South West Offshore Marine Plan 2021 of this Annex.</p>	
		<p>4.12.6 Many projects covered by this NPS will be subject to the EP regime, which also incorporates operational waste management requirements for certain activities. When an applicant applies for an EP, the relevant regulator (usually EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.</p>	<p>Permits, consents and licenses required for the construction, operation and decommissioning of the Proposed Development beyond those provided for through the DCO, are identified in the Other Consents and Agreements Statement, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 would be applied for post consent, with applications made to the relevant regulator, where necessary.</p>	<p>Part 7, Other Consents and Agreements (Document Ref. 7.21).</p>
		<p>4.12.7 Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for EPs and other consents. Early contact with relevant regulators is strongly encouraged to ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the Secretary of State.</p>	<p>The document also provides further information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation and maintenance and decommissioning of the Proposed Development.</p> <p>The document may be updated and resubmitted during the examination to demonstrate progress in obtaining any other necessary consents, licences or permits.</p>	<p>Part 7, Statutory Nuisance Statement (Document Ref. 7.6)</p>
		<p>4.12.8 Wherever possible, applicants should submit applications for EPs and other necessary consents at the same time as applying to the Secretary of State for development consent.</p>	<p>Following scoping, engagement has continued throughout the EIA process in order to facilitate a proportionate approach to the EIA and the iterative design process. The Applicant’s approach to stakeholder engagement throughout the EIA process allows for ongoing consideration of the</p>	

			<p>necessary scope and methodologies for technical topic assessments. Pre-application engagement with the Environment Agency and Natural England has been undertaken to discuss matters relevant to their regulatory function.</p> <p>The Applicant first contacted the MMO in October 2021, as it was expected that the MMO would need to provide consent for a Marine Licence application. This meeting introduced the Proposed Development to the MMO whilst the Applicant sought to understand the Marine Licensing requirements. There has been ongoing engagement with the MMO, with continued engagement around design development and topic-specific issues.</p> <p>The status of any permits, consents and licenses required is set out in Other Consents and Licenses statement.</p>	
1.45	<p><b>Pollution Control and Other Environmental Regulatory Regimes, Secretary of State decision making:</b></p> <p>EN-1 (4.12)</p>	<p>4.12.9 In considering an application for development consent the Secretary of State should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves.</p> <p>4.12.10 The Secretary of State should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the</p>	<p>The Applicant considers that the Proposed Development's use of land and sea is acceptable and is supported, in principle, by the needs and critical national priority case which weighs in favour of the Proposed Development.</p> <p>In addition, the Application is supported by several management plans and strategies which include the:</p> <ul style="list-style-type: none"> <li>- Outline Onshore Construction Environmental Management Plan;</li> <li>- Outline Pollution Prevention Plan;</li> </ul>	<p>Volume 1, Chapter 4 Need and Alternatives (Document Ref. 6.1.4).</p> <p>Part 3, draft Development Consent Order (Document Consent 3.1)</p>



		<p>relevant regulator. The Secretary of State should act to complement but not seek to duplicate them.</p>	<ul style="list-style-type: none"> <li>- Outline Site Resource and Waste Management Plan;</li> <li>- Outline Dust Management Plan;</li> <li>- Outline Soil Management Plan;</li> <li>- Outline Offshore Construction Environmental Management Plan;</li> <li>- Outline Construction Traffic Management Plan; and</li> <li>- Outline Decommissioning Strategy</li> </ul> <p>The above management plans and strategies provide the framework for the Proposed Development to control emissions and discharges to both the offshore and onshore environment.</p> <p>Emergency procedures would be developed under these documents for the onshore and offshore works and would include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures.</p>	<p>Part 7, Statutory Nuisance Statement (Document Ref. 7.6)</p>
		<p>4.12.11 The Secretary of State's consent may include a deemed marine licence and the MMO, or NRW, will advise on what conditions should apply to the deemed marine licence.</p> <p>4.12.12 The Secretary of State and the MMO, or NRW, should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation.</p>	<p>Whilst a single DCO Application has been made for the Proposed Development, a separate ddML has been included as a schedule to the draft DCO to cover the offshore Elements of the Proposed Development.</p> <p>Conditions would apply to the ddML to ensure that the Proposed Development complies with the relevant environmental legislation. It is therefore considered that the Proposed Development is in</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

		<p>4.12.13 In considering the impacts of the project, the Secretary of State may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.</p>	<p>accordance with the policy requirements of Paragraphs 4.12.11 to 4.2.13 of NPS EN-1.</p>	
		<p>4.12.14 The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts.</p> <p>4.12.15 Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the Secretary of State should be satisfied, before consenting any potentially polluting developments, that:</p> <ul style="list-style-type: none"> <li>• the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework;</li> </ul> <p>the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the Application is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.</p>	<p>The Environmental Impact Assessment Methodology Chapter of the ES sets out the approach taken to the EIA process to date, to identify and evaluate and mitigate the likely significant effects associated with the Proposed Development.</p> <p>The Applicant is confident that the environmental impacts of the Proposed Development have been accurately captured within the ES and so enables the SoS to take full account of the environmental impacts. Further, the ES has considered the potential for pollution in the offshore and onshore environment.</p> <p>In addition, the Application is supported by a suite of management plans and strategies which include the:</p> <ul style="list-style-type: none"> <li>- Outline Onshore Construction Environmental Management Plan;</li> <li>- Outline Pollution Prevention Plan;</li> <li>- Outline Site Resource and Waste Management Plan;</li> <li>- Outline Dust Management Plan;</li> <li>- Outline Soil Management Plan;</li> <li>- Outline Offshore Construction Environmental Management Plan;</li> </ul>	<p>Volume 1, Chapter 5 Environmental Impact Assessment (Document Ref. 6.1.5).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

			<ul style="list-style-type: none"><li>- Outline Construction Traffic Management Plan; and</li><li>- Outline Decommissioning Strategy</li></ul> <p>The above management plans and strategies provide the framework for the Proposed Development to control emissions and discharges to the offshore and onshore environment.</p> <p>The Applicant has prepared an outline Pollution Prevention Plan, which will be prepared by the Principal Contractor(s) at the direction of the Applicant and submitted prior to the commencement of construction activities for approval by regulatory bodies. This Outline Pollution Prevention Plan sets out the pollution prevention measures, and emergency incident response procedures, which will be implemented by the Principal Contractor(s) during construction. It provides reference to best practice for the employment of baseline pollution prevention measures. The final Pollution Prevention Plan(s) will detail pollution prevention and control measures relating to site specific construction activities.</p> <p>Emergency procedures would be developed under these documents for the onshore and offshore works and would include emergency pollution control measures based on Environment Agency and other agencies' guidelines and spill prevention, location of spill kits and control procedures.</p>	
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		<p>4.12.16 The Secretary of State should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the Secretary of State to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.</p>	<p>The Applicant has prepared an outline Pollution Prevention Plan, which will be prepared by the Principal Contractor(s) at the direction of the Applicant and submitted prior to the commencement of construction activities for approval by regulatory bodies. This Outline Pollution Prevention Plan sets out the pollution prevention measures, mitigation, and emergency incident response procedures, which will be implemented by the Principal Contractor(s) during construction. It provides a reference to best practices for the employment of baseline pollution prevention measures. The final Pollution Prevention Plan(s) will detail pollution prevention and control measures relating to site-specific construction activities.</p>	<p>Part 7, Outline Pollution Prevention Plan (Document Ref 7.5)</p> <p>Part 7, Statutory Nuisance Statement (Document Ref. 7.6)</p> <p>Part 7, Other Consents and Agreements (Document Ref. 7.21).</p>
1.46	<p><b>Safety:</b></p> <p>EN-1 (4.13)</p>	<p>4.13.3 Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e. from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear) and the EA acting jointly in England and by the HSE and NRW acting jointly in Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland.</p>	<p>The Applicant confirms that the Proposed Development would not be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015.</p> <p>The Proposed Development is therefore not subject to the Policy tests contained within Paragraphs 4.13.3 and 4.13.4 of NPS EN-1.</p>	N/A

		4.13.4 The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.		
1.47	<b>Safety, Applicant Assessment:</b>  EN-1 (4.13)	4.13.5 Applicants should consult with the HSE on matters relating to safety.  4.13.6 Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority.  4.13.7 If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	The Applicant confirms that the Proposed Development would not be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015.  The Applicant confirms that the HSE issued substantive feedback under Section 42(1)(a) and (b) of the PA 2008 relating to human health.	Part 5, Consultation Report (Document Ref. 5.1).
1.48	<b>Safety, Secretary of State decision making:</b>  EN-1 (4.13)	4.13.8 The Secretary of State should be satisfied that a safety assessment has been done, where required, and that the Competent Authority has assessed that it meets the safety objectives described above.	The Applicant confirms that the Proposed Development would not be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015 and so a safety assessment is not required.	N/A
1.49	<b>Hazardous substances:</b>	4.14.1 All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.'	The Proposed Development is not expected to hold stock of hazardous substances which would require the obtaining of a 'Hazardous Substances Consent'.	N/A

	EN-1 (4.14)	<p>4.14.2 The Hazardous Substances Authority (HSA) has responsibility for deciding whether the risk of storing hazardous substances is tolerable for the community. The HSA will usually be the local planning authority. In some circumstances, the county council are the HSA.</p> <p>4.14.3 HSE is a statutory consultee on applications for hazardous substances consent. HSE is required to undertake detailed assessment work before producing its public safety statutory advice and the supporting consultation distances. This involves HSE considering the compatibility of the proposal outlined in the application (e.g. to store defined quantities of each hazardous substance in specific locations on site) against the risks to the offsite population. HSE advice takes into account existing and potential developments in the area. The aim of HSE's advice is to mitigate the effects of a major accident on the populations around a major hazard site or pipeline.</p>		
1.50	<p>Hazardous Substances, Applicant Assessment</p> <p>EN-1 (4.14)</p>	<p>4.14.5 Applicants must consult the HSA and HSE at pre-application stage if the project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety.</p> <p>4.14.6 HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should</p>	<p>The Proposed Development is not expected to hold stock of hazardous substances which would require the obtaining of a 'Hazardous Substances Consent' and so the HAS and HSE have not been consulted on these matters.</p> <p>The Consultation Report confirms, however, that the HSE has been consulted under Section 42 where the HSE provided substantive comments relating to human health.</p>	<p>Part 5, Consultation Report (Document Ref. 5.1).</p>

		therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.		
1.51	<b>Hazardous Substances, Secretary of State decision making:</b>  EN-1 (4.14)	4.14.7 Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The Secretary of State should consult HSE about this.	This Paragraph is not relevant to the assessment of the Proposed Development as the Proposed Development does not seek to obtain a 'Hazardous Substances Consent'.	N/A
1.52	<b>Common Law Nuisance and Statutory Nuisance, Applicant Assessment:</b>  EN-1 (4.15)	4.15.5 At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be identified by the applicant so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).	The Statutory Nuisance Statement sets out the appropriate mitigation measures which ensure that the Proposed Development leads to no significant effects that would give rise to a statutory nuisance.  Overall, it is expected that the construction, and operation and maintenance phases of the Proposed Development are not expected to cause a statutory nuisance. It should be noted that decommissioning is not included within the draft DCO, but it is assessed within the ES to give a full life assessment of the Proposed Development.	Part 5, Statutory Nuisance Statement (Document Ref. 7.6).  Part 3, Draft Development Consent Order (Document Ref. 3.1).

			Nonetheless, it should also be noted that article 47 (Defence to proceedings in respect of statutory nuisance) of the draft DCO contains a provision that would provide a defence to proceedings in respect of statutory nuisance (in respect of subparagraph (g) of section 79(1) of the EPA (noise emitted from premises to be prejudicial to health or a nuisance)), subject to the criteria set out in that article.	
1.53	<p><b>Common Law Nuisance and Statutory Nuisance, Secretary of State decision making:</b></p> <p>EN-1 (4.15)</p>	<p>4.15.6 At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the Secretary of State so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration).</p> <p>4.15.7 The Secretary of State should note that the defence of statutory authority is subject to any contrary provision made by the Secretary of State in any particular case in a Development Consent Order (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the Secretary of State can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.</p>	<p>The Statutory Nuisance Statement sets out the appropriate mitigation measures which ensure that the Proposed Development leads to no significant effects that would give rise to a statutory nuisance.</p> <p>Overall, it is expected that the construction, and operation and maintenance phases of the Proposed Development are not expected to cause a statutory nuisance. It should be noted that decommissioning is not included within the draft DCO, but it is assessed within the ES to give a full life assessment of the Proposed Development.</p> <p>Nonetheless, it should also be noted that article 47 (Defence to proceedings in respect of statutory nuisance) of the draft DCO contains a provision that would provide a defence to proceedings in respect of statutory nuisance (in respect of subparagraph (g) of section 79(1) of the EPA (noise emitted from premises to be prejudicial to health or a nuisance)), subject to the criteria set out in that article.</p> <p>As such, the Applicant considers that sufficient assessment and mitigation measures are in place</p>	<p>Part 5, Statutory Nuisance Statement (Document Ref. 7.6).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>



			to enable the SoS to conclude that no statutory nuisances would arise from the Proposed Development's construction, operation and maintenance and decommissioning.	
1.54	<b>Air Quality and Emissions, Applicant assessment:</b>  EN-1 (5.2)	5.2.8 Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES.	The Air Quality Chapter of the ES considers the likely impacts and effects of the Proposed Development on air quality during the construction, operation and maintenance and decommissioning phases.	Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).
1.55		5.2.9 The ES should describe: existing air quality concentrations and the relative change in air quality from existing levels; any significant air quality effects, mitigation action taken and any residual effects, distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts.	<p>The potential air quality impacts arising from construction, operation and maintenance, and decommissioning traffic have been scoped out of the air quality assessment, as estimated annual average daily traffic flows do not exceed relevant thresholds. Instead, the Chapter focuses on the potential impacts of dust generated during the construction of the Proposed Development.</p> <p>The Chapter focuses on the potential impacts of dust generated during the construction and decommissioning of the Proposed Development and considers mitigation and residual effects.</p> <p>This includes measures to control dust during the construction phase through a Dust Management Plan (DMP). The DMP would be developed in accordance with the Outline DMP, which forms part of the application for development consent. The Chapter concludes that no construction or decommissioning impact is to give rise to a significance of effect that is greater than negligible, not significant in EIA terms.</p>	Outline Dust Management Plan (document reference 7.7, Appendix C)

1.56		5.2.10 In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 <sup>1</sup> and associated Defra guidance.	<p>The Air Quality Chapter of the ES considers the relevant legislated air quality targets.</p> <p>The Chapter concludes that no construction or decommissioning impact is to give rise to a significance of effect that is greater than negligible, not significant in EIA terms.</p>	Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).
1.57		5.2.12 Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/strategy at the time of the decision, the applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	The Proposed Development would not lead to a breach of any relevant statutory air quality thresholds or affect the ability of a non-compliant area to achieve compliance.	Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).
1.58		5.2.13 The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England, or the Clean Air Plan for Wales in Wales, or any successors to these and should consider relevant advice within Local Air Quality	<p>The Air Quality Chapter of the ES concludes that no construction or decommissioning impact is to give rise to a significance of effect that is greater than negligible, not significant in EIA terms.</p> <p>The potential air quality impacts arising from construction, operation and maintenance (and decommissioning) traffic have been scoped out of the air quality assessment, as estimated annual average daily traffic flows do not exceed relevant thresholds. Further, no other sources of air pollution during the operational phase have been</p>	<p>Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).</p> <p>Part 7, Outline Construction Traffic Management Plan (Document Ref. 7.12).</p>

<sup>1</sup> While EN-1 paragraph 5.2.10 refers to the Environmental Targets (Fine Particulate Matters) (England) Regulations 2022, it is understood this is a reference to the Environmental Targets (Fine Particulate Matters) (England) Regulations 2023.

		<p>Management guidance and PM2.5 targets guidance.</p> <p>The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.</p>	<p>identified. On this basis, the air quality effects associated with the operation and maintenance phase are considered to be not significant.</p> <p>The above notwithstanding, the Applicant confirms an Outline Construction Traffic Management Plan (oCTMP) has been submitted with the Application. This outline plan provides the framework for the final/detailed CTMP which will, for example, manage the numbers and routing of HGVs during the construction phase.</p>	
1.59	<p><b>Greenhouse Gas Emissions, Applicant assessment:</b></p> <p>EN-1 (5.3)</p>	<p>5.3.4 All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.3). This should include:</p> <ul style="list-style-type: none"> <li>• A whole life GHG assessment showing construction, operational and decommissioning GHG impacts, including impacts from change of land use.</li> <li>• An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages.</li> <li>• Measurement of embodied GHG impact from the construction stage.</li> <li>• How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures.</li> <li>• How operational emissions have been reduced as much as possible through the application of best</li> </ul>	<p>The Applicant confirms that a Greenhouse Gas Assessment has been provided with this Application.</p> <p>The Assessment includes:</p> <ul style="list-style-type: none"> <li>- Assessment of the whole life of the Proposed Development, including assessment of impacts from the change of land use;</li> <li>- Measurement of the embodied carbon during the construction stage; and</li> <li>- A calculation of the operational and maintenance-related embodied carbon emissions.</li> </ul> <p>Energy demand and emissions are considered as embedded measures within the design. The Proposed Development will transmit energy through its component parts. Reducing the loss of energy within the transmission system (comprising the cables and convertors) serves to provide the</p>	<p>Volume 4, Appendix 1.1: Greenhouse Gas Assessment (Document Ref. 6.4.1.1).</p>

		<p>available techniques for that type of technology.</p> <ul style="list-style-type: none"> <li>• Calculation of operational energy consumption and associated carbon emissions.</li> <li>• Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework.</li> <li>• Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed.</li> </ul>	<p>greatest benefit in respect of operation energy demand. The Applicant would contract, construct and install electrical components that provide the least loss as far as reasonably practicable. The same principle applies to technologies for insulating the electrical components for example circuit breakers, where technological developments may allow a reduction in use of SF6 gas.</p> <p>Further reductions in operational emissions would be considered in the detailed design of any manned and therefore heated buildings for example the Converter station admin building.</p> <p>The Climate Change Chapter of the ES concludes that, as a cumulative environmental effect, the Net Whole Life GHG Emissions – (including Proposed Development, cumulative Project and Alverdiscott Substation Connection Development) would result in a residual beneficial effect, significant in EIA terms. As such, those residual adverse effects which are not significant in EIA terms (except for a construction phase impact of GHG emissions arising from the manufacturing and installation of the Proposed Development which is to result in a moderate adverse residual effect, significant in EIA terms) relating to the Proposed Development's construction, operation and maintenance and decommissioning ought to be weighted against the significant beneficial effects of the Proposed Development cumulatively together with the wider Project which includes the generation assets in Morocco.</p>	
1.60	<p><b>Greenhouse Gas Emissions, Mitigation:</b></p> <p>EN-1 (5.3)</p>	<p>5.3.5 A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero.</p> <p>5.3.6 Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.</p>	<p>Development, cumulative Project and Alverdiscott Substation Connection Development) would result in a residual beneficial effect, significant in EIA terms. As such, those residual adverse effects which are not significant in EIA terms (except for a construction phase impact of GHG emissions arising from the manufacturing and installation of the Proposed Development which is to result in a moderate adverse residual effect, significant in EIA terms) relating to the Proposed Development's construction, operation and maintenance and decommissioning ought to be weighted against the significant beneficial effects of the Proposed Development cumulatively together with the wider Project which includes the generation assets in Morocco.</p>	

			<p>The Applicant's Greenhouse Gas Assessment sets out the methodology and calculations of the GHG emissions for the Proposed Development.</p> <p>The design of the Proposed Development has incorporated nature-based solutions, where reasonably practicable, such as the development of biodiversity enhancement measures and in the outline design of the Converter Site, which has taken into account hydrology, flood risk, landscape and ecology.</p>	
1.61		<p>5.3.7 Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, hedgerow creation and restoration, peatland restoration and through other natural habitats.</p>	<p>The Applicant confirms that a GHG Reduction Strategy has not been submitted together with this Application. However, and in relation the Climate Change Chapter of the ES, the Applicant points to the above assessment piece which concludes that, cumulatively, the significant beneficial effect of the Proposed Development in combination with the generation assets in Morocco leads to a substantial weighting in favour of the Proposed Development, less the submission of a GHG Reduction Strategy.</p> <p>Further, the design of the Proposed Development has incorporated nature-based solutions, where reasonably practicable, such as the development of biodiversity enhancement measures and in the outline design of the Converter Site, which has taken into account hydrology, flood risk, landscape and ecology. The detailed design of the Converter Stations is secured via Requirement 4 of the draft DCO.</p>	<p>Part 7, Design Principles Statement (Document Ref. 7.4)</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

<p>1.62</p>	<p><b>Greenhouse Gas Emissions, Secretary of State decision making:</b></p> <p>EN-1 (5.3)</p>	<p>5.3.8 The Secretary of State must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development.</p>	<p>The Applicant confirms to the Secretary of State that the Climate Change Chapter (forming part of the ES) and Greenhouse Gas Assessment have assessed the whole life of the Proposed Development, including assessment of impacts from the change of land use.</p>	<p>Volume 4, Appendix 1.1: Greenhouse Gas Assessment (Document Ref. 6.4.1.1).</p> <p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).</p>
<p>1.63</p>		<p>5.3.10 The Secretary of State should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the Application. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.</p> <p>5.3.11 Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to</p>	<p>The design of the Proposed Development has incorporated nature-based solutions, where reasonably practicable, such as the development of biodiversity enhancement measures and in the outline design of the Converter Site, which has taken into account hydrology, flood risk, landscape and ecology. The detailed design of the Converter Stations is secured via Requirement 4 of the draft DCO.</p> <p>The Climate Change Chapter of the ES concludes that no operational and maintenance phase impact relating to the Proposed Development will lead to a significance of effect that is greater than minor adverse, not significant in EIA terms. The same is true of the Proposed Development's decommissioning phase where no impact of the Proposed Development is to lead to a significance of effect that is greater than minor adverse, not significant in EIA terms.</p>	<p>Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).</p>

		<p>decarbonise electricity generation, such as the UK ETS (see Sections 2.4 and 2.5 above), government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions.</p> <p>5.3.12 Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.</p>		
1.64	<p><b>Biodiversity and Geological Conservation, Applicant assessment:</b></p> <p>EN-1 (5.4)</p>	<p>5.4.17 Where the development is subject to EIA, the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation</p>	<p>The below Chapters within the ES, clearly set out the assessment of effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species. The relevant Chapters are :</p> <ul style="list-style-type: none"> <li>- Onshore Ecology and Nature Conservation;</li> </ul>	<p>Volumes 2 and 3, Environmental Statement (document refs. 6.2.1 to 6.3.9).</p> <p>Volume 1, Chapter 3 Project Description</p>

		<p>of biodiversity, including irreplaceable habitats.</p>	<ul style="list-style-type: none"> <li>- Hydrology and Flood Risk;</li> <li>- Geology, Hydrogeology and Ground Conditions;</li> <li>- Noise and Vibration;</li> <li>- Air Quality;</li> <li>- Benthic Ecology;</li> <li>- Fish and Shellfish Ecology;</li> <li>- Marine Mammals and Sea Turtles;</li> <li>- Physical Processes; and</li> <li>- Offshore Ornithology.</li> </ul> <p>The Chapters clearly set out the impacts and resulting effects of the Proposed Development and, where required, the additional mitigation measures and monitoring measures to reduce the significance of effects to the lowest reasonably practicable significance of the effect.</p> <p>For example, by careful routing, the Proposed Development avoids direct impacts on statutory designated sites and minimises effects on locally designated sites. In many cases, techniques such as Horizontal Directional Drilling (HDD) make it possible to cross important biological or geological sites with no direct impacts.</p> <p>The Proposed Development avoids direct impacts on ancient woodland and other important habitats by combining route avoidance and measures such as HDD, which prevents direct impacts upon existing habitats. Where feasible the Proposed Development has used the Conservation Hierarchy (“avoid, minimise, restore and offset”)</p>	<p>(Document Ref. 6.1.3).</p>
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			as a principle for its routing, design and construction methods.	
1.65		5.4.19 The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.	<p>For the onshore environment, the Onshore Ecology and Nature Conservation Chapter of the ES considers the likely effects of the Proposed Development on onshore ecology and nature conservation during the construction, operation and maintenance and decommissioning phases.</p> <p>The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases –</p> <ul style="list-style-type: none"> <li>- Hedgerows including Devon Hedges – Permanent loss of hedgerows as a result of construction of Converter Site (primarily Devon hedges) a moderate adverse residual effect, significant in EIA terms.</li> </ul> <p>The potential cumulative impacts and residual effects concluded that there will be the following additional significant cumulative effects from the Proposed Development alongside other projects/plans –</p> <ul style="list-style-type: none"> <li>- Dormice - Temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route, compounds, road widening and Converter</li> </ul>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Volume 2, Chapter 4, Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 3, Benthic Ecology, Fish and Shellfish Ecology, Marine Mammals and Turtles, Physical Processes and Offshore</p>

			<p>Site a moderate adverse residual effect, significant in EIA terms.</p> <ul style="list-style-type: none"> <li>- Bats - Damage to hedgerows affecting foraging/ migration flight-lines. Possible requirement for the removal of trees with bat roost features/confirmed roosts. Potential indirect disturbance to bat roosts. Creation of replacement habitats and reinstatement of connectivity a moderate adverse residual effect, significant in EIA terms.</li> </ul> <p>For example, one embedded mitigation measure includes ensuring the design of the Proposed Development avoids, minimises and compensates for impacts on ecology and nature conservation. The Proposed Development design has taken into account the hierarchy of mitigation actions, which includes the following:</p> <ul style="list-style-type: none"> <li>- the avoidance of Important Ecological Receptors (e.g. diversion of the Onshore HVDC Cable Corridor to avoid Littleham Wood);</li> <li>- where complete avoidance is not possible, measures have been included to minimise and mitigate impacts (e.g. reduction in construction corridor width when crossing Devon hedgerows, use of trenchless methods to minimise impacts on habitat features such as wooded streams);</li> <li>- compensation for unavoidable impacts (e.g. full like-for-like replacement of hedgerows impacted by corridor); and</li> </ul>	<p>Ornithology Chapters (document refs. 6.3.1, 6.3.2, 6.3.4, 6.3.8 and 6.4.9).</p>
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			<ul style="list-style-type: none"><li>- enhancement measures (e.g. enhancement of hedgerows and additional tree planting at selected locations along the Onshore Infrastructure Area).</li></ul> <p>The Applicant has, as far as reasonably practicable, secured further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final LEMP (to be substantially in accordance with the Outline LEMP) secures methodologies and management methods.</p> <p>The above measures are secured via: Requirement 4 – Detailed design approval and Requirement 6 – Implementation and Maintenance of Landscaping of the draft DCO, which secures the production of the Landscape and Ecology Management Plan.</p> <p>For onshore geology, the Geology, Hydrogeology and Ground Conditions Chapter of the ES concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases on geological conservation interests.</p> <p>For the offshore environment, the Benthic Ecology, Fish and Shellfish, Marine Mammals and Sea Turtles and Offshore Ornithology Chapters of the ES conclude that there would be no significant effects arising from the Proposed Development</p>	
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			<p>during the construction, operation and maintenance or decommissioning phases.</p> <p>For offshore geology, the Physical Processes Chapter of the ES concludes that that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases on geological conservation interests.</p>	
1.66		<p>5.4.22 The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.</p>	<p>The Applicant confirms that the Proposed Development has considered the movement of mobile and migratory species.</p> <p>For the Offshore Elements of the Proposed Development, the:</p> <ul style="list-style-type: none"> <li>- Benthic Ecology Chapter of the ES considers the impacts of: <ul style="list-style-type: none"> <li>o long-term habitat loss/change;</li> <li>o introduction of invasive non-native species; and</li> <li>o temporary habitat loss/disturbance.</li> </ul> </li> <li>- Fish and Shellfish Ecology Chapter of the ES considers the impacts of: <ul style="list-style-type: none"> <li>o temporary habitat loss / disturbance;</li> <li>o injury and disturbance from noise and vibration;</li> <li>o habitat alteration and long-term habitat loss;</li> </ul> </li> </ul>	<p>Volume 1, Chapter 3, Project Description (Document Ref. 6.1.3).</p> <p>Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Volume 3, Chapter 4 Marine Mammals and Turtles</p>

			<ul style="list-style-type: none"> <li>○ collision risk to basking shark from vessel activities; and</li> <li>○ introduction of invasive non-native species.</li> </ul> <p>- Marine Mammals and Sea Turtles Chapter of the ES considers the impacts of:</p> <ul style="list-style-type: none"> <li>○ injury and temporary changes in hearing from underwater noise;</li> <li>○ disturbance from underwater noise;</li> <li>○ disturbance from increased vessel presence;</li> <li>○ risk of vessel collision with marine mammals and sea turtles;</li> <li>○ indirect impacts on marine mammals and sea turtles as a result of impacts on their prey;</li> <li>○ indirect impacts on marine mammals and sea turtles through changes to the seabed; and</li> <li>○ EMF impacts on leatherback turtles</li> </ul> <p>- Offshore Ornithology Chapter of the ES considers the impacts of:</p> <ul style="list-style-type: none"> <li>○ visual and noise disturbance;</li> <li>○ indirect impacts via loss/disturbance to habitats and prey; and</li> <li>○ pollution incidents</li> </ul>	<p>(Document Ref. 6.3.4).</p> <p>Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p> <p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p>
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			<p>The above Chapters conclude that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>For the Onshore Elements of the Proposed Development:</p> <p>The Onshore Ecology and Nature Conservation Chapter of the ES considers the impacts of the Proposed Development's construction, operation and maintenance and decommissioning on the movement of mobile/migratory species such as birds, fish and terrestrial mammals and the potential for these receptors to interact with the Proposed Development.</p> <p>The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance phases –</p> <ul style="list-style-type: none"><li>- Hedgerows including Devon Hedges – Permanent loss of hedgerows as a result of construction of Converter Site (primarily Devon hedges), a moderate adverse residual effect, significant in EIA terms.</li></ul> <p>The potential cumulative impacts and residual effects concluded that there will be the following additional significant cumulative effects from the</p>	
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			<p>Proposed Development alongside other projects/plans –</p> <ul style="list-style-type: none"> <li>- Dormice - Temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route, compounds, road widening and Converter Site, a moderate adverse residual effect, significant in EIA terms.</li> <li>- Bats - Damage to hedgerows affecting foraging/ migration flight-lines. Possible requirement for the removal of trees with bat roost features/confirmed roosts. Potential indirect disturbance to bat roosts. Creation of replacement habitats and reinstatement of connectivity, a moderate adverse residual effect, significant in EIA terms.</li> </ul> <p>The Applicant has, as far as reasonably practicable, secured further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final LEMP (to be substantially in accordance with the Outline LEMP) secures methodologies and management methods.</p> <p>No potential transboundary impacts have been identified in regard to the effects of the Proposed Development.</p>	
1.67		5.4.23 Energy projects will need to ensure vessels used by the project follow existing	The Applicant confirms an outline Navigational Safety and Vessel Management Plan (NSVMP)	Volume 3, Appendix 5.2

		regulations and guidelines to manage ballast water.	has been submitted as part of this Application. The final NSVMP would be produced and updated through consultation with relevant stakeholders and the construction contractor when full details of the construction programme are finalised. The production of this plan is secured via the final offshore CEMP and by condition of the ddML.	Outline Navigational Safety and Vessel Management Plan (Document Ref. 6.3.5.2).
1.68	<b>Biodiversity and Geological Conservation, Applicant assessment – Habitats Regulations:</b>  EN-1 (5.4)	5.4.25 The applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree ‘Evidence Plans’ with SNCBs, which is a way to record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.	<p>The Applicant confirms that advice has been sought from Joint Nature Conservation Committee (JNCC) and Natural England. During which time, JNCC confirmed that there was no requirement for the development of an Evidence Plan for the Proposed Development.</p> <p>The Applicant has provided a HRARIAA. The SoS will undertake the final Appropriate Assessment whilst the Applicant’s RIAA represents a ‘shadow HRA’ (i.e. a suggested assessment undertaken independently on behalf of the Applicant).</p> <p>The submitted RIAA reports updates to the Stage 1 assessment (being the HRA Screening Report) to account for regulator comments. The RIAA submitted at this stage presents the results of the Stage 2 assessments, or the RIAA.</p>	Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).
1.69		5.4.26 If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.	A number of consultations have been undertaken with statutory regulators to discuss the Proposed Development, notably, in terms of offshore European Sites, with the JNCC and Natural England.	Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).



1.70		<p>5.4.29 It is vital that applicants consider the need for compensation as early as possible in the design process as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process.</p>	<p>The HRA screening was undertaken in early 2024 and the Applicant's HRA Screening Report (Xlinks, 2024) was shared with Natural England and JNCC in May 2024.</p> <p>After taking account of embedded mitigation measures, it has been concluded that there would be no adverse effects on integrity to all of the sites taken through for Appropriate Assessment.</p> <p>Therefore, no further mitigation measures were proposed other than those already embedded into the Proposed Development (as detailed within the Commitments Register) and the standard practice and measures detailed in the Outline Offshore Construction Environmental Management Plan (Off-CEMP).</p> <p>The production of this plan is secured via the final offshore CEMP and by the condition of the ddML.</p>	<p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p> <p>Volume 1, Appendix 3.1: Commitments Register (Document Ref. 6.1.3.1).</p>
1.71		<p>5.4.30 Applicants should work closely at an early stage in the pre-application process with SNCB and Defra to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.</p>	<p>The Applicant confirms that, after taking account of embedded mitigation measures, it has been concluded that there would be no adverse effects on integrity to all of the sites taken through for Appropriate Assessment.</p> <p>Therefore, the Proposed Development is considered to comply with these policy tests contained within NPS EN-1.</p>	<p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>

		5.4.31 Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.		
1.72	<p><b>Biodiversity and Geological Conservation, Applicant assessment – Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats:</b></p> <p>EN-1 (5.4)</p>	5.4.32 Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phases.	<p>No areas of ancient woodland or replanted ancient woodland would be directly affected by the Proposed Development. Ancient woodland is present adjacent to the Proposed Development at Hallsannery and this area of woodland would be protected by placement of suitable buffers with additional woodland planting proposed to enhance and expand the existing area of ancient woodland.</p> <p>Further, the use of Horizontal Directional Drilling (HDD) would enable the Onshore HVDC Corridor to pass under important habitats and features at an appropriate depth to ensure no impact. Compounds associated with the insertion of cable ducts using the HDD method would be sited in locations which do not fall within any designated sites, and where they do not affect important habitats.</p>	Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).

<p>1.73</p>	<p><b>Biodiversity and Geological Conservation, Applicant assessment – Protection and enhancement of habitats and species:</b></p> <p>EN-1 (5.4)</p>	<p>5.4.33 Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6.</p> <p>5.4.34 Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.</p>	<p>The Proposed Development provides habitat improvements which offer mitigation for effects on protected species groups such as dormice and bats and offers opportunities to connect habitat features across the broader landscape. The proposed planting within the Converter Site is likely to provide strengthened connections between two differing corridors running beyond the Proposed Development footprint itself.</p> <p>Further elements of landscape planting to include woodland planting on either side of the Torridge Estuary would also provide increased habitat opportunities for these groups and breeding bird species. Additional measures to enhance some sections of hedgerow along the Onshore HVDC Cable Corridor also offers opportunities to further strengthen biodiversity and links across this landscape.</p> <p>With regards to LNRs, these are not yet currently available. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRs should be in place across the whole of England.</p> <p>Devon County Council is the appointed responsible authority to develop the Local Nature Recovery Strategy in conjunction with supporting authorities and all Devon Local Authorities. The LNR is being developed by Devon County Council, supporting authorities and other stakeholders under the umbrella of the Devon</p>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p>
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			LNP to ensure a collaborative approach. According to the latest (July 2024) Overview Project Plan for the Devon LNRS, the final 28 day consultation is due to be held in April – May 2025.	
1.74	<p><b>Biodiversity and Geological Conservation, Mitigation:</b></p> <p>EN-1 (5.4)</p>	<p>5.4.35 Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</p> <ul style="list-style-type: none"> <li>during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</li> <li>the timing of construction has been planned to avoid or limit disturbance;</li> <li>during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;</li> <li>habitats will, where practicable, be restored after construction works have finished;</li> <li>opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the</li> </ul>	<p>In response to the bullet points of Paragraph 5.4.35 of EN-1:</p> <ul style="list-style-type: none"> <li>An Offshore CEMP would detail the best practice approach to offshore activities and would implement those measures and environmental commitments identified in the EIA. The following measures would be included in the Offshore CEMP: marine pollution prevention; waste management; marine invasive species; and dropped object procedures. An outline Offshore CEMP has been submitted together with this Application and the production of the final Offshore CEMP and by the condition of the ddML.</li> <li>An Onshore CEMP would set out a written set of standards and measures that will be implemented during the construction process to ensure a consistent and effective approach to managing potential environmental impacts to minimise nuisances to communities and to safeguard the environment. The measures include strategies, control measures and monitoring procedures for managing the potential environmental impacts and limiting disturbance from construction</li> </ul>	<p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9)</p> <p>Volume 3, Offshore Environmental Statement Chapters (Document Ref. 6.3.1 to 6.3.9).</p> <p>Volume 2, Chapter 1 Onshore Ecology and Nature</p>

		<p>location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realized; and</p> <ul style="list-style-type: none"> <li>• mitigations required as a result of legal protection of habitats or species will be complied with.</li> </ul>	<p>activities as far as reasonably practicable.</p> <ul style="list-style-type: none"> <li>- The main construction works would be undertaken, including the Landfall works, construction and installation of Onshore HVDC Cable Corridor, establishment (e.g. cut and fill earthworks) and construction of the Converter Site, construction and installation of HVAC Cable Corridors, and construction of the Offshore Cable Corridor. These construction works also include landscaping, mitigation and restoration works.</li> <li>- During operation and maintenance, monitoring would be undertaken of new hedgerows as part of the implementation of the LEMP to ensure the re-establishment of the dense continuous canopy. Monitoring bat mitigation bat boxes for evidence of use for 5 years post construction period. Dormouse population monitoring (nest tubes/ footprint tunnels) in habitat areas within and adjoining the HVDC cable route for 5 years post construction.</li> <li>- The Applicant has sought to enhance existing habitats over the creation of new habitats of value. This notwithstanding, the Proposed Development aims to compensate for any loss by reinstating and creating new habitats and vegetation, ensuring ecological enhancements. The</li> </ul>	<p>Conservation (Document Ref. 6.2.1).</p>
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			<p>goal is to achieve no net loss to biodiversity and, where reasonably practicable, promote BNG.</p> <p>No offshore technical assessment relating to ecology and habitats concludes that the Proposed Development's construction, operation and maintenance would lead to an effect whose significance is greater than minor adverse, not significant in EIA terms.</p> <p>The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance phases –</p> <ul style="list-style-type: none"><li>- Hedgerows including Devon Hedges – Permanent loss of hedgerows as a result of construction of Converter Site (primarily Devon hedges), a moderate adverse residual effect, significant in EIA terms.</li></ul> <p>The potential cumulative impacts and residual effects concluded that there will be the following additional significant cumulative effects from the Proposed Development alongside other projects/plans –</p> <ul style="list-style-type: none"><li>- Dormice - Temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route,</li></ul>	
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			<p>compounds, road widening and Converter Site, a moderate adverse residual effect, significant in EIA terms.</p> <ul style="list-style-type: none"> <li>- Bats - Damage to hedgerows affecting foraging/ migration flight-lines. Possible requirement for the removal of trees with bat roost features/confirmed roosts. Potential indirect disturbance to bat roosts. Creation of replacement habitats and reinstatement of connectivity, a moderate adverse residual effect, significant in EIA terms.</li> </ul> <p>The Applicant would secure further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final LEMP (to be substantially in accordance with the Outline LEMP) secures methodologies and management methods.</p>	
1.75		<p>5.4.36 Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.</p>	<p>Outline LEMP provides an overview of how existing and newly created habitats within the Proposed Development would be restored, enhanced and managed during the implementation and establishment stage and the lifetime of the Proposed Development. The Outline LEMP proposals have been developed to avoid, reduce and manage impacts on landscape and ecology during the construction and operation and maintenance of the Proposed Development, as far as possible. These principles are maintained within this Outline LEMP and would be integral to the final LEMP(s) and its implementation. One of the key principles is:</p>	

			<ul style="list-style-type: none"> <li>- Biodiversity enhancement: to manage and enhance the nature conservation value of Proposed Development. Primarily this is achieved through creating new woodland, an attenuation basin, grassland and hedgerow around the Converter Site and seeking habitat enhancement at other locations along the onshore HVDC Cable Corridor.</li> </ul> <p>The Applicant would secure further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final LEMP (to be substantially in accordance with the Outline LEMP) secures methodologies and management methods.</p>	
1.76	<p><b>Biodiversity and Geological Conservation, Secretary of State decision making:</b></p> <p>EN-1 (5.4)</p>	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. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated.	<p>The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance phases –</p> <ul style="list-style-type: none"> <li>- Hedgerows including Devon Hedges – Permanent loss of hedgerows as a result of construction of Converter Site (primarily Devon hedges), a moderate adverse residual effect, significant in EIA terms.</li> </ul> <p>The potential cumulative impacts and residual effects concluded that there will be the following additional significant cumulative effects from the Proposed Development alongside other projects/plans –</p>	<p>Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 3, Offshore Environmental Statement Chapters (Document Ref. 6.3.1 to 6.3.9).</p>



			<ul style="list-style-type: none"> <li>- Dormice - Temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route, compounds, road widening and Converter Site, a moderate adverse residual effect, significant in EIA terms.</li> <li>- Bats - Damage to hedgerows affecting foraging/ migration flight-lines. Possible requirement for the removal of trees with bat roost features/confirmed roosts. Potential indirect disturbance to bat roosts. Creation of replacement habitats and reinstatement of connectivity, a moderate adverse residual effect, significant in EIA terms.</li> </ul> <p>Further, the Chapter identifies the following beneficial (not significant in EIA terms) effects:</p> <ul style="list-style-type: none"> <li>- During operation and maintenance, the Proposed Development is to have a minor beneficial effect in relation to the <i>'temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route, compounds, road widening and Converter Site. Potential increase in habitat availability/ connectivity as a result of mitigation planting'</i> impact.</li> </ul>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p>
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			<ul style="list-style-type: none"><li>- During operation and maintenance, the Proposed Development is to have a minor beneficial effect in relation to the '<i>damage to hedgerows used as foraging/ migration flight-lines by bats. Removal of small number of trees potentially supporting bat roosts. Potential disturbance to adjacent habitats potentially including bat roosts from construction works. Potential increase in habitat availability/ connectivity as a result of mitigation planting</i>' impact.</li><li>- During operation and maintenance, the Proposed Development is to have a minor beneficial effect in relation to the '<i>potential damage or disturbance to habitats used by breeding birds and reduction in available breeding habitat for duration of construction. Some permanent loss of breeding habitats as a result of construction of the Converter Site. Slight increase in breeding habitat availability as a result of habitat enhancements/ creation associated with reinstatement of HVDC cable route and landscape scheme for the Converter Site</i>' impact.</li><li>- During operation and maintenance, the Proposed Development is to have a minor beneficial effect in relation to the '<i>Potential temporary and possibly permanent destruction of reptile habitat as a result of construction of HVDC cable route and Converter Site. Potential for injury to individual reptiles as a result of construction work. Some increase in potential reptile habitat as a result of</i></li></ul>	
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			<p><i>landscape design at Converter Site'</i> impact.</p> <p>The Geology, Hydrogeology and Ground Conditions Chapter of the ES concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>No offshore technical assessment relating to ecology and habitats concludes that the Proposed Development's construction, operation and maintenance and decommissioning would lead to an effect whose significance is greater than minor adverse not significant in EIA terms.</p>	
1.77		<p>5.4.42 As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.</p> <p>5.4.43 If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State</p>	<p>The Applicant confirms that the Proposed Development has sought to avoid significant harm to biodiversity and geological conservation interests. The ES provides:</p> <ul style="list-style-type: none"> <li>- a description of likely significant effects arising from the Proposed Development's construction, operation and maintenance and decommissioning;</li> <li>- a description of measures to avoid, prevent or reduce and, if possible, offset likely significant effects; and</li> <li>- a description of reasonable alternatives to the Proposed Development, including the main reasons for the chosen option, taking into account the effects on the environment.</li> </ul>	<p>Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Volume 3, Chapter 4 Marine mammals and Turtles</p>

		<p>will give significant weight to any residual harm.</p>	<p>No offshore technical assessments assessing the Proposed Development's impacts upon biodiversity and geological conservation (being the Benthic Ecology, Fish and Shellfish Ecology, Marine mammals &amp; Turtles, Physical Processes and Offshore Ornithology Chapters of the ES) conclude that the Proposed Development's construction, operation and maintenance and decommissioning would lead to an effect whose significance is greater than minor adverse, not significant in EIA terms.</p> <p>The Applicant's onshore assessments relating to biodiversity and geological conservation interests conclude the following:</p> <ul style="list-style-type: none"> <li>- The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance phases</li> <li>- Three moderate adverse (significance in EIA terms) are identified as arising from the Proposed Development's construction. The Applicant has, as far as reasonably practicable, secured further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final LEMP (to be substantially in accordance with the Outline LEMP) secures methodologies and management methods.</li> </ul>	<p>(Document Ref. 6.3.4).</p> <p>Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p> <p>Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p> <p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p>
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			<ul style="list-style-type: none"><li>- The Geology, Hydrogeology and Ground Conditions Chapter of the ES concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance phases</li></ul> <p>Whilst some residual significant adverse effects are anticipated to arise from the Proposed Development's construction, the Applicant considers that these effects have been reduced as far as reasonably practicable.</p> <p>The Applicant notes that, in accordance with paragraph 4.1.7 of EN-1, the SoS should weigh those residual effects against the benefits of the proposed development and that, where projects qualify as CNP Infrastructure (as the Proposed Development does), it is likely that the needs case will outweigh residual effects in all but the most exceptional cases.</p> <p>The Planning Statement, submitted as part of this Application, sets out the planning balance for the Proposed Development, drawing together the likely significant beneficial effects of the Proposed Development and the likely significant residual adverse effects.</p> <p>The Planning Statement concludes that even though there are a number of residual effects as a result of the Proposed Development, the Proposed Development is wholly compliant with and widely supported by the relevant policy tests</p>	
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			as set out in each of the NPSs for each environmental topic. The assessment of the Proposed Development concludes that there are no planning policies which are in conflict with the Proposed Development and the overall grounds for granting development consent, and so the Applicant considers that, in weighting the potential significant benefits and potential adverse impacts, the SoS should be satisfied that the Proposed Development weighs in favour of consent being granted, especially given the urgent need for CNP infrastructure will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy.	
1.78	<p><b>Biodiversity and Geological Conservation, Secretary of State decision making – Protection and enhancement of habitats and species:</b></p> <p>EN-1 (5.4)</p>	5.4.55 The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which they consider may result from a proposed development.	<p>The Applicant recognises that, as identified in the Onshore Ecology and Nature Conservation Chapter of the ES, the Proposed Development's construction impacts on protected species such as dormice and bats would be of moderate adverse significance (significant in EIA terms), primarily as a result of construction effects on Devon hedgerows (i.e., the relevant habitat), but also from potential disturbance as a result of construction activity.</p> <p>The Applicant considers that, given the CNP nature of the Proposed Development falls, there is a clear overriding public interest for consent to be granted. This is because the Proposed Development would enable the delivery of an output of up to 3.6 GW of clean energy. The Climate Change Chapter of the ES identifies a cumulative environmental effect impact (being Net Whole Life GHG Emissions across construction,</p>	Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).

			<p>operation and maintenance and decommissioning) which considers the renewable generation assets in Morocco and concludes a beneficial significant effect, significant in EIA terms.</p> <p>Considering the above, there is a clear and established need for the Proposed Development and substantial weight by SoS should be placed on this need. The need for the Proposed Development has been further set out in the Statement of Need and Need and Alternatives Chapter of the ES.</p>	
1.79	<p><b>Civil and Military aviation and defence interests, Applicant assessment:</b></p> <p>EN-1 (5.5)</p>	<p>5.5.37 Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).</p> <p>5.3.39 The applicant should consult the MOD, Met Office, Civil Aviation Authority (CAA), NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.</p>	<p>The Proposed Development is located within a Military Practice and Exercise Area (PEXA) and is in proximity to three chartered Ministry of Defence (MoD) firing practice areas.</p> <p>Consultation has therefore been undertaken with the MoD's Defence Infrastructure Organisation (DIO) to identify areas of interest for the DIO. The Applicant intends to ensure that, through ongoing consultation, risks are As Low As Reasonably Practical (ALARP).</p> <p>The Other Marine Users Chapter of the ES concludes there would be no likely significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases upon the military or other defence assets.</p> <p>The Consultation Report confirms that NATS responded to the statutory consultation in relation</p>	<p>Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p> <p>Part 5, Consultation Report (Document Ref. 5.1).</p>

			<p>to the onshore elements of the Proposed Development. The Applicants have consulted as part of the EIA scoping and further formal consultation on the PEIR with stakeholders and statutory bodies under s42, s47 and s48 of the PA 2008.</p> <p>No ES Chapter concludes that any construction, operation and maintenance phase impact of the Proposed Development would result in a significant adverse effect on aviation and meteorological interests.</p>	
1.80		<p>5.5.40 Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.</p>	<p>The impacts of the Proposed Development on military activities and interests during construction operation and maintenance have been assessed within the Other Marine Users and the Shipping and Navigation Chapters of the ES.</p> <p>The Other Marine Users Chapter of the ES considers the impacts of the Proposed Development on military activities and interests during construction, operation and maintenance. The Chapter concludes that no impact of the Proposed Development (upon military activities and interests) is to lead to an effect that is greater than minor adverse, not significant in EIA terms. The Chapter concludes that there would be no significant cumulative effects from the Proposed Development alongside other projects/plans.</p> <p>The Shipping and Navigation Chapter of the ES confirms that extensive consultation was had with the Ministry of Defence to verify the baseline assessment and ensure all impacts of the</p>	<p>Volume 4, Chapter 5 Shipping &amp; Navigation (Document Ref. 6.3.5).</p> <p>Volume 4, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>



			<p>Proposed Development were assessed. The Chapter concludes that no impact of the Proposed Development is of greater than tolerable adverse significance, not significant in EIA terms. The Chapter concludes that there would be no significant cumulative effects from the Proposed Development alongside other projects/plans.</p> <p>Other aviation, meteorological, flight pattern and weather warning related considerations have been had but do not feature within the ES as these considerations have been scoped out.</p>	
1.81	<p><b>Civil and Military aviation and defence interests, Secretary of State decision making:</b></p> <p>EN-1 (5.5)</p>	<p>5.5.49 The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets or operations have been addressed by the applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.</p>	<p>The ES (through the Other Marine Users and Shipping and Navigation Chapters) undertakes an effects assessment of the Proposed Development with respect to military activities and interests.</p> <p>In summary, these Chapters conclude that no significant effects (upon military activities and interests are to arise.</p> <p>The Applicant confirms that, as an embedded mitigation measure, liaison with the Ministry of Defence (MOD) would be ongoing, to reduce disruption to military activities. Further, information on detailed design and post-installation surveys would be provided to the MOD, if requested.</p>	<p>Volume 4, Chapter 5 Shipping &amp; Navigation (Document Ref. 6.3.5).</p> <p>Volume 4, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>
1.82		<p>5.5.53 If there are conflicts between the government's energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to</p>	<p>As noted above, embedded mitigation measures for military activities and interests form part of the assessment process.</p> <p>Engagement with the MOD will continue through examination and post-consent.</p>	<p>Volume 4, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>

		identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK's energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.		
1.83		5.5.55 Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.	This paragraph is not relevant to the type of lighting proposed under the Proposed Development. Lighting would be motion-activated for site operatives and at a low level.	Volume 3, Appendix 5.2 Outline Navigational Safety and Vessel Management Plan (Document Ref. 6.3.5.2).
1.84		5.5.59 Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the Secretary of State should consider whether: <ul style="list-style-type: none"> <li>• a development would prevent a licensed aerodrome from maintaining its licence and the defence, or result in substantial local/national economic loss, or emergency service needs</li> <li>• it would cause harm to aerodromes' training or emergency service needs</li> <li>• the development would impede or compromise the safe and effective</li> </ul>	<p>To the extent of this Paragraph's relevance to the Proposed Development, the Applicant confirms that the ES (through the Other Marine Users and Shipping and Navigation Chapters) undertakes an effects assessment of the Proposed Development with respect to military activities and interests.</p> <p>In summary, these Chapters conclude that no significant effects upon military activities and interests are to arise.</p> <p>The Applicant confirms that, as an embedded mitigation measure, liaison with the Ministry of</p>	<p>Volume 4, Chapter 5 Shipping &amp; Navigation (Document Ref. 6.3.5).</p> <p>Volume 4, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>

		<p>use of defence assets or unacceptably limit military training</p> <ul style="list-style-type: none"> <li>the development would have a negative impact on the safe and efficient provision of enroute air traffic control services for civil aviation, in particular through an adverse effect on CNS infra-structure</li> </ul> <p>the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UK's flood agencies</p>	<p>Defence (MOD) would be ongoing, to reduce disruption to military activities. Further, information on final design and post-installation surveys would be provided to the MOD, if requested.</p> <p>Therefore, the Proposed Development complies with this policy test.</p>	
1.85		<p>5.5.60 Provided that the Secretary of State is satisfied that the impacts present risks to national security and physical safety, such that they outweigh the urgent need for an acceleration in the deployment of offshore wind, or other technology; and provided that the Secretary of State is satisfied that all efforts have been made by the parties to find an acceptable mitigation of the impact, and that such mitigation is not available, consent should not be granted.</p>	<p>The Applicant considers that the impacts of the Proposed Development on national security and physical safety (which result in non-significant effects in EIA terms) do not outweigh the urgent need for the Proposed Development.</p> <p>As previously stated, the Applicant confirms that, as an embedded mitigation measure, liaison with the Ministry of Defence (MOD) would be ongoing to reduce disruption to military activities. Further, information on detailed design and post-installation surveys would be provided to the MOD, if requested.</p>	<p>Volume 4, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>
1.86	<p><b>Coastal Change:</b> EN-1 (5.6)</p>	<p>5.6.4 Where onshore infrastructure projects are proposed on the coast, coastal change is a key consideration as well as a vital element of climate change adaptation.</p>	<p>The Landfall, connecting the Offshore Cable Corridor and the Onshore Cable Corridor for the Proposed Development, is located on the coast.</p> <p>The Climate Change Chapter considers the construction, operation and maintenance and decommissioning impacts of climate change upon the Proposed Development, which includes</p>	<p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).</p>

			considering the Proposed Development's coastal Elements, such as the Landfall. The Chapter concludes that no impact of climate change on the Proposed Development is to result in a significance of effect that is greater than negligible, not significant in EIA terms.	
1.87	<b>Coastal Change, Applicant assessment:</b>  EN-1 (5.6)	5.6.10 Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	<p>The Applicant confirms that a semi-empirical assessment of sediment transport has been completed in support of the Physical Processes Chapter (titled 'Sediment Source Concentrations and Assessment of Disturbance').</p> <p>The Marine Management Organisation (MMO) and Natural England were requested, as noted in the above-referenced assessment, to confirm whether they deemed the semi-empirical assessment as being a sufficient level of 'modelling' to inform the ES. The MMO and Natural England have confirmed that methods (subject to minor adaptations to work previously seen) are appropriate.</p>	<p>Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p> <p>Volume 3, Appendix 8.1 Sediment source concentrations and assessment of disturbance (Document Ref. 6.3.8.1).</p>
1.88		<p>5.6.11 The ES (see section 4.3) should include an assessment of the effects on the coast, tidal rivers and estuaries. In particular, applicants should assess:</p> <ul style="list-style-type: none"> <li>the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from</li> </ul>	<p>In response to Paragraph 5.6.11 in turn:</p> <ul style="list-style-type: none"> <li>The Physical Processes Chapter of the ES considers the impacts of the Proposed Development on coastal processes and geomorphology below Mean High Water Springs and takes into account potential impacts as a result of climate change. The</li> </ul>	<p>Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p>

		<p>climate change. If the development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast</p> <ul style="list-style-type: none"> <li>• the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area), any relevant Marine Plans, River Basin Management Plans, and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas</li> <li>• the effects of the proposed project on marine ecology, biodiversity, protected sites and heritage assets</li> <li>• how coastal change could affect flood risk management infrastructure, drainage and flood risk</li> <li>• the effects of the proposed project on maintaining coastal recreation sites and features</li> <li>• the vulnerability of the proposed development to coastal change,</li> </ul>	<p>Chapter concludes that no significant residual effects of the Proposed Development is to give rise to an effect that is of greater than minor adverse significance.</p> <ul style="list-style-type: none"> <li>- The Geology, Hydrogeology and Ground Conditions Chapter of the ES considers sites of geological and geomorphological interest within the onshore environment. The Chapter concludes that there would be no significant adverse effects on geodiversity.</li> <li>- The Physical Processes Chapter of the ES identifies the North Devon and Somerset Shoreline Management Plan 2 as being relevant to the Chapter's assessment. The chapter concludes that no significant effects will arise from the proposed development during the construction, operation, and maintenance phases.</li> <li>- The relevant Marine Plan has been considered within the Environmental Statement and further within these Policy Accordance Tables.</li> <li>- With regard for River Basin Management Plans, the Applicant has provided an Outline Pollution Prevention Plan to manage and limit pollution; in recognising applicants are to take particular care in enacting pollution control measures to</li> </ul>	<p>Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 2, Chapter 3 Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Volume 3, Chapter 4 Marine mammals and Turtles</p>
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		<p>taking account of climate change, during the project's operational life and any decommissioning period</p>	<p>safeguard Groundwater Protection Zones. Further, the Hydrology and Flood Risk Chapter of the ES confirms that the assessment and the proposed mitigation measures have taken into account the requirements of the River Basin Management Plan and WFD to ensure all potential impacts on the water environment are mitigated to within acceptable levels.</p> <ul style="list-style-type: none"> <li>- The Proposed Development's impacts on marine ecology within the coastal environment, the Benthic Ecology, Fish and Shellfish Ecology, Marine Mammals and Turtles and Offshore Ornithology Chapters of the ES conclude that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance phases.</li> <li>- The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance phases. Three moderate adverse (significance in EIA terms) are identified as arising from the Proposed Development's construction. The Applicant has, as far as reasonably practicable, secured further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final</li> </ul>	<p>(Document Ref. 6.3.4).</p> <p>Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p> <p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p> <p>Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).</p>
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			<p>LEMP (to be substantially in accordance with the Outline LEMP) secures methodologies and management methods.</p> <ul style="list-style-type: none"><li>- In terms of the Proposed Development's impacts on coastal heritage assets, the Marine Archaeology and Cultural Heritage Chapter of the ES concluded that there will be no significant effects arising from the Proposed Development during the construction, operation and maintenance. The exception to this is the potentially significant adverse impact from the disturbance of currently unknown features, which cannot ever be fully discounted (the nature of discovery may be impactful). Any such disturbance is considered unlikely to occur following the extensive Proposed Development surveys that have been undertaken, and the significance of any such impact would be moderated as far as possible by the OOWSI and PAD mechanisms that are in place. However, the risk is still acknowledged.</li><li>- The Physical Processes Chapter of the ES considers the likely impacts and effects of the Proposed Development on physical (coastal and offshore) processes during the construction, operation and maintenance phases. The Chapter concludes the impacts, measures adopted as part of the Proposed Development and</li></ul>	
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			<p>residual effects on physical processes. The impacts assessed include:</p> <ul style="list-style-type: none"><li>○ Changes to metocean conditions (operation and maintenance only);</li><li>○ Sediment disturbance or seabed change (construction, operation and maintenance);</li><li>○ Changes to water quality (construction, operation and maintenance); and,</li><li>○ Secondary (localised) scour (construction, operation and maintenance).</li></ul> <p>Overall, it is concluded that there will be no significant effects arising from the Proposed Development during the construction, operation and maintenance.</p> <p>- The Socio-Economics and Recreation Chapter of the ES considers the Tourism and Recreation receptors of the Proposed Development's construction phase and the Tourism and Recreation receptors of the Proposed Development's operation and maintenance phase. The Chapter concludes that the effect on the tourism economy has been assessed as Minor (adverse) because it is expected that the transient workforce required to construct the Proposed Development will displace tourists from accommodation and reduce spending in the wider tourism economy. This impact is expected to be temporary</p>	
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			and concentrated in the summer months when demand for visitor accommodation is highest.	
1.89		5.6.13 The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Protected Areas (MPAs). These could include MCZs, habitat sites including Special Areas of Conservation and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identify any effects on the special character of Heritage Coasts.	<p>The Applicant confirms that the impacts of the Proposed Development's construction, operation and maintenance and decommissioning relating to physical changes to the integrity of special features of designated sites has been considered within the Physical Processes Chapter of the ES. The Chapter concludes that there would be no significant effects arising from the Proposed Development's construction, operation and maintenance or decommissioning phases relating to the integrity of special features of designated sites.</p> <p>The Applicant also confirms that a specific Marine Conservation Zone (MCZ) assessment conclusion is that the Proposed Development will not hinder the achievement of the objectives for the features considered for MCZs.</p> <p>A HRA RIAA is submitted with the DCO Application.</p> <p>After taking account of the Proposed Development's embedded mitigation measures, the RIAA concludes that there would be no adverse effects on integrity to all of the sites taken through to Appropriate Assessment.</p>	<p>Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>
1.90	<b>Coastal Change, Mitigation:</b>	5.6.15 Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in	The Applicant confirms that mitigation measures embedded into the Proposed Development seek to reduce the impacts of the Proposed	Volume 3, Chapter 8 Physical

	EN-1 (5.6)	consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.	<p>Development on coastal processes, geomorphology and wider physical change. Mitigation measures include, but are not limited to:</p> <ul style="list-style-type: none"> <li>- Micro-routing within the Offshore Cable Corridor to allow for, where possible, the avoidance of sand waves or large ripples that would otherwise require pre-lay seabed flattening; and</li> <li>- The use of HDD methods to avoid any direct disturbance of the intertidal, the foreshore and the coastal cliffs.</li> </ul> <p>With embedded mitigation measures in place, the Physical Processes Chapter of the ES concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>The Applicant confirms that further engagement with the MMO, the EA, JNCC and the relevant LPA has been ongoing and will continue.</p>	Processes (Document Ref. 6.3.8).
1.91	<p><b>Coastal Change, Secretary of State decision making:</b></p> <p>EN-1 (5.6)</p>	5.6.16 The Secretary of State should be satisfied that the Application will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period. Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure.	<p>The Climate Change Risk Assessment assesses the potential adverse effects of climate change on the Proposed Development through the consideration of climate-related current and anticipated physical risks throughout the Proposed Development's 50-year lifetime, in line with the UK's guidance on climate change risk assessments.</p> <p>The Assessment concludes that, with mitigation measures in place, the identified potential risks</p>	<p>Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p> <p>Volume 3, Chapter 8 Physical Processes</p>

		<p>5.6.17 The Secretary of State should not normally consent new development in areas of dynamic shorelines where the Application could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.</p>	<p>posed to the Proposed Development (which include coastal erosion and deposition) would be reduced to an acceptable and non-significant level in EIA terms.</p> <p>Further, the Physical Processes Chapter of the ES considers the impact of the Proposed Development on coastal processes and geomorphology below Mean High Water Spring tide. Overall, it is concluded that there would be no significant effects arising from the Proposed Development on physical processes during the construction, operation and maintenance or decommissioning phases.</p> <p>Therefore, the Proposed Development complies with this policy test.</p>	(Document Ref. 6.3.8).
1.92		<p>5.6.21 In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.</p>	<p>The Applicant considers that the relevant Marine Policy Documents relating to the Proposed Development are:</p> <ul style="list-style-type: none"> <li>- The Marine Policy Statement 2011; and</li> <li>- The South West Inshore and South West Offshore Marine Plan 2021.</li> </ul> <p>The above documents have been assessed within these Policy Compliance Accordance Tables.</p>	N/A
1.93	<b>Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation, Applicant assessment:</b>	<p>5.7.5 The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.</p>	<p>In response to Paragraph 5.7.5 in turn –</p> <p>The Statutory Nuisance Statement sets out the appropriate mitigation measures which ensure that</p>	Part 7, Statutory Nuisance Statement (Document Ref. 7.6).

	EN-1 (5.7)		<p>the Proposed Development leads to no significant effects that would give rise to a statutory nuisance.</p> <p>Overall, it is expected that the construction, and operation and maintenance phases of the Proposed Development are not expected to cause a statutory nuisance. It should be noted that decommissioning is not included within the DCO, but it is assessed within the ES to give a full-life assessment of the Proposed Development.</p> <p>Nonetheless, it should also be noted that article 47 (Defence to proceedings in respect of statutory nuisance) of the draft DCO contains a provision that would provide a defence to proceedings in respect of statutory nuisance (in respect of subparagraph (g) of section 79(1) of the EPA (noise emitted from premises to be prejudicial to health or a nuisance)), subject to the criteria set out in that article.</p> <p>The Noise and Vibration, Air Quality, Human Health and Landscape, Seascape and Visual Resources Chapters of the ES consider those topics for assessment identified in Paragraph 5.7.5 of EN-1. These Chapters conclude that there would be no significant adverse effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. This is the case for all effects except for one construction-related noise and vibration effect (being Noise impacts due to the Onshore HVDC Cable Corridor landward of the transition joint bay (due to HDD)), which</p>	<p>Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p> <p>Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).</p> <p>Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p> <p>Volume 4, Chapter 4 Human Health (Document Ref. 6.4.4).</p>
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			<p>results in a moderate adverse residual effect, significant in EIA terms.</p> <p>Considering the above, there is a clear and established need for the Proposed Development and substantial weight should be placed on this need. The need for the Proposed Development has been further set out in the Statement of Need and Need and Alternatives Chapter of the ES.</p>	
1.94		<p>5.7.6 In particular, the assessment provided by the applicant should describe:</p> <ul style="list-style-type: none"> <li>• the type, quantity, and timing of emissions;</li> <li>• aspects of the development which may give rise to emissions;</li> <li>• premises or locations that may be affected by the emissions;</li> <li>• effects of the emission on identified premises or locations;</li> <li>• measures to be employed in preventing or mitigating the emissions.</li> </ul>	<p>The Air Quality Chapter of the ES considers the potential air quality impacts which may arise during construction and decommissioning phases of the Proposed Development. The Chapter focuses on the potential impacts from dust generated during the construction and decommissioning phases of the Proposed Development and considers the mitigation and residual effects.</p> <p>The potential air quality impacts arising from construction, operation and maintenance and decommissioning traffic have been scoped out of the Air Quality Chapter of the ES, as estimated annual average daily traffic flows do not exceed relevant thresholds. The Chapter concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>The Statutory Nuisance Statement sets out the appropriate mitigation measures which ensure that the Proposed Development leads to no significant effects that would give rise to a statutory nuisance.</p>	<p>Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).</p> <p>Part 7, Statutory Nuisance Statement (Document Ref. 7.6).</p>

			Overall, it is expected that the construction, and operation and maintenance phases of the Proposed Development are not expected to cause a statutory nuisance.	
1.95	<p><b>Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation, Mitigation:</b></p> <p>EN-1 (5.7)</p>	<p>5.7.8 Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>• engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated;</li> <li>• lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material;</li> <li>• administrative: limiting operating times; restricting activities allowed on the site; implementing management plans.</li> </ul>	<p>In terms of the measures included as part of the Application to mitigate for dust, odour, artificial light, smoke, steam and insect infestation, the Applicant confirms that the following plans have been secured:</p> <ul style="list-style-type: none"> <li>- The Design Principles Statement document forms part of the DCO Application and provides the core principles to be followed during the detailed design stages. This includes, for example but not limited to, information and requirements for operational lighting which would be in accordance with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light.</li> <li>- The On-CEMP(s) would incorporate measures to ensure that any potential environmental impacts would be minimised during construction. The On-CEMP(s) would include for example but not limited to measures to maintain and address: <ol style="list-style-type: none"> <li>1. noise management measures;</li> <li>2. air quality and dust management;</li> <li>3. waste management; and</li> <li>4. site security.</li> </ol> </li> </ul>	<p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 7, Statutory Nuisance Statement (Document Ref. 7.6).</p>

			<ul style="list-style-type: none"> <li>- The Off-CEMP(s) would detail the best practice approach to offshore activities and would implement those measures and environmental commitments identified in the EIA. The following measures would be included in the Offshore CEMP: marine pollution prevention; waste management; marine invasive species; and dropped object procedures.</li> </ul> <p>The Statutory Nuisance Statement proposes further mitigation measures for construction and operational noise, dust and lighting.</p>	
1.96		<p>5.7.9 Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.</p>	<p>The Applicant is cognisant of reducing emissions during the construction and decommissioning phases (and the operational and maintenance phase, too).</p> <p>For the construction phase, the Applicant has submitted both an outline offshore Construction Environmental Management Plan (off-CEMP) and an onshore Construction Environmental Management Plan (on-CEMP). The on-CEMP includes measures to maintain and address, for example but not limited to:</p> <ul style="list-style-type: none"> <li>- transport and access;</li> <li>- noise management measures;</li> <li>- air quality and dust management;</li> <li>- land use and recreation;</li> <li>- landscape and visual;</li> <li>- historic environment;</li> <li>- climate change;</li> <li>- waste management;</li> </ul>	<p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

			<ul style="list-style-type: none"> <li>- site security; and</li> <li>- health and safety.</li> </ul> <p>The off-CEMP includes measures to maintain and address, for example but not limited to:</p> <ul style="list-style-type: none"> <li>- marine pollution prevention;</li> <li>- waste management;</li> <li>- marine invasive species; and</li> <li>- dropped object procedures.</li> </ul> <p>The on-CEMP is secured via Requirement 7 of the draft DCO whilst the off-CEMP is secured via the ddML.</p> <p>The draft DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy and, under Requirement 16 of the draft DCO, a Decommissioning Strategy will be submitted to the relevant planning authority prior to the operation of the Proposed Development.</p>	Part 7, Outline Decommissioning Strategy (Document Ref. 7.17).
1.97	<b>Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation, Secretary of State decision making:</b>	5.7.13 If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against	The Statutory Nuisance Statement sets out the appropriate mitigation measures which ensure that the Proposed Development leads to no significant effects that would give rise to a statutory nuisance.	Part 7, Statutory Nuisance Statement (Document Ref. 7.6).



	EN-1 (5.7)	nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should disapply in whole or in part the defence through a provision in the Development Consent Order.	<p>Overall, it is expected that the construction, and operation and maintenance phases of the Proposed Development are not expected to cause a statutory nuisance. It should be noted that decommissioning is not included within the DCO, but it is assessed within the ES to give a full life assessment of the Proposed Development.</p> <p>Nonetheless, it should also be noted that article 47 (Defence to proceedings in respect of statutory nuisance) of the draft DCO contains a provision that would provide a defence to proceedings in respect of statutory nuisance (in respect of subparagraph (g) of section 79(1) of the EPA (noise emitted from premises to be prejudicial to health or a nuisance)), subject to the criteria set out in that article.</p>	
1.98	<b>Flood Risk:</b> EN-1 (5.8)	5.8.12 Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques.	<p>The Applicant confirms that a Flood Risk Assessment (FRA) has been undertaken and is submitted together with this Application. The FRA has been undertaken in accordance with Section 5.7 of NPS EN-1, the NPPF and associated Planning Practice Guidance. The FRA concludes that the Proposed Development would not lead to an increased flood risk elsewhere, accounting for the impacts of climate change.</p> <p>The Hydrology and Flood Risk Chapter of the ES considers the likely impacts and effects of the Proposed Development on Hydrology and Flood Risk during the construction, operation and maintenance and decommissioning phases. The Chapter concludes that there would be no significant effects arising from the Proposed</p>	<p>Volume 2, Chapter 3 Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p>

			Development during the construction, operation and maintenance or decommissioning phases.	
1.99	<b>Flood Risk, Applicant assessment:</b>  EN-1 (5.8)	<p>5.8.13 A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> <li>• sites of 1 hectare or more</li> <li>• land which has been identified by the EA or NRW as having critical drainage problems</li> <li>• land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future</li> <li>• land that may be subject to other sources of flooding (for example surface water)</li> <li>• where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.</li> </ul>	A site-specific Flood Risk Assessment has been completed for the Proposed Development.	Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).
1.100		<p>5.8.14 This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p> <p>5.8.15 sets out the minimum requirements for Flood Risk Assessments (FRA).</p> <p>(...)</p>	The Applicant confirms that a Flood Risk Assessment (FRA) has been undertaken and is submitted together with this Application. The FRA has been undertaken in accordance with Section 5.7 of NPS EN-1, the NPPF and associated Planning Practice Guidance and is proportionate to the risk and is appropriate to the scale, nature and location of the Proposed Development.	<p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p> <p>Part 7, Design Principles Statement</p>

			<p>The FRA considers all forms of flooding and the risks these pose to and for the Onshore Infrastructure Area. The FRA demonstrates how flood risk would be managed, taking climate change into consideration also.</p> <p>Conceptual drainage strategies for the Converter Stations are provided for within the FRA. The conceptual drainage strategies have been developed in accordance with the 2023 NPSs, NPPF, PPG ID7 the Sustainable Drainage Systems (SuDS) Manual and local council policy. With regards to the proposed Converter Stations, surface water from the 1 in 100-year storm event plus an allowance for climate change is to be stored within basins, with flows to be discharged following the SuDS hierarchy. Further SuDS are to be determined at detailed design stage in accordance with the Design Principles Statement.</p>	(Document Ref. 7.4).
1.101		5.8.18 Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.	<p>Throughout the EIA process, consultation and engagement (in addition to scoping and Section 42 consultation) with interested parties specific to hydrology and flood risk has been undertaken. The Applicant confirms that the consultees which have informed the Flood Risk Assessment include:</p> <ul style="list-style-type: none"> <li>- South West Water;</li> <li>- The Environment Agency; and</li> <li>- The Lead Local Flood Authority.</li> </ul>	Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).
1.102		5.8.21 The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of	The permanent development of the Converter Stations is fully located within Flood Zone 1, which is defined as having a low risk from all assessed forms of flooding. The Converter Site more widely	Volume 2, Appendix 3.1: Flood Risk Assessment

		<p>flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</p>	<p>is located within Flood Zone 1 and so has a low to very low risk from all assessed forms of flooding. The sequential test is, therefore, considered to be passed.</p> <p>Parts of the Cable Route will cross areas of Flood Zones 2 and 3 but as these are undergrounded, the post-construction risks of flooding are no different to the baseline risks. Construction phase risks of flooding have been mitigated for by way of management measures proposed within the On-CEMP.</p>	<p>(Document Ref. 6.2.3.1).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p>
1.103	<p><b>Flood Risk, Applicant Mitigation:</b></p> <p>EN-1 (5.8)</p>	<p>5.8.24 To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.</p>	<p>Potential impacts on water quality, the physical characteristics of surface watercourses and the quality and quantity of groundwater are considered within the Application, via the relevant documents.</p> <p>It is confirmed, through the Onshore Water Framework Directive Assessment, that the works proposed as part of the Proposed Development meet the WFD objectives, and that the Proposed Development is therefore compliant with the WFD regulations.</p>	<p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p> <p>Volume 2, Appendix 3.2: Onshore Water Framework Directive Assessment (Document Ref. 6.2.3.2).</p>
1.104		<p>5.8.25 In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate:</p>	<p>The Flood Risk Assessment includes conceptual drainage strategies for the Converter Stations. The conceptual drainage strategies have been developed in accordance with the 2023 NPSs,</p>	<p>Volume 2, Appendix 3.1: Flood Risk Assessment</p>

		<ul style="list-style-type: none"> <li>• source control measures including rainwater recycling and drainage</li> <li>• infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities</li> <li>• filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns</li> <li>• filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed</li> <li>• basins, ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding</li> <li>• flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding</li> </ul>	<p>NPPF, PPG ID7 the Sustainable Drainage Systems (SuDS) Manual and local council policy.</p> <p>With regards to the proposed Converter Stations, surface water from the 1 in 100-year storm event plus an allowance for climate change is to be stored within basins, with flows to be discharged following the SuDS hierarchy. Further SuDS are to be determined at detailed design stage.</p> <p>Further, for and during the operation and maintenance phase of the Proposed Development, the drainage within the Converter Site would be managed in accordance with the Operational Drainage Strategy that would be agreed with the local authority (as secured via Requirement 13 of the draft DCO).</p>	<p>(Document Ref. 6.2.3.1).</p> <p>Part 7, Outline Drainage Strategy (Document Ref. 7.22).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
1.105		<p>5.8.26 Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p>	<p>The Flood Risk Assessment includes conceptual drainage strategies for the Converter Stations. The conceptual drainage strategies have been developed in accordance with the 2023 NPPS, NPPF, PPG ID7 the Sustainable Drainage Systems (SuDS) Manual and local council policy and demonstrates how flood risk would be managed, taking climate change into consideration.</p>	<p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p>

			For example, and with regards to the proposed Converter Stations, surface water from the 1 in 100-year storm event plus an allowance for climate change is to be stored within basins, with flows to be discharged following the SuDS hierarchy. Further SuDS are to be determined at detailed design stage. The Design Principles Statement, which will serve a guiding control document (as secured via Requirement 4 of the draft DCO) will ensure that detailed design of SuDS is done so in compliance with the submitted Application material and assessments.	
1.106		5.8.33 The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding.	<p>The final On-CEMP (particularly for the onshore cable route which crossed Flood Zone 3 at the river Torridge) would include detailed measures for dealing with emergencies and residual risks with respect to flooding.</p> <p>The outline On-CEMP contains flood protection management measures which would ensure that the Principal Contractor(s) and construction workforce are able to effectively respond to potential flood events.</p>	Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).
1.107		5.8.41 Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss	<p>The permanent development of the Converter Stations is fully located within Flood Zone 1, which is defined as having a low risk from all assessed forms of flooding. The Converter Site more widely is located within Flood Zone 1 and so has a low to very low risk from all assessed forms of flooding. The sequential test is, therefore, considered to be passed.</p> <p>Parts of the Cable Route will cross areas of Flood Zones 2 and 3 but as these are undergrounded, the post-construction risks of flooding are no</p>	Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).

		of floodplain storage, and will not impede water flows.	different to the baseline risks. Construction phase risks of flooding have been mitigated for by way of management measures proposed within the On-CEMP.	
1.108	<p><b>Historic Environment, Applicant assessment:</b></p> <p>EN-1 (5.9)</p>	<p>5.9.9 The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA, and describe these along with how the mitigation hierarchy has been applied in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.</p>	<p>The Applicant confirms that the Historic Environment (Onshore) and Marine Archaeology and Cultural Heritage (Offshore) Chapters of the ES have been included as part of the EIA. These Chapters undertake an assessment of likely significant heritage impacts of the Proposed Development and describe, taking account of mitigation measures, the residual effects of the Proposed Development, including consideration for cumulative and transboundary effects. The Marine Archaeology and Cultural Heritage Chapter includes references to relevant seascape character assessments and associated studies. The Proposed Development's design has been carefully considered to avoid, reduce, or mitigate potentially significant effects on cultural heritage and archaeology assets as set out in Design Approach Document. This resulted in a Proposed Development that avoids direct physical impact on designated heritage assets. Whilst there will be some residual impacts resulting from changes to the setting of some designated heritage assets, these have been assessed to result in 'less than substantial harm' as the assessment.</p> <p>The Planning Statement, submitted as part of this Application, sets out the planning balance for the Proposed Development, drawing together the likely significant beneficial effects of the Proposed</p>	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p> <p>Part 7, Planning Statement (Document Ref. 7.2)</p> <p>Part 7, Design Approach Design (Document Ref. 7.3).</p>

			<p>Development and the likely significant residual adverse effects.</p> <p>The Applicant considers that, the substantial public benefits and need for the Proposed Development as set out in Section 4 of Planning Statement, including the delivery of CNP infrastructure to contribute towards meeting national energy security objectives and carbon reduction commitments, clearly and demonstrably outweigh the less than substantial harm to designated heritage assets and decision tests relating to substantial harm are therefore not triggered.</p>	
1.109		<p>5.9.10 As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.</p>	<p>The Historic Environment Chapter of the ES considers the significance of heritage assets, as well as any contribution made by setting which would be affected by the Proposed Development. The Chapter's baseline environment section concludes that no designated heritage assets would be directly physically impacted by the construction, operation and maintenance and decommissioning of the Proposed Development. Any impacts on the significance of designated heritage assets would arise from a change within the setting of the asset.</p> <p>The Marine Archaeology and Cultural Heritage Chapter of the ES considers the significance of all designated sites of historical and archaeological interest within the study area and qualifying interest features that could be affected by the construction, operation and maintenance, and decommissioning phases of the Proposed</p>	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p>



			<p>Development. This is captured within the baseline environment section of the Chapter.</p> <p>Both Chapters have consulted the Historic Environment Record, as well as their environment specific databases.</p>	
1.110		<p>5.9.11 Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.</p>	<p>A historic environment desk-based assessment has been prepared, including reviews of relevant historic environment record data, aerial photographic and LiDAR data, and historic map regression. In addition, the Applicant has utilised other data sources, as set out in Table 2.11 of the Historic Environment Chapter of the ES, to inform an understanding of the known and potential onshore archaeological and cultural heritage resource and the significance of the assets within the defined study area.</p> <p>The Applicant has further undertaken a series of geophysical surveys and archaeological investigations as described in Appendix 7.2 and Appendix 7.3 of the ES. For the onshore historic environment, the Desk-Based Assessment has been supported through a review of the visualisations presented within an appendix to the Landscape, Seascape and Visual Resources Chapter. An additional visualisation in relation to the Scheduled Monument at Higher Kingdon is presented as an appendix to the Historic Environment Chapter of the ES.</p> <p>For the offshore historic environment, the Applicant confirms that the Marine Archaeology and Cultural Heritage Chapter of the ES is supported by a Marine Archaeology Desk-based Assessment. The</p>	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p> <p>Volume 2, Appendix 2.1: Historic Environment Desk-Based Assessment (Document Ref. 6.2.2.1).</p> <p>Volume 2, Appendix 2.4: Settings Assessment</p>

			<p>Desk-Based Assessment provides a full assessment of the baseline environment.</p> <p>The Applicant considers, in consultation with the archaeological advisor to Torridge District Council, that a programme of further archaeological investigation is required prior to the start of construction in order to further enhance and complete the local archaeological records, where reasonably practical.</p>	<p>(Document Ref. 6.2.2.4).</p> <p>Volume 4, Appendix 2.5: Landscape Visualisations (Document Ref. 6.4.2.5).</p> <p>Volume 3, Appendix 7.1 Marine Archaeological Desk-based Assessment (Document Ref. 6.3.7.1).</p>
1.111		<p>5.9.12 The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected.</p>	<p>The Applicant confirms and is confident that both the Historic Environment and Marine Archaeology and Cultural Heritage Chapters of the ES clearly assess and outline the effects of the Proposed Development's construction, operation and maintenance and decommissioning.</p> <p>Both Chapters confirm that their assessment of effects consider the impacts of noise, vibration and lighting arising from the Proposed Development.</p>	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p>

1.112		<p>5.9.13 The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>- enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected</li> <li>- considering where required the development of archive capacity which could deliver significant public benefits</li> <li>- considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The Historic Environment Chapter of the ES confirms that no opportunities for the enhancement of significance of heritage assets have been identified.</p> <p>The Historic Environment and Marine Archaeology and Cultural Heritage Chapters both confirm that the relevant results from geotechnical surveys would be shared with Historic England, with the aim to enhance the palaeogeographic knowledge and understanding of the area.</p>	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p>
1.113		<p>5.9.15 Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.</p>	<p>As noted above, the Historic Environment Chapter of the ES confirms that no opportunities for the enhancement of significance of heritage assets have been identified.</p> <p>The Historic Environment and Marine Archaeology and Cultural Heritage Chapters and the supporting Written Schemes of Investigation (WSI) confirm that the relevant results from geotechnical and geo-archaeological surveys would be shared with Historic England, with the aim to enhance the</p>	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage</p>

			<p>palaeogeographic knowledge and understanding of the area.</p>	<p>(Document Ref. 6.3.7).</p> <p>Part 7, Outline Onshore Written Scheme of Investigation (Document Ref. 7.8).</p> <p>Volume 3, Appendix 7.5 Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).</p>
1.114	<p><b>Historic Environment, Mitigation:</b></p> <p>EN-1 (5.9)</p>	<p>5.9.18 Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.</p>	<p>The proposed programmes are set out in the Outline Onshore and Offshore Written Schemes of Investigation (WSIs). The production of a detailed Onshore WSI is secured via Requirement 11 of the draft DCO. The Onshore OWSI complies with the relevant policy tests within NPS EN-1. The Onshore OWSI provides an overview of the methodologies that would be used to record any heritage asset that may be lost (wholly or in part) during the construction of the Proposed Development. It includes reference to the publication of evidence and the deposition of information with the Devon HER, also the deposition of the archive with the appropriate museum service.</p>	<p>Part 7, Outline Onshore Written Scheme of Investigation (Document Ref. 7.8).</p> <p>Volume 3, Appendix 7.5 Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).</p>

			The Outline Offshore Archaeological Written Scheme of Investigation (OWSI) is submitted as part of the Application also. It would provide the framework for potential further archaeological investigation, as appropriate, through all Proposed Development phases (e.g. the further investigation of identified anomalies (that could be archaeological features) that cannot be avoided by micro-routing of design). The production of a detailed WSI, in accordance with the OWSI would be produced and is secured the ddML.	
1.115	<b>Historic Environment, Secretary of State decision-making</b>	5.9.22 In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of: <ul style="list-style-type: none"> <li>- relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application</li> <li>- any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales.</li> <li>- historic landscape character records</li> <li>- the relevant Historic Environment Record(s), and similar sources of information</li> </ul>	The Applicant confirms that the Historic Environment (Onshore) and Marine Archaeology and Cultural Heritage (Offshore) Chapters of the ES have been included in the EIA and set out the criteria for assessing the importance of heritage assets.	Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).
1.116			The importance of a heritage asset is based upon the overall value assigned to it reflecting its statutory designation or, in the case of non-designated assets, the professional judgement of the assessor with reference to national and local guidance and the planning policy tests. Historic England guidance also refers to an asset's "level of significance" which in this usage has the same meaning as importance. The significance of heritage assets within the study area is detailed in the relevant appendices.	Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).  Volume 2, Appendix 2.1: Historic Environment Desk-Based Assessment (Document Ref. 6.2.2.1)

		<ul style="list-style-type: none"> <li>- representations made by interested parties during the examination process</li> <li>- expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.</li> </ul>		Volume 3, Appendix 7.5 Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).
1.117		5.9.23 The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.	The legislative context relevant to the historic environment, including the Infrastructure Planning (Decisions) Regulations 2010, is detailed within the ES Chapters as referenced here.	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p>
1.118		5.9.25 The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.	The Applicant has sought, through use of mitigation hierarchy, to avoid, minimise and mitigate all potential harms to heritage assets. The Historic Environment Chapter concludes that all effects to receptors across construction, operation and maintenance and decommissioning are greater than minor adverse, not significant in EIA terms except for:	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p>
1.119		5.9.26 The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of	<ul style="list-style-type: none"> <li>- an effect of up to major adverse significance arising from loss of, or harm to, buried archaeological remains and deposits of geoarchaeological and</li> </ul>	Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).

		<p>the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>palaeoenvironmental interest during construction – this has been identified on a precautionary basis and the likelihood of this may reduce or disappear as the programme of archaeological evaluation continues;</p> <ul style="list-style-type: none"> <li>- an effect of moderate adverse significance arising from the change within the setting of one Scheduled Monument during construction of the converter stations and associated landscaping; and</li> <li>- an effect of moderate adverse significance arising from the change within the setting of one Scheduled Monument during operation and maintenance of the converter stations and associated landscaping.</li> </ul> <p>The Chapter does not identify any effects which are beneficial in kind.</p> <p>The Marine Archaeology and Cultural Heritage Chapter of the ES concludes that all effects to receptors across construction, operation and maintenance and decommissioning are greater than minor adverse, not significant in EIA terms except for a potentially significant moderate adverse impact from disturbance of currently unknown features, which cannot ever be fully discounted (the nature of discovery may be impactful). Any such disturbance is considered unlikely to occur following the extensive Proposed Development surveys that have been undertaken, and the significance of any such impact would be moderated as far as possible by the OOWSI</p>	<p>Volume 3, Appendix 7.5 Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).</p>
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			<p>mechanism that are in place, however the risk is still acknowledged.</p> <p>The Chapter does not identify any effects which are beneficial in kind.</p>	
1.120		5.9.27 When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.	In recognising that the Proposed Development will result in harm of a 'less than substantial' nature, the key policy test (as per paragraph 5.9.32 of EN-1) is that such harm is weighted against the public benefits. Given the clear and urgent need to deploy renewable energy at speed and scale, the Proposed Development demonstrably gives rise to substantial public benefits, which outweigh the less than substantial harm identified.	<p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p> <p>Volume 2, Appendix 2.1 Historic Environment Desk-Based Assessment (Document Ref. 6.2.2.1).</p>
1.121		5.9.28 The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.	The Proposed Development design has been carefully considered to avoid, reduce, or mitigate potentially significant effects on cultural heritage and archaeology assets as set out in the Design Principles Statement. This resulted in a Proposed Development that avoids direct physical impact on designated heritage assets. Whilst there will be some residual impacts resulting from changes to the setting of some designated heritage assets, these have been assessed to result in 'less than substantial harm' as the assessment within the relevant appendices.	
1.122		5.9.29 Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.		
1.123		5.9.30 Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks	The overall summary of the likely impacts, measures adopted as part of the Proposed Development and residual effects with respect to the historic environment is presented within	Volume 2, Appendix 2.2: Onshore



		and Gardens; and World Heritage Sites, should be wholly exceptional.	Historic Environment Chapter of the ES. The impacts assessed include:	Geophysical survey Report (Document Ref. 6.2.2.2).
1.124		<p>5.9.31 Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</p> <ul style="list-style-type: none"> <li>- the nature of the heritage asset prevents all reasonable uses of the site</li> <li>- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation</li> <li>- conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible</li> <li>- the harm or loss is outweighed by the benefit of bringing the site back into use</li> </ul>	<ul style="list-style-type: none"> <li>• loss of, or harm to, buried archaeological remains and deposits of geoarchaeological and palaeoenvironmental interest during construction;</li> <li>• the impact of construction and decommissioning of the Proposed Development (other than the converter stations) on designated heritage assets as a result of change within their setting;</li> <li>• the impact of construction, operation and maintenance, and decommissioning of the converter stations on designated heritage assets as a result of change within their setting;</li> <li>• the impact of construction and decommissioning of the Proposed Development on the character of the historic landscape; and</li> <li>• the impact of the operation and maintenance of the converter stations on the character of the historic landscape.</li> </ul>	<p>Volume 2, Appendix 2.3: Preliminary Trial Trenching Report (Document ref. 6.2.2.3).</p> <p>Volume 2, Appendix 2.4 Settings Assessment (Document Ref. 6.2.2.4).</p>
1.125		5.9.32 Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.	Any impacts on the significance of designated heritage assets would arise from a change within the setting of the asset. Potential impacts and residual effects with respect to the historic environment could occur due to construction, operation (including maintenance) and decommissioning of the proposed development.	Volume 7, Outline Onshore Written Scheme of Investigation. (Document Ref. 7.8).
1.126		5.9.33 In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any		

		harm or loss and the significance of the heritage asset.	The Proposed Development would have residual effects with respect to the Historic Environment arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases, as well as cumulative effects –	
1.127		5.9.34 Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32, as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	<ul style="list-style-type: none"> <li>• Loss of, or Harm to, Buried Archaeological Remains and Deposits of Geoarchaeological and Palaeoenvironmental Interest during construction - this has been identified on a precautionary basis, and the likelihood of this may reduce or disappear as the programme of archaeological evaluation continues, up to a major adverse residual effect, significant in EIA terms.</li> </ul>	
1.128		5.9.35 Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision.	<ul style="list-style-type: none"> <li>• The impact of the converter stations and the Converter Site on an Iron Age defended settlement and Roman camp 125 m east of Higher Kingdon Barn (Scheduled Monument) as a result of change within its setting during construction, operation and maintenance of the converter stations and associated landscaping, a moderate adverse residual effect, significant in EIA terms.</li> </ul> <p>Embedded measures would form part of the final design, and where an assessment identifies likely significant adverse effects, further or secondary mitigation measures may be applied. One example of secondary mitigation would be –</p> <ul style="list-style-type: none"> <li>- Operational lighting at the Converter Site would be designed in accordance with the</li> </ul>	

			<p>Design Principles Statement, as well as the latest guidance and legislation. The details of the location, height, design and luminance of lighting to be used would be provided as part of the detailed design.</p> <p>The operational lighting would be designed to avoid illumination of areas beyond the operational site as far as reasonably practicable. The design would include:</p> <ul style="list-style-type: none"><li>○ directional lighting to minimise overspill into the surrounding landscape.</li><li>○ operational outdoor lighting at the Converter Site boundary normally set to motion-activated security lighting.</li></ul> <p>This is secured via draft DCO Requirement 4 (Detailed design approval). Through the implementation of mitigation measures, all residual effects are assessed as less than substantial harm on all designated and non-designated heritage assets impacted by the Proposed Development.</p> <p>In recognising that the Proposed Development will result in harm of a 'less than substantial' nature, the key policy test is that such harm is weighted against the public benefits. Given the clear and urgent need to deploy renewable energy at speed and scale, the Proposed Development demonstrably gives rise to substantial public benefits, which outweigh the less than substantial harm identified. Further, the substantial public</p>	
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			benefits and need for the Proposed Development, as set out in the Planning Statement, including the delivery of CNP infrastructure to contribute towards meeting national energy security objectives and carbon reduction commitments, clearly and demonstrably outweigh the less than significant harm to cultural heritage assets	
1.129		5.9.36 When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	The impact and resulting effects of the Proposed Development on the significance of designated and non-designated heritage assets is assessed within Section .10 to .12 of ES Chapters 'Historic Environment' and 'Marine Archaeology and Cultural Heritage'. These Chapters are informed by their Appendices which, in the case of the Historic Environment Chapter, includes a Settings Assessment which presents the results of the assessment of potential impacts and effects arising from changes within the settings of designated heritage assets as a result of the Proposed Development.	Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).  Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).  Volume 2, Appendix 2.4: Settings Assessment (Document Ref. 6.2.2.4).
1.130	<b>Landscape and Visual:</b>  EN-1 (5.10)	5.10.5 Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.	The Landscape, Seascape, and Visual Resources Chapter considers the likely impacts and effects of the Proposed Development on landscape, seascape and visual resources during the construction, operation and maintenance and decommissioning phases. Specifically, it relates to the onshore and offshore elements of the	Volume 4, Chapter 2 Landscape, Seascape and Visual Resources

			<p>Proposed Development landward of Mean High Water Springs (MHWS) and seaward for 1 km from the Landfall for the Offshore Cable Corridor.</p> <p>Embedded measures that would form part of the final design (and/or are established legislative requirements/good practice) have been taken into account as part of the initial assessment. This ensures that the measures to which the Applicant is committed are taken into account when assessing effects.</p> <p>For example, embedded mitigation measures include ensuring the design of the Proposed Development avoids, minimises and compensates for impacts on landscape and visual. The Proposed Development design has taken into account the hierarchy of mitigation actions, which includes the following:</p> <ul style="list-style-type: none"> <li>- The Onshore HVDC Cables and HVAC Cables will be completely buried underground for the entire length. Joint bays will be completely buried, with the land above reinstated. A maintenance cover will be provided on the surface for link boxes for access during the operation and maintenance phase.</li> <li>- The site selection and route refinement process for the Proposed Development has considered the locations of statutory and non-statutory designated sites, recreational resources and special category land, which have been directly avoided, where reasonably practicable.</li> </ul>	<p>(Document Ref. 6.4.2).</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4)</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
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			<p>Where this has not been possible, the design of the Proposed Development includes measures to minimise impacts, such as the use of trenchless construction techniques, for example, at the Landfall and to cross the River Torridge. Where reasonably practicable, protected and unprotected areas of woodland, mature and protected trees (i.e. veteran trees), as well as other ecologically sensitive habitats have and will be avoided.</p> <ul style="list-style-type: none"> <li>- The Outline LEMP sets out the landscape design proposals for enhancement of the local landscape, where practicable, and the Design Principles Statement sets out the process of achieving good design. The OLEMP is secured via Requirement 6 of the draft DCO whilst the Design Principles Statement is secured via Requirement 4 of the draft DCO.</li> </ul>	
1.131		<p>5.10.11 Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area.</p>	<p>The Applicant notes that two Heritage Coasts: Lundy (A1) and Hartland (A150, as defined by Natural England, are included in the study area.</p> <p>The cultural heritage aspects of the Heritage Coasts consist of tangible and intangible heritage. The tangible heritage aspect comprises the designated and non-designated heritage assets within the boundary of each Heritage Coast. The heritage assets are considered individually as part of this assessment providing they lie within the project study area. The intangible heritage aspect comprises the open and expansive views both to the North Devon coast and Lundy, which</p>	<p>Volume 3, Chapter 7 Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p>

			<p>is also captured in the setting of the individual heritage assets. As the aspects that make up the cultural heritage components of the Heritage Coasts are already included within the assessment, the assets of Lundy Heritage Coast (A1) and Hartland Heritage Coast (A150) are not considered further within the ES.</p>	
1.132		<p>5.10.14 The Secretary of State would have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.</p>	<p>The Landscape, Seascape and Visual Resources Chapter considers the likely impacts and effects of the Proposed Development on landscape, seascape and visual resources during the construction, operation and maintenance and decommissioning phases.</p> <p>Table 2.22 within the Chapter summarises the impacts, measures adopted as part of the Proposed Development and residual effects in respect to landscape, seascape and visual resources. The impacts assessed include:</p> <ul style="list-style-type: none"> <li>- Impacts on seascape and landscape resources and receptors; and</li> <li>- Impacts on the views and visual amenity of visual receptors (people).</li> </ul> <p>The significant residual effects reflect a minority of Landscape and Visual effects where the majority of Landscape Visual residual effects are, through the use of mitigation measures, no greater than Moderate adverse.</p> <p>It is considered that the wider benefits of the Proposed Development, including benefits relating to the efficient use of existing capacity within the UK national electricity transmission system (NETS), the utilisation of proven</p>	<p>Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p> <p>Volume 4, Chapter 3: Socio-Economics (Document Ref. 6.4.3)</p>

			<p>technologies for deployment at pace and at scale, as encouraged in the NPSs, and also capitalising on local support for renewable energy at the location of the Proposed Development. The Proposed Development would realise a number of economic benefits. As outlined in the Socio-Economic Chapter of the ES, the construction of the Proposed Development is estimated to support 2050 jobs across the UK for both onshore and offshore works, including 460 jobs supported across the Devon region. In terms of employment during the operational and maintenance phase, the economic employment will be minimal due to the infrequent need for anyone to access the Site. This is capped at approximately 20 full-time staff members.</p> <p>These benefits outweigh these impacts, and the Proposed Development is considered acceptable in terms of overall landscape, visual and residential amenity impacts, and the nature of the visual impacts are not considered to outweigh the benefits of the Proposed Development.</p>	
1.133	<p><b>Landscape and Visual, Applicant Assessment:</b></p> <p>EN-1 (5.10)</p>	5.10.16 The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects.	<p>The Applicant confirms that, through the Landscape, Seascape and Visual Resources Chapter, an assessment of landscape and visual impacts and cumulative effects has been undertaken.</p> <p>The Chapter uses the local landscape character assessments (such as the Devon LCA (Devon Character Areas) and the Torridge and North Devon Landscape Character Assessment (Landscape Character Types)). The method for</p>	<p>Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p>
1.134		5.10.17 The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should		



		also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	<p>assessing effects on landscapes is the Landscape Institute and IEMA Guidelines for Landscape and Visual Impact Assessment: Third Edition, 2013.</p> <p>The Chapter considers the relevant policies from the North Devon &amp; Torridge Local Plan (2011-2031) Adopted in 2018.</p>	
1.135		5.10.18 For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.	<p>Whilst the Offshore Cable Corridor is not expected to have significant effects on the seascape, the Landscape, Seascape and Visual Resources Chapter's study area covers parts of the sea to reflect coastal receptors impacted by the Landfall works (both onshore and offshore) and the nearest parts of the Onshore HVDC Cable Corridor to the beach.</p> <p>The key characteristics of the seascape are set out in the North Devon and Exmoor Seascape Character Assessment (Land Use Consultants, 2015). The effects of the Proposed Development on these characteristics are considered in the chapter. Further, the Chapter takes account of the relevant Marine Plan policies related to Landscape, Seascape and Visual Resources.</p>	Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).
1.136		5.10.19 The applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised and incorporated into	The Applicant has developed a Design Principles Statement document to ensure negative landscape effects are minimised and opportunities for creating positive benefits are realised. This document forms part of the DCO Application and is secured via Requirement 4 Detailed Design Approval of the draft DCO. The document provides the core principles to be followed during the detailed design stages. This includes	Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).

		the design, delivery and operation of the scheme.	landscape design principles, which aim to provide screening and soften the Converter Stations' visual impact.	
1.137		5.10.20 The assessment should include the effects on landscape components and character during construction and operation.	<p>For example, one embedded mitigation measure includes ensuring the design of the Proposed Development avoids, minimises and compensates for impacts on landscape and visual. The Proposed Development design has taken into account the hierarchy of mitigation actions, which includes the following:</p> <ul style="list-style-type: none"> <li>- The design of the proposed Converter Site would include cut and fill earthworks to provide a suitable development platform for the converter stations whilst utilising the local topography to integrate the buildings in the landscape. Additional visual screening in the form of constructed earth bunds and planting would further reduce the landscape and visual impact of the converter stations. The design of the landscaping would be detailed and stakeholders feedback incorporated as far as reasonably practicable.</li> </ul> <p>In response to Paragraph 5.10.20, the Applicant confirms that the Chapter assesses the effects of the Proposed Development's construction and operation and maintenance on landscape components and character.</p>	
1.138		5.10.21 The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential	The Landscape, Seascape and Visual Resources Chapter includes and assesses a total of 47 representative viewpoints (from publicly accessible locations) which have been selected	Volume 4, Chapter 2 Landscape, Seascape and

		<p>impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation.</p>	<p>and agreed with Torridge District Council to inform the assessment.</p> <p>Of these, six representative viewpoints relate to the Landfall, 14 representative viewpoints relate to the Onshore HVDC Cable Corridor and 27 relate to the Converter Site. Photographs from representative viewpoints have been taken and used to generate pre-liminary visualisations of the Proposed Development.</p> <p>As part of the assessment piece, the Chapter assesses the construction and operation and maintenance nighttime effects on landscape and seascape character which include consideration of light pollution effects and dark skies.</p>	<p>Visual Resources (Document Ref. 6.4.2).</p>
1.139		<p>5.10.22 The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions, from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these would be minimised.</p>	<p>The Landscape, Seascape and Visual Resources Chapter includes consideration and assessment of light pollution and nighttime effects. Meanwhile, the effects of noise during construction are assessed within the Noise and Vibration Chapter of the Environmental Statement.</p> <p>Both Chapters identify the mitigation measures adopted as part of the Proposed Development in order to minimise the significance of any effect so far as it is reasonably practicable.</p>	<p>Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p> <p>Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p>
1.140		<p>5.10.24 Applicants should consider how landscapes can be enhanced using landscape management plans, as this would</p>	<p>An Outline Landscape and Ecology Management Plan (oLEMP) accompanies the Application. The oLEMP includes an illustrative landscape strategy</p>	<p>Part 7, Outline Landscape and Ecology</p>

		<p>help to enhance environmental assets where they contribute to landscape and townscape quality.</p>	<p>plan that identifies areas of landscape mitigation planting at the Converter Site, as well as along the Onshore HVDC Cable Corridor and road verges. A detailed LEMP would be prepared post consent (as secured via Requirement 6 in the draft DCO) and would be agreed upon with the relevant authorities. This would include details such as the number, location and species of plants, as well as details for their management and maintenance.</p> <p>The oLEMP seeks to secure planting, management and maintenance activities which aim to enhance the landscape environment.</p>	<p>Management Plan (Document Ref. 7.10).</p>
1.141	<p><b>Landscape and Visual, Mitigation</b></p> <p>EN-1 (5.10)</p>	<p>5.10.26 Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function.</p>	<p>The Applicant recognises the importance of reducing the scale of projects, to help mitigate visual and landscape effects, wherever reasonably practicable. At the current stage of the development process, decisions on exact locations of specific components and the precise technologies, and construction methods to be employed are yet to be confirmed. These details remain pending as the Applicant is following a Project Design Envelope approach (PDE). The PDE approach defines a design envelope and parameters within which the final design would sit.</p>	<p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p>
1.142		<p>5.10.27 Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic</p>	<p>The Applicant confirms that through the Design Principles Statement, for the Onshore Converter Stations (for example), the chosen proposed materials would achieve the functional, technical and structural requirements set out within Regulation 7 of the Building Regulations (2010)</p>	

		<p>landscaping and management of its immediate surroundings.</p>	<p>whilst helping to reduce the visual and noise impacts and ensuring the integration of the site within the local landscape. The Design Principles Statement goes on to detail the other principles which would guide the detailed design of the Proposed Development's Elements to mitigate the effects of the Proposed Development.</p> <p>An Outline Landscape and Ecology Management Plan (oLEMP) accompanies the Application. The oLEMP includes an illustrative landscape strategy plan that identifies areas of landscape mitigation planting at the Converter Site, as well as along the Onshore HVDC Cable Corridor and road verges. A detailed LEMP would be prepared post consent (as secured via Requirement 6 in the draft DCO) and would be agreed upon with the relevant authorities. This would include details such as the number, location and species of plants, as well as details for their management and maintenance.</p>	
1.143		<p>5.10.28 Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.</p>	<p>Measures adopted as part of the Proposed Development to mitigate potential impacts on landscape, seascape and visual resources are provided through embedded mitigation as part of the Proposed Development, also within the Outline Landscape and Ecology Management Plan (LEMP). A LEMP(s) would be developed in accordance with the Outline LEMP. It would include, as far as reasonably practicable, the following:</p> <ul style="list-style-type: none"> <li>- A series of pre-commencement ecological surveys, to understand conditions prior to construction.</li> </ul>	<p>Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p> <p>Part 7, Outline Landscape and Ecology Management</p>

			<ul style="list-style-type: none"> <li>- Requirements and management measures relating to ecology and conservation.</li> <li>- Methodologies required for the removal, reinstatement and enhancement of hedgerows and other habitats.</li> <li>- Methods required to prevent disturbance to or to comply with protected species licensing</li> <li>- Details and role specifications for Ecological Clerks of Works, including duties, responsibilities and reporting structure.</li> <li>- Details regarding the use of native and locally appropriate plant species around the converter stations and in replacement hedgerows along the Onshore HVDC Cable Corridor.</li> <li>- Identification of areas where it may be possible to achieve advance planting. Where practical, landscape mitigation planting will be established as early as reasonably practicable in the construction phase.</li> <li>- Details of proposed landscape planting at the Converter Site to assist with softening and screening the buildings.</li> <li>- Details of management and maintenance of planting scheme.</li> </ul> <p>The Proposed Development would not undertake any landscaping off-site. The views of the consultants who have supported the design development and the statutory consultees who have been involved in the development to date</p>	<p>Plan (Document Ref 7.10)</p> <p>Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3)</p>
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			<p>note that the impacts would be reasonably adequately mitigated through the deployment of planting close to the converter stations and within the Order limits. The Outline Landscape management plan contains further information on the principle for development into the detailed design, notably aiming to blend the new landscaping into the overall landscape features.</p>	
<p><b>Landscape and Visual, Secretary of State decision making:</b></p> <p>EN-1 (5.10)</p>		<p>5.10.32 When considering applications for development within National Parks, the Broads and AONBs the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas.</p>	<p>The Landscape, Seascapes, and Visual Resources Chapter considers the Proposed Development's effects on the North Devon Coast National Landscape (NL), previously the North Devon Coast AONB. The study area includes the North Devon Coast NL, the Landfill, and part of the onshore HVDC Cable Corridor, which would fall within the North Devon Coast NL. However, the Converter Site lie 6.4 km to the east of the North Devon Coast NL</p> <p>Construction phase effects on landscape resources and receptors (locally significant but not generally over the wider area) includes:</p> <ul style="list-style-type: none"> <li>- North Devon Coast NL – localised, temporary significant effects from the construction compound at the Landfill and the potential for night-time effects during 24-hour, task-related operations;</li> </ul> <p>However, the effects on landscape and visual amenity during construction would be temporary and short term. Once operational, the landscape will be largely restored to its pre-construction state, as all the works within North Devon Coast NL will be below-ground.</p>	<p>Volume 4, Chapter 2 Landscape, Seascapes and Visual Resources (Document Ref. 6.4.2) (Volume 4, Figure 2.2)</p>

		<p>5.10.35 The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.</p>	<p>The effects of the temporary and permanent elements of the Proposed Development relating to landscape and visual matters are assessed in the Landscape, Seascape, and Visual Resources Chapter of the ES through section 2.10 - 2.12. The judgement provided on the visual assessment of the Proposed Development has been undertaken by a chartered landscape architect using best practices and considers the embedded mitigation measures as outlined in section 2.6 and the relevant appendices.</p>	<p>Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p>
1.144		<p>5.10.36 In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.</p>	<p>Section 8.5.3 of the Planning Statement provides a planning assessment of the significant residual effects that reflect a minority of Landscape and Visual effects where the majority of Landscape Visual residual effects are, through the use of mitigation measures, no greater than moderate adverse. In the majority of cases, these effects reduce to not significant by year 15 of the operation and maintenance phase, except for LCT 5A, where effects reduce from major to moderate adverse, but remain significant in EIA terms.</p> <p>Furthermore, embedded mitigation measures include the Outline Landscape and Ecology Management Plan which provisions landscape screening and hedgerow reinstatement, which will be secured through Requirement 6 of the draft DCO and the principles set out within the Outline Landscape and Ecology Management Plan.</p>	<p>Volume 4, Appendix 2.4: Landscape, Seascape, and Visual Impact Assessment Methodology</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10)</p> <p>Part 3, draft DCO (Document Ref. 3.1)</p>



1.145		<p>5.10.37 The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.</p>	<p>The Applicant confirms to the SoS that a variety of measures have been adopted as part of the Proposed Development to mitigate potential impacts on landscape, seascape and visual resources, which satisfy this Policy Test. A full list of mitigation measures adopted as part of the Proposed Development is set out in section 2.8 of the landscape, seascape and visual resources and set out within the Commitments Register. These measures include, but are not limited to:</p> <ul style="list-style-type: none"> <li>- The Onshore HVDC Cables and HVAC Cables will be completely buried underground for the entire length. Joint bays will be completely buried, with the land above reinstated. A maintenance cover will be provided on the surface for link boxes for access during the operation and maintenance phase</li> <li>- The site selection and route refinement process for the Proposed Development has considered the locations of statutory and non-statutory designated sites, recreational resources and special category land, which have been directly avoided, where reasonably practicable. Where this has not been possible, the design of the Proposed Development includes measures to minimise impacts, such as the use of trenchless construction techniques, for example, at the Landfall and to cross the River Torridge. Where reasonably practicable, protected and unprotected areas of woodland, mature and protected trees (i.e. veteran trees), as</li> </ul>	<p>Volume 1, Appendix 3.1: Commitments Register (Document Ref. 6.1.3.1).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p>
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			<p>well as other ecologically sensitive habitats have and will be avoided.</p> <ul style="list-style-type: none"><li>- The design of the proposed Converter Site would include cut and fill earthworks to provide a suitable development platform for the converter stations whilst utilising the local topography to integrate the buildings in the landscape. Additional visual screening in the form of constructed earth bunds and planting would further reduce the landscape and visual impact of the converter stations. The design of the landscaping would be detailed and stakeholders feedback incorporated as far as reasonably practicable.</li><li>- An Outline Landscape and Ecology Management Plan (LEMP) has been prepared as part of the application for development consent. An LEMP(s) would be developed in accordance with the Outline LEMP.</li><li>- The design of the Converter Site would be driven by the Design Principles Document, which would include principles to follow in the detailed design stages. This would include the following:<ul style="list-style-type: none"><li>o Scale, massing and layout of the converter buildings;</li><li>o Use of appropriate materials/colours/ finishes for the façades of the converter buildings;</li><li>o Use of landscape screening and planting in-keeping with local landscape character.</li></ul></li></ul>	
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			<ul style="list-style-type: none"> <li>○ The detailed design of the converter buildings would be developed in consultation with the relevant planning authorities and their feedback incorporated as far as reasonably practicable .</li> </ul> <p>The Proposed Development has sought to minimise impacts through design iteration. The substantial benefits and need for the Proposed Development as set out in the Planning Statement, including the delivery of Critical National Priority (CNP) Infrastructure to contribute towards meeting national energy objectives, outweighs the residual landscape effects when applying the planning balancing exercise to the Proposed Development with no requirement to demonstrate exceptional circumstances given that the presumption for allowing the DCO.</p>	
1.146	<p><b>Land Use, Including Open Space, Green Infrastructure, and Green Belt, Applicant assessment</b></p> <p>EN-1 (5.11)</p>	<p>5.11.8 The ES (see Section 4.3) should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, the applicant should ensure that they have considered the risk posed by</p>	<p>The Applicant confirms that the Land Use and Recreation Chapter identifies the existing and proposed land uses in proximity to the Proposed Development. The Chapter, having established the baseline environment and the future baseline conditions, then assesses the impacts of the Proposed Development on existing development and neighbouring sites (which includes consideration of Development Plan Allocations).</p> <p>The Applicant confirms that a proportionate approach to assessment has been taken in producing the Land Use and Recreation Chapter. The assessment concluded that significant effects</p>	<p>Volume 4, Chapter 8 Land Use and Recreation (Document Ref. 6.4.8).</p>

		<p>land contamination and how it is proposed to address this.</p>	<p>of the Proposed Development on agricultural land quality will arise during the construction phase. However, due to the type of development, these effects will be temporary, and once the cables are buried, the agricultural land quality will revert back to the original grade and use with no external features. The assessment concluded that there will be significant cumulative effects from the Proposed Development on agricultural land quality alongside other projects/plans. However, no potential transboundary impacts have been identified in regard to the effects of the Proposed Development.</p> <p>Further, the Chapter's cumulative effects assessment concludes that there would be four major adverse effects (significant in EIA terms) arising from the permanent loss of BMV agricultural land and permanent disruption caused to the operation of agricultural land holdings impacts in combination with both Teir 1 and Teir 3 projects.</p> <p>The Proposed Development does not make use of any previously developed land and is located on agricultural land.</p>	
1.147		<p>5.11.9 Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue</p>	<p>Consultation with regard to land use has been undertaken in line with the general process described in the Consultation Report. Further, the Land Use and Recreation Chapter considers the existing open space, sports and recreational buildings and land (e.g., playing fields), Public Rights of Way (PRoW), including National Trails.</p>	<p>Part 5, Consultation Report (Document Ref. 5.1).</p>

		infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicant's should refer to the Green Infrastructure Framework.	The Chapter concludes that no impact of the Proposed Development's construction, operation and maintenance and decommissioning is to result in an effect that is of greater significance than minor adverse, which is not significant in EIA terms, in relation to the above receptors.	Volume 2, Chapter 8 Land Use and Recreation (Document Ref. 6.2.8).
1.148		5.11.11 During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	The Applicant confirms that Consultation has taken place with the Local Authorities to identify relevant proposed developments for cumulative assessment.	Volume 2, Chapter 8 Land Use and Recreation (Document Ref. 6.2.8).
1.149		5.11.12 Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	The Land Use and Recreation Chapter considers the potential effects of the Proposed Development on agricultural land, including Best and Most Versatile (BMV) agricultural land. In order to minimise the impacts of the Proposed Development upon BMV agricultural land, a number of embedded mitigation measures are secured such as the submission of an outline Soil Management Plan (oSMP) (which forms part of the Outline Onshore Construction Environmental Management Plan, as appendix D). The oSMP would include measures to manage soils during the construction of the Proposed Development such as, but not limited to: <ol style="list-style-type: none"> <li>1. Separate stripping and storage of identified topsoil and subsoil resources to</li> </ol>	Volume 2, Chapter 8 Land Use and Recreation (Document Ref. 6.2.8).  Part 7, Outline Soil Management Plan (Document Ref. 7.7 annex D).

			<p>prevent mixing of soil materials which could reduce overall soil quality;</p> <ol style="list-style-type: none"><li>2. Maintenance of topsoil and subsoil heaps to reduce potential losses of soil materials throughout the duration of storage; and</li><li>3. Control of the timing of soil handling operations to reduce potential soil damage through handling in unsuitable conditions.</li></ol> <p>The assessment concluded that significant effects of the Proposed Development on agricultural land quality will arise during the construction phase. However, due to the type of development, these effects will be temporary, and once the cables are buried, the agricultural land quality will revert back to the original grade and use with no external features. The assessment concluded that there will be significant cumulative effects from the Proposed Development on agricultural land quality alongside other projects/plans. However, no potential transboundary impacts have been identified in regard to the effects of the Proposed Development.</p> <p>With mitigation measures in place, alongside the Commitments set out by the Applicant, the residual level of impact on agricultural land and land use would be offset so that the residual impact would not be significant.</p> <p>Following the incorporation of commitments no significant effects have been identified in relation to land use or agriculture. Therefore, no</p>	
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			significant impacts to the existing land use and agriculture were identified, meaning the Proposed Development can be considered to comply with EN-1 on this topic, as through good design and existing commitments to mitigation, any direct effects of the proposal have been minimised accordingly	
1.150		5.11.14 Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	As noted above, the Applicant has submitted an outline Soil Management Plan (oSMP) as Appendix D to the Outline Onshore Construction Environmental Management Plan for the Proposed Development. The oSMP contains measures to minimise potential land contamination and ensure the sustainable reuse of soils in line with good practice guidance. The oSMP provides the framework for the final/detailed SMP and is secured via Requirement 7 of the draft DCO.	Part 7, Outline Soil Management Plan (Document Ref. 7.7 annex D).  Part 3, Draft Development Consent Order (Document Ref. 3.1).
1.151		5.11.15 Developments should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.	The Geology, Hydrogeology and Ground Conditions Chapter, Air Quality, Hydrology and Flood Risk and Noise and Vibration Chapters consider preventing new and existing developments from contributing to, being put at unacceptable risk from, or being adversely affected by the matters outlined in Paragraph 5.11.15 of NPS EN-1.  The Chapters conclude that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases except for one construction-related noise and	Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).  Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).

			<p>vibration effect (being Noise impacts due to the Onshore HVDC Cable Corridor landward of the transition joint bay (due to HDD)) which results in a moderate adverse residual effect, significant in EIA terms.</p> <p>The Statutory Nuisance Statement sets out the appropriate mitigation measures which ensure that the Proposed Development leads to no significant effects that would give rise to a statutory nuisance.</p> <p>Overall, it is expected that the construction, and operation and maintenance phases of the Proposed Development are not expected to cause a statutory nuisance. It should be noted that decommissioning is not included within the DCO, but it is assessed within the Environmental Statement to give a full life assessment of the Proposed Development.</p> <p>Nonetheless, it should also be noted that article 47 (Defence to proceedings in respect of statutory nuisance) of the draft DCO contains a provision that would provide a defence to proceedings in respect of statutory nuisance (in respect of subparagraph (g) of section 79(1) of the EPA (noise emitted from premises to be prejudicial to health or a nuisance)), subject to the criteria set out in that article.</p>	<p>Volume 2, Chapter 3 Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p> <p>Part 7, Statutory Nuisance Statement (Document Ref. 7.6).</p>
1.152		5.11.17 Applicants should ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks	The Applicant has submitted a Desk Top Study, Preliminary Risk Assessment and Site Reconnaissance, which assesses potential	Volume 2, Chapter 4 Geology,



		<p>arising from land instability and contamination.</p>	<p>sources of contamination within the Onshore Infrastructure Area, associated with historical and current land uses both on-site and in the surrounding area, presents a preliminary geotechnical appraisal and identifies likely significant ground related development constraints for future intrusive investigation.</p> <p>The Hydrogeology, Geology and Ground Conditions Chapter concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p>	<p>Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 2, Appendix 4.1: Desk Top Study, Preliminary Risk Assessment and Site Reconnaissance (Document Ref. 6.2.4.1).</p>
1.153		<p>5.11.18 For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.</p>	<p>The Onshore Elements of the Proposed Development principally make use of undeveloped agricultural land. The Proposed Development does not make use of any previously developed land.</p> <p>Notwithstanding, the Applicant has submitted a Desk Top Study, Preliminary Risk Assessment and Site Reconnaissance which assesses potential sources of contamination within the Onshore Infrastructure Area, associated with historical and current land uses both on site and in the surrounding area, presents a preliminary geotechnical appraisal and identifies likely significant ground related development constraints for future intrusive investigation.</p>	<p>Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 2, Appendix 4.1: Desk Top Study, Preliminary Risk Assessment and Site Reconnaissance (Document Ref. 6.2.4.1).</p>

<p>1.154</p>	<p><b>Land Use, Including Open Space, Green Infrastructure, and Green Belt, Mitigation</b></p> <p>EN-1 (5.11)</p>	<p>5.11.27 Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The applicant should assess the impacts on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.</p>	<p>The design of the onshore HVDC Cable Corridor has sought to minimise the impact on mature vegetation both through routing choice and narrowing the route where it crosses important hedgerows (including Devon hedgerows). However, where hedgerows and trees are affected by the construction of the Onshore HVDC Cable Corridor they would be removed, except for sections of the route where HDD is proposed (such as beneath substantial areas of woodland). In addition, hedgerow removal may be required to allow for access and to meet visibility requirements at access points within the construction work areas.</p> <p>No areas of ancient woodland or replanted ancient woodland would be directly affected by the Proposed Development. Ancient woodland is present adjacent to the Proposed Development at Hallsannery and this area of woodland would be protected by placement of suitable buffers with additional woodland planting proposed to enhance and expand the existing area of ancient woodland.</p> <p>An Outline Landscape and Ecology Management Plan (oLEMP) has been submitted as part of the Application. A final Landscape and Ecology Management Plan would be produced substantially in accordance with the Outline document, as is secured via Requirement 6 of the Draft DCO. The final management plan would include, but not be limited to:</p>	<p>Volume 1, Chapter 5 Project Description (Document Ref. 6.1.5).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
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			<ul style="list-style-type: none"> <li>- Requirements and management measures relating to ecology and conservation;</li> <li>- Details regarding the use native and locally appropriate plant species around the converter stations and at replacement hedgerows along the Onshore HVDC Cable Corridor;</li> <li>- Details of proposed landscape planting at the Converter Site to assist with softening and screening the buildings; and</li> <li>- Details of management and maintenance of planting scheme.</li> </ul>	
		<p>5.11.30 Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.</p>	<p>The Applicant notes that no Access Land would be affected. The South West Coast Path National Trail will only be closed or diverted during the construction works at the Landfall and the onshore HVDC Cable Corridor if there is a necessity to do so resulting from an emergency. A Public Right of Way (PRoW) at Kenwith Stream (Abbotsham Footpath 2) would require temporary diversion during construction and there will be a managed crossing at the two PRoW (Abbotsham Footpath 5 and Alwington Footpath 3) crossed by the onshore HVDC Cable Corridor in a trenched crossing. An Outline PRoW Management Plan has been developed as part of the DCO application. No Access Land or PRoW would be affected or closed at the Converter Site.</p> <p>The Land Use and Recreation Chapter considers the potential effects of the Proposed Development on recreational resources, including</p>	<p>Volume 2, Chapter 2 Land Use and Recreation (Document Ref. 6.2.2).</p> <p>Part 7, Outline Public Rights of Way Management Plan (Document Ref. 7.11).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

			<p>existing open space, sports and recreational buildings and land (e.g., playing fields), PRow, including National Trails.</p> <p>The Chapter concludes that there would be no significant effects arising from the Proposed Development's potential impacts on recreational resources, including ProWs and promoted routes.</p> <p>The Applicant recognises the importance of Public Rights of Way (ProWs), National Trails and other rights of access to land to walkers, cyclists and horse riders, for example.</p> <p>As an embedded form of mitigation, an Outline Public Rights of Way Management Plan is submitted with this Application. The Outline Plan provides the framework to limiting the disruption to PRow and other recreational routes during the construction of the Proposed Development. The production of a detailed Public Rights of Way Management is secured by Requirement 7 of the draft DCO.</p> <p>The Socio-economics and Tourism Chapter considers the impacts of the Proposed Development on tourism and recreation assets, which covers impacts on Public Rights of Way. The Chapter's assessment of construction effects points to the analysis contained within the Land Use and Recreation Chapter which finds no significant impact on long distance routes and National Cycle Routes (including part of the Tarka</p>	<p>Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).</p>
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			<p>Trail), other PRowS and other recreational resources as the cable is installed by drilling under the trails. Therefore, and on this basis, the Chapter concludes that the impacts on the tourism economy or specific recreational routes as a result of the Proposed Development are unlikely and so do not give rise to significant effects (significant in EIA terms).</p> <p>The Proposed Development comprises infrastructure that is a Critical National Priority (CNP) for the UK as defined in NPS EN-1. The landscape and ecological mitigation proposals would minimise adverse landscape and visual impacts as far as possible. There would be adverse residual impacts, which would diminish over time as the landscape mitigation becomes established and matures.</p>	
<p><b>Noise and Vibration, Applicant assessment</b></p> <p>EN-1 (5.12)</p>	<p>5.12.6 Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</p> <ul style="list-style-type: none"> <li>• a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise</li> </ul>	<p>The Operational Noise Assessment, as appended and informative to the Noise and Vibration Chapter, details the noise sensitive receptors within the operational noise study area as well as detailed of the noise generating equipment proposed for the operation and maintenance phase of the Proposed Development.</p> <p>Further, the Noise and Vibration Chapter confirms that the noise sensitive receptors taken forward to assessment include residential receptors which include dwellings currently occupied (including residential dwellings, houses in multiple occupation) and residential institutions such as care homes.</p>	<p>Volume 2, Appendix 6.3: Operational Noise Assessment (Document Ref. 6.2.6.3).</p> <p>Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p>	

		<ul style="list-style-type: none"> <li>• identification of noise sensitive receptors and noise sensitive areas that may be affected</li> <li>• the characteristics of the existing noise environment</li> <li>• a prediction of how the noise environment will change with the proposed development <ul style="list-style-type: none"> <li>• in the shorter term, such as during the construction period</li> <li>• in the longer term, during the operating life of the infrastructure</li> <li>• at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year</li> </ul> </li> <li>• an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas</li> <li>• if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise</li> <li>• all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.</li> </ul>	<p>The Applicant confirms that a Baseline Sound Survey has been completed and is appended to the Noise and Vibration Chapter. The Baseline Sound Survey characterises the existing acoustic environment and details the representative background sound levels at the Noise and Vibration Chapter’s receptor locations.</p> <p>The Noise and Vibration Chapter considers all noise and vibration generating aspects of the Proposed Development’s construction, operation and maintenance and decommissioning. This includes consideration for shorter term (construction and decommissioning), longer term (operational) and any specific time-bound activities at varying times of day. The Chapter also includes an assessment of the effect of predicted changes in the noise environment.</p> <p>The Noise and Vibration Chapter concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases except for one construction-related noise and vibration effect (being noise impacts due to the Onshore HVDC Cable Corridor landward of the transition joint bay (due to HDD)) which results in a moderate adverse residual effect, significant in EIA terms.</p> <p>The Applicant has sought to mitigate and minimise noise and vibration impacts of the</p>	<p>Volume 2, Appendix 6.1: Baseline Sound Survey (Document Ref. 6.2.6.1).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Part 7, Outline Decommissioning Strategy (Document Ref. 7.17).</p> <p>Volume 4, Chapter 4 Human Health (Document Ref 6.4.4).</p>
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			<p>Proposed Development at every opportunity. For example and in relation to the construction phase, the Onshore Construction Environmental Management Plan would include construction noise and vibration limits and best practice measures to mitigate noise and vibration from construction activities associated with the Proposed Development.</p> <p>In relation to the operation and maintenance phase, the detailed design of the Converter Site (as secured through the Design Principles Statement document) includes provision of acoustic enclosures, attenuators and silencers and acoustic barriers.</p> <p>In relation to decommissioning, the Onshore Decommissioning Plans would be developed in line with the Outline Decommissioning Strategy which has been submitted as part of this Application. This plan(s) would be developed in line with latest available guidance in relation to minimising noise and vibrational impacts.</p> <p>The Human Health Chapter, which considers the impacts of noise and vibration on human receptors across the Proposed Development's construction, operation and maintenance and decommissioning, concludes that there would be no significant adverse population health effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p>	
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			The Applicant therefore considers that the noise impacts of the Proposed Development have been duly considered within the Environmental Statmeernt and comply with the requirements of this Policy.	
		5.12.8 Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	The Applicant confirms that the Noise and Vibration Chapter considers the noise impacts of ancillary activities associated with the Proposed Development. The Chapter concludes that no impact of ancillary activities relating to the Proposed Development's construction, operation and maintenance and decommissioning is to give rise to an effect whose significance is greater than minor adverse, which is not significant in EIA terms.	Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).
1.155		5.12.9 Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on the assessment of particular noise sources may be contained in the technology-specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The Applicant confirms that the Noise and Vibration Chapter has made use of the principles of the relevant British Standards and relevant other guidance in assessing the operation and maintenance noise relating to the Proposed Development. These Standards include but are not limited to: <ul style="list-style-type: none"> <li>- BS 4142:2014+A1:2019;</li> <li>- BS 5228-1:2009+A1:2014;</li> <li>- BS 5228-2:2009+A1:2014; and</li> <li>- ISO 9613-2:1996.</li> </ul>	Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).
1.156		5.12.10 Some noise impacts will be controlled through environmental permits	Noise impacts on terrestrial protected species are considered within the Onshore Ecology and	Volume 2, Chapter 1



		<p>and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e. physical design and location of development). The applicant should consult the EA and/or the SNCB, and other relevant bodies, such the MMO or NRW, as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.</p>	<p>Nature Conservation Chapter of the Environmental Statement.</p> <p>The Chapter notes that construction and decommissioning activities will result in additional human activity leading to noise and vibration impacts within the HDD compounds. These activities will be set at some distance from the statutorily designated sites and so the overall significance of effect upon statutorily designated sites is minor adverse, not significant in EIA terms. Further, the Chapter considers the same impacts on locally designated sites and concludes that the overall significance of this effect is minor adverse, not significant in EIA terms.</p> <p>The Chapter also considers construction-related noise and vibration impacts upon bats and fish (as receptors). For fish, noise and vibration impacts lead to a significance of effect that is minor adverse, not significant in EIA terms. For bats, indirect impacts from disturbance to habitat features used by bats as a result of construction activities (together with other impacts) gives rise to a medium adverse impact which, when assessed with the sensitivity of receptor, gives rise to a moderate adverse effect, significant in EIA terms. The significance of this effect has taken account of the Onshore Construction Environmental Management Plan which would seek to ensure that bats are protected from noise and light disturbance during the construction of</p>	<p>Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p>
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			<p>the Proposed Development, as far as reasonably practicable.</p> <p>The Applicant confirms that, via Section 42 responses, the Environment Agency and Devon Wildlife Trust have been consulted.</p> <p>Where necessary, the Applicant confirms that they will approach the relevant body for an environmental permit(s).</p>	
1.157		<p>5.12.11 In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.</p>	<p>The Applicant has undertaken and submitted as part of this Application an Underwater Noise Technical Assessment. The Assessment provides an assessment of the effects of underwater noise arising from offshore works associated with the construction and operation and maintenance of the Proposed Development and serves to inform the relevant technical chapters of the Environmental Statement.</p> <p>The Marine Mammals and Turtles, Benthic Ecology, Fish and Shellfish and Offshore Ornithology Chapters of the Environmental Statement all consider the impacts of noise and vibration disturbances arising from the Proposed Development's construction, operation and maintenance and decommissioning and all conclude that no noise and vibration-related impacts are to give rise to effects whose significance is greater than minor adverse, which is not significant in EIA terms.</p>	<p>Volume 3, Underwater Noise Technical Assessment (Document Ref. 6.3.4.1).</p> <p>Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Volume 3, Chapter 4</p>

			<p>The Applicant therefore considers that the noise impacts on the marine environment, including consideration of protected species, have been accurately reflected in the Environmental Statement and so the Proposed Development complies with this NPS EN-1 paragraph.</p>	<p>Marine Mammals and Turtles (Document Ref. 6.3.4).</p> <p>Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p>
1.158	<p><b>Noise and Vibration, Mitigation</b></p> <p>EN-1 (5.12)</p>	<p>5.12.15 The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).</p>	<p>The Proposed Development has undergone an iterative design and site selection process, in order to ensure that the Proposed Development makes the greatest possible contribution to renewable energy targets and the building of energy resiliency whilst also minimising environmental impacts by following the principles of good design. This includes the selection of the quietest or most acceptable cost-effective plant available.</p> <p>These principles are contained within the Design Principles Statement document which contains the following overarching onshore design principles:</p> <ul style="list-style-type: none"> <li>- Integrated Development;</li> <li>- Safeguard Sensitive Receptors;</li> <li>- Minimise Construction Impact;</li> <li>- Landscape Restoration; and</li> <li>- Improvement in Biodiversity.</li> </ul>	<p>Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Volume 4, Chapter 4 Human Health</p>

			<p>The full plant design (including equipment selections, layouts, and mitigation measures) has been assessed within the Noise and vibration Chapter of the Environmental Statement which concludes that there would be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases except for one construction-related noise and vibration effect (being noise impacts due to the Onshore HVDC Cable Corridor landward of the transition joint bay (due to HDD)) which results in a moderate adverse residual effect, significant in EIA terms.</p> <p>The Human Health Chapter of the Environmental Statement considers the likely impacts and effects of noise and vibration arising from the Proposed Development's construction, operation and decommissioning. The Chapter concludes that, in relation to noise and vibration impacts on population health and quality of life, there will be no significant adverse human health effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p>	(Document Ref 6.4.4).
1.159	<p><b>Noise and Vibration, Secretary of State decision making</b></p> <p>EN-1 (5.12)</p>	<p>5.12.17 The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</p> <ul style="list-style-type: none"> <li>- avoid significant adverse impacts on health and quality of life from noise</li> </ul>	<p>The Human Health Chapter of the Environmental Statement considers the likely impacts and effects of noise and vibration arising from the Proposed Development's construction, operation and decommissioning. The Chapter concludes that, in relation to noise and vibration impacts on population health and quality of life, there will be</p>	<p>Volume 4, Chapter 4 Human Health (Document Ref 6.4.4).</p>

		<ul style="list-style-type: none"> <li>- mitigate and minimise other adverse impacts on health and quality of life from noise</li> <li>- where possible, contribute to improvements to health and quality of life through the effective management and control of noise.</li> </ul>	<p>no significant adverse human health effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>As such, the Proposed Development avoids significant adverse impacts on health and quality of life from noise and has secured mitigation measures to minimise other adverse impacts on health and quality of life from noise.</p> <p>The Applicant has considered the possibility for the Proposed Development to contribute to health and quality of life improvements (through the effective management and control of noise) but concludes that such improvements have not been identified.</p>	Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).
1.160		5.12.18 When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	Where relevant, requirements and mitigation measures are proposed by the Applicant and secured via the draft DCO. If consented, these requirements and mitigation measures would ensure that noise limits are not exceeded, as informed by the Noise and Vibration Chapter of the Environmental Statement and the Chapter's assessment appendices.	Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).
1.161	<b>Socio-Economic Impacts, Applicant assessment</b>	5.13.2 Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of	The Applicant is cognisant that the scale of the Proposed Development means that it has the potential to give rise to impacts at a local, regional and national level.	Volume 4, Chapter 3 Socio-Economics and Tourism

	EN-1 (5.13)	these impacts as part of the ES (see Section 4.3).	The Socio-Economics and Tourism Chapter of the Environmental Statement has considered the impacts of the Proposed Development across the Local Area, the Devon Area and within the UK. So the assessment is considered to be in compliance with the requirement of this policy.	(Document Ref. 6.4.3).
		5.13.3 The applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the applicant can gain a better understanding of local or regional issues and opportunities.	The Applicant confirms that, in addition to Scoping and Section 42 consultation, several further consultations and engagements have been had with both Torridge District Council (a total of six further engagements) and Devon County Council (a total of three further engagements).	Volume 4, Chapter 3 Socio-Economics and Tourism (Document Ref. 6.4.3).
1.162		<p>5.13.4 The applicant's assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> <li>- the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero</li> <li>- the contribution to the development of low-carbon industries at the local and regional level as well as nationally</li> <li>- the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities</li> </ul>	<p>The Socio-Economic and Tourism Chapter of the Environmental Statement assesses the construction phase impacts upon economic activity, the tourism economy, tourism and recreation assets and community and social assets and local housing markets. The Chapter assesses the operation and maintenance phase impacts on economic activity, the tourism economy, tourism and recreation assets and the impact to British energy consumers. The Chapter also assesses the decommissioning impacts upon community and social assets and the local housing market. Cumulatively, the assessment of impacts considers employment, community and social assets and the tourism economy.</p> <p>The Proposed Development, if consented, is anticipated to give rise to the following socio-</p>	Volume 4, Chapter 3 Socio-Economics and Tourism (Document Ref. 6.4.3).

		<ul style="list-style-type: none"> <li>- any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains</li> <li>- effects (positive and negative) on tourism and other users of the area impacted</li> <li>- the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development</li> <li>- cumulative effects - if development consent were to be granted for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.</li> </ul>	<p>economic construction phase impacts which give rise to beneficial effects that are not significant in EIA terms.</p> <p>Economic impact and increased employment from onshore activity in:</p> <ul style="list-style-type: none"> <li>- The Local Area leading to £33.6 million GVA and 340 years of employment;</li> <li>- Devon leading to £86.2 million GVA and 890 years of employment; and</li> <li>- The UK leading to £825.2 million GVA and 9,410 years of employment.</li> </ul> <p>Economic impact and increased employment from offshore activity in:</p> <ul style="list-style-type: none"> <li>- The UK leading to £457.7 million GVA and 2,050 years of employment in the UK.</li> </ul> <p>The Proposed Development, if consented, is anticipated to give rise to the following socio-economic operational and maintenance phase impacts which are beneficial effects but not significant in EIA terms.</p> <p>Economic impact and increased employment from onshore activity in:</p> <ul style="list-style-type: none"> <li>- The Local Area leading to £0.6 million GVA and 19 jobs;</li> <li>- Devon leading to £0.8 million GVA and 24 jobs;</li> <li>- The UK leading to £1.2 million GVA and 37 jobs.</li> </ul>	
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			<p>Economic impact and increased employment from offshore activity in:</p> <ul style="list-style-type: none"><li>- The UK leading to £12.9 million GVA and 230 jobs.</li></ul> <p>The Chapter also concludes that once operational, the Proposed Development would result in lower energy prices and an increased security of supply for British energy consumers. The significance of this effect is major, significant in EIA terms.</p> <p>The Applicant confirms that an approach to a Community Benefit Fund is being developed but does note that it is not material to the planning application and therefore is not assessed within the Socio-Economics and Tourism Chapter.</p> <p>The Chapter's assessment of cumulative impacts arising from the Proposed Development and other developments and activities concludes that activity associated with construction and development and the operations of multiple offshore wind sites could lead to further beneficial effects. This is expected to happen through the development of local supply chains facilitated by the existence of a pipeline of offshore wind projects.</p> <p>The Chapter's Cumulative Effects Assessment considers the Proposed Development's in-combination effects with other projects and plans</p>	
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			<p>in relation to construction phase expenditure, employment, community and social assets (including housing) and tourism and recreation asset impacts and the operational and maintenance phase expenditure, employment and tourism and recreation impacts. The Cumulative Effects Assessment concludes that of the four cumulative impacts assessed, three lead to no greater than negligible effects, which is not significant in EIA terms, and one impact (being the in-combination impacts to tourism and recreation assets) which results in a moderate adverse cumulative effect.</p> <p>The Applicant is confident that the Socio-Economics and Tourism Chapter has duly considered, to the extent that they are relevant, the suggested socio-economic impacts identified through Paragraph 5.13.5 of NPS EN-1.</p>	
1.163		<p>5.13.6 Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.</p>	<p>The Applicant is cognisant of the inter-related effects that socio-economic impacts can give rise to/ be related to. The impacts of Gross Value Added (GVA) and employment (as expressed in the Socio-Economics and Tourism Chapter of the Environmental Statement) includes the consideration of indirect and/or supply chain impacts.</p> <p>Further, the Applicant confirms that an outline Skills and Employment strategy (oSES) has been provided for as part of this Application and has been developed in consultation with Torridge District Council and sets out the approach which</p>	<p>Part 7, Outline Skills and Employment Strategy (Document Ref. 7.23).</p> <p>Volume 4, Chapter 3 Socio-Economics and Tourism (Document Ref. 6.4.3).</p>

			<p>will be adopted to promote skills and maximise employment opportunities and positive economic impacts for local economic benefit.</p> <p>For the purposes of the Socio-Economics and Tourism assessment (as contained within the Environmental Statement), a conservative assumption of local content has been maintained.</p>	
1.164	<p><b>Traffic and Transport, Applicant assessment</b></p> <p>EN-1 (5.14)</p>	<p>15.4.5 If a project is likely to have significant transport implications, the applicant's ES should include a transport appraisal. The Department for Transport's Transport Analysis Guidance (TAG) and Welsh Governments WelTAG provides guidance on modelling and assessing impacts of transport schemes.</p>	<p>The Applicant has considered whether the Proposed Development is likely to have significant transport implications. The Applicant confirms that the Proposed Development complies with this policy as the contents of a Transport Assessment have been included within the Traffic and Transport Chapter of the Environmental Statement and are produced in accordance with current transport guidance.</p>	<p>Volume 2, Chapter 5 Traffic and Transport (Document Ref. 6.2.5).</p>
1.165		<p>5.14.6 National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. Applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.</p>	<p>The Traffic and Transport Chapter of the Environmental Statement confirms that Devon County Council (being the relevant highway authority) has been consulted with, and discussions with the County Council have helped inform both the assessment of the Proposed Development and the mitigation.</p> <p>The Proposed Development is not anticipated to affect the Strategic Road Network (SRN) and so the Traffic and Transport Chapter of the Environmental Statement does include assessment of the SRN.</p>	<p>Volume 2, Chapter 5 Traffic and Transport (Document Ref. 6.2.5).</p>
1.166		<p>5.14.7 The applicant should prepare a travel plan, including demand management and</p>	<p>An Outline Construction Traffic Management Plan (oCTMP), which embeds Travel Plan</p>	<p>Volume 2, Chapter 5 Traffic</p>

		<p>monitoring measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by active, public and shared transport to:</p> <ul style="list-style-type: none"> <li>- reduce the need for parking associated with the proposal;</li> <li>- contribute to decarbonisation of the transport network;</li> <li>- improve user travel options by offering genuine modal choice.</li> </ul>	<p>management measures during the construction phase of the Proposed Development, such as encouraging car sharing between construction staff, has been prepared. Further, the oCTMP includes the following measures (but the scope of the oCTMP is not limited to these measures):</p> <ul style="list-style-type: none"> <li>- the setting out of requirements to monitor load sizes and vehicle usage and, where possible, load consolidation and delivery to construction sites using alternative vehicles. Encouragement to re-use HGVs wherever possible, such as backloading. Where practical, local suppliers would be used to minimise the distance travelled by HGV; and</li> <li>- the setting out of restrictions on HGV operating hours along those sections of the highway network that provide access to local schools. The oCTMP would restrict HGV movements along the A386 through Bideford during school drop-off and pick-up times.</li> </ul>	<p>and Transport (Document Ref. 6.2.5).</p> <p>Part 7, Outline Construction Traffic Management Plan (Document Ref. 7.12).</p>
1.167		<p>5.14.8 The assessment should also consider any possible disruption to services and infrastructure (such as road, rail and airports).</p>	<p>The Traffic and Transport Environmental Statement Chapter's integrated Transport Assessment considers the potential impacts and effects of the transport of materials, goods and personnel to and from the Onshore Infrastructure Area during the construction phase of the Proposed Development on the operation of the highway network, including driver delay at particular junctions, in accordance with relevant parts of the DfT's TAG, guidance and best practice.</p>	<p>Volume 2, Chapter 5 Traffic and Transport (Document Ref. 6.2.5).</p>

1.168	<b>Traffic and Transport, Mitigation</b>  EN-1 (5.14)	5.14.11 Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to: <ul style="list-style-type: none"> <li>- reduce the need to travel by consolidating trips;</li> <li>- locate development in areas already accessible by active travel and public transport;</li> <li>- provide opportunities for shared mobility;</li> <li>- re-mode by shifting travel to a sustainable mode that is more beneficial to the network;</li> <li>- retime travel outside of the known peak times;</li> <li>- reroute to use parts of the network that are less busy.</li> </ul>	The Applicant has considered the following demand management measures have been secured: <ul style="list-style-type: none"> <li>- The Outline Construction Traffic Management Plan (oCTMP) contains the control measures and monitoring procedures for managing the potential traffic and transport effects during the construction phase of the Proposed Development.</li> </ul> The oCTMP outlines a strategy to ensure that the construction traffic parameters (e.g. traffic numbers and routes) assessed within the Traffic and Transport Chapter of the Environmental Assessment are managed and not exceeded. The oCTMP would form the basis for a final Construction Traffic Management Plan (CTMP) and would be prepared and submitted prior to the commencement of construction and would require approval from Devon County Council. The production of a detailed CTMP is secured via Requirement 8 of the draft DCO.	Part 7, Outline Construction Traffic Management Plan (Document Ref. 7.12).  Part 3, Draft Development Consent Order (Document Ref. 3.1).
1.169		5.14.16 Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their application.	The Traffic and Transport Chapter of the Environmental Assessment confirms that the number of Abnormal Indivisible Loads (AILs) would be low and that each load will be present on the highway network for a short period of time, with standard measures (including traffic management measures) applied in terms of route, timing and method of delivery to minimise delays to other highway users.	Volume 2, Chapter 5 Traffic and Transport (Document Ref. 6.2.5).

1.170	<p><b>Traffic and Transport, Secretary of State decision making</b></p> <p>EN-1 (5.14)</p>	<p>5.14.18 A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure, and the Secretary of State should, therefore, ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.</p>	<p>The Applicant is cognisant that new energy NSIPs can give rise to substantial transport-related impacts. The Applicant confirms that the Proposed Development complies with this policy test as follows:</p> <ul style="list-style-type: none"> <li>- The Traffic and Transport Chapter of the Environmental Assessment concludes that there will be no significant effects arising from the Proposed Development during the construction phase. The potential impacts and effects of the Proposed Development on traffic and transport receptors during the operation and maintenance, and decommissioning phases have been scoped out of the assessment.</li> </ul> <p>Further, the cumulative effects assessment concludes that there will be no significant cumulative effects from the Proposed Development alongside other projects/plans.</p> <p>Therefore, with the embedded mitigation measures in place, the Proposed Development complies with Paragraph 5.14.18 of NPS EN-1.</p>	<p>Volume 2, Chapter 5 Traffic and Transport (Document Ref. 6.2.5).</p>
1.171	<p><b>Resource and Waste Management</b></p> <p>EN-1 (5.15)</p>	<p>5.15.2 Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order):</p> <ul style="list-style-type: none"> <li>- prevention</li> <li>- preparing for reuse</li> <li>- recycling</li> </ul>	<p>The outline Onshore and Offshore CEMP's provide the frameworks for implementing the policies of waste control and minimisation that is aligned to the waste management hierarchy during the construction phase of the Proposed Development. These policies would ensure that all waste produced is sustainably managed. The waste management hierarchy establishes that all</p>	<p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p>

		<ul style="list-style-type: none"> <li>- other recovery, including energy recovery</li> <li>- disposal</li> </ul>	<p>waste is preferably prevented, reused, recycled, recovered or disposed of in this order of preference.</p> <p>As an annexe to the Onshore CEMP, an outline Site Resource and Waste Management Plan (SRWMP) has been developed and submitted as part of this Application. A key objective of the oSRWMP is to, among other objectives, set out measures for managing waste and resources during construction to meet legislative and policy requirements, including the waste hierarchy principle.</p> <p>The outline Decommissioning Strategy (which applies to the Onshore and Offshore Elements of the Proposed Development confirms that, if the operation of the Proposed Development does not continue beyond 50 years, the resources recovered through the decommissioning of the Proposed Development would be managed in accordance with the principles of the waste hierarchy where a Resource and Waste Management Plan (SWMP) or similar would be append to the final Decommissioning Plan(s).</p>	<p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 7, Outline Site Resource and Waste Management Plan (Document Ref. 7.7 annex 2).</p> <p>Part 7, Outline Decommissioning Strategy (Document Ref. 7.17).</p>
1.172		5.15.3 Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	The outline Site Resource and Waste Management Plan adopts the waste hierarchy which ranks waste management options according to what is best for the environment. Disposal is the last option of all. The Applicant recognises that the imposition of the waste hierarchy is a key element of sustainable waste management. Following the hierarchy is a legal	Part 7, Outline Site Resource and Waste Management Plan (Document Ref. 7.7 annex 2).

			<p>requirement of the Waste (England and Wales) Regulations 2011 (as amended).</p> <p>The Applicant confirms that, in accordance with the waste hierarchy, the disposal of waste is a last resort to managing waste.</p>	
1.173	<b>Resource and Waste Management, Applicant assessment</b>	5.15.6 Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.	The Proposed Development does not propose the creation of energy from waste, and therefore, this policy is not considered further.	N/A
1.174	EN-1 (5.15)	5.15.8 The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation, and construction activities.	<p>The outline Site Resource and Waste Management Plan's purpose is, in part, to:</p> <ul style="list-style-type: none"> <li>- ensure compliance with legal requirements for managing waste, including the completion of duty of care paperwork; and</li> <li>- ensure compliance with legal requirements for managing waste, including the completion of duty of care paperwork.</li> </ul> <p>The outline of Onshore and Offshore CEMPs provide the frameworks for implementing the policies of waste control and minimisation that are aligned to the waste management hierarchy during the construction phase of the Proposed Development. These policies would ensure that the waste produced is sustainably managed.</p>	<p>Part 7, Outline Site Resource and Waste Management Plan (Document Ref. 7.7 annex 2).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p>

1.175		<p>5.15.9 The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p>	<p>The outline Site Resource and Waste Management Plan adopts the waste hierarchy which ranks waste management options according to what is best for the environment. Disposal is the last option of all, and the Applicant recognises that the imposition of the waste hierarchy is a key element of sustainable waste management and following the hierarchy is a legal requirement of the Waste (England and Wales) Regulations 2011 (as amended).</p> <p>Requirements for transferring waste and registered waste carriers are set out in Part 8 and 9 of the Waste (England and Wales) Regulations 2011. The waste will only be transferred to facilities that have the benefit of a registered waste exemption, or an environmental permit. Periodic audits would be undertaken of these facilities.</p> <p>The Scoping Opinion recognises that the Applicant sought to scope out potential impacts arising from operational waste on the basis that the operation and maintenance of the Proposed Development would generate limited amounts of waste. The Inspectorate agreed with this view and confirmed that waste generation during operation is unlikely to result in significant effects and so operational and maintenance phase waste has been scoped out of the Environmental Statement. Therefore, an assessment of the impact of waste for 'at least five years of operation' has not been included.</p>	<p>Part 7, Outline Site Resource and Waste Management Plan (Document Ref. 7.7 annex 2).</p>
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1.176		<p>5.15.12 The UK is committed to moving towards a more 'circular economy'. Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p>	<p>The Applicant is also committed to moving towards a more circular economy where waste is reduced and recycled as far as reasonably practicable.</p> <p>The outline Onshore Construction Environmental Management Plan (oCEMP) sets out measures to reduce Greenhouse Gas emissions associated with the construction of the Proposed Development. This includes a measure which is to (where reasonably practicable) make use of pre-fabricated elements to be delivered to the site, ready for assembly. This would reduce on-site construction waste and reduce vehicle movements as part of the construction process.</p> <p>Further, the oCEMP includes a measure to minimise the volume of waste generated by ensuring resources are efficiently maximised, by applying the principles of the waste hierarchy throughout the construction period. Segregated waste storage would be employed to maximise the recycling potential for materials.</p> <p>The abovementioned waste-related measures are also reflected in the Outline Offshore CEMP to ensure that a policy of waste control and minimisation that is aligned with the waste management hierarchy is implemented.</p>	<p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p>
1.177		<p>5.15.13 Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for</p>	<p>The Applicant has produced and submitted both an outline Onshore and Offshore Construction Environmental Management Plan (outline On-CEMP and outline Off-CEMP). These outline</p>	<p>Part 7, Outline Onshore Construction Environmental</p>

		<p>example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p>	<p>management plans incorporate legislative requirements, current standards and best practice measures to define the standards of construction practice that contractors will be required to adopt and implement. For example, the management plans both include measures to ensure that materials are adequately stored and protected to prevent waste, damage and the risk of being vandalised.</p>	<p>Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p>
1.178	<p><b>Water Quality and Resources, Applicant assessment</b></p> <p>EN-1 (5.16)</p>	<p>5.16.3 Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).</p>	<p>The Hydrology and Flood Risk, Geology Hydrogeology and Ground Conditions and Physical Processes Chapters of the Environmental Statement have considered the impacts of the Proposed Development on the water environment. These Chapters include an assessment of the existing status and conditions of water quality, the impacts of the Proposed Development on water quality, water resources and the physical characteristics of the water environment (taking into consideration the future baseline conditions, i.e., considering the impacts of climate change).</p> <p>These Environmental Statement Chapters conclude that there will be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>As such, the Applicant considers that the Proposed Development complies with Paragraph</p>	<p>Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 2, Chapter 3 Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Volume 4, Chapter 8 Physical Processes (Document Ref. 6.4.8).</p>

			5.16.3 of NPS EN-1 as the Proposed Development does not give rise to significant adverse effects.	
1.179		<p>5.16.7 The ES should in particular describe:</p> <ul style="list-style-type: none"> <li>- the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges</li> <li>- existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to</li> <li>- abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance</li> <li>- existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics</li> <li>- any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas)</li> </ul>	<p>The Applicant confirms that Onshore and Offshore Water Framework Directive (WFD) Assessment's have been undertaken in accordance with the Planning Inspectorate's Advice Note 18. The assessments consider the potential impact of the Proposed Development across the Onshore and Offshore Infrastructure Areas, respectively, during the construction, operation and maintenance and decommissioning phases.</p> <p>The Onshore WFD Assessment (and the proposed measures adopted as part of the Proposed Development) has taken into account the requirements of the South West River Basin Management Plan and the WFD objectives and concludes that all potential impacts on the water environment within the study area (being the Landfall and Onshore Elements of the Proposed Development) are mitigated to within acceptable levels (including drinking water protected areas associated with public and private abstractions). Further, the Environment Agency and Devon County Council have been consulted during the preparation of the Onshore WFD Assessment.</p> <p>The impact on hydromorphological supporting conditions to the biological elements of ecological status has been considered within the Onshore WFD Assessment. The assessment concludes</p>	<p>Part 6, Appendix 3.2: Onshore Water Framework Directive Assessment (Document Ref. 6.2.3.2).</p> <p>Part 7, Offshore Water Framework Directive (WFD) Assessment (Document Ref. 7.14).</p> <p>Volume 2, Chapter 4 Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 2, Chapter 3 Hydrology and Flood Risk</p>

		<p>under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions</p> <ul style="list-style-type: none"> <li>- how climate change could impact any of the above in the future</li> <li>- any cumulative effects</li> </ul>	<p>that the Proposed Development will not cause failure to meet surface water 'Good Ecological Potential', or result in a deterioration of surface water Ecological Status or Potential. Further, no changes will permanently prevent or compromise the Environmental Objectives being met.</p> <p>The Offshore WFD has considered the potential effects of the proposed activities on the hydromorphological, biological and chemical quality elements for the following water bodies:</p> <ul style="list-style-type: none"> <li>- Barnstaple Bay coastal water body (<i>considering the Hydromorphology, Biology - Lower sensitivity habitats, Biology - Higher sensitivity habitats, Biology – Fish, Water quality, WFD protected areas and Invasive non-native species receptors within this water body</i>); and</li> <li>- Taw / Torridge transitional water body (<i>considering the Biology - Lower sensitivity habitats, Biology - Higher sensitivity habitats, Biology – Fish and WFD protected areas within this water body</i>).</li> </ul> <p>The WFD Assessment concludes that no effect of the Proposed Development is to prevent the receptors of the two waterbodies from meeting their WFD objectives.</p>	<p>(Document Ref. 6.2.3).</p>
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			<p>Further, the Environment Agency and Devon County Council have been consulted during the preparation of the Offshore WFD Assessment.</p> <p>Impacts to peak river flow, peak rainfall intensity and sea level rise as a result of climate change have been described and taken into account within the Flood Risk Assessment, as appended to the Hydrology and Flood Risk Chapter of the Environmental Statement. Where appropriate, mitigation measures have been applied.</p> <p>A cumulative impact assessment of the water environment has been undertaken within the Geology, Hydrogeology and Ground Conditions and Hydrology and Flood Risk Chapters of the Environmental Statement.</p>	
1.180	<p><b>Water Quality and Resources, Mitigation</b></p> <p>EN-1 (5.16)</p>	<p>15.6.9 The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.</p>	<p>Mitigation and risk management measures relating to the water environment have been secured via the Onshore and Offshore Construction Environmental Management Plans.</p> <p>For the Onshore Elements, the Outline Onshore Construction Operational Management Plan (CEMP) is accompanied by an outline Pollution Prevention Plan which recognises the risk of pollution from construction activities (to such receptors as the water environment) and presents pro-active management practices to ensure that any pollution that may occur is minimised, controlled, reported to the relevant parties and remediated.</p>	<p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Pollution Prevention Plan (Document Ref. 7.7 annex 1).</p> <p>Part 7, Outline Offshore</p>

			<p>For the Offshore Elements, the Outline Offshore CEMP commits the Principal Contractor to the production in accordance with an outline Offshore Waste Management Plan and an outline Marine Pollution Contingency Plan. These plans will be prepared by the Principal Contractor to accompany the Final Offshore CEMP. These plans, together with the Offshore CEMP, will provide the mechanism for ensuring that measures to avoid, minimise or mitigate potentially adverse environmental impacts are implemented and that a policy of waste control and minimisation that is aligned with the waste management hierarchy is implemented also.</p>	<p>Construction Environmental Management Plan (Document Ref. 7.9).</p>
1.181	<p><b>Water Quality and Resources, Secretary of State decision-making</b></p> <p>EN-1 (5.16)</p>	<p>5.16.11 Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.</p>	<p>The Applicant confirms that a Construction Drainage Strategy would be developed post-consent and be in accordance with the Outline On-CEMP, which outlines the measures and details to be incorporated into the strategy. The production of the final On-CEMP is secured via dDCO Requirement 7.</p> <p>A conceptual drainage strategy for the Converter Site includes SuDS features, pollution mitigation measures and allowances for climate change and is provided within the Design Approach Document. The drainage scheme will provide pollution mitigation measures to the water environment during the operation stage of the Proposed Development.</p> <p>The Hydrology and Flood Risk Chapter of the Environmental Statement considers the impacts from pollution and contamination during the Proposed Development's construction, operation</p>	<p>Part 7, Design Approach Document (Document Ref. 7.3).</p> <p>Volume 2, Chapter 3 Hydrology and Flood Risk (Document Ref. 6.2.3).</p>

			and maintenance and decommissioning and concludes that no impact is to give rise to an effect whose significance is greater than minor adverse, which is not significant in EIA terms.	
1.182		5.16.12 The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	<p>Potential impacts on water quality, the physical characteristics of surface watercourses and the quality and quantity of groundwater are considered within the Application, via the relevant documents.</p> <p>It is confirmed, through the Onshore Water Framework Directive (WFD) Assessment, that the works proposed as part of the Proposed Development meet the WFD objectives, and that the Proposed Development is therefore compliant with the WFD regulations.</p> <p>Therefore, the Applicant concludes that no impact of the Proposed Development would have an adverse effect to the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.</p>	<p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p> <p>Volume 2, Appendix 3.2: Onshore Water Framework Directive Assessment (Document Ref. 6.2.3.2).</p>

**Table 2 - National Policy Statement for Renewable Energy Infrastructure (EN-3)**

Ref	Topic & Relevant NPS Section	Relevant paragraph and Policy text	Assessment	Relevant Application Documents
2.1	<p><b>Background</b> 1.1.1 - 1.1.4</p>	<p>There is an urgent need for new electricity generating capacity to meet our energy objectives.</p> <p>Electricity generation from renewable sources is an essential element of the transition to net zero and meeting our statutory targets for the sixth carbon budget (CB6). Our analysis suggests that demand for electricity is likely to increase significantly over the coming years and could more than double by 2050. This could require a fourfold increase in low carbon electricity generation, with most of this likely to come from renewables.</p> <p>In the Net Zero Strategy, published in October 2021, government committed to action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60% increase in demand.</p> <p>The British Energy Security Strategy, published in April 2022, accelerates this plan and sets out a series of bold commitments to</p>	<p>The Proposed Development would make a substantial contribution to the achievement of national renewable energy targets. This would include contributions towards net zero and to the UK's contribution to global efforts to reduce the effects of climate change by reducing emissions and increasing the proportion of renewables within the energy mix.</p> <p>The Proposed Development would connect the renewable generation assets in Morocco and associated cable infrastructure (routed through Morocco, Spain, Portugal and France) to the National Grid high voltage transmission network via cable infrastructure and converter stations within the UK jurisdiction.</p> <p>The Proposed Development would enable the delivery of an output of up to 3.6 Gigawatts (GW) of clean energy. The Climate Change assessment identifies a cumulative environmental effect impact (being Net Whole Life GHG Emissions across construction, operation and maintenance and decommissioning<sup>1</sup>) which considers the renewable generation assets in Morocco and is a beneficial significant effect, significant in EIA terms.</p>	<p>Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3)</p>

<sup>1</sup> The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (document reference 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the Local Planning Authority prior to the operation of the Proposed Development.



		<p>deliver a more independent, more secure energy system and support consumers to manage their energy bills. More low-cost renewables on the system will reduce household electricity bills and help to increase the security of supply through domestic energy production.</p>		
2.2	<p><b>General Assessment and Technology Specific Information – Introduction</b> 2.1.1 to 2.1.4</p>	<p>Part 4 of EN-1 sets out the general principles that should be applied in the assessment of development consent applications across the range of energy technologies.</p> <p>Part 5 of EN-1 sets out policy on the assessment of impacts which are common across a range of these technologies (generic impacts).</p> <p>This NPS is concerned with impacts and other matters which are specific to biomass and EfW, offshore wind energy, pumped hydro storage, solar PV and tidal stream energy, or where, although the impact or issue is generic and covered in EN-1, there are further specific considerations arising from the technologies covered here.</p> <p>The policies set out in this NPS are additional to those on generic impacts set out in EN-1. Applicants should show how their application meets the requirements in EN-1 and this NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements. This includes the assessment principles as set out in Part 4 of EN-1, and the consideration of impacts as set out in Part 5 of EN-1.</p>	<p>The Applicant notes and assesses, within Table 1 of this document, the policies set out within Parts 4 and 5 of EN-1. The table sets out how the Proposed Development is compliant with the relevant paragraphs.</p> <p>In relation to NPS EN-3 compliance, this table sets out how the Applicant has both considered and assessed the Proposed Development’s compliance with all relevant policies.</p>	<p>Part 7, Planning Statement (Document Ref. 7.2)</p>

2.3	<p><b>Factors influencing site selection and design</b> 2.3.1 to 2.3.5</p>	<p>Factors influencing site selection by applicants for renewable energy generating stations are set out below.</p> <p>The specific criteria considered by applicants and the weight they give to them will vary from project to project.</p> <p>Where there are requirements on applicants or the Secretary of State to consider specific factors, these are made clear in the text.</p> <p>The choices which applicants make in selecting sites reflect their assessment of the risk that the Secretary of State, following the general points set out in Section 4.1 of EN-1, will not grant consent in any given case.</p> <p>It is for applicants to decide what applications to bring forward. In general, the government does not seek to direct applicants to particular sites for renewable energy infrastructure. In specific circumstances it may be appropriate to provide some direction or guidance, for example to areas of search or areas to avoid through Marine Plans, Strategic Environmental Assessments (SEAs) or The Crown Estate Leasing Rounds, in respect of marine renewable technology. All of the examples given consider marine specific aspects of many of the assessment principles set out in Part 4 of EN-1.</p>	<p>The Need and Alternatives Chapter of the ES provides a detailed description of the site selection and assessment of the alternatives process undertaken by the Applicant. This assessment considered the locational criteria (environmental, social and economic, electrical and engineering constraints) that geographically influenced the search area.</p> <p>Following on from the selection of the preferred locations for the Proposed Development Components, based on the application of the locational criteria and factors mentioned above, the Applicant developed a set of core design parameters, which are described in the Project Development and Consideration of Options. These then influenced the optioneering and the identification of a preferred design, which then underwent further technical and feasibility assessments.</p>	<p>Part 6, Volume 1, Chapter 4 Needs and Alternatives (Document Ref. 6.1.4)</p> <p>Part 7, Project Development and Consideration of Options (Document Ref. 7.2 – Annex 3).</p>
2.4	<p><b>Seabed leasing</b> 2.3.12</p>	<p>Applicants must obtain a lease from The Crown Estate or Crown Estate Scotland prior to placing any offshore structures on, or</p>	<p>The Applicant will sign agreements for lease for the cable burial area with the Crown Estate.</p>	<p>Part 6, Volume 1, Chapter 1: Introduction</p>

		passing cables over, the seabed and its foreshore.	The Applicant has submitted the relevant Offshore Cable Corridor information with relevant supporting information to The Crown Estate prior to submission and is in active discussions with The Crown Estate regarding the Option and Lease Agreements.	(Document Ref. 6.1.1)
2.5	<b>Marine Licensing</b> 2.3.16	Marine Licences are required for all the marine elements of a proposed offshore development (up to Mean High Water Springs), including associated development such as the cabling, offshore substations that are required, and any other aspects of a development that the appropriate licensing authority, such as the MMO or NRW, may consider licensable under s66 of the Marine and Coastal Access Act 2009.	A draft Deemed Marine Licence (DML) is included as a schedule within the DCO to cover the offshore works that are within the Proposed Development.	Part 3, Development Consent Order (Document Ref. 3.1)
2.6	<b>Marine Licensing</b> 2.3.23	Applicants must approach the Marine Licensing regulator (MMO in England and NRW in Wales) early in the pre-application process to ensure that they are aware of any needs for additional marine licence consents alongside their DCO application.	The Applicant has been in regular discussion with the MMO and directly with all SNCBs to inform the impact assessment process and potential marine licence conditions. This has sought to ensure that the needs for marine licence consents have been understood. Further details of the specific technical discussions are presented within the relevant ES chapters.	Part 5, Consultation Report (Document Ref. 5.1).
2.7	<b>Climate change adaptation and resilience</b> 2.4.1 to 2.4.4	Part 2 of EN-1 covers the government's energy and climate change strategy, including policies for mitigating climate change.  Section 4.10 of EN-1 sets out generic considerations that applicants and the Secretary of State should take into account to help ensure that renewable energy infrastructure is safe and resilient to climate change, and that necessary action can be	The Applicant has assessed Part 2 and Section 4.10 of EN-1 in detail through Table 1 of Annex 2 of the Planning Statement.  In regard to section 4.10 of EN-1, The Climate Change Risk Assessment (CCRA) assesses the potential adverse effects of climate change on the Proposed Development through the consideration of climate-related current and anticipated physical risks throughout the Proposed Development's 50-year lifetime, in line with	Part 6, Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2)  Volume 7, Planning Statement

		<p>taken to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>Section 4.10 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES.</p> <p>Section 5.6 Coastal Change and Section 5.8 Flood Risk of EN-1 set out generic considerations that applicants and the Secretary of State should take into account in order to manage coastal change and flood risks.</p>	<p>the UK's guidance on climate change risk assessments. The Assessment concludes that, with mitigation measures in place, the identified potential risks posed to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms. Therefore, the Proposed Development complies with this policy test.</p> <p>The Assessment further considers several climate change variables (such as sea level rise, precipitation, and extreme weather events), the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding) and the possible receptors affected. The CCRA concludes that all receptors have a low vulnerability to climate variables and their resulting hazards.</p> <p>The Applicant has also assessed sections 5.6 Coastal Change and 5.8 Flood Risk of EN-1 in detail through Table 1 of Annex 2 of the Planning Statement. With the Applicant confirming that a Flood Risk Assessment (FRA) has been undertaken and is submitted together with this Application. The FRA has been undertaken in accordance with Section 5.7 of NPS EN-1, the NPPF and associated Planning Practice Guidance. The FRA concludes that the Proposed Development would not lead to an increased flood risk elsewhere, accounting for the impacts of climate change.</p> <p>The Hydrology and Flood Risk Chapter considers the likely impacts and effects of the Proposed Development on Hydrology and Flood Risk during the construction, operation and maintenance and decommissioning phases. The Chapter concludes that there would be no</p>	<p>(Document Ref. 7.2)</p>
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			significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.	
2.8	<b>Consideration of good design</b> 2.5.2	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.	<p>The Design Approach Document describes the Site Context. An extensive review of the wider site context of the Onshore Development Area, including topics such as landscape, onshore ecology and nature conservation, flood risk, and the historic environments, were undertaken to provide an evidence base for the Onshore Site Selection. This was reviewed over a number of stages as the Onshore Development Area sought to avoid settlements, sensitive habitats, and historically significant sites and has taken into account other technical and environmental constraints.</p> <p>In relation to the site selection of the Offshore Cable Corridor, the Applicant has considered, environmental considerations and the numbers of identified seafloor targets to ensure good design is achieved.</p>	<p>Part 6, Volume 2, Chapter 2: Historic Environment (Document Ref. 6.2.2)</p> <p>Part 6, Volume 2, Chapters 6: Noise and Vibration (Document Ref. 6.2.6)</p> <p>Part 6, Volume 2, Chapter 7: Air Quality (Document Ref. 6.2.7)</p>
2.9	<b>Flexibility in the project details</b> 2.6.1 and 2.6.2	<p>Where details are still to be finalised, applicants should explain in the application which elements of the proposal have yet to be finalised, and the reason why this is the case.</p> <p>Where flexibility is sought in the consent as a result, applicants should, to the best of their knowledge, assess the likely worst case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed.</p>	The key aspects of the Proposed Development for which flexibility in the Project Design Envelope approach (PDE) is required includes the exact locations of specific components and the precise technologies, and construction methods to be employed are yet to be confirmed. The PDE approach defines a design envelope and parameters within which the final design will sit. It allows flexibility for elements that will require more detailed design subsequent to submission of the Application for development consent, such as siting of infrastructure and construction methods.	<p>Part 7, Design Principles Statement (Document Ref. 7.4)</p> <p>Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p>

			<p>The detailed design, building upon the PDE and the design parameters, for the Proposed Development will be agreed under requirement 4 of the draft DCO.</p> <p>However, to allow the SoS to consider the worst-case impacts, the Project Description Chapter, which forms the basis of the ES assessments, provides a description of the Proposed Development and the parameters used for assessment within this ES. Where parameters have been adopted, these are realistic and considered estimations of future design parameters. Therefore, each chapter assesses the 'realistic worst-case' scenario for each of the identified potential impacts.</p> <p>Each topic assessment has taken the maximum design scenario approach which considers the likely worst case environmental, social and economic effects. In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and maintenance and decommissioning phases of the offshore and onshore elements of the Proposed Development have been considered across the specific ES chapters.</p> <p>Based on the above assessment, the Applicant considers that the approach and level of information contained within the ES is considered compliant with the requirements of paragraphs 2.6.1 and 2.6.2 of EN-1.</p>	
<b>Applicant Assessment</b>				
2.10	<b>Factors influencing site selection and design</b>	General factors influencing site selection by applicants are set out at Section 2.3 of this NPS.	The Applicant has undertaken an assessment of those general factors influencing site selection, as set out through Section 2.3 of EN-3 throughout this table.	Part 6, Volume 1, Chapter 4: Need and Alternatives (Document Ref. 6.1.4)

	2.8.11 to 2.8.13	The specific criteria considered by applicants, and the role that they play in site selection, will vary from project to project.	<p>The Applicant has considered and assessed the Proposed Development's compliance with the specific considerations and factors as set out in those paragraphs succeeding 2.8.12 of EN-3 throughout the remainder of this table.</p> <p>The specific criteria considered by the Applicant has been detailed through the Site Selection and Assessment of the Need and Alternatives Chapter and the Project Description and Consideration of Options document. At a high level, the Chapter explains that physical, technical, commercial and social considerations and opportunities, as well as engineering requirements were key considerations through the Site Selection process.</p>	Part 7, Planning Statement – Annex 2 Project Development and Considerations of Options (Document Ref. 7.2)
2.11	<b>Offshore Energy Strategic Environmental Assessment</b> 2.8.14	In proposing sites for offshore wind and/or offshore transmission infrastructure, NSIP applicants should demonstrate that their choice of site takes into account the government's Offshore Energy SEA 4 and any successors to it.	<p>The government's Offshore Energy SEA4 (March 2022) is concerned with future rounds of renewable leasing for offshore wind, wave and tidal devices, and licensing/leasing for seaward oil and gas rounds and gas storage (including carbon dioxide storage), and the production of hydrogen offshore.</p> <p>The Proposed Development does not relate directly to these technologies and thus is not directly influenced by the draft plan. That said, the Offshore Energy SEA4 provides political and environmental context to the Celtic Sea, which is consistent with that presented within the EIA baseline. The OESEA4 is directly relevant to offshore energy development in the Celtic Sea, including the White Cross Offshore Wind project and The Crown Estate's Project Development Areas, which have been included in the offshore cumulative effects assessments (CEA) within the Environmental Statement. The CEAs have used the latest up to date project information e.g.</p>	Part 6, Volume 1, Appendix 5.3: Cumulative Effects Assessment Screening Matrix (Document Ref. 6.1.5.3).

			project schedules and environmental assessments (where relevant) which supersede the information in the OESEA4.	
2.12	<b>Marine Planning</b> 2.8.16	Marine planning currently enables the increasing demands for use of the marine area to be balanced and managed in an integrated way that protects the marine environment whilst supporting sustainable development.	<p>The Applicant acknowledges paragraph 2.8.16 of EN-3 and recognises the importance of Marine Plans and marine planning more generally in protecting, balancing, and integrating developments in a sustainable way.</p> <p>The Applicant has undertaken a policy assessment of the relevant Marine Plans in Tables 6 and 7 of Annex 2 of the Planning Statement.</p>	Part 7, Planning Statement (Document Ref. 7.2)
2.13	<b>Marine Planning</b> 2.8.17	Marine plans provide a transparent framework for consistent, evidence-based decision making and should be used by applicants to guide site selection.	The Application has considered all relevant Marine Plans and Policies, as has been confirmed through Tables 6 and 7 of Annex 2 of the Planning Statement.	Part 7, Planning Statement (Document Ref. 7.2).
2.14	<b>Seabed leasing</b> 2.8.20	The Crown Estate issues leases for offshore wind farms in tendering rounds. Applicants must obtain a lease prior to placing an offshore wind structure on, or passing transmission export cables over, the seabed and its foreshore (see section 2.3.10 of this NPS for information in seabed leasing and capacity extensions).	<p>The Applicant will sign agreements for lease for the cable burial area with the Crown Estate.</p> <p>The Applicant has submitted the relevant Offshore Cable Corridor information with relevant supporting information to The Crown Estate prior to submission, and is in active discussions with The Crown Estate regarding the Option and Lease Agreements.</p>	Part 6, Volume 1, Chapter 1 Introduction (Document Ref. 6.1.1).
2.15	<b>Seabed leasing</b> 2.8.22 and 2.8.24	To date, each offshore wind leasing round has been supported by a plan level HRA, which assesses the impact of the leasing round on protected sites. It should also be noted that aspects of plan level HRAs that remain relevant at the project level might be able to be relied upon to inform the project	Details of the HRA process followed by the Project is contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders.	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1)</p> <p>Part 7, Report to Inform Appropriate</p>



		<p>level HRA, reducing the project level effort required and reducing duplication.</p> <p>Where an assessment concludes that there will still be an adverse impact, a case for derogation can be considered. This must meet strict legal tests, which includes identifying compensatory measures.</p>	<p>The cumulative residual impacts have been assessed within the RIAA. The RIAA concludes no Adverse Effects on Integrity (for all HRA sites).</p> <p>Where the SoS concludes that the Proposed Development would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.</p>	<p>Assessment (RIAA) (Document Ref. 7.16)</p>
2.16	<p><b>Offshore-onshore network connection</b> 2.8.34</p>	<p>As identified in paragraphs 3.3.65 – 3.3.83 and Section 4.11 of EN-1, and Section 2.12 of EN-5, a more co-ordinated approach to offshore-onshore transmission is required.</p> <p>The previous standard approach to offshore-onshore connection involved a radial connection between single wind farm projects and the shore. A coordinated approach will involve the connection of multiple, spatially close, offshore wind farms and other offshore infrastructure, wherever possible, as relevant to onshore networks.</p> <p>Co-ordinated transmission proposals have principally been developed through, and as a consequence of, a process of ongoing reform including through strategic network planning, such as the Holistic Network Design for onshore-offshore transmission, as outlined in EN-5. Further details are provided in EN-5, section 2.12-2.15.</p> <p>As part of the transition to more co-ordinated transmission, it is anticipated that some proposals for transmission could be consented separately to those for the wind farm (array) application.</p>	<p>The Applicant has considered the need for a more co-ordinated approach in terms of offshore-onshore transmission. This has been assessed throughout the course of the ES, specifically through the combined Onshore and Offshore assessment contained within Volume 4 of the ES.</p> <p>In terms of the wider Project, this will be a coordinated approach in terms of construction, and future operation, with the Proposed Development which was subject to a Development Consent Order under a s35 direction. Further details regarding this can be found within the submitted Other Consents and Agreements Document.</p> <p>In addition, to ensure coordinated approaches to other proposed projects within the neighbouring area, consultations have been undertaken with the developers of the neighbouring proposed White Cross Offshore Wind Farm (to confirm the location of cable corridors and to understand the potential for cumulative effects).</p> <p>It is also noted that the Round 5 The Crown Estate (TCE) developers are not in place at this time. Following specific consultations with TCE the Offshore Cable Corridor (OCC) has been expanded to the east where it</p>	<p>Part 6, Volume 4 Chapters (Document Ref. 6.4.1 – 6.4.4)</p> <p>Part 7, Other Consents and Agreements (Document Ref. 7.21)</p>

		<p>For this to occur, an applicant will need to make a request to the Secretary of State. The Secretary of State would then decide whether to give direction under Section 35 of the Planning Act 2008.</p> <p>The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interconnector) projects should seek to be sufficiently flexible so that they are futureproofed as far as possible to enable future connections with different types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate.</p>	<p>passes TCE PDA3 area, to allow maximum separation distance from any future assets that may be developed as part of PDA3.</p> <p>The latest information released from the National Energy System Operator (NESO) in relation to the holistic consideration of Celtic Sea Round 5 leasing developments suggests a potential Devon landfall (in principle) however there is little further clarity at this stage on preferred landfall location. It is known that a separate connection location to the National Grid would be required, which means limited potential for coordination of cable corridors (even if project timescales were better aligned). At this time there are no schemes that would benefit from the Project's landfall and there is no Cost Benefit Analysis case to justify installing additional HDD ducts at the landfall.</p> <p>To the extent that PDA3 information is available, it is included in the cumulative assessments for the offshore disciplines.</p> <p>The Proposed Development Offshore cable route has been chosen with sufficient flexibility included to allow for future proofing should further offshore projects arise and consultation will continue to be had with the relevant parties.</p>	
2.17	<p><b>Offshore-onshore network connection</b> 2.8.43</p>	<p>The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interconnector) projects should seek to be sufficiently flexible so that they are futureproofed as far as possible to enable future connections with different</p>	<p>At this time, decisions on the exact locations of specific components and the precise technologies, and construction methods to be employed are yet to be confirmed. These details remain pending as the Applicant is following a Project Design Envelope approach (PDE) and will develop the detailed design in</p>	<p>Part 6, Volume 1, Chapter 1: Introduction (Document Ref. 6.1.1)</p>

		types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate.	<p>conjunction with contractors during and following it's procurement events for the development.</p> <p>However, in terms of the offshore aspects of the Proposed Development, these have been chosen with sufficient flexibility included to allow for future proofing should further offshore projects arise and consultation will continue to be had with the relevant parties.</p>	<p>Part 6, Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3)</p> <p>Part 7, Design Approach Document (Document Ref. 7.3)</p>
2.20	<b>Other offshore infrastructure and activities</b> 2.8.47	Prior to the submission of an application involving the development of the seabed, applicants should engage with key stakeholders, such as The Crown Estate and statutory bodies to ensure they are aware of any current or emerging interests on or underneath the seabed which might give rise to a conflict with a specific application. This will ensure adequate opportunity to reduce potential conflicts and increase time to find a resolution.	<p>The Consultation Report demonstrates how the Applicant has complied with their duties under sections 42, 47, 48 and 49 of the Planning Act 2008.</p> <p>Both non-statutory consultation and statutory consultation with the Crown Estate and statutory bodies, such as Natural England, for example, have been undertaken to help shape the final DCO application.</p> <p>The Applicant will continue to engage with the relevant parties throughout the course of the examination for the Application.</p>	Part 5, Consultation Report (Document Ref. 5.2)
2.21	<b>Marine Protected Areas</b> 2.8.51 and 2.8.52	The UK Government has obligations to protect the marine environment with a network of well managed Marine Protected Areas (MPAs), which also includes Highly Protected Marine Areas (HPMAs). MCZs together with HPMAs, SACs SPAs, and Ramsar sites and marine elements of SSSIs form an ecologically coherent network of MPAs.	<p>The Applicant has submitted an MCZ Assessment with the DCO application.</p> <p><u>Screening:</u> A number of MCZ features were identified for Stage 1 assessment for Bideford and Foreland Point MCZ, South West Approaches to Bristol Channel MCZ, and East of Haig Fras MCZ.</p>	<p>Part 7, Marine Conservation Zone Assessment (Document Ref. 7.15).</p> <p>Part 7, Report to Inform Appropriate Assessment</p>

		<p>The government has set a target for MPA condition under the Environment Act 2021.</p>	<p><u>Stage 1 assessment:</u> The Stage 1 assessment concluded that the Proposed Development will not hinder the achievement of the objectives for the features considered for these MCZs. Consequently, no Stage 2 assessment is required.</p> <p>For each European site screened into the RIAA document, the following has been provided:</p> <ul style="list-style-type: none"> <li>• a summary of the ecology of the designated features relevant for each designated site assessment;</li> <li>• An assessment of the potential effects during the construction, operation and maintenance, and decommissioning; and</li> <li>• An assessment of the potential for in-combination effects of the Proposed Development alongside other relevant developments and Projects.</li> </ul> <p>After taking account of embedded mitigation measures, it was concluded that there would be no adverse effects on integrity to all of the sites taken through for Appropriate Assessment. Therefore, no further mitigation measures were proposed other than those already embedded into the Proposed Development (as outlined in Volume 1, Appendix 3.1: Commitments Register of the ES) and the standard practice and measures presented in the Offshore Construction Environmental Management Plan (offshore CEMP) for the Proposed Development ((an outline offshore CEMP is submitted as part of the application for DCO as document reference 7.9, with the final offshore CEMP to be produced by the contractor post consent).</p>	<p>(RIAA) (Document Ref. 7.16)</p>
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			Given the RIAA concludes that adverse effects on site integrity can be ruled out, there are no HRA compensatory measures or derogation cases to present. There is considered no residual unacceptable HRA impact which would prevent consent being granted.	
2.22	<b>Marine Protected Areas</b> 2.8.55	The British Energy Security Strategy included a commitment to introducing mechanisms to support strategic compensatory measures, including for projects already in the consenting process (where possible), to offset environmental impacts and reduce delays to individual projects. Only once all feasible alternatives and mitigation measures have been employed, should applicants explore possible compensatory measures to make good any remaining significant adverse effects to site integrity.	<p>Through careful route selection the Proposed Development avoids all MPAs with the exception of the Bristol Channel Approaches SAC which is unavoidable for any cables that seek to make landfall across much of the south-west.</p> <p>The RIAA has assessed potential for impact on the Bristol Channel Approaches SAC. Multiple direct consultations have been held with Natural England and JNCC to discuss the specific proposed infrastructure and the proposed activities that would take place within (and in close proximity) to the Bristol Channel Approaches SAC. The RIAA concludes no adverse effects on site integrity, and there is no HRA compensatory measures or derogation case to present. There is considered no residual unacceptable HRA impact which would prevent consent being granted.</p> <p>Elsewhere, following JNCC consultations, the specific commitment to apply a 20 m buffer around all MCZs has been developed.</p>	<p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p> <p>Volume 1, Appendix 3.1: Commitments Register of the ES (Document Ref. 6.1.3.1).</p> <p>Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9)</p>
2.23	<b>Marine Protected Areas</b> 2.8.56	Applicants are expected to seek advice from SNCBs and Defra for projects in England, in conjunction with relevant regulators, Local Planning Authorities and/or landowners, on potential mitigation and/or compensation requirements at the earliest opportunity and comply with future statutory requirements and/or guidance once available.	The Applicant has conducted an ongoing programme of consultation and engagement with stakeholders on both a statutory and non-statutory basis, with key consultation outcomes recorded in the relevant topic specific Chapters of the ES, the RIAA and the MCZ assessment.	Part 5, Consultation Report (Document Ref. 5.1)

			The Applicant has had early and ongoing engagement with local authorities, statutory consultees and the local community to ensure compliance with the statutory requirements surrounding Marine Protected Areas.	
2.24	<b>Network connection</b> 2.8.62	Transmission cabling from offshore energy infrastructure can negatively impact (both during installation and over their lifetime) seabed habitats and protected sites.	<p>The Applicant is cognisant of the potential negative effects that can arise from the installation and operation of offshore transmission cabling. Several options were explored for the preferred offshore Cable Corridor for the Proposed Development.</p> <p>The Applicant can confirm that route optimisation studies have informed the routing of the Offshore Cable Corridor; these studies have included multiple desktop studies and marine investigation surveys. Route optimisation has considered e.g. depth, seabed features, metocean influences, external stakeholders (e.g. seabed leaseholders, fishing activities, shipping etc) and environmental constraints such as marine protected areas including Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and MCZs.</p>	N/A
2.25	<b>Network connection</b> 2.8.66	The location of arrays and transmission infrastructure should be assessed strategically (especially where they are not covered by the same consent or marine licence), and the mitigation hierarchy should be used to address any environmental impact.	The Applicant has demonstrated throughout the ES assessment, that all aspects of the Proposed Development have been assessed strategically. The strategic assessment has ensured that environmental residual effects are assessed thoroughly and mitigated where possible through a mitigation hierarchy.	Part 6, Environmental Statement Volume 1, 2, 3 and 4. (Document Ref. 6.1, 6.2, 6.3, & 6.4)
2.26	<b>Network connection</b> 2.8.68	The applicant should assess the effects of the offshore transmission and any associated infrastructure on the marine, coastal and onshore environment.	The Applicant has duly considered, assessed and mitigated wherever possible, all potential effects arising from the Offshore Cable Corridor. The results are summarised within the 'Summary of Potential Likely Significant Effects' table as contained within each of the relevant ES Chapters. These assessments consider the effects of offshore transmission and all associated	Part 6, Environmental Statement Volume 1, 2, 3 and 4. (Document Ref. 6.1, 6.2, 6.3, & 6.4)

			<p>infrastructure on the marine, coastal and onshore environment.</p> <p>Resultingly, the Applicant has complied with the requirements of paragraph 2.8.68 of NPS EN-3.</p>	
2.27	<p><b>Network connection</b> 2.8.69 and 2.8.70</p>	<p>Where the applicant does not know the precise location of the offshore transmission cables and any associated infrastructure, a corridor should be identified within which the specific infrastructure is proposed to be located.</p> <p>The ES for the proposed project should assess the effects of including this infrastructure within that corridor.</p>	<p>An offshore Cable corridor and its associated construction buffer provides space for the installation works and any foreseeable operation and maintenance activities such as cable repairs. The offshore cable corridor has a nominal width of 500 m, extending to 1,500 m at some crossing locations and also along the western edge of TCE's Projected Development Area 3.</p> <p>The ES has taken account of, and has assessed, the full extent of the Offshore Cable Corridor. The Applicant will submit as-built information for the Offshore Cable Corridor to the MMO as set out in the DML.</p>	<p>Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3)</p> <p>Part 6, Volume 1, Figure 3.2: Offshore Cable Corridor (Document Ref. 6.1.3.2)</p>
2.28	<p><b>Network connection</b> 2.8.72</p>	<p>Assessment of environmental effects of transmission infrastructure and any proposed offshore or onshore substations should assess effects both alone and cumulatively with other existing and proposed infrastructure.</p>	<p>The Applicant's approach to EIA has assessed the potential for the likely significant effects of the Proposed Development to act cumulatively with the effects of other plans and projects both within the UK and internationally. The details of the cumulative assessments are presented within the relevant chapters of the ES.</p>	<p>Part 6, Volume 1, Chapter 5: EIA Methodology (Document Ref. 6.1.5)</p>
2.29	<p><b>Network connection</b> 2.8.73</p>	<p>Applicants should include details on how avoidance has been achieved, good design principles have been followed and provide proposals for mitigation. If the development is in English and Welsh waters, they should also demonstrate that they have considered how their proposals can contribute towards environmental net gain.</p>	<p>Volume 1, Chapter 4: Need and Alternatives of the ES (Document Ref. 6.1.4) summarises the extensive cable route selection process that has informed the selection of the Proposed Development's Offshore Cable Corridor.</p> <p>Adopting the principles of the Mitigation Hierarchy, avoidance of sensitive and protected offshore areas was central to this selection process. Through careful route selection the Proposed Development avoids all MPAs with the exception of the Bristol Channel Approaches</p>	<p>Part 7, Design and Approach Document (Document 7.3)</p> <p>Part 7, Design Principals Statement (Document Ref. 6.4)</p>

			<p>SAC which is unavoidable for any cables that seek to make landfall across much of the south-west.</p> <p>The cable route selection process also took account of e.g. large sandwaves which would require pre-sweeping. These have been avoided to minimise offshore disturbance activities.</p> <p>Offshore construction techniques, where possible have been selected to ensure minimal environmental harm and disturbance. The cable installation at the Landfall will utilise HDD trenchless techniques which will avoid any direct disturbance to the sea cliffs, the beach or the intertidal area. Cables will be buried for the entire Proposed Development's offshore length which accords with best practice expectations. Cable burial and associated construction techniques are informed by a project specific outline Cable Burial Risk Assessment (outline CBRA) which seems to minimise supplementary rock protection wherever possible, and where necessary this will be carried out to industry standards. Crossing of in-service cables will adhere to international standards and where out of service cables are crossed, the Proposed Development will seek to remove a short section of the out of service asset, such to minimise the footprint of any rock placement.</p> <p>Consultations with SNCBs has informed the development of mitigations and commitments, including the commitment to exclude any sediment disturbance activities (including boulder clearance) within 20 m of any MCZ boundary.</p>	<p>Part 6, Volume 1, Chapter 4 Needs and Alternatives (Document Ref. 6.1.4)</p>
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			<p>Multiple environmental disciplines have and will inform micro-routing of cables within the Offshore Cable Corridor, which has for example dictated Archaeological Exclusion Zones (AEZs) and commitments to micro-route around Annex I biogenic and geogenic reef habitats.</p> <p>A number of Design Principles are set out in the Design Principles Statement for application during construction. These include, but are not limited to:</p> <ul style="list-style-type: none"><li>• Installation will utilise specialist ROVs to minimise trench width and the scale of any sediment disturbance (compared to less precise trenching tools);</li><li>• Bentonite will be utilised as the HDD drill lubricant;</li><li>• The HDD drill system and the associated fluid (bentonite) will allow for the monitoring of pressure loss and therefore provision for the rapid identification of potential break outs;</li><li>• Maximum 1m width of grapnel hook for removal of seabed debris;</li><li>• Maximum 15m swath width of 'pre-lay plough' for e.g. boulder clearance or pre-lay trenching, where required;</li><li>• Maximum footprint of mechanical cutter ROV of 126m<sup>2</sup> (10m width and 12.6m length).</li><li>• Maximum footprint of water jet ROV of 55.2m<sup>2</sup> (6m width and 9.2m length);</li><li>• Cable lay and burial to be undertaken within close timescales, avoiding any long-term exposed trenching; and</li></ul>	
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			<ul style="list-style-type: none"> <li>• To ensure there is flexibility within the cable corridor for micro routing of the eventual cable placement, the cable corridor will be 500m wide, or four times water depth (whichever is the greater).</li> </ul> <p>Details of how these principles have gone into achieving good design has been captured within the Need and Alternatives Chapter, the Design Approach Document and Design Principals.</p> <p>Some parties consider the introduction of inert, stable rock can increase diversity of habitat offshore, which could be viewed as a positive change over time, however throughout the ES and other environmental assessments, Natural England's default stance that any habitat change is taken to be potentially adverse, is adopted.</p> <p>Consistent with the current planning regime there are no specific measures put in place to implement or quantify marine net gain as part of the proposed development.</p> <p>In terms of the interaction of the Proposed Development and environmental net gain, there is currently no BNG strategy, but the Applicant is looking at opportunities both inside and outside of the Order Limits.</p>	
2.31	<b>Micrositing and microrouting</b> 2.8.77	To inform micrositing/microrouting applicants should undertake high-resolution survey work and make provision for investigative work, such as archaeological examination, to assess the impacts of any proposed cables	The Applicant has acquired Site Specific Marine Geophysical and Offshore Geotechnical surveys (including future UXO surveys as necessitated) to base the offshore archaeological written scheme of investigation. Both the surveys undertaken to date and	Part 6, Volume 3, Appendix 7.5 Outline Offshore Written Scheme of Investigation

		or foundation placement on potential heritage assets.	any additional offshore geotechnical campaigns undertaken pre-construction (if required) will be subject to archaeological review, where relevant in consultation with Historic England.  The resultant data will be used to inform detailed design.	(Document Ref. 6.3.7.5).
2.32	<b>Micrositing and microrouting</b> 2.8.78	Applicants should submit an outline archaeological Written Scheme of Investigation (WSI) as part of the DCO submission, with a commitment to complete a project specific WSI post-consent in consultation with Historic England.	An Outline Offshore WSI has been submitted as part of the DCO submission.  The draft Development Consent Order secures the completion of detailed onshore and offshore WSIs. The detailed onshore Written Scheme of Investigation is secured through Requirement 11 of the DCO.  The detailed archaeological written scheme of investigation in relation to the offshore aspects of the Proposed Development is secured via the DML.	Part 3, Draft Development Consent Order (Document Ref. 3.1)  Part 6, Volume 3, Appendix 7.5 Outline Offshore Written Scheme of Investigation (Document Ref. 6.3.7.5).
2.33	<b>Micrositing and microrouting</b> 2.8.79	Where the applicant requests micrositing or microrouting tolerance, and insofar as it is reasonably possible to do so, the applicant should factor this tolerance into the environmental impact assessment of the development's worst-case scenario.	The EIA methodology for the Proposed Development is based on a project design envelope (or 'Rochdale Envelope') where the impact assessment is based on assessing project design parameters likely to result in the maximum adverse effect (i.e., the worst-case scenario).  The Offshore Cable Corridor has a nominal width of 500 m extending up to 1,500 m at some crossing locations (where the cable needs to cross existing power and telecoms cables for example) to provide the cables with sufficient space to cross the existing assets as close	Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3)  Part 6, Volume 1, Chapter 5 EIA Methodology (Document Ref. 6.1.5)

			to 90 degrees as possible (and reduce the footprint of the crossing on the seabed). The Offshore Cable Corridor width is also extended to 1,500 m at the western edge of The Crown Estate's Project Development Area 3 (Offshore Wind Leasing Round 5) to ensure this area can be sufficiently avoided. The ES has taken account of, and has assessed, the full extent of the Offshore Cable Corridor	
2.34	<b>Decommissioning</b> 2.8.89	Where requested by the Secretary of State, applicants should submit a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning.	The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (Document Ref. 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the relevant planning authority prior to the operation of the Proposed Development.	Part 7, Outline Decommissioning Strategy (Document Ref. 7.17)  Part 3, Draft Development Consent Order (Document Ref. 3.1).
<b>Impacts</b>				
2.35	<b>Biodiversity and ecological conservation</b> 2.8.101	Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See Sections 4.3 and 5.4 of EN-1).	The ES, specifically Volume 3, has undertaken detailed assessments across all stages of the Proposed Development. The detailed assessments have included the Marine Conservation Zone Assessment, the ES, the Offshore Water Framework Directive Assessment and the RIAA).	Volumes 1 to 4, the Environmental Statement. (Document 6.1)  Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).

				<p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p> <p>Part 7, Offshore Water Framework Directive (WFD) Assessment (Document Ref. 7.14).</p>
2.36	<p><b>Biodiversity and ecological conservation</b> 2.8.103</p>	<p>Applicants should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity, as well as negative effects.</p>	<p>The Applicant has assessed the potential effects, both positive and negative, arising from the Proposed Development on marine ecology and biodiversity. The Applicants' assessment concludes that:</p> <ul style="list-style-type: none"> <li>• For Benthic Ecology, no residual effect is greater than minor adverse and so not significant in EIA terms;</li> <li>• For Fish and Shellfish Ecology, no residual effect is greater than minor adverse and so not significant in EIA terms;</li> <li>• For Commercial Fisheries, no residual effect is greater than minor adverse and so not significant in EIA terms;</li> <li>• For Marine Mammals, no residual effect is greater than minor adverse and so not significant in EIA terms;</li> <li>• For Offshore Ornithology, no residual effect is greater than negligible adverse and so not significant in EIA terms</li> </ul>	<p>Part 6, Volume 3, Chapters 1-9. (Document Ref. 6.3)</p> <p>Protocol for Archaeological Discoveries (Document Ref. 6.3.7.6).</p> <p>Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).</p>

			<ul style="list-style-type: none"><li>• For Shipping and Navigation, no residual effect is greater than tolerable adverse and so not significant in EIA terms;</li><li>• For Other Marine Users, no residual effect is greater than minor adverse and so not significant in EIA terms;</li><li>• For Marine Archaeology and Cultural Heritage, extensive baseline characterisation has identified a large number of potential archaeological features, and the residual effects arising from potential impacts on these identified features are no greater than minor adverse, and so not significant in EIA terms. The Marine Archaeology and Cultural Heritage assessment adopts a responsible assessment approach that recognises that there remains the possibility of encountering currently unknown archaeological features. By definition, disturbance to (currently) unknown features could be significant. Note the presence of unknown features is considered unlikely given the extensive baseline surveys undertaken however the risk of unknown and impactful discovery remains. Potential impacts to unknown remains of all periods result in a moderate adverse residual effect (which is significant in EIA terms). Potential new discoveries would be managed through the Protocol for Archaeological Discoveries (PAD) (Document Ref. 6.3.7.6). The Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5) provides the framework, as prepared and agreed in consultation with Historic England, to ensure all activities within the marine environment have appropriate and sufficient regard for marine archaeological and</li></ul>	
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			<p>cultural heritage considerations. The Offshore Archaeological Written Scheme of Investigation (encompassing e.g. the PAD) is secured via the DML.</p> <ul style="list-style-type: none"> <li>• For Physical Processes, no residual effect is greater than negligible to minor adverse and so not significant in EIA terms.</li> </ul> <p>Resultingly, the Applicant has complied with the requirements of paragraph 2.8.103 of EN-3.</p>	
2.37	<b>Biodiversity and ecological conservation</b> 2.8.104	Applicants should consult at an early stage of pre-application with relevant statutory consultees and energy not-for profit organisations/ non-governmental organisations as appropriate, on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options which should be undertaken.	<p>The Applicant has consulted with the relevant stakeholders on both a statutory and non-statutory basis, with key consultation outcomes recorded in the relevant topic specific chapters of the ES.</p> <p>The Applicant's ongoing consultation with the relevant statutory consultees, results in the Applicant being in compliance with the requirements of this paragraph.</p>	Part 5, Consultation Report (Document Ref. 5.1)
2.38	<b>Biodiversity and ecological conservation</b> 2.8.105	In developing proposals applicants must refer to the most recent best practice advice originally provided by Natural England under the Offshore Wind Enabling Action Programme, and/or their relevant SNCB.	The Applicant has used the most recent best practice guidance and other Statutory Nature Conservation Bodies guidance when developing the Proposed Development.	Volume 1, Chapter 5 EIA Methodology (Document Ref. 6.1)
2.40	<b>Biodiversity and ecological conservation</b> 2.8.108	Applicants are expected to have regard to guidance issued in respect of Marine Licence requirements and consult at an early stage of pre-application with the MMO or NRW.	The Applicant has consulted with the MMO on both a statutory and non-statutory basis. The MMO have been involved in discussions around multiple offshore topics and these have been reflected in the relevant ES chapters and the development of the draft DML.	Part 6, Volume 3, Chapters 1-9 (Document Ref. 6.3)

2.41	<b>Biodiversity and ecological conservation</b> 2.8.109	Applicants should have regard to duties in relation to Good Environmental Status (GES) of marine waters under the UK Marine Strategy and MPA target (including any interim target) in England, set under the Environment Act 2021.	The ES has considered the international, national, regional and local planning policy and legislative context that is relevant to the impact assessment of the Proposed Development. This includes the Marine Strategy Framework Directive.	Part 6, Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2)
2.42	<b>Physical environment</b> 2.8.111, 2.8.112 and 2.8.113	The construction, operation and decommissioning of offshore energy infrastructure, including the preparation and installation of the cable route and any electricity networks infrastructure can affect the following elements of the physical offshore environment, which can have knock on impacts on other biodiversity receptors: <ul style="list-style-type: none"> <li>• water quality – disturbance of the seabed sediments or release of contaminants can result in direct or indirect effects on habitats and biodiversity, as well as on fish stocks thus affecting the fishing industry;</li> <li>• waves and tides – the presence of the turbines can cause indirect effects through change to wave climate and tidal currents on flood and coastal erosion risk management, marine ecology and biodiversity, marine archaeology and potentially coastal recreation activities;</li> <li>• scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting</li> </ul>	<p>The existing baseline for the marine physical environment has been established through the ES. The assessment contained within the ES Chapter on Physical Processes (and it's Technical Appendices) assesses the Proposed Development's impacts upon the Physical Processes (coastal and offshore) and specifically considers all of the receptors listed within the policy.</p> <p>The assessment concludes that no construction, operation and maintenance, or decommissioning effect will be greater than minor adverse and so therefore considered to not be significant in EIA terms.</p> <p>The construction, operation and maintenance and decommissioning impacts arising from the Proposed Development on habitats have been assessed with regard for benthic ecology and fish and shellfish ecology (through Volume 3, chapter 1 and 2 respectively of the ES). These chapters conclude that no construction, operation and maintenance or decommissioning effect will be greater than minor adverse and so not significant in EIA terms.</p>	Part 6, Volume 3, Chapter 8: Physical Processes (Document Ref. 6.3.8).  Part 6, Volume 3, Chapter 1: Benthic Ecology (Document Ref. 6.3.1).  Part 6, Volume 3, Chapter 2: Fish and Shellfish (Document Ref. 6.3.2).



		<p>in scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine vessels, marine archaeology, and impact biodiversity and seabed habitats;</p> <ul style="list-style-type: none"><li>• sediment transport – the resultant movement of sediments, such as sand across the seabed or in the water column, can indirectly affect navigation channels for marine vessels, and could affect sediment supply to sensitive coastal sites and impact biodiversity and seabed habitats;</li><li>• suspended solids – the release of sediment during construction, operation and decommissioning can cause indirect effects on marine ecology and biodiversity;</li><li>• sandwaves – the modification/clearance of sandwaves can cause direct physical (such as in affecting unknown archaeological remains) and ecological effects both at the seabed and within the water column due to disturbance and suspension of sediment, and potentially indirect effects (e.g., changes to seabed morphology in water depths where waves can influence the seabed, which can in turn affect wave climate and sediment transport); and</li></ul>		
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		<ul style="list-style-type: none"> <li>• water column – wind turbine structures can also affect water column features such as tidal mixing fronts or stratification due to a change in hydrodynamics and turbulence around structures.</li> </ul> <p>Applicant assessments are expected to include predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and seabed morphology that will result from the construction, operation and decommissioning of the required infrastructure.</p> <p>Assessments should also include effects such as the scouring that may result from the proposed development and how that might impact sensitive species and habitats.</p>		
2.43	<b>Physical environment</b> 2.8.114	Applicants should undertake geotechnical investigations as part of the assessment, enabling the design of appropriate construction techniques to minimise any adverse effects.	Geotechnical investigations have been undertaken as part of the assessment. The result has been used to inform the assessment works and to help iterate the proposed development design – ensuring proposals remain appropriate. Geotechnical evidence has informed the outline of the Cable Burial Risk Assessment and, by virtue, all environmental assessments. Geotechnical data have been further incorporated into impact assessments on e.g. the Physical Processes, Benthic Ecology and Marine Archaeology & Cultural Heritage.	<p>Outline Cable Burial Risk Assessment (Document Ref. 6.1.3.4).</p> <p>Part 6, Volume 3, Chapter 1: Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 6, Volume 3, Chapter 7: Marine Archaeology and Cultural Heritage</p>

				(Document Ref. 6.3.7).  Part 6, Volume 3, Chapter 8: Physical Processes (Document Ref. 6.3.8).
2.44	<b>Intertidal and coastal habitats and species</b> 2.8.119	<p>Applicant assessment of the effects of installing offshore transmission infrastructure across the intertidal/coastal zone should demonstrate compliance with mitigation measures in any relevant plan-level HRA including those prepared by The Crown Estate as part of its leasing round, and include information, where relevant, about:</p> <ul style="list-style-type: none"> <li>- any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice;</li> <li>- any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice;</li> <li>- potential loss of habitat; disturbance during cable installation, maintenance/ repairs and removal (decommissioning);</li> <li>- increased suspended sediment loads in the intertidal zone during installation and maintenance/repairs;</li> <li>- potential risk from invasive and non-native species;</li> </ul>	<p>The Applicant has undertaken a thorough and systematic site selection and alternatives exercise in coming to the Project's landfall. The installation of offshore infrastructure across the intertidal zone would be undertaken using trenchless techniques (e.g., HDD). The choice of the HDD installation method avoids potential impacts to designated sites and the intertidal zone.</p> <p>Chapter 1 (Benthic Ecology) has assessed the potential effect of the Proposed Development intertidal habitat, with consideration of physical environmental impacts covered in the Physical Processes chapter of the ES. An intertidal survey report has also been conducted to inform assessment of potential effects.</p> <p>The Assessment concludes that no construction or operation and maintenance effect upon the intertidal/coastal zone will be greater than minor adverse and so not significant in EIA terms.</p> <p>An outline Bentonite Breakout Plan has been prepared, recognising that the breakout of drill fluids is always a</p>	<p>Part 6, Volume 3, Chapter 1: Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 6, Volume 3, Chapter 8: Physical Processes (Document Ref. 6.3.8).</p> <p>Part 6, Volume 3, Appendix 1.1: Intertidal Survey Report (Document Ref. 6.3.1.1)</p> <p>Part 7, Outline Bentonite Breakout Plan (Document Ref. 7.20)</p>

		<ul style="list-style-type: none"> <li>- predicted rates at which the intertidal zone might recover from temporary effects, based on existing monitoring data; and</li> <li>- protected sites.</li> </ul>	residual risk. The Breakout plan is presented as part of the DCO application.	
2.45	<b>Subtidal habitats and species</b> 2.8.123	The applicant should demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing round.	The Proposed Development has ensured that the design parameters do not exceed those established as maxima within The Crown Estate's Round 4 Plan Level HRA.	N/A
2.47	<b>Subtidal habitats and species</b> 2.8.125	All work associated with cable installation including trenching, laying and surface protections are licenced through a Deemed Marine Licence as part of the DCO, with the exception of Welsh inshore waters,(defined as the region extending seaward 12 nautical miles from Mean High Water Springs (MHWS) to the territorial limit) where a Marine Licence cannot be deemed. In all offshore windfarm cases however, applicants should be aware that the operation and maintenance of cables after construction may require new Marine Licences.	The draft Development Consent Order provides that the Marine Licence at Schedule 14 of the draft Order is deemed to have been granted. The DML allows for operation and maintenance of cables as far as is practicably foreseeable.	Part 3, Draft Development Consent Order (Document Ref. 3.1)
2.48	<b>Subtidal habitats and species</b> 2.8.126	Applicant assessment of the effects on the subtidal environment should include: loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes, e.g. sandwave/ boulder/ UXO clearance; environmental appraisal of inter-array and other offshore transmission and installation/maintenance methods, including predicted loss of habitat due to predicted scour and scour/ cable protection and sandwave/ boulder/ UXO	<p>The Proposed Development includes the construction and operation activities associated with offshore cables only (from the UK Exclusive Economic Zone to Landfall). There is no other marine infrastructure as part of the Proposed Development.</p> <p>Volume 3 of the ES presents the offshore environmental assessments.</p> <p>Chapter 1 (Benthic Ecology) has assessed permanent habitat loss, disturbances to habitats, an increase in</p>	Part 6, Volume 3, Chapter 1: Benthic Ecology (Document Ref. 6.3.1).

		<p>clearance; habitat disturbance from construction and maintenance/ repair vessels' extendable legs and anchors; increased suspended sediment loads during construction and from maintenance/ repairs; predicted rates at which the subtidal zone might recover from temporary effects; potential impacts from EMF on benthic fauna; potential impacts upon natural ecosystem functioning; protected sites; and potential for invasive/ non-native species introduction.</p>	<p>suspended sediment, the resilience or ability of a receptor to recover, the potential impacts arising from the Proposed Development's construction and operation in relation to the functioning of the natural ecosystem, and the potential impacts upon protected sites.</p> <p>The Benthic Ecology assessment concludes that no construction, operation and maintenance, or decommissioning effect will be greater than minor adverse and so not significant in EIA terms.</p> <p>Any potential UXO clearance would be conducted under a separate marine licence.</p>	
2.49	<b>Marine mammals</b> 2.8.127 to 2.8.129	<p>Construction activities, including installing wind turbine foundations by pile driving, geophysical surveys, and clearing the site and cable route of unexploded ordnance (UXOs) may reach noise levels which are high enough to cause disturbance, injury, or even death to marine mammals.</p> <p>All marine mammals are protected under Part 3 of the Habitats Regulations (cetaceans within Schedule 2 and seal species within Schedule 4).</p> <p>If construction and associated noise levels are likely to lead to an offence under Part 3 of the Habitats Regulations (which would include deliberately disturbing, injuring or killing), applicants will need to apply for a wildlife licence to allow the activity to take place.</p>	<p>The Proposed Development includes the construction and operation activities associated with offshore cables only (from the UK Exclusive Economic Zone to Landfall). There is no other marine infrastructure as part of the Proposed Development.</p> <p>Volume 3, Chapter 4 (Marine mammals &amp; Turtles) of the ES includes an assessment of works which includes noise modelling assessment. The impacts arising from the Proposed Development during construction activities is anticipated to result in residual effects which are no greater than minor adverse and so not significant in EIA terms.</p> <p>Based on the results of the ES (Volume 3, Chapter 4 Marine Mammals &amp; Turtles) there will be no potential for injury or killing of protected wildlife. Consultations with the MMO have confirmed that any application under Part 3 of the Habitats Regulations to 'disturb' wildlife (if</p>	Part 6, Volume 3, Chapter 4: Marine Mammals and Turtles (Document Ref. 6.3.4).

			required) would be separate to the DML (and submitted post consent).	
2.50	<b>Marine mammals</b> 2.8.130	The development of offshore wind farms can also impact fish species (see paragraphs 2.8.245 – 2.8.249), which can have indirect impacts on marine mammals if those fish are prey species.	<p>The Proposed Development includes the construction and operation activities associated with offshore cables only (from the UK Exclusive Economic Zone to Landfall). There is no other marine infrastructure as part of the Proposed Development.</p> <p>Volume 3, Chapter 4 (Marine mammals &amp; Turtles) of the ES includes an assessment on the potential impact of indirect effects on prey species. The assessment concludes that there are no residual adverse effects on marine mammals and turtles which are significant in EIA terms. The assessment of fish and shellfish is set out in Volume 3, Chapter 2 (Fish and Shellfish) of the ES.</p>	<p>Part 6, Volume 3, Chapter 2: Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Part 6, Volume 3, Chapter 4: Marine Mammals and Turtles (Document Ref. 6.3.4).</p> <p>Part 6, Volume 3, Chapter 2: Fish and Shellfish (Document Ref. 6.3.2).</p>
2.51	<b>Marine mammals</b> 2.8.131	Where necessary, assessment of the effects on marine mammals should include details of: likely feeding areas and impacts on prey species and prey habitat; known birthing areas/haul out sites for breeding and pupping; migration routes; protected sites; baseline noise levels; predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance; operational noise; duration and spatial extent of the impacting activities including cumulative/in-combination effects	<p>Through the Assessment of Significance and Cumulative Effects Assessment, Volume 3 Chapter 4 (Marine Mammals and Turtles) of the ES considers all those 'assessment of effects' detailed through Paragraph 2.8.131 of NPS EN-3.</p> <p>The Marine Mammals and Turtles assessment concludes that no construction, operation and maintenance, or decommissioning residual effect will be greater than minor adverse and so not significant in EIA terms.</p>	Part 6, Volume 3, Chapter 4: Marine Mammals and Turtles (Document Ref. 6.3.4).

		with other plans or projects; collision risk; entanglement risk; and barrier risk.		
2.52	<b>Marine mammals</b> 2.8.132	The scope, effort and methods required for marine mammal surveys and impact assessments should be discussed with the relevant SNCB.	The Applicant has discussed the requirements of the marine mammal assessments, that were undertaken as part of the PEIR and ES assessments, with the relevant Statutory Nature Conservation Bodies and agreed that no site-specific surveys were required.	Part 6, Volume 3, Chapter 4: Marine Mammals and Turtles (Document Ref. 6.3.4).
2.53	<b>Marine mammals</b> 2.8.133 and 2.8.134	<p>The applicant should discuss any proposed noisy activities with the relevant statutory body and must reference the joint JNCC and SNCB underwater noise guidance, and any successor of this guidance, in relation to noisy activities (alone and in-combination with other plans or projects) within SACs, SPAs, and Ramsar sites, in addition to the JNCC mitigation guidelines for piling, explosive use, and geophysical surveys. NRW has a position statement on assessing noisy activities which should also be referenced where relevant.</p> <p>Where the assessment identifies that noise from construction and UXO clearance may reach noise levels likely to lead to noise thresholds being exceeded (as detailed in the JNCC guidance) or an offence as described in paragraph 2.8.127- 2.8.129 above, the applicant must look at possible alternatives or appropriate mitigation.</p>	<p>The Applicant has discussed the proposed noisy activities with the relevant statutory bodies during the consultation for the Proposed Development.</p> <p>In terms of UXO clearance (removal or detonation), should this be required then this would be subject to a separate consenting process at the time such need is identified. The approach to consenting of UXO has been discussed with the MMO, who confirmed their preference for separate licensing of UXO surveys and any UXO removal. As such, consideration of effects from activities associated with UXO clearance have been excluded from the ES.</p> <p>The Marine Mammals and Turtles assessment of the ES includes an assessment of noisy activities with the relevant results included. The effects arising from the Proposed Development during the construction works are anticipated to result in minor residual effects which is deemed as not significant in EIA terms.</p>	<p>Part 5, Consultation Report (Document Ref. 5.1)</p> <p>Part 6, Volume 3, Chapter 4: Marine Mammals and Turtles (Document Ref. 6.3.4).</p>
2.54	<b>Marine mammals</b> 2.8.135	The applicant should develop a Site Integrity Plan (SIP) or alternative assessments for projects in English and Welsh waters to allow the cumulative impacts of underwater noise	The Proposed Development activities have limited potential to generate noise; there are no percussive activities planned such as piling or impulsive activities that overlap with known marine mammal hearing ranges.	Part 6, Volume 3, Chapter 4: Marine Mammals and

		to be reviewed closer to the construction date, when there is more certainty in other plans and projects.	<p>Construction activities and vessel movements are highly transient and have limited potential for any cumulative effects with other schemes. Any disturbance from non-impulsive sound or vessel activity is a sufficiently low risk so as not to contribute to a significant disturbance in the SAC (Bristol Channel Approaches SAC). As such, it would not be standard practice to include these activities in a SIP.</p> <p>Given the above, the Applicant remains compliant with this policy, and a SIP is not required.</p>	<p>Turtles (Document Ref. 6.3.4).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>
2.55	<b>Fish</b> 2.8.148	There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to impact fish communities, migration routes, spawning activities, and nursery areas of particular species.	<p>The effects arising from the construction, operation and maintenance and decommissioning of the Proposed Development on fish and shellfish have been assessed within the ES. The assessment concludes that no residual effect will be greater than minor adverse and so not significant in EIA terms.</p> <p>The Applicant has committed to mitigation measures so that the residual effects of the Proposed Development are no greater than minor adverse.</p>	Part 6, Volume 3, Chapter 2: Fish and Shellfish (Document Ref. 6.3.2).
2.56	<b>Fish</b> 2.8.149	There are potential impacts associated with energy emissions into the environment (e.g. noise or electromagnetic fields (EMF)), as well as potential interaction with seabed sediments.	<p>The assessment of Fish and Shellfish Ecology in the ES, considers EMF effects arising from cables during the operation and maintenance phase of the Proposed Development.</p> <p>The potential impact results in a residual effect (no mitigation measures proposed) that is negligible – minor adverse, not significant in EIA terms.</p>	Part 6, Volume 3, Chapter 2: Fish and Shellfish (Document Ref. 6.3.2).
2.57	<b>Fish</b> 2.8.150	The applicant should identify fish species that are the most likely receptors of impacts with respect to: spawning grounds; nursery grounds; feeding grounds; over-wintering	The assessment of Fish and Shellfish Ecology in the ES has considered temporary habitat disturbance to fish and shellfish species and spawning and/or nursery groups which are anticipated during the construction, operation	Part 6, Volume 3, Chapter 2: Fish and Shellfish



		areas for crustaceans; migration routes; and protected sites.	and maintenance and decommissioning phases of the Proposed Development. These potential impacts and assessments have been discussed with SNCBs throughout production of the ES (and the HRA and the MCZ assessments).  The potential impact results in a residual effect (no mitigation measures proposed) that is negligible – minor adverse, not significant in EIA terms.	(Document Ref. 6.3.2).
2.58	<b>Fish</b> 2.8.151	Applicant assessments should identify the potential implications of underwater noise from construction and unexploded ordnance including, where possible, implications of predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance, and addressing both sound pressure and particle motion) and EMF on sensitive fish species.	Through the ES, the Applicant has considered impacts on fish and shellfish ecology as a result of underwater noise and vibration. Noise generating scenarios assessed include e.g., vessel traffic and rock placement.  The assessment concludes that no potential noise generating impacts will result in a residual effect upon fish and shellfish receptors which is greater than negligible – minor adverse and so not significant in EIA terms.	Part 6, Volume 3, Chapter 2: Fish and Shellfish (Document Ref. 6.3.2).  Part 6, Volume 4, Appendix 4.1: Underwater Noise Technical Assessment (Document Ref. 6.3.4.1).
2.59	<b>Commercial fisheries and fishing</b> 2.8.153	The UK fishing industry is diverse. The type and significance of impacts will therefore vary depending on the section of the fleet affected. Applicants should consider both direct impacts on fishing activity and indirect impacts such as displacement (on both the industry and Marine Protected Sites) and the ability of fishers to relocate.	The Applicant has assessed the type and significance of effects upon commercial fisheries within volume 3 ES Chapter Commercial Fisheries.  The assessment concludes that there are minor adverse effects, and this is therefore deemed as not significant in EIA terms.	Part 6, Volume 3, Chapter 3: Commercial Fisheries (Document Ref. 6.3.3).
2.60	<b>Commercial fisheries and fishing</b>	Applicants should undertake early consultation with a cross-section of the fishing industry, as well as MMO, SNCBs,	Consultation has been undertaken with a wide range of local, regional, UK and non-UK fisheries stakeholders that are active in the wider region.	Part 5, Consultation

	2.8.154 to 2.8.158	<p>relevant Inshore Fisheries and Conservation Authorities (IFCAs), Defra and Welsh Government, to identify impacts, and actively encourage input from active fishers to provide evidence of their use of the area to support the impact assessments.</p> <p>Where any part of a proposal involves a grid connection or transmission to shore or in the inshore area, appropriate inshore fisheries groups should also be consulted.</p> <p>Applicant assessments should include robust baseline data and detailed surveys of the effects on fish stocks of commercial interest, and any potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones (see paragraph 2.8.152 – 2.8.164 of this NPS). The assessments should also provide evidence regarding any likely benefits or constraints on fishing activity within the project's boundaries.</p> <p>Applicants will be expected to undertake dialogue with the fishing industry during the planning and design of individual offshore wind farm and transmission proposals to maximise the potential for co-existence/co-location and reduce potential displacement.</p>	<p>Key elements of consultation to date have included the issue of the Scoping Report and S42 consultation on the PEIR. Further engagement by the Commercial Fisheries EIA team (engagement focussed on informing understanding of baseline fishing activity) and by the Fisheries Liaison Officer (FLO) specifically appointed to the Proposed Development (focused on providing the fishing industry with Project updates and providing a forum to discuss industry views) is provided in the Commercial Fisheries ES chapter.</p> <p>Potential impacts, both adverse and beneficial, on fish stocks have been assessed by the Applicant. This assessment includes potential impacts on commercial fisheries and navigational safety of commercial fishery vessels. The assessment concludes that there is no greater than a minor adverse effect, which is deemed as not significant in EIA terms.</p>	<p>Report (Document Ref. 5.1)</p> <p>Part 5, Consultation Report Appendices (Document Ref. 5.2)</p> <p>Part 6, Volume 3, Chapter 3: Commercial Fisheries (Document Ref. 6.3.3).</p>
2.61	<p><b>Commercial fisheries and fishing</b></p> <p>2.8.159 and 2.8.160</p>	<p>Applicants should consider guidance on best practice for fisheries liaison, which has been jointly agreed by the renewables industry and fishing community.</p> <p>In some circumstances, transboundary issues may be a consideration as fishing vessels from other coastal states may fish in</p>	<p>Liaison with the fishing industry has been adhered to in accordance with good practice guidance with regards to fisheries liaison.</p> <p>Given the prevalence of non-UK registered fishing vessels within the Commercial Fisheries Study Area, the Applicants assessment has considered the Proposed</p>	<p>Part 5, Consultation Report (Document Ref. 5.1)</p> <p>Part 6, Volume 3, Chapter 3:</p>

		waters within which offshore wind farms are sited. Applicants should seek advice from Defra in such circumstances.	Development's impacts on fishing fleets from the UK and non-UK countries.	Commercial Fisheries (Document Ref. 6.3.3).
2.63	<b>Marine historic environment</b> 2.8.168	Applicants should consult with the relevant statutory consultees, such as Historic England or Cadw, on the potential impacts on the marine historic environment at an early stage of development during pre-application, taking into account any applicable guidance (e.g., offshore renewables protocol for archaeological discoveries).	Consultation has been undertaken with the relevant statutory consultees (e.g., Historic England) regarding offshore archaeology and cultural heritage. The Applicant has taken account of legislation, policy and guidance applicable to the assessment.	Part 5, Consultation Report (Document Ref. 5.1)  Part 6, Volume 3, Chapter 7: Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).
2.64	<b>Marine historic environment</b> 2.8.169 to 2.8.171	<p>Assessment of potential impacts upon the historic environment should be considered as part of the Environmental Impact Assessment process undertaken to inform any application for consent.</p> <p>Desk based studies to characterise the features of the historic environment that may be affected by a proposed development and assess any likely significant effects should be undertaken by competent archaeological experts.</p> <p>These studies should consider any geotechnical or geophysical surveys that have been undertaken to aid the wind farm and/or offshore transmission design.</p>	<p>The Applicant's assessment of the existing environment provides the results of the desk-based assessment and the archaeological assessment of marine geophysical and geotechnical data undertaken for Offshore Archaeology and Cultural Heritage.</p> <p>Extensive baseline characterisation has identified a large number of potential archaeological features, and the residual effects arising from potential impacts on these identified features are no greater than minor adverse, and so not significant in EIA terms.</p> <p>The Marine Archaeology and Cultural Heritage assessment adopts a responsible assessment approach that recognises that there remains the possibility of encountering currently unknown archaeological features. By definition, disturbance to (currently) unknown features could be significant. Note the presence of</p>	<p>Part 6, Volume 3, Chapter 7: Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p> <p>Protocol for Archaeological Discoveries (Document Ref. 6.3.7.6).</p> <p>Outline Offshore Archaeological Written Scheme of Investigation</p>

			unknown features is considered unlikely given the extensive baseline surveys undertaken however the risk of unknown and impactful discovery remains. Potential impacts to unknown remains of all periods result in a moderate adverse residual effect (which is significant in EIA terms). Potential new discoveries would be managed through the Protocol for Archaeological Discoveries (PAD) (Document Ref. 6.3.7.6). The Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5) provides the framework, as prepared and agreed in consultation with Historic England, to ensure all activities within the marine environment have appropriate and sufficient regard for marine archaeological and cultural heritage considerations. The Offshore Archaeological Written Scheme of Investigation (encompassing e.g. the PAD) is secured via the DML.	(Document Ref. 6.3.7.5).
2.65	<b>Marine historic environment</b> 2.8.173	Applicants are required to determine how any known heritage assets might best be avoided.	The Applicant has submitted an Outline Written Scheme of Investigation (Offshore) (WSI) whose purpose is to set out the methods to mitigate the effects on all the known and potential archaeological receptors within the offshore Order Limits.	Part 6, Volume 3, Appendix 7.5 Outline Offshore Written Scheme of Investigation (Document Ref. 6.3.7.5).
2.66	<b>Marine historic environment</b> 2.8.174 to 2.8.176	The applicant will be expected to conduct all necessary examination and assessment exercises using a variety of survey techniques to plan the development so as to optimise opportunities for avoidance. Once a site has been chosen, it may be necessary to undertake further archaeological assessment, including field evaluation investigations prior to construction, to understand a known site's	The Applicant has undertaken a range of site specific surveys for the ES assessment which included both marine geophysical and geotechnical surveys.  Further investigation and data gathering will be progressed post-consent which will include high resolution surveys, alongside additional mitigation requirements. This commitment is captured within the Outline Written Scheme of Investigation with the understanding that the Offshore Development Area, and	Part 6, Volume 3, Appendix 7.5 Outline Offshore Written Scheme of Investigation (Document Ref. 6.3.7.5).

		<p>significance and full extent, and, to identify as yet unknown heritage assets when considering the options for detailed site development, in accordance with an archaeological written scheme of investigation included with the application. Assessment may also include the identification of any beneficial effects on the marine historic environment, for example through improved access or the contribution to new knowledge that arises from investigation.</p>	<p>the parameters of the Proposed Development are considered sufficient to accommodate micro-siting. The detailed offshore archaeological written scheme of investigation is secured via the DML.</p>	
2.67	<p><b>Marine historic environment</b> 2.8.177</p>	<p>Where elements of a proposed project (whether offshore or onshore) may interact with historic environment features that are located onshore, applicants should assess the effects in accordance with Section 5.9 of EN-1.</p>	<p>The Applicant has considered the potential effects of the Proposed Development upon onshore heritage assets within the ES for both onshore and offshore elements. A further assessment, in accordance with section 5.9 of NPS EN-1 has been outlined in table 1 of this document.</p>	<p>Part 6, Volume 3, Chapter 7: Marine Archaeology and Cultural Heritage (Document Ref. 6.3.7).</p> <p>Part 7, Planning Statement – Annex 3 (Document Ref. 7.2).</p>
2.68	<p><b>Navigation and shipping</b> 2.8.179</p>	<p>To ensure safety of shipping, applicants should reduce risks to navigational safety to as low as reasonably practicable (ALARP).</p>	<p>The Applicant has applied the ALARP principles to the impact assessment methodology in line with the Formal Safety Assessment (FSA) process prescribed in MGN 654.</p> <p>The Applicant has also conducted a Navigational Risk Assessment as part of the wider ES assessment. This assessment has informed the project commitments which are set out in the Commitments Register (Volume 1, Appendix 3.1: Commitments Register).</p>	<p>Part 6, Volume 3, Appendix 5.1: Navigational Risk Assessment (Document Ref. 6.3.5.1).</p> <p>Volume 1, Appendix 3.1: Commitments Register</p>

				(Document Ref. 6.1.3.1)
2.69	<b>Navigation and shipping</b> 2.8.184	Applicants should engage with interested parties in the navigation sector early in the pre-application phase of the proposed offshore wind farm or offshore transmission to help identify mitigation measures to reduce navigational risk to ALARP, to facilitate proposed offshore wind development. This includes the MMO or NRW in Wales, MCA, the relevant General Lighthouse Authority, such as Trinity House, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected. This should continue throughout the life of the development including during the construction, operation and decommissioning phases.	The Applicant has consulted with, and will continue to consult with, relevant stakeholders and interested parties to help identify mitigation measures to reduce navigational risk to ALARP such as, but not limited to: <ul style="list-style-type: none"> <li>- Trinity House;</li> <li>- Maritime and Coastguard Agency (MCA)</li> <li>- Cruising Association</li> <li>- Royal Yachting Association (RYA)</li> <li>- Chamber of Shipping</li> </ul>	Part 5, Consultation Report (Document Ref. 5.1)  Part 6, Volume 3, Appendix 5.1: Navigational Risk Assessment (Document Ref. 6.3.5.1).
2.71	<b>Navigation and shipping</b> 2.8.187	Prior to undertaking assessments, applicants should consider information on internationally recognised sea lanes, which is publicly available.	The Applicant's assessment has considered Main Commercial Routes, which are international in nature. There are no International Maritime Organization routing measures in proximity to the Proposed Development. This is further summarised within the submitted Navigational Risk Assessment.	Part 6, Volume 3, Appendix 5.1: Navigational Risk Assessment (Document Ref. 6.3.5.1).
2.72	<b>Navigation and shipping</b> 2.8.189 and 2.8.190	Applicants must undertake a Navigational Risk Assessment (NRA) in accordance with relevant government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above. The navigation risk assessment will for example necessitate: a survey of vessel	The Applicant has undertaken a Navigational Risk Assessment (NRA) in line with MGN 654. As part of this, the Applicant has ensured that the key shipping and navigation stakeholders, such as the MCA, have been consulted through the NRA process.	Part 5, Consultation Report (Document Ref. 5.1)  Part 6, Volume 3, Appendix 5.1:

		traffic in the vicinity of the proposed wind farm; a full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and cumulative and in-combination risks associated with the development and other developments (including other wind farms in the same area of sea.	The Shipping and Navigation Assessment concludes that all potential construction, operation and maintenance impacts, including cumulative impacts, result in effect which is no greater than 'tolerable adverse' which is not significant in EIA terms.	Navigational Risk Assessment (Document Ref. 6.3.5.1).
2.74	<b>Other offshore infrastructure and activities</b> 2.8.199	Applicants should use marine plans (paragraph 2.8.17-19 of this NPS and Section 4.5 of EN-1) in considering which activities may be most affected by their proposal and thus where to target their assessment.	The Proposed Development is situated within the South-West Onshore and Offshore Marine Plan areas and so the Applicant has undertaken a policy compliance assessment of the Proposed Development against these plans, as captured within Table 6 and 7 of this document.  The Applicant has also considered the Proposed Development's compliance with section 4.5 of NPS EN-1 through table 1 of this document.	Part 7, Planning Statement – Annex 3 (Document Ref. 7.2).
2.75	<b>Other offshore infrastructure and activities</b> 2.8.200	Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application.	Both non-statutory consultation and statutory consultation has been considered from an early stage to shape the final DCO application, whilst ensuring as many issues as possible have been resolved prior to examination.	Part 5, Consultation Report (Document Ref. 5.1)  Part 5, Consultation Report Appendices (Document Ref. 5.2)
2.76	<b>Other offshore infrastructure and activities</b> 2.8.201 to 2.8.203	Such stakeholder engagement should continue throughout the life of the development including construction,	Consultation with the Planning Inspectorate has been undertaken as part of the scoping and PEIR phases of the Projects. The scoping opinion submitted to the Planning Inspectorate sought a scoping opinion from the	Part 5, Consultation Report (Document Ref. 5.1)

		<p>operation and decommissioning phases where necessary.</p> <p>As many offshore industries are regulated by government, the relevant Secretary of State should also be a consultee where necessary.</p> <p>Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to co-exist successfully.</p>	<p>SoS. The scoping opinion received from the Planning Inspectorate included feedback from the SoS and Consultation Bodies.</p> <p>Consultation with developers and operators of other assets and infrastructure will continue across the life cycle of the Projects.</p>	<p>Part 5, Consultation Report Appendices (Document Ref. 5.2)</p>
2.77	<p><b>Seascape and visual effects</b> 2.8.207 and 2.8.208</p>	<p>Applicants should follow relevant guidance including, but not limited to seascape and landscape character assessments, landscape sensitivity assessments, and marine plan seascape character assessments (e.g., NRW Marine Character Areas (with associated guidance) England's marine plans).</p>	<p>The Applicant has followed the relevant guidance relating to landscape and visual impact assessment. This includes the Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment and Technical Guidance notes.</p> <p>With regard for the data and information sources used to inform the landscape and visual impact assessment, the Applicant has considered: the Heritage Coast, National Character Areas, Landscape Character Assessments and OS Digital Terrain Mapping.</p>	<p>Part 6, Volume 4, Chapter 2: Seascape, Landscape and Visual Resources (Document Ref. 6.4.2)</p>
<b>Mitigation</b>				
2.78	<p><b>Approach to mitigation</b> 2.8.215 and 2.8.216</p>	<p>Applicants should undertake a review of up-to-date research and all potential avoidance, reduction and mitigation options presented for all receptors.</p> <p>Only once all feasible avoidance, reduction and mitigation measures have been employed, should applicants explore possible compensatory measures to compensate for any remaining significant adverse effects to site integrity.</p>	<p>The approach to mitigation has been established through the Applicant's EIA methodology approach. The approach to the EIA accords with all relevant legislation and policy, in particular, the Planning Act 2008 and associated EIA Regulations.</p>	<p>Part 6, Volume 1, Chapter 5: Environmental Impact Assessment Methodology (Document Ref. 6.1.5).</p>



2.79	<b>Biodiversity and ecological conservation</b> 2.8.221 to 2.8.223	<p>Applicants must develop an ecological monitoring programme to monitor impacts during the pre-construction, construction and operational phases to identify the actual impacts caused by the project and compare them to what was predicted in the EIA/HRA.</p> <p>Should impacts be greater than those predicted, an adaptive management process may need to be implemented and additional mitigation required, to ensure that so far as possible the effects are brought back within the range of those predicted.</p> <p>Monitoring should be of sufficient standard to inform future decision-making. Increasing the understanding of the efficacy of alternatives and mitigation will deliver greater certainty on applicant requirements.</p>	<p>The Applicant has developed and submitted an Outline Landscape and Ecology Management Plan for the onshore elements of the Proposed Development. The production of a detailed Landscape and Ecology Management Plan has been secured via Requirement 6 of the draft DCO. However, in terms of offshore management plan this will be secured via the DML.</p> <p>The Applicant has developed several other outline monitoring and mitigation plans to ensure that any impacts arising from the Proposed Development is monitored and addressed. Detailed monitoring and mitigation plans will be developed post-consent, at the detailed design stage which is secured via Requirement 4 of the draft Development Consent Order.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1)</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10)</p>
2.81	<b>Intertidal and coastal habitats and species</b> 2.8.226 to 2.8.228	<p>Effects on intertidal/coastal habitat cannot be avoided entirely.</p> <p>Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on intertidal/coastal habitats, taking into account other constraints.</p> <p>Where applicable, use of horizontal directional drilling techniques (HDD) should be considered as a method to avoid impacts on sensitive habitats and species.</p>	<p>The potential impact of temporary physical disturbance on the intertidal zone has been assessed by the Applicant within the ES. The Applicant intends to install the offshore infrastructure beneath the intertidal/ coastal zone using trenchless techniques (e.g., HDD). The choice of the HDD installation method avoids potential impacts to designated sites and the intertidal zone</p> <p>Chapter 1 (Benthic Ecology) of the ES has assessed the potential effect of the Proposed Development intertidal habitat, with consideration of physical environmental impacts covered in Physical Processes chapter of the ES. An intertidal survey report has also been conducted to inform assessment of potential effects.</p>	<p>Part 6, Volume 3, Chapter 1: Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 6, Volume 3, Chapter 8: Physical Processes (Document Ref. 6.3.8).</p> <p>Part 6, Volume 3, Appendix 1.1: Intertidal Survey</p>

			<p>An outline Bentonite Breakout Plan has been prepared, recognising that the breakout of drill fluids is always a residual risk. The Breakout plan is presented as part of the DCO application.</p> <p>There are no significant construction or operation and maintenance phase impacts identified with regards the intertidal/coastal zone (not significant in EIA terms).</p>	<p>Report (Document Ref. 6.3.1.1)</p> <p>Part 7, Outline Bentonite Breakout Plan (Document Ref. 7.20)</p>
2.82	<p><b>Intertidal and coastal habitats and species</b> 2.8.231, 2.8.232 and 2.8.34</p>	<p>Where cumulative effects on intertidal habitats are predicted as a result of the cumulative impact of multiple cable routes, applicants of various schemes are encouraged to work together to ensure that the number of cables crossing the intertidal/coastal zone are minimised, and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised.</p> <p>It is expected that a more co-ordinated approach to offshore-onshore transmission will be delivered. See paragraphs 2.8.34 of this NPS.</p> <p>As identified in paragraphs 3.3.65 – 3.3.83 and Section 4.11 of EN-1, and Section 2.12 of EN-5, a more co-ordinated approach to offshore-onshore transmission is required.</p>	<p>The Applicant has assessed the potential cumulative effects arising from the potential impact of multiple cable projects, specifically with regard to future PDA3 development and the proposed White Cross OWF project.</p> <p>The ES assessment concludes that there would be no cumulative effects greater than the assessment of effects associated with the Proposed Development in isolation. All cumulative effects are determined to be not significant in EIA terms.</p>	<p>Part 6, Volume 1, Appendix 5.3: Cumulative Effects Assessment Screening Matrix (Document Ref. 6.1.5.3).</p> <p>Part 6, Volume 3, Chapter 6: Other Marine Users (Document Ref. 6.3.6)</p>
2.83	<p><b>Subtidal habitats and species</b> 2.8.233 and 2.8.234</p>	<p>Applicants should design construction, maintenance and decommissioning methods appropriately to minimise effects on subtidal habitats, taking into account other constraints.</p>	<p>The Applicant has ensured that embedded mitigation measures have been incorporated into the Proposed Development Design.</p> <p>The Applicant will make reasonable endeavours to bury offshore cables, minimising the requirement for external</p>	<p>Part 6, Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3)</p>

		<p>Mitigation measures which applicants are expected to have considered include: Surveying and micrositing of the turbines, designing array layout, or re-routing of the export and inter-array cables to avoid adverse effects on sensitive/protected habitats, biogenic reefs or protected species; Reducing as much as possible the amount of infrastructure that will cause habitat loss in sensitive/ protected habitats; Burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and The use of anti-fouling paint could be minimised on subtidal surfaces in certain environments, to encourage species' colonisation on the structures, unless this is within a soft sediment MPA and thus would allow colonisation by species that would not normally be present.</p>	<p>cable protection measures and thus minimising habitat loss impacts on benthic ecology receptors. Commitments include the intention to micro-route around identified sensitive habitats, including Annex 1 biogenic and geogenic reef.</p>	<p>Part 7, Design Approach document (Document Ref. 7.3)</p>
2.101	<p><b>Commercial fisheries and fishing</b> 2.8.250 and 2.8.251</p>	<p>Any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry, IFCAs, the MMO and the relevant Defra policy team in England and NRW and the relevant Welsh Government policy team in Wales. Mitigation should be designed to enhance, where reasonably possible, any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment.</p>	<p>The Applicant has had ongoing and detailed consultations with relevant representatives of the fishing industry (such as MMOs).</p> <p>The Project has also appointed a Fisheries Liaison Officer (FLO) who has engaged with fishing industry stakeholders.</p> <p>The Applicant has assessed and sought embedded and, where necessary, additional mitigation to minimise adverse effects and further beneficial effects on the fishing industry, commercial fish stocks and the marine environment.</p>	<p>Part 5, Consultation Report (Document Ref. 5.1)</p> <p>Part 6, Volume 3, Chapter 3: Commercial Fisheries (Document Ref. 6.3.3)</p>

2.103	<b>Marine historic environment</b> 2.8.257	To ensure a programme of archaeological works has been secured, an outline WSI, covering the entirety of the defined project area and full duration of the project, that complies with the policy in this NPS, should be submitted within the application.	The Applicant has submitted outline Written Scheme of Investigations covering both the onshore and offshore elements of the Proposed Development.	Part 6, Volume 3, Appendix 7.5: Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).  Part 7, Outline Onshore Written Scheme of Investigation (Document Ref. 7.8)
<b>Compensatory Measures</b>				
2.106	2.8.265, 2.8.266, 2.8.267 and 2.8.269	With increasing deployment of offshore wind farms and offshore transmission, environmental impacts upon SACs SPAs, and Ramsar sites and MCZs (individually and as part of a network) may not be addressed by avoidance, reduction, or mitigation alone, therefore compensatory measures (through derogation for SACs SPAs, Ramsar sites, and MCZs) may be required at a plan or project level where adverse effects on site integrity and/or on conservation objectives cannot be ruled out. For many receptors, the scale of offshore wind and offshore transmission developments, and potential in-combination effects, means compensation could be required and applicants must refer to the	Details of the HRA process followed by the Proposed Development is contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders.  The Applicant notes within the RIAA that the cable route will not pass through any protected sites other than the Bristol Channel Approaches SAC which is designated for harbour porpoise alone. Therefore, direct loss of habitat is not an impact for any designated sites with benthic habitat features.  The Applicant has assessed the cumulative residual effects within table 7.2 of the RIAA document submitted with the Application. It can be confirmed that there are only two other projects which have the potential for	Part 7, Report to Inform Appropriate Assessment (RIAA)

		<p>latest Defra compensation guidance when making their assessments.</p> <p>If, during the pre-application stage, SNCBs indicate that the proposed development is likely adversely to impact a protected site, the applicant should include with their application such information as may reasonably be required to assess potential derogations under the Habitats Regulations or the Marine and Coastal Access Act 2009.</p> <p>This information includes: assessment of alternative solutions, showing the relevant tests on alternatives have been met; a case showing that the relevant tests for IROPI or Measures of Equivalent Environmental Benefit have been met; and appropriate securable environmental compensation, which will ensure no net loss to the MPA network and help ensure that the MPA target (including any interim target) set under the Environment Act 2021 targets can be met.</p>	<p>interaction with the Proposed Development. This includes the White Cross Offshore Windfarm and Hinkley Point C.</p> <p>The Applicant has taken on board the location of the aforementioned cumulative projects and has determined that these don't negatively interact with the Proposed Development.</p> <p>Finally, should the Secretary of State conclude that the Proposed Development would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. Note, the RIAA concludes no Adverse Effects on Integrity, for all relevant sites.</p>	
2.107	2.8.272 to 2.8.275	<p>It is vital that applicants consider the need for compensation as early as possible in the design process, as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process. Applicants are encouraged to include all compensatory measures considered, with reasoning for why they have been discounted.</p> <p>Applicants should work closely at an early stage in the pre-application process with SNCBs, and Defra, in conjunction with the relevant regulators, Local Planning</p>	<p>Through early consultation, the Applicant has worked closely with SNCBs, and Defra, in conjunction with the relevant regulators to develop appropriate compensation proposals.</p> <p>In addition to the ES, protected site assessments are presented in the RIAA and in the MCZ assessment. There are no compensation requirements identified as a result of these studies.</p> <p>Should the Secretary of State conclude that the Proposed Development would result in e.g. Adverse</p>	<p>Part 5, Consultation Report (Document Ref. 5.1)</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16)</p>

		<p>Authorities, National Park Authorities, landowners and other relevant stakeholders to develop a compensation plan for all protected sites adversely affected by the development.</p> <p>Before submitting an application, applicants should seek the views of the SNCB and Defra, as to the suitability, securability and effectiveness of the compensation plan to ensure that the overall coherence of the National Site Network for the impacted SAC/SPA/MCZ feature is protected. Consultation should also take place throughout the pre-application phase with key stakeholders (e.g. via the evidence plan process and use of expert topic groups).</p> <p>In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority and Secretary of State.</p>	<p>Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. Note, the RIAA concludes no Adverse Effects on Integrity, for all relevant sites.</p>	
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**Table 3 - National Policy Statement for Electricity Networks Infrastructure (EN-5)**

Ref	Topic & Relevant NPS Section	Relevant paragraph and Policy Text	Assessment	Relevant Application Documents
<b>Technology-Specific Information</b>				
3.1	<p><b>Site selection and design</b> 2.2.2, 2.2.5, 2.2.6 and 2.2.7</p>	<p>2.2.2 Siting is determined by:</p> <ul style="list-style-type: none"> <li>• the location of new generating stations or other infrastructure requiring connection to the network, and / or</li> <li>• system capacity and resilience requirements determined by the Electricity System Operator.</li> </ul> <p>2.2.5 Additionally, applicants retain control in managing the identification of routing and site selection between the identified initiating and terminating points or within the development zone.</p> <p>2.2.6 Moreover, the locational constraints identified above do not, of course, exempt applicants from their duty to consider and balance the site-selection considerations set out below, much less the policies on good design and impact mitigation detailed in sections 2.4 to 2.9 of EN-5.</p> <p>2.2.7 The connection between the initiating and terminating points of a proposed new electricity line will often not be via the most direct route. Siting constraints, such as engineering,</p>	<p>The siting, design and refinement of the Proposed Development's offshore and onshore Elements has followed a site selection process which has taken account of environmental, physical, technical, social and commercial considerations and opportunities, as well as engineering requirements. Therefore, the Applicant is confident that they have developed a sensitive and technically viable proposal.</p> <p>A Site Selection process has been followed for the location of each element of the Proposed Development. It has been informed and adjusted by the environmental appraisal process whilst taking into consideration both the design parameters and principles as set out in the Design Principles Statement and the Design Approach Document, non-statutory and statutory consultation feedback and engagement with stakeholders and consultees.</p> <p>The Need and Alternatives Chapter provides a description of the site selection and assessment of alternatives process undertaken by the Applicant. This assessment considers the locational criteria (being environmental, social and economic, electrical and engineering constraints) which geographically influenced the area of search. Then, following the selection of the preferred locations for the Proposed Development Components, based on the application of the locational criteria and factors mentioned above, the Applicant worked to set of core design parameters and principles which are described in</p>	<p>Part 5, Consultation Report (Document Ref. 5.1)</p> <p>Part 6, Volume 1, Chapter 3 Need and Alternatives (Document Ref. 6.1.4)</p> <p>Part 7, Project Development and Considerations of Options (Document Ref. 7.2 – Annex 3)</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p>

		<p>environmental or community considerations will be important in determining a feasible route.</p>	<p>the Design Principles document. These have then influenced the optioneering and the identification of a preferred design which then underwent further technical and feasibility assessments.</p> <p>In order to make a connection offer, National Grid Electricity System Operator (NGESO) carried out an initial options appraisal assessment to identify and evaluate potential connection options within an agreed geographical range of the UK, spanning both South Wales and the South-West of England. This approach involved: identifying potential connection options, the evaluation of connection options and subsequent detailed appraisals and is called the CION.</p> <p>The NGESO considered existing substation sites with the potential to be expanded rather than zones for potential new substations along the line where available capacity could be sourced. Although a new substation could be designed and constructed, connecting to existing sites, in principle, entails in fewer constraints and are usually more economically feasible.</p> <p>NGESO investigated several potential connection options for the Proposed Development. Ultimately, the outcome of these assessments (concluded by NGESO) resulted in the Alverdiscott Substation being identified as the preferred option as it had sufficient space for the development of any required additional infrastructure within the substation site (owned by National Grid) and the development of the Proposed Development's Converter Site on land close to the substation site.</p>	
3.2	<b>Climate change adaptation and resilience</b>	As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is	The Climate Change Risk Assessment considers the mitigation measures secured as part of the Proposed Development when assessing the significance of climate-related risks to the Proposed Development. The assessment	Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1)



2.3.2	<p>located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to:</p> <ul style="list-style-type: none"> <li>• flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change;</li> <li>• the effects of wind and storms on overhead lines;</li> <li>• higher average temperatures leading to increased transmission losses;</li> <li>• earth movement or subsidence caused by flooding or drought (for underground cables); and</li> <li>• coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.</li> </ul>	<p>concludes that the potential risk to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms.</p> <p>The mitigation measures that the Assessment relies upon includes, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>- The Outline Onshore Construction Environmental Management Plan;</li> <li>- The Outline Offshore Construction Environmental Management Plan;</li> <li>- The Outline Decommissioning Strategy<sup>1</sup>;</li> <li>- The Outline Landscape and Ecology Management Plan (oLEMP); and</li> <li>- Design Principles, as captured within the Design Principles Statement.</li> </ul> <p>The Flood Risk Assessment takes into consideration the flood risk associated with the Onshore Elements and demonstrates how flood risk will be managed, taking climate change into consideration.</p> <p>The Flood Risk Assessment details conceptual drainage strategies for the Converter Stations. These strategies have been developed in accordance with NPS, NPPF, PPG ID7, the SuDS Manual and Local Council Policy guidance. For example, and with regard for the Converter Stations, surface water from the 1 in 100-year storm event plus an allowance for</p>	<p>Volume 2, Appendix 3.1: Flood Risk Assessment (Document Ref. 6.2.3.1).</p>
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<sup>1</sup> The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (document reference 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the Local Planning Authority prior to the operation of the Proposed Development.”

			climate change is to be stored within a basin, with flows to be discharged following the SuDS hierarchy.	
3.3	2.3.3	Section 4.10 of EN-1 advises that the resilience of the project to the effects of climate change must be assessed in the Environmental Statement (ES) accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Sections 5.8 in EN-1). Consideration should also be given to coastal change (see sections 5.6 in EN1).	<p>The Climate Change Risk Assessment considers the mitigation measures secured as part of the Proposed Development when assessing the significance of climate-related risks to the Proposed Development. The assessment concludes that the potential risk to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms.</p> <p>NPS EN-1 has been considered during the development of the Proposed Development, with an assessment of the EN1 contained within Table 1 of these Policy Compliance Assessment Tables and the Planning Statement.</p>	<p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1)</p> <p>Planning Statement (Document Ref: 7.2)</p>
3.4	<b>Consideration of good design for energy infrastructure</b> 2.4.1 and 2.4.2	<p>2.4.1 The Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, and in determining applications for development consent to the desirability of good design.</p> <p>2.4.2 Applicants should consider the criteria for good design set out in EN-1 Section 4.7 at an early stage when developing projects.</p>	<p>The Design Principles Statement establishes the core design principles for the Proposed Development and seeks to balance good design with the functional requirements of the infrastructure.</p> <p>The Design Approach Document primarily focuses on the Onshore Infrastructure Elements. It outlines the design development process of the Onshore Infrastructure Area, detailing its refinement through consultation and explaining how the Proposed Development would achieve good design guided by relevant policies and guidelines.</p> <p>Good design has been embedded into the Proposed Development to help protect sensitive receptors and minimise the extent of direct interaction with receptors.</p> <p>The Applicant further assessed the Proposed Development against the criteria for good design set out in EN-1 Section 4.7</p>	<p>Part 7, Planning Statement – Annex 2 (Document Ref. 7.2)</p> <p>Part 7, Design Approach Document (Document Ref: 7.3)</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4)</p>

			at the early stage of the design process. Further information on this can be found in Table 1 of this Annex 2.	
3.5	2.4.3	However, the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant's ability to influence the aesthetic appearance of that infrastructure.	<p>The Project Description Chapter of the ES captures how the Proposed Development is to be made safe and secure during the construction, operation and maintenance and decommissioning phases.</p> <p>For example, it details that the design of the Converter Stations would comply with all relevant statutory requirements including building regulations, building control requirements and fire safety in consultation with the fire authority and that the detailed design of lighting would be consulted on and approved by Torridge District Council (at the detailed design stage as per DCO Requirement 4) to ensure the safety and security of the Proposed Development.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1)</p> <p>Part 6, Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3).</p>
3.6	<b>Environmental and Biodiversity Net Gain</b> 2.5.1	<p>When planning and evaluating the proposed development's contribution to environmental and biodiversity net gain, it will be important – for both the applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.5) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to:</p> <ul style="list-style-type: none"> <li>reconnect important habitats via green corridors, biodiversity stepping zones, and re-establishment of appropriate hedgerows; and / or</li> <li>connect people to the environment, for instance via</li> </ul>	<p>There is currently no Biodiversity Net Gain (BNG) strategy, however, the Applicant is looking at opportunities both inside and outside of the Order Limits to ensure their commitment to BNG is met.</p> <p>However, the Applicant's approach to mitigation in relation to biodiversity is set out further within section 1.8 of the Onshore Ecology and Nature Conservation assessment. This includes the reinstatement of Devon Hedgerows and enhancements of habitat to increase connectivity across the landscape.</p> <p>An Outline Landscape and Ecology Management Plan (oLEMP) has been developed to both minimise and mitigate the effects of the Onshore HVDC Cable Corridor and Converter Site, as well as enhance the environment in and around these areas, where possible.</p>	<p>Part 6, Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1)</p> <p>Part 6, Volume 4, Chapter 2: Landscape, Seascape and Visual Resources (Document Ref. 6.4.2)</p> <p>Part 7, Outline Landscape and</p>

		<p>footpaths and cycleways constructed in tandem with environmental enhancements.</p>	<p>Section 2.8 of the Landscape, Seascape and Visual Resources assessment summarises the landscape proposals and are also detailed in the Design Principles Statement, including:</p> <ul style="list-style-type: none"> <li>• The onshore HVDC Cables and HVAC Cables would be completely buried underground for the entire length;</li> <li>• The Converter Site will be constructed using a cut and fill technique to reduce visibility of buildings in the landscape;</li> <li>• Land-modelling will be employed to create higher areas of land around the Converter Site where space allows;</li> <li>• Planting will be provided at the Converter Site to assist with softening and screening the buildings. These measures are set out in an oLEMP submitted as part of the DCO application. The oLEMP includes: <ul style="list-style-type: none"> <li>○ Strengthening and enhancement of existing hedgerow field boundaries within the vicinity of the Converter Site and at replacement hedgerows along the Onshore HVDC Cable Corridor.</li> <li>○ Using native and locally appropriate plant species around Converter Site and at replacement hedgerows along the Onshore HVDC Cable Corridor.</li> <li>○ Identifying areas where it may be possible to achieve advance planting; and</li> </ul> </li> <li>• Converter station building design to include the following: <ul style="list-style-type: none"> <li>○ Architectural design of converter station buildings.</li> <li>○ Use of appropriate materials/colours/finishes for the façades of the converter station buildings.</li> </ul> </li> </ul>	<p>Ecology Management Plan (Document Ref. 7.10)</p> <p>Part 7, Design Principle Statement (Document Ref. 7.4)</p>
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3.7	<b>Land Rights and Land Interests</b> 2.6	<p>In order to be lawfully able to install, inspect, maintain, repair, adjust, alter, replace or remove an electricity line (above or below ground), its related equipment (such as monopoles, pylons/transmission towers, transformers and cables), and/or its associated mitigation or enhancement schemes, applicants must:</p> <ul style="list-style-type: none"> <li>• own the land on, over, or under which the relevant activity is to take place; or</li> <li>• hold sufficient rights over or interests in that land (typically in the form of an easement); or have permission for the activity from the present owner or occupier of that land (typically in the form of a wayleave)</li> </ul>	<p>The Applicant is seeking to secure all of the land and rights required for the Proposed Development through voluntary negotiation but will utilise the powers of Compulsory Acquisition available in the DCO should that prove necessary.</p>	Part 3, Draft Development Consent Order (Document Ref. 3.1)
3.8	<b>Holistic planning</b> 2.7.2 and 2.7.4	<p>2.7.2 Accordingly, the government envisages that, wherever reasonably possible, applications for new generating stations and their related infrastructure should be contained in a single application to the Secretary of State. However, a consolidated approach of this kind may not always be possible, nor represent the most efficient strategy for delivery of new infrastructure.</p> <p>2.7.4 It may also be the case that the networks infrastructure application and the application for a related generating</p>	<p>The Proposed Development has included all elements of the scheme within the one DCO Application. This includes all associated development and further information around this can be found within the Project Description of the ES.</p> <p>However, it should be noted that the proposed Alverdiscott National Grid Substation extension is not part of the Proposed Development and, therefore, not part of the DCO application. Ownership of the proposed Aldverdiscott National Grid Substation extension is with National Grid, and the connection to the National Grid substation itself would be completed by National Grid or their appointed contractors.</p>	Part 6, Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3)

		station will of necessity come from different legal entities, or from entities subject to different commercial and regulatory frameworks.		
<b>Applicant Assessment</b>				
3.9	<b>Biodiversity and Geological Conservation</b>  2.9.6	Particular consideration should be given to feeding and hunting grounds, migration corridors and breeding grounds, where they are functionally linked to sites designated or allocated under the 'national site network' provisions of the Conservation of Habitats and Species Regulations.	<p>The below Chapters within the ES, clearly set out the assessment of effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species. The relevant Chapters are:</p> <ul style="list-style-type: none"> <li>• Onshore Ecology and Nature Conservation;</li> <li>• Hydrology and Flood Risk;</li> <li>• Geology, Hydrogeology and Ground Conditions;</li> <li>• Noise and Vibration;</li> <li>• Air Quality;</li> <li>• Benthic Ecology;</li> <li>• Fish and Shellfish Ecology;</li> <li>• Marine Mammals and Sea Turtles;</li> <li>• Physical Processes; and</li> <li>• Offshore Ornithology.</li> </ul> <p>The above chapters have clearly set out the impacts and resulting effects of the Proposed Development and, where required, the additional mitigation measures and monitoring measures to reduce the significance of effects to the lowest reasonably practicable significance of the effect.</p> <p>For example, by careful routing, the Proposed Development avoids direct impacts on statutory designated sites and minimises effects on locally designated sites. In many cases, techniques such as Horizontal Directional Drilling (HDD) make</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1)</p> <p>Part 6, Volumes 2 and 3, the Environmental Statement (Document Refs. 6.2.1 to 6.3.9).</p> <p>Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3)</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10)</p>

			<p>it possible to cross important biological or geological sites with no direct impacts.</p> <p>The Proposed Development avoids direct impacts on ancient woodland and other important habitats by combining route avoidance and measures such as HDD, which prevents direct impacts upon existing habitats. Where feasible the Proposed Development has used the Conservation Hierarchy (“Avoid, minimise, restore and offset”) as a principle for its routing, design and construction methods</p> <p>The Applicant has, as far as reasonably practicable, secured further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final LEMP (to be substantially in accordance with the Outline LEMP) secures these methodologies and management methods. The final LEMP will be secured via Requirement 6 of the DCO.</p>	
3.10	<p><b>Landscape and Visual Impact</b></p> <p>2.9.9</p>	<p>2.9.9 New substations, sealing end compounds (including terminal towers), and other above-ground installations that serve as connection, switching, and voltage transformation points on the electricity network may also give rise to adverse landscape and visual impacts.</p>	<p>The Landscape, Seascape and Visual Resources chapter of the ES provides an assessment of the landscape and visual impacts of the Proposed Development. Taking into account the proposed mitigation measures set out in section 2.8 of the ES chapter 2, the following likely significant residual effects are likely to occur with respect to the landscape and visual receptors:</p> <ul style="list-style-type: none"> <li>• Adverse effect on the characteristic landscapes, tranquillity and nocturnal darkness of the North Devon Biosphere Reserve during construction and operation of the Proposed Development, which are locally significant;</li> <li>• Adverse effect on the Bideford Bay Coast Landscape Character Area, including sunken rural lanes and high hedge banks during construction of the Proposed Development;</li> </ul>	<p>Part 6, Volume 4, Chapter 2: Landscape, Seascape and Visual Resources, (Document Ref. 6.4.2).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p>

- Adverse effect on the Torridge Valley Landscape Character Area, including hedge banks during construction of the Proposed Development;
- Adverse effect on the High Culm Ridges Landscape Character Area, including ridges and farmland during construction and operation of the Proposed Development;
- Adverse effect on the North Devon and Torridge District Landscape Character Type 5A Inland Elevated Undulating Land during construction and operation of the Proposed Development;
- Adverse effect on users of South West Coast Path, Tarka Trail and people using the beach and sea near Landfall during construction of the Proposed Development;
- Adverse effect on recreational sailors in proximity to the Landfall and Onshore HVDC Cable Corridor during construction of the Proposed Development;
- Adverse effect on cyclists and people using roads during the construction and operation of the Proposed Development;
- Adverse effect on people at work during construction and operation of the Proposed Development;
- Adverse effect on views from representative viewpoints 23, 27, 29, 32, 33 during construction of the Proposed Development; and
- Adverse effect on views from representative viewpoints 27, 29, 32 and 33 during operation of the Proposed Development.

However, through mitigation measures and the outline Landscape and Ecology Management Plan, the applicant is



			looking to reduce these residual effects as much as possible to reduce any impact on the wider landscape.	
3.11	<b>Noise and Vibration</b> 2.9.37, 2.9.38 and 2.9.39	<p>2.9.37 Audible noise effects can also arise from substation equipment such as transformers, quadrature boosters and mechanically switched capacitors.</p> <p>2.9.38 Transformers are installed at many substations and generate low frequency hum. Whether the noise can be heard outside a substation depends on a number of factors, including transformer type and the level of noise attenuation present (either engineered intentionally or provided by other structures).</p> <p>2.9.39 For the assessment of noise from substations, standard methods of assessment and interpretation using the principles of the relevant British Standards are satisfactory.</p>	<p>The ES assesses the construction, operation and maintenance, and decommissioning phases of Proposed Development using the principles in the relevant British Standard in regard to noise. Section 6.10 of the Noise and Vibration chapter of the ES, presents the assessment of effects, with details provided in the Construction Noise and Vibration assessment the Operational Noise Assessment, of the ES. The residual effect assessed within the ES assessment is based around the overall operational phase noise impacts.</p> <p>Good design has been embedded into the Proposed Development to help protect neighbouring sensitive receptors and minimise the extent of direct interaction with receptors. For example, the Proposed Development would ensure that the Onshore Converter Stations are built to achieve the functional technical and structural requirements set out within Regulation 7 of the Building Regulations (2010). However, the Applicant would ensure that the Proposed Development reduces both visual and noise impacts to ensure the positive integration of the Proposed Development into the local landscape.</p>	<p>Part 6, Volume 2, Chapter 6: Noise and Vibration (Document Ref. 6.2.6)</p> <p>Part 6, Volume 2, Appendix 6.2: Construction Noise and Vibration Assessment (Document Ref. 6.2.6.2)</p> <p>Part 6, Volume 2, Appendix 6.3: Operational Noise Assessment (Document Ref. 6.2.6.3)</p>
<b><i>Special assessment principles for offshore-onshore transmission</i></b>				
3.12	<b>Critical National Priority</b>  2.12.7	As highlighted in EN-1 government has concluded that there is a 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	<p>The Applicant recognises that the Proposed Development constitutes CNP Infrastructure and that this gives rise to a need which will, in general, outweigh any other residual impacts that are not capable of being addressed by the application of the mitigation hierarchy.</p> <p>Adverse impacts during the Proposed Development's construction, operation and maintenance and</p>	<p>Part 7, Planning Statement (Document Ref. 7.2)</p> <p>Part 6, Volumes 2, 3 and 4, the Environmental Statement</p>

		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. This includes infrastructure identified in the Holistic Network Design and subsequent strategic network design exercises, see Section 2.13 below.	decommissioning are identified and assessed across the ES, with each Chapter highlighting the embedded and, where required, additional mitigation measures (further secondary mitigation) secured to reduce the significance of likely significant adverse effects.	(Document Refs. 6.2.1 to 6.4.5).
<b>Offshore-Onshore Transmission – Applicant Assessment</b>				
3.13	<b>Consideration of strategic network design</b> 2.13.5 - .6	<p>2.13.5 In addition, it is recognised that the HND and subsequent network design exercises, may on occasion, identify a radial solution, i.e. a direct route from an offshore wind farm to shore, not proposed to coordinate with another project at the time of network design.</p> <p>2.13.6 In the case of infrastructure identified through the HND, and subsequent network design exercises applicants should identify any variations to or developments from that work and justify these in accordance with the same objectives or criteria above, i.e. economic and efficient, deliverable and operable, minimise</p>	The Policy and Legislation Chapter highlights several policies and paragraphs within the NPSs which highlight that the Proposed Development is conforming with the Government's ambitions in terms of transitioning the energy system.	Part 6, Volume 1 Chapter 2: Policy and Legislation (Document Ref. 6.1.2)

		impact on the environment and minimise the impact on the local communities, giving these four criteria equal weight.		
3.15	<b>Impacts</b> 2.13.16	For onshore infrastructure, reduced impacts could, for example, relate to fewer or co-located substations and converter stations and transmission lines as well as demonstrating how environmental and community impacts have been avoided as far as possible.	<p>With regard to the Onshore Development Area, the following design principles and engineering assumptions, for example, have been used to inform the site selection process, to avoid environmental and community effects as far as possible and as early as possible:</p> <ul style="list-style-type: none"> <li>- Safeguard Sensitive Receptors – where possible, cable route and locations for both Converter Stations, would be chosen to avoid sensitive receptors, including settlements, ecologically valuable or designated sites, and habitat areas;</li> <li>- Landscape Restoration – where plants have been significantly disturbed or removed, new planting would be designed to blend into the natural landscape wherever reasonably practicable; and</li> <li>- Ecological Enhancement – Design proposals would aim to compensate for any loss by reinstating and creating new habitats and vegetation, ensuring ecological enhancements. The goal is to achieve no net loss to biodiversity and, where reasonably practicable, promote improvement in biodiversity.</li> </ul> <p>The outline approach to embed design mitigation at the Onshore Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out in the Outline Landscape and Ecology Management Plan, which is to be secured via Requirement 6 of the DCO.</p>	<p>Part 3, Development Consent Order (Document Ref. 3.1).</p> <p>Part 6, Volume 1 Chapter 3: Project Description (Document Ref. 6.1.3)</p> <p>Part 7, Design Approach Document (Document Ref. 7.3).</p> <p>Design Principles Statement (Document Ref. 7.4)</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p>

			Details of good design and how this will be applied to the Proposed Development, and what the outcomes of this design process may look like, are set out in further detail within the Design Approach Document.	
3.16	<b>Coastal connections</b> 2.13.21	The sensitivities of many coastal locations and of the marine environment as well as the potential environmental, community and other impacts in neighbouring onshore areas must be considered in the identification onshore connection points.	<p>The selection of a location for the Landfall site was informed by the key technical requirements and parameters needed to facilitate the construction and operation of the Proposed Development. Table 3.1 of the Project Development and Consideration of Options Annex of the Planning Statement sets out the technical parameters considered during the site selection process for the Landfall site.</p> <p>In addition, a 4 stage approach was taken to further consider options for the landfall site selection. The 4-stage approach included –</p> <ul style="list-style-type: none"> <li>• Stage 1: Identification of the regional landfall location (Area of Search (AoS)) most appropriate to the grid connection offered by National Grid ESO.</li> <li>• Stage 2: Assessment of landfall options that will enable a connection from that landfall to the Converter Site. This stage involved the identification of a 'long-list' of potential options which was then narrowed-down to a short-list of potential landfall locations.</li> <li>• Stage 3: Desk top assessment of the short-listed options further to identify the preferred option to be taken forward for detailed technical and feasibility assessment.</li> <li>• Stage 4: Further desk-based technical and feasibility assessments informed by a site visit to confirm that the preferred option is appropriate and feasible for construction and operational activities.</li> </ul>	Part 7, Planning Statement – Annex 3 (Document Ref. 7.2).

**Offshore – Onshore transmission - Mitigation**

3.17	2.14.1	<p>Adverse impacts on Marine Protected Areas (MPAs) have caused consenting delays, and in some cases a need for compensatory measures under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Habitats and Species Regulations 2017, or measures of equivalent environmental benefit under the Marine and Coastal Access Act 2009. Therefore, applicants should consider and address routing and avoidance/minimisation of environmental impacts both onshore and offshore at an early stage in the development process. Applicants should also facilitate delivery of strategic compensation measures where appropriate (see paragraphs 2.8.276 -2.8.283 of EN-3).</p>	<p>Through careful route selection the Proposed Development avoids all MPAs with the exception of the Bristol Channel Approaches SAC which is unavoidable for any cables that seek to make landfall across much of the south-west.</p> <p>The RIAA has assessed potential for impact on the Bristol Channel Approaches SAC. Multiple direct consultations have been held with Natural England and JNCC to discuss the specific proposed infrastructure and the proposed activities that would take place within (and in close proximity) to the Bristol Channel Approaches SAC. The RIAA concludes no adverse effects on site integrity, and there is no HRA compensatory measures or derogation case to present. There is considered no residual unacceptable HRA impact which would prevent consent being granted.</p> <p>Elsewhere, following JNCC consultations, the specific commitment to apply a 20 m buffer around all MCZs has been developed.</p> <p>The submitted draft Development Consent Order identifies requirements that may be applied to the Proposed Development. This incorporates a draft deemed Marine Licence (ddML) that would otherwise be required under the MCAA 2009. The ddML identifies the conditions that may be applied to the Proposed Development.</p> <p>Finally, with regard for Paragraph 4.5.7 of NPS EN-1, the Applicant made first contact with the Marine Management Organisation (MMO) in October 2021 as it was expected that the MMO would need to provide consent for a Marine Licence application. The Applicant has conducted an ongoing programme of consultation and engagement with stakeholders</p>	<p>Part 5, Consultation Report (Document Ref. 5.1)</p> <p>Part 6, Volume 1, Appendix 3.1: Commitments Register of the ES (Document Ref. 6.1.3.1).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9)</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p>
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			<p>on both a statutory and non-statutory basis, with key consultation outcomes recorded in the relevant topic specific Chapters of the ES, the RIAA and the MCZ assessment.</p> <p>The Applicant has had early and ongoing engagement with local authorities, statutory consultees and the local community to ensure compliance with the statutory requirements surrounding Marine Protected Areas.</p>	
<b>Offshore – Onshore transmission – Secretary of State decision-making</b>				
2.15.1	<p>Coordinated approaches to delivering offshore and onshore transmission to minimise overall environmental, community, and other impacts, as set out above, must be considered. The Secretary of State must be satisfied that applicants have explained the steps they have taken to do this, the options that have been considered and the approach they have taken to coordination as set out in above at section 2.13. This evidence is expected to draw substantially on the work under the Offshore Transmission Network Review and relevant strategic network design exercises, together with any additional supporting evidence applicants consider relevant. The Secretary of State should also be satisfied that options for coordination have been considered and evaluated appropriately.</p>	<p>The Applicant confirms that the combined Onshore and Offshore (contained within Volume 4 of the ES) assess the potential overall environmental effects in a coordinated way and identify the approaches to mitigation and monitoring during the construction, operation and maintenance and decommissioning of the Proposed Development.</p> <p>The Design Principles Statement document sets out the design principles and parameters guiding the Proposed Development which, as noted above, is following a PDE approach.</p> <p>Good design has been embedded into the Proposed Development to help protect sensitive receptors and minimise the extent of direct interaction with receptors. For example, the Proposed Development includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>- The installation of cables in ducts under the seabed and shoreline using trenchless techniques to help avoid physical obstacles and minimise impacts to the local environment.</li> </ul>	<p>Part 6, Volume 4 Chapters of the ES (Document Ref. 6.4.1 – 6.4.5)</p> <p>Part 7, Design Principles Statement (Document Ref. 7.4)</p>	

**Table 4 - National Planning Policy Framework (NPPF) – Table of Compliance**

Ref	Topic and Relevant Section	Relevant paragraph and Policy Text	Draft NPPF Relevant paragraph and Policy Text	Assessment	Relevant Application Documents
4.1	<p><b>Introduction, Decision making:</b></p> <p>Paragraph 2</p>	<p>Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.</p>	N/A	<p>The Applicant has considered all international, national, marine, and local planning policies through the Planning Policy Compliance Assessment Tables and the Planning Statement and the legislative context that is relevant to the impact assessment of the Proposed Development.</p> <p>The Applicant notes in the Planning Statement that NPS EN-1 confirms that the Secretary of State (SoS') may consider development plan documents both important and relevant to their decision-making. This notwithstanding, NPS EN-1 confirms that the NPSs constitute the primary policy documents and would take precedence in the event of a conflict between the NPSs and other matters, given the national significance of the infrastructure.</p>	<p>Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).</p> <p>Part 7, Planning Statement (Document Ref. 7.2).</p> <p>Part 7, Policy Compliance Assessment Tables (Document Ref. 7.2, Annex 1).</p>
4.2	<p><b>Role of the NPPF in NSIP-scale applications:</b></p> <p>Paragraph 5</p>	<p>The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any</p>		<p>Notwithstanding the wording of NPPF Paragraph 5, the Applicant has undertaken a review of the NPPF and the Proposed Development's compliance with the policies contained within the NPPF, through this table (Table 4), as the Applicant considers the NPPF to be both important and relevant to the SoS decision.</p>	<p>Part 7, Planning Statement (Document Ref. 7.2).</p> <p>Part 7, Policy Compliance Assessment Tables (Document Ref. 7.2, Annex 1).</p>

		other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.			Part 7, Design Approach Document (Document Ref. 7.3).
4.3	Other Material Statements:  Paragraph 6	Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.		<p>The Applicant is cognisant of this and has duly considered those other material statements through the Policy and Legislation Chapter. This includes the 2020 Energy white paper: Powering our net zero future, for example.</p> <p>The Proposed Development is part of the British Energy Security Strategy, which is highlighted within the Powering Up Britain: Energy Security Plan, as a project the government is interested in.</p>	Volume 1, Chapter 2 Policy and Legislation (Document Ref. 6.1.2).
4.4	Sustainable development:  Paragraphs 7, 8, 9 and 10	The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their		<p>The Proposed Development would make a positive influence to the UK's decarbonisation targets by contributing approximately 3.6 Gigawatts (GW) of renewable energy.</p> <p>From a socio-economic perspective, the Proposed Development, will lead to a beneficial economic impact upon the local North Devon region. In terms of job creation, the Proposed Development would support up to 9,410 years of employment across the UK. Given an eight year construction period, employment in the Local Area is expected to peak at 70 jobs, while in Devon it is expected to peak at 190 jobs.</p>	<p>Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p>



		<p>own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.</p> <p>Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</p> <p>an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and</p>		<p>From a social perspective, the disturbance (noise, air quality, visual and traffic) to social infrastructure and population and social infrastructure impacts arising from the Proposed Development results in there is an anticipated significant noise impact of the Proposed Development during the construction, operation and maintenance or decommissioning phases<sup>1</sup> due to the Onshore HVDC Cable Corridor landward of the transition joint bay (due to HDD). The Landscape, Seascape and Visual Resources assessment considers the landscape character of the landfall point, including local designations. This assessment concludes that there would be a number of significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. The effects are locally significant but not generally over the wider area – that is, not regionally significant, as set out in Table 2.22 of Volume 4, Chapter 2 Landscape, Seascape and Visual Resource.</p> <p>From an environmental perspective, the Applicant has sought to protect and enhance the natural, built and historic environment as far as reasonably practical. The Applicant’s assessment and application of the mitigation hierarchy for the Proposed Development has widely mitigated any</p>	<p>Volume 2, Chapter 3 Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Volume 2, Chapter 4 Geology, Hydrology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p> <p>Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).</p> <p>Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p>
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<sup>1</sup> The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (document reference 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the Local Planning Authority prior to the operation of the Proposed Development.”

	<p>by identifying and coordinating the provision of infrastructure;</p> <p>a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</p> <p>an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or</p>		<p>predicted effects to a level which is no greater than moderate adverse significance, which is significant in EIA terms.</p> <p>However, Onshore Ecology and Nature Conservation identifies three impacts which, following the implementation of further mitigation measures, are to result in significant residual adverse effects during the construction phase, significant in EIA terms.</p> <p>In terms of the offshore elements of the Proposed Development, in terms of the EIA assessments concludes that there would be minor residual impacts, which is not significant in EIA terms. The exception is to Marine Archaeology and Cultural Heritage Chapter the potentially significant adverse impact from the disturbance of currently unknown features, which cannot ever be fully discounted (the nature of discovery may be impactful). Any such disturbance is considered unlikely to occur following the extensive Proposed Development surveys that have been undertaken, and the significance of any such impact would be moderated as far as possible by the OOWSI and PAD mechanisms that are in place. However, the risk is still acknowledged.</p> <p>The Climate Change chapter concludes that there will be a significant cumulative beneficial effect from the Proposed Development alongside other projects/plans during the operation and maintenance phase. The beneficial effect arises from the avoided emissions resulting from the</p>	<p>Volume 2, Chapter 5 Traffic and Transport (Document Ref. 6.2.5).</p> <p>Volume 2, Chapter 8 Land Use and Recreation (Document Ref. 6.2.8).</p> <p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).</p> <p>Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).</p>
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		<p>should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.</p> <p>So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).</p>		<p>displacement of higher emitting electricity generation sources enabled by the Proposed Development.</p> <p>Noise and Vibration confirms an anticipated significant noise impact of the Proposed Development during the construction, operation and maintenance or decommissioning phases due to the Onshore HVDC Cable Corridor landward of the transition joint bay (due to HDD).</p> <p>The Traffic and Transport assessment concludes that Overall, it is concluded that there will be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>The Landscape, Seascape and Visual Resources assessment considers the landscape character of the landfall point, including local designations. This assessment concludes that there would be a number of significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. The effects are locally significant but not generally over the wider area – that is, not regionally significant, as set out in Table 2.22 of Volume 4, Chapter 2 Landscape, Seascape and Visual Resource.</p> <p>Sustainable development has been pursued in a positive way, at the heart of the Proposed Development is a presumption in favour of sustainable development.</p>	
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4.5	<p>Presumption in Favour of Sustainable Development:</p> <p>Paragraphs 11 and 12</p>	<p>Plans and decisions should apply a presumption in favour of sustainable development.</p> <p>For decision-taking this means:</p> <p>c. approving development proposals that accord with an up-to-date development plan without delay; or</p> <p>d. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:</p> <p>i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or</p> <p>ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.</p> <p>The presumption in favour of sustainable development does</p>	<p>Plans and decisions should apply a presumption in favour of sustainable development.</p> <p>For decision-taking this means:</p> <p>c. approving development proposals that accord with an up-to-date development plan without delay; or</p> <p>d. where there are no relevant development plan policies, or the policies for the supply of land are out-of-date, granting permission unless:</p> <p>i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or</p> <p>ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when</p>	<p>The Applicant recognises that a presumption in favour of sustainable development should be applied where the Proposed Development accords with an up-to-date development plan.</p> <p>An assessment of the Proposed Development's compliance with the I North Devon and Torridge Local Plan 2011 – 2031 has been undertaken and is captured within Table 5 of this Document.</p> <p>Upon review of the adopted North Devon and Torridge Local Plan (2011-2031) in Table 5 of these Annex, the Applicant considers that the adopted Local Plan generally supports the Proposed Development. Torridge District Council and Devon County Council have up to date development plans and the Applicant has made appropriate consideration for them. This means that decision makers should seek to approve consent, without delay, for projects which reflect sustainable development, such as the Proposed Development.</p>	<p>Part 7, Policy Compliance Assessment Tables (Document Ref. 7.2, Annex 1).</p>
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		<p>not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.</p>	<p>assessed against the policies in this Framework taken as a whole, in particular for the location and design of development (as set out in chapters 9 and 12) and for securing affordable homes. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate</p>		
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			that the plan should not be followed.		
4.6	Decision-making, Pre-application and front-loading:  Paragraphs 38 to 46	Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.  Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.  Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the	Paragraphs 39 to 47	As set out in the ES Chapter on Needs and Alternatives and the Design Approach Document, stakeholder consultation and engagement has played a fundamental role in shaping the Proposed Development.  A comprehensive account of all consultation undertaken to assist in the development of the Proposed Development is included within the Consultation Report, and relevant appendices.  Stakeholder engagement with Statutory Consultees took place under the Evidence Plan Process (EPP). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provides a useful stakeholder engagement approach on key elements and outcomes of the ES process which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes.  On 29 January 2024, the Applicant submitted a Scoping Report to the Planning Inspectorate (PINS). The SoS then issued their scoping opinion for the Proposed Development on 7 March 2024.  On 16 May 2024, the Applicant published a Preliminary Environmental Information Report (PEIR) for statutory consultation, under Section 42 and Section 47 of the Planning Act 2008 ('PA	Volume 1, Chapter 4 Needs and Alternatives (Document Ref. 6.1.4).  Part 5, Consultation Report (Document Ref. 5.1).  Part 5, Consultation Report Appendices (Document Ref. 5.2).  Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).  Part 7, Design Approach Document (Document Ref. 7.3).

		<p>pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not</p>		<p>2008'), with the window for providing comments until 11 July 2024. Following the closure of the consultation, the Applicant became aware that there was some oversailing on the Abnormal Indivisible Load (AIL) transportation route from Appledore quay that had not been consulted upon in the PEIR.</p> <p>As a result, the Applicant carried out a targeted statutory consultation from 06 September 2024 to 07 October 2024. This targeted consultation involved all parties with an interest in the areas of land within the Onshore Development Area, where adjustments had been made since the Proposed Development's statutory consultation.</p> <p>Consultation feedback received has been carefully considered as the Proposed Development has developed and the documentation updated to form the final ES that accompanies the DCO application. All consultation responses can be found in the Consultation Report and supplementary appendices.</p> <p>The Applicant considers it has included appropriate, reasonable and practicable amendments and adjustments to its proposals and/or assessments resulting from the consultation process within the ES.</p> <p>The Applicant further considers where further controls are reasonably required, a suite of requirements and control methods will be</p>	
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	<p>experience unnecessary delays and costs.</p> <p>The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.</p> <p>The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.</p> <p>Local planning authorities should publish a list of their information requirements for</p>		<p>deployed through the suite of management plans proposed in Outline in support of the Application. In particular the Applicant would draw attention to its commitment for ongoing engagement and involvement in the continuing development of the design, management and implementation of the project with the local and regional stakeholders, community and affected parties.</p> <p>Regarding Habitats Regulations Assessment (HRA) the details of the process followed by the Proposed Development is contained within the Report to Inform Appropriate Assessment (RIAA) document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP.</p>	
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		<p>applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.</p> <p>Local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them.</p> <p>Applicants and local planning authorities should consider the potential for voluntary planning performance agreements, where this might achieve a faster and more effective application process. Planning performance agreements are likely to be needed for applications that are particularly large or complex to determine.</p>			
4.7	Planning Conditions and Obligations:	Local planning authorities should consider whether otherwise unacceptable development could be made	Paragraphs 56 to 59.	The Applicant does not consider that there are any matters which are required to be secured via planning obligations but it does consider a range of planning conditions are appropriate.	Part 3, Draft Development Consent Order

	<p>Paragraphs 55 to 58</p>	<p>acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.</p> <p>Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.</p> <p>Planning obligations must only be sought where they meet all of the following tests:</p> <ul style="list-style-type: none"> <li>• necessary to make the development acceptable in planning terms;</li> <li>• directly related to the development; and</li> </ul>		<p>The submitted draft Development Consent Order (DCO) includes draft requirements and Deemed Marine Licence (DML) conditions to ensure that both the Offshore and Onshore elements are constructed, operated and maintained acceptably, in accordance with appropriate mitigation and management plans that are to be secured via the draft DCO.</p>	<p>(Document Ref. 3.1).</p>
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	<ul style="list-style-type: none"><li>• fairly and reasonably related in scale and kind to the development.</li></ul> <p>Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.</p>			
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4.8	<p>Building a strong, competitive economy:</p> <p>Paragraphs 85 and 87</p>	<p>Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.</p> <p>Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales</p>	<p>Paragraph 83 and 85.</p> <p>Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.</p>	<p>The Proposed Development, if consented, is anticipated to give rise to the following socio-economic construction phase effects which are beneficial effects but not significant in EIA terms.</p> <p>Economic impact and increased employment from onshore activity in:</p> <ul style="list-style-type: none"> <li>• The Local Area leading to £33.6 million Gross Value Added (GVA) and 400 years of employment;</li> <li>• Devon leading to £86.2 million GVA and 1,050 years of employment; and</li> <li>• The UK leading to £825.2 million GVA and 11,130 years of employment.</li> </ul> <p>Economic impact and increased employment from offshore activity in:</p> <ul style="list-style-type: none"> <li>• The UK leading to £457.7 million GVA and 2,424 years of employment in the UK.</li> </ul> <p>The Proposed Development, if consented, is anticipated to give rise to the following socio-economic operational and maintenance phase impacts which are beneficial effects but not significant in EIA terms.</p> <p>Economic impact and increased employment from onshore activity in:</p> <ul style="list-style-type: none"> <li>• The Local Area leading to £0.6 million GVA and 19 jobs;</li> <li>• Devon leading to £0.7 million GVA and 24 jobs;</li> </ul>	<p>Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).</p>
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		<p>and in suitably accessible locations.</p>	<p>Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for:</p> <p>clusters or networks of knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres and grid connections); storage and distribution operations at a variety of scales and in suitably accessible locations. that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation; the expansion or modernisation of other industries of local,</p>	<ul style="list-style-type: none"> <li>• The UK leading to £1.2 million GVA and 37 jobs.</li> </ul> <p>Economic impact and increased employment from offshore activity in:</p> <ul style="list-style-type: none"> <li>• The UK leading to £12.9 million GVA and 253 jobs.</li> </ul> <p>The Proposed Development will contribute to the decarbonisation of transport by supplying renewable energy, by supplying 25 TWh of electricity in the UK, equivalent to 8% of the UK's current electricity needs.</p> <p>Therefore, as evidenced above, the Proposed Development would generate significant economic benefits which would support the growth and diversification of the local economy.</p>	
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			regional or national importance to support economic growth and resilience.		
4.9	Supporting a prosperous rural economy:  Paragraph 88	<p>Planning policies and decisions should enable:</p> <ul style="list-style-type: none"> <li>• the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;</li> <li>• the development and diversification of agricultural and other land-based rural businesses;</li> <li>• sustainable rural tourism and leisure developments which respect the character of the countryside; and</li> <li>• the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public</li> </ul>	Paragraph 86	<p>The Applicant recognises the importance of existing and established rural businesses. The Applicant's assessment concludes:</p> <ul style="list-style-type: none"> <li>• Tourism and Recreational – Construction impacts: impacts considered as minor adverse effects which is not significant in EIA terms.</li> <li>• Tourism and Recreational – Operational (and maintenance) impacts: impacts considered as minor adverse effects which is not significant in EIA terms.</li> <li>• LVIA – significant construction impacts are anticipated on:</li> <li>• People using the South West Coast Path – localised, temporary significant effects from the construction compound at the Landfall and the potential for night-time effects during 24-hour, task-related operations;</li> <li>• People using the Tarka Trail - localised, temporary significant effects from the HDD compound to the west of the River Torridge and the potential for night-time effects during 24-hour, task-related operations;</li> <li>• Walkers using the minor roads in the vicinity of Gammaton Moor and close to the Converter Site - localised temporary</li> </ul>	<p>Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).</p> <p>Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p>

		houses and places of worship.		<p>significant effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations; and</p> <ul style="list-style-type: none"> <li>• People at several of the representative viewpoints – representative viewpoints 23, 27, 31, 33, 34 and 35 - localised temporary significant effects from the construction works at the Converter Site (and related compound) and the Gammaton compound. Both have the potential for night-time effects during the winter months and during 24-hour task-related operations.</li> <li>• LVIA – significant operational Impacts are anticipated on:</li> <li>• Walkers using the minor roads close to the Converter Site - localised effect of the Converter Site, with the potential for night-time effects of the manned Converter Site, reducing over time as the mitigation planting matures; and</li> <li>• People at several of the representative viewpoints – representative viewpoints 23, 27, 31, 33, 34 and 35 - localised effect of the Converter Site, with the potential for night-time effects of the manned Converter Site, reducing over time as the mitigation planting matures.</li> </ul>	
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4.10	<p>Promoting healthy and safe communities:</p> <p>Paragraphs 96 and 97</p>	<p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:</p> <p>a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;</p> <p>b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and</p>	<p>Paragraph 94 and 95.</p> <p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:</p> <p>a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;</p>	<p>The Socio-economics and Tourism and Human Health assessments conclude that no effect of the Proposed Development is of greater than minor adverse significance, therefore, not significant in EIA terms.</p> <p>As outlined throughout the ES, and summarised in the Planning Statement, the Proposed Development will deliver significant social and economic benefits. This includes contributing to a skilled, diverse workforce that strengthens the existing local economy, lower energy prices, and increased security of energy supply.</p> <p>The Proposed Development also commits to a detailed Skills and Employment Strategy via Requirement 15 of the draft DCO but this is submitted in outline form with the DCO submission.</p> <p>The construction of the landfall would be undertaken by HDD or other trenchless technique as would the onshore cable route works to cross the River Torridge crossing under the Tarka Trail and NCR 27.</p>	<p>Part 3, Draft Development Consent Order (Document Ref: 3.1).</p> <p>Part 7, Outline Skills and Employment Strategy (Document Ref: 7.23).</p> <p>Volume 2, Chapter 8 Land Use and Recreation (Document Ref. 6.2.8).</p> <p>Volume 4, Chapter 3 Socio-economics and Tourism, of the ES (Document Ref. 6.4.3).</p> <p>Volume 4, Chapter 4 Human Health (Document Ref. 6.4.4)</p>
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		<p>c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.</p> <p>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</p> <p>b) take into account and support the delivery of local strategies to improve health,</p>	<p>b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and</p> <p>c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example</p>		
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		<p>social and cultural well-being for all sections of the community;</p> <p>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</p> <p>d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and</p> <p>ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.</p>	<p>through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.</p> <p>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of</p>		
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			<p>worship) and other local services to enhance the sustainability of communities and residential environments;</p> <p>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</p> <p>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</p> <p>d) ensure that established shops, facilities and services are</p>		
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			<p>able to develop and modernise, and are retained for the benefit of the community; and</p> <p>e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.</p>		
4.11	<p>Protecting and enhancing Public Rights of Way:</p> <p>Paragraphs 103 and 104</p>	<p>Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</p> <p>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</p> <p>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of</p>	<p>Paragraphs 101 and 102.</p>	<p>The Land Use and Recreation assessments conclude that no effect of the Proposed Development is of greater than minor adverse significance, therefore, not significant in EIA terms.</p> <p>The Land Use and Recreation Assessment provides an overview of the existing environment for the Onshore Development Area landward of MHWS, followed by an assessment of likely significant effects for the construction and operation (and maintenance) phases of the Proposed Development.</p> <p>The Land Use and Recreation Assessment assesses the Proposed Development's potential impacts on recreational resources including Public Rights of Way and promoted routes.</p>	<p>Volume 2, Chapter 8 Land Use and Recreation (Document Ref. 6.2.8)</p> <p>Part 7, Outline Public Rights of Way Management Plan (Document Ref: 7.11)</p> <p>Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3)</p>

		<p>quantity and quality in a suitable location; or</p> <p>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</p> <p>Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</p>		<p>There will be no permanent closures of any recreational routes. However, there would be some minor diversions of some routes during the construction phase, but this would be for a limited amount of time. To ensure measures are in place to manage the impacts of the Proposed Development's construction and decommissioning phases to the Public Rights of Way (ProW) network, an Outline PRow Management Plan has been submitted together with this Application. A detailed ProW Management Plan will be prepared in general accordance with the outline plan. The detailed plan has been secured via Requirement 7(e) of the draft DCO.</p> <p>The Applicant therefore considers that the Application secures measures which ensure the Proposed Development meets this policy test.</p>	
4.12	<p>Promoting sustainable transport:</p> <p>Paragraphs 108, 109, 114, 115 and 117</p>	<p>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <p>a) the potential impacts of development on transport networks can be addressed;</p> <p>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for</p>	<p>Paragraphs 106 and 107.</p> <p>Paragraphs 112, 113 and 115.</p> <p>In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:</p> <p>A vision led approach to promoting sustainable</p>	<p>The Applicant has provided a Traffic and Transport Assessment as contained within the respective ES Chapter (Volume 2, Chapter 5). This assessment concludes there is minor adverse impact, which is not significant in EIA terms.</p> <p>To secure future compliance with proposed mitigation, the Applicant has submitted an Outline Construction Traffic Management Plan (oCTMP) which is provided to support the DCO application. The production of a final Construction Traffic Management Plan is secured by Requirement 8 under Schedule 2 Requirements of the draft DCO.</p>	<p>Volume 2, Chapter 5: Traffic and Transport (Document Ref. 6.2.5).</p> <p>Volume 2, Chapter 7: Air quality (Document Ref 6.2.7)</p> <p>Part 7, Outline Construction Traffic Management Plan (Document Ref: 7.12).</p>

		<p>example in relation to the scale, location or density of development that can be accommodated;</p> <p>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</p> <p>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</p> <p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p> <p>The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through</p>	<p>transport modes is taken, taking account of the type of development and its location;</p> <p>a) safe and suitable access to the site can be achieved for all users;</p> <p>b) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>49</sup>; and</p> <p>c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway</p>	<p>The Applicant has developed an oCTMP to ensure that standards are established to manage:</p> <ul style="list-style-type: none"> <li>the numbers and routing of Heavy Goods Vehicles (HGVs) during the construction phase;</li> <li>the movement of employee traffic during the construction phase; and</li> <li>the safe passage of HGV traffic via the local highway network.</li> </ul> <p>The oCTMP will also make it a requirement, for example, that:</p> <ul style="list-style-type: none"> <li>any damage to the highway that has been demonstrably caused by construction traffic associated to the Proposed Development will be repaired;</li> <li>HGV's will be restricted from moving along the A386, through Bideford, during school drop-off and pick-up times;</li> <li>the number of HGV movements will be limited during peak hours; and</li> <li>appropriate parking facilities for construction workers are included in the temporary construction compounds.</li> </ul> <p>The Applicant has submitted a Traffic Assessment, as an appendix to the Traffic and Transport Chapter, which has been produced in accordance with current transport guidance.</p> <p>The potential air quality impacts arising from construction, and operation (and maintenance), traffic have been scoped out of the air quality</p>	<p>Part 3, Draft Development Consent Order (Document Ref: 3.1).</p>
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		<p>limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.</p> <p>In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:</p> <ul style="list-style-type: none"> <li>a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;</li> <li>b) safe and suitable access to the site can be achieved for all users;</li> <li>c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including</li> </ul>	<p>safety, can be cost effectively mitigated to an acceptable degree through a vision led approach.</p> <p>Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, in all tested scenarios.</p> <p>All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.</p>	<p>assessment , as estimated annual average daily traffic flows do not exceed relevant thresholds (refer Table 7.8 for further details).</p> <p>There are no AQMAs or Clean Air Zones situated within the air quality study area.</p>	
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		<p>the National Design Guide and the National Model Design Code; and</p> <p>d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.</p> <p>Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</p> <p>All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.</p>			
4.13	<p>Making effective use of land:</p> <p>Paragraph 123</p>	<p>Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.</p>	Paragraph 121.	<p>The land required for the construction of the Converter Station will result in major adverse effect to change in land-use during both construction and operation (and maintenance). This loss would be medium-long term at the Converter Station.</p>	<p>Part 7, Design Approach Document (Document Ref. 7.3).</p>



		<p>Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.</p>		<p>The land required for the cable route would be reinstated to agriculture following construction.</p> <p>The Design Approach Document outlines the considerations which have been used to date to ensure the Proposed Development's onshore elements respond to a variety of technical and environmental criteria.</p> <p>The Design Principles Statement outline the considerations and continued engagement with local stakeholders proposed by the Applicant as the Proposed Development continues into detailed design phase.</p> <p>The Proposed Development would lead to the permanent loss of approximately 16.8 ha of agricultural land. In addition, landscaping and earthworks could affect a further area of up to 20.6 ha and it is assessed, on a conservative basis that the quality of this land could be permanently affected.</p> <p>Resultingly, the permanent loss of agricultural land quality, through the permanent loss of agricultural land to the Proposed Development is anticipated to result in a major adverse effect which is significant in EIA terms.</p> <p>This significant adverse effect is to be weighed against the Critical National Priority which the Applicant considers weighs substantially in favour of the Proposed Development being consented. This position has been reached by the Applicant as, subject to any legal requirements, the urgent need for CNP infrastructure will in general outweigh any other residual impacts not capable of</p>	<p>Part 7, Design Principles Statement (Document Ref. 7.4).</p> <p>Volume 2, Chapter 8: Land Use and Recreation (Document Ref. 6.2.8).</p>
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				being addressed by application of the mitigation hierarchy.	
4.14	<p>Meeting the challenge of climate change, flooding and coastal change:</p> <p>Paragraph 157</p>	<p>The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</p> <p>New development should be planned for in ways that:</p> <p>avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and</p>	Paragraph 158.	<p>The Proposed Development would make a substantial contribution, both in the achievement of UK decarbonisation targets and to global commitments to mitigating climate change.</p> <p>The generation assets in Morocco combine wind, solar and battery technologies to deliver 3.6 GW of clean energy which is to feed into the National Grid's network. The Proposed Development, by virtue of facilitating the supply of clean energy to National Grid, will minimise the UK's energy vulnerability, increase resiliency, and contribute to radical reductions in greenhouse gas emissions.</p> <p>The Climate Change Chapter confirms that the cumulative Project i.e. including the renewable energy generation in Morocco represents a significant benefit to carbon emissions (savings) ranging from circa. 8.2 million tCO<sub>2</sub>e to 514.9 million tCO<sub>2</sub>e depending on which grid intensity scenario is used. The lowest figure is considered to be a conservative assessment of the benefits that will accrue from renewable energy generated in Morocco.</p> <p>The Climate Change Chapter concludes that the Net Whole Life GHG Emissions – (including Proposed Development, cumulative Project and Alverdiscott Substation Connection Development) cumulative environmental impact across the Proposed Development Construction, Operation and Decommissioning phases is anticipated to result in a magnitude of impacts of 2,252,601 to -</p>	<p>Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1)</p> <p>Volume 2, Chapter 3: Hydrology and Flood Risk (Document Ref. 6.2.3)</p> <p>Outline GHG Reduction Strategy (Document Ref. 7.18)</p>

		<p>can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.</p>		<p>504,418,811 tCO2e which is beneficial and significant in EIA terms.</p> <p>The Applicant's assessment includes a Greenhouse Gas Assessment, and a Greenhouse Gas Reduction Strategy.</p> <p>In relation to flood risk, the surface water drainage systems associated with the converter stations have been designed to accommodate the 1 in 100-year critical rainfall event with a 50% uplift for climate change, as per latest climate change guidance by the EA updated May 2022.</p> <p>The Flood Risk Assessment has been made to all sources of flood risk and includes an allowance for the impacts of climate change to peak river flow, sea level rise and peak rainfall intensities.</p> <p>Further, the Hydrology and Flood Risk Chapter concludes that no assessed impact, taking account of climate change, leads to an effect which is no more significant than minor adverse, not significant in EIA terms.</p>	
4.15	<p>Planning and Flood Risk:</p> <p>Paragraphs 165 to 168 and 173</p>	<p>Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.</p>		<p>In accordance with the NPPF guidance, a Flood Risk Assessment has been undertaken and submitted with the DCO Application.</p> <p>The large majority of the onshore elements of the Proposed Development including the Converter Stations are situated within Flood Zone 1 and at low risk of surface water flooding.</p> <p>The onshore cable does cross limited areas of land associated with Main Rivers, a statutory type of watercourse, ordinary watercourses and sea that are designated as being within Flood Zones 2</p>	<p>Volume 2, Chapter 3: Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Volume 2, Appendix 3.1: Flood Risk Assessment (document ref. 6.2.3.1).</p>

		<p>Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.</p> <p>All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:</p> <ul style="list-style-type: none"> <li>a) applying the sequential test and then, if necessary, the exception test as set out below;</li> <li>b) safeguarding land from development that is required, or likely to be required, for current or</li> </ul>		<p>and 3. In these areas, the construction method is based on trenchless crossing techniques (like Horizontal Directional Drilling HDD), which means the installed cables would be buried under the ground and watercourse beds, posing a negligible flood risk.</p> <p>Taking into account the two parts of the Exception Test, it is concluded that the first part comprising the provision of wider sustainability benefits to the community has been passed on the basis that the Projects, as NSIPs provide energy certainty utilising a sustainable and renewable source of energy at a national scale.</p> <p>With regard to the second part of the Exception Test, it is necessary to consider the Project in the context of its scale and that the majority of the Onshore Export Cable Corridor, as well as the Converter Stations, are not located within an area considered to be at risk of fluvial or tidal flooding.</p> <p>Elements that are likely to pass through areas at increased risk of flooding, i.e., Flood Zone 3, comprise of the onshore cable works which is buried underground. Following construction, it is therefore anticipated that the Proposed Development will have no adverse effects/impacts on all sources of flooding and the hydrological characteristics of the Flood Zone 3.</p> <p>Proposed mitigation measures will reduce any adverse impacts caused by the installation of the Proposed Development, meaning there will be a negligible impact to the existing hydrology and flood risk to the area and designated sites. This is further set out within the Outline Onshore</p>	
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		<p>future flood management;</p> <p>c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and</p> <p>d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.</p> <p>The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a</p>		<p>Construction Environmental Management Plan and the outline Drainage Strategy which are submitted as part of the Application.</p> <p>Therefore, it is considered that the second part of the Exception Test has been passed, as it has been demonstrated that the infrastructure can be designed such that it would be safe for its lifetime, without increasing flood risk elsewhere.</p> <p>The Flood Risk and Hydrology Assessment concludes that the potential impacts upon the Proposed Development during construction, operation (and maintenance) results in a significance of effect which is no greater than minor adverse, not significant in EIA terms.</p>	
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	<p>lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.</p> <p>When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</p> <ul style="list-style-type: none"><li>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</li><li>b) the development is appropriately flood resistant and resilient such that, in the event of</li></ul>			
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		<p>a flood, it could be quickly brought back into use without significant refurbishment;</p> <p>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</p> <p>d) any residual risk can be safely managed; and</p> <p>e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.</p>			
4.16	<p>Sustainable Urban Drainage Systems (SuDs):</p> <p>Paragraph 175</p>	<p>Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p> <p>a) take account of advice from the lead local flood authority;</p> <p>b) have appropriate proposed minimum operational standards;</p> <p>c) have maintenance arrangements in place to ensure an acceptable</p>		<p>The Flood Risk Assessment has provided conceptual drainage strategies for the Converter Stations. The conceptual drainage strategies have been developed in accordance with the adopted NPSs, NPPF, PPG 'Sustainable drainage systems' under 'Flood risk and coastal change', the SuDS Manual and Local Council policies.</p> <p>Surface water drainage requirements will be designed to meet the requirements of the NPPF, NPS EN-1, and the CIRIA SuDS Manual. Runoff from the Converter Stations will be limited and discharged in accordance with best practice.</p> <p>With regards to the Converter Stations, surface water from the 1 in 100-year storm event plus a 50% allowance for climate change is to be stored within attenuation basins, with flows to be</p>	<p>Volume 2, Chapter 3: Hydrology and Flood Risk (document ref. 6.2.3).</p> <p>Volume 2, Appendix 3.1: Flood Risk Assessment (document ref. 6.2.3.1).</p> <p>Part 7, Outline Drainage Strategy</p>

		<p>standard of operation for the lifetime of the development; and</p> <p>d) where possible, provide multifunctional benefits.</p>		<p>discharged following the SuDS hierarchy. Further detailing of the SuDS is to be completed at the detailed design stage and is secured through Requirement 4 of the draft DCO.</p> <p>Details of the proposed surface water drainage design, including the approach to the adoption of the SuDs hierarchy, during construction and operation has been set out within the Outline Operational Drainage Strategy. The production of the detailed drainage strategy in accordance with the Outline Operational Drainage Strategy is proposed to be secured through Requirement 13 of the draft DCO.</p>	<p>(document ref. 7.22).</p> <p>Part 3, Draft Development Consent Order (document ref. 3.1).</p>
4.17	<p>Coastal Change:</p> <p>Paragraphs 176 and 178</p>	<p>In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes.</p> <p>Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:</p> <p>a) it will be safe over its planned lifetime and not have an unacceptable</p>		<p>The Applicant is cognisant of the importance of the UK Marine Policy Statement (MPS) and the relevant Marine plans, being the South West Inshore and South West Offshore Marine Plan 2021. This is the only Marine Plan of relevance to the Proposed Development.</p> <p>The Applicant has undertaken a detailed review of the Proposed Development's compliance with the above-referenced Marine Plans, and this is demonstrated within tables 6 and 7 of this document. The Marine Plan and the MPS present the national, regional and local planning policy that are relevant to the impact assessment of the Proposed Development. Specific aspects of policy from the MPS and relevant Marine Plans relevant to each environmental topic are included in the appropriate chapters of the ES.</p> <p>The Landscape, Seascape and Visual Resources assessment considers the landscape character of the landfall point, including local designations. This</p>	<p>Volume 4, Chapter 2: Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p> <p>Planning Statement (Document Ref. 7.2).</p> <p>Policy Compliance Tables (Document Ref. 7.2, Annex 1).</p>



		<p>impact on coastal change;</p> <p>b) the character of the coast including designations is not compromised;</p> <p>c) the development provides wider sustainability benefits; and</p> <p>d) the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast.</p>		<p>assessment concludes that there would be a number of significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases. The effects are locally significant but not generally over the wider area – that is, not regionally significant.,as set out in Table 2.22 of Volume 4, Chapter 2 Landscape, Seascape and Visual Resource.</p> <p>The Proposed Development would make a significant contribution to the achievement of both the national renewable energy targets and to the UK's contribution to global efforts to reduce the effects of climate change.</p> <p>The Order Limits of the Proposed Development is not within a CCMA.</p>	
4.18	<p>Conserving and enhancing the natural environment: Paragraph 180</p>	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <p>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</p>		<p>Enhancement and Mitigation opportunities of landscapes have been identified where appropriate in the Applicant's assessment set out within the relevant ES chapters and will be secured through the Outline Landscape and Ecology Management Plan.</p> <p>The proposed landfall point at Cornborough Range falls under the North Devon Coast National Landscape (NL). The ES assesses the proposed effects of the Proposed Development upon the special qualities of the NL, however concludes that the temporary construction effects are minimal and the land will be returned to pasture once</p>	<p>Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Volume 2, Chapter 4: Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p>

		<p>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</p> <p>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</p> <p>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</p> <p>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land</p>		<p>construction period has been completed at this point of the Order Limits.</p> <p>In terms of maintaining the character of coastline, the proposed works here are to only occur during construction and there will be no permanent equipment seen above ground level after construction.</p> <p>Access to the existing PRowS will continue to be available for those utilizing the public access points.</p> <p>A tree survey has been undertaken in accordance with BS5837:2012. This survey has identified the most valuable trees, including any veteran trees and areas of Ancient Woodland.</p> <p>Tree Root Protection Zones (RPZ) have been mapped and the routeing of the cables and decisions of whether to use trenched or trenchless techniques will take account of the tree survey findings. Where work has to be undertaken within a RPZ of a tree that is to be retained, a method statement will be agreed with the relevant tree officer. Where a tree cannot be retained, replacement trees will be planted as close to the original location as possible.</p> <p>The ES assesses the potential impacts of the Proposed Development upon receptors which include, but are not limited to, Statutory designated sites within 10 km and locally designated sites within 2km of the Site. It also assesses the habitat features including Devon hedges, streams with wooded bank habitats, improved grassland, arable cropland, Finally it considers fauna including protected species including dormice, otters, bats,</p>	<p>Volume 4, Chapter 2: Landscape, Seascape and Visual Resources (Document Ref 6.4.2)</p> <p>Volume 4, Appendix 2.7: Tree Survey Technical Report</p> <p>Part 7, Outline Pollution Prevention Plan (document ref. 7.7 – annex 1).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (document ref. 7.7).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (document ref. 7.10).</p>
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		<p>instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</p> <p>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</p>		<p>badgers, breeding birds, wintering and migratory birds and reptiles and other notable species such as fish and aquatic invertebrates.</p> <p>The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases –</p> <ul style="list-style-type: none"> <li>- Hedgerows including Devon Hedges – Permanent loss of hedgerows as a result of construction of Converter Site (primarily Devon hedges) <b>Moderate Adverse Residual Effect</b></li> </ul> <p>The potential cumulative impacts and residual effects concluded that there will be the following additional significant cumulative effects from the Proposed Development alongside other projects/plans –</p> <ul style="list-style-type: none"> <li>- Dormice - Temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route, compounds, road widening and Converter Site <b>Minor Adverse Residual Effect</b></li> <li>- Bats - Damage to hedgerows affecting foraging/ migration flight-lines. Possible requirement for the removal of trees with bat roost features/confirmed roosts. Potential indirect disturbance to bat roosts. Creation of replacement habitats and</li> </ul>	
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				<p>reinstatement of connectivity. <b>Moderate Adverse Residual Effect.</b></p> <p>Habitat reconstruction or enhancement is proposed to be secured through the additional planting at the Converter station (soft landscaping) and in targeted areas along the Cable route. In terms of embedded mitigation within the wider Order Limits to ensure the above assessments are met, an Outline Landscape and Ecology Management Plan has been submitted. The final detailed Landscape and Ecology Management Plan (which would be required to accord with the outline landscape and Ecology Management Plan) will be secured by Requirement 6 of the draft DCO.</p> <p>The Geology, Hydrogeology and Ground Conditions ES assessment concludes that the Proposed Development is not anticipated to lead to an impact whose effect (across construction, operation and decommissioning) is greater than minor adverse, which is not significant in EIA terms.</p> <p>The significance of these effects are based on a number of embedded mitigation measures such as the use of trenchless crossing techniques like HDDs under sensitive receptors. Further, an outline Pollution Prevention Plan (PPP) (which is appended to the Outline On-CEMP and proposed to be secured via Requirement 7(c) of the draft Development Consent Order) has been submitted as a part of this Application.</p> <p>The outline PPP seeks to ensure that, during construction:</p>	
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				<ul style="list-style-type: none"> <li>• pollution to land, air and water are prevented;</li> <li>• construction activities comply with current environmental legislation; and</li> <li>• there is a provision of good practice with respect to pollution prevention, as far as reasonably practicable.</li> </ul> <p>Resultingly, and with the embedded mitigation measures outlined above, the Applicant considers the Proposed Development would comply with this policy test.</p>	
4.19	<p>Habitats and biodiversity:</p> <p>Paragraph 186</p> <p>Presumption affecting habitats sites:</p> <p>Paragraph 188</p>	<p>When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>b) development on land within or outside a Site of Special Scientific</p>		<p>The Onshore Ecology and Nature Conservation Assessment assesses the potential impact of the Proposed Development upon receptors which include wintering birds, dormice, bats and reptiles.</p> <p>The Proposed Development would have residual effects with respect to Onshore Ecology and nature conservation arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases –</p> <ul style="list-style-type: none"> <li>- Hedgerows including Devon Hedges – Permanent loss of hedgerows as a result of construction of Converter Site (primarily Devon hedges) <b>Moderate Adverse Residual Effect</b></li> </ul> <p>The potential cumulative impacts and residual effects concluded that there will be the following additional significant cumulative effects from the</p>	<p>Volume 2, Chapter 1: Onshore Ecology and Nature Conservation (Document ref. 6.2.1).</p>

		<p>Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</p> <p>c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and</p> <p>d) development whose primary objective is to conserve or enhance</p>		<p>Proposed Development alongside other projects/plans –</p> <ul style="list-style-type: none"> <li>- Dormice - Temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route, compounds, road widening and Converter Site <b>Minor Adverse Residual Effect</b></li> <li>- Bats - Damage to hedgerows affecting foraging/ migration flight-lines. Possible requirement for the removal of trees with bat roost features/confirmed roosts. Potential indirect disturbance to bat roosts. Creation of replacement habitats and reinstatement of connectivity. <b>Moderate Adverse Residual Effect.</b></li> </ul> <p>For example, one embedded mitigation measure includes ensuring the design of the Proposed Development avoids, minimises and compensates for impacts on ecology and nature conservation. The Proposed Development design has taken into account the hierarchy of mitigation actions, which includes the following:</p> <ul style="list-style-type: none"> <li>- the avoidance of Important Ecological Receptors (e.g. diversion of the Onshore HVDC Cable Corridor to avoid Littleham Wood);</li> <li>- where complete avoidance is not possible, measures have been included to minimise and mitigate impacts (e.g. reduction in</li> </ul>	
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		<p>biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.</p> <p>The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.</p>		<p>construction corridor width when crossing Devon hedgerows, use of trenchless methods to minimise impacts on habitat features such as wooded streams);</p> <ul style="list-style-type: none"> <li>- compensation for unavoidable impacts (e.g. full like-for-like replacement of hedgerows impacted by corridor); and</li> <li>- enhancement measures (e.g. enhancement of hedgerows and additional tree planting at selected locations along the Onshore Infrastructure Area).</li> </ul> <p>The above measures are secured via Requirement 4 – Detailed design approval and Requirement 6 – Implementation and Maintenance of Landscaping of the draft Development Consent Order, which secures the production of the Outline Landscape and Ecology Management Plan.</p> <p>The Applicant has, as far as reasonably practicable, secured further mitigation measures such as ensuring regular inspections are carried out by an Ecological Clerk of Works and that the final LEMP (to be substantially in accordance with the Outline LEMP) secures methodologies and management methods.</p> <p>The Applicants have submitted a Habitats Regulations Derogation Provision of Evidence document to provide evidence to support Stage 3 (Derogation) of the HRA Process.</p>	
4.20	Ground conditions:	Planning policies and decisions should ensure that:		<p>The existing ground conditions and potential sources of contamination have been identified. The baseline environment and assessment have</p>	Part 3 Development Consent Order (document ref. 3.1)

	<p>Paragraphs 189 and 190</p>	<p>a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);</p> <p>b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and</p> <p>c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.</p>		<p>been informed by a desk-top study, which reviewed potential sources of contamination associated with the current and historical land uses within the study area.</p> <p>An assessment of the potential impacts associated with the construction and operation of the Proposed Development has been undertaken.</p> <p>Considering the proposed mitigation measures discussed within the Geology, Hydrogeology and Ground Conditions ES Chapter, the assessment concludes the impacts would result in effect of either negligible or minor adverse significance.</p>	<p>Volume 2, Chapter 4: Geology, Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p>
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		Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.			
4.21	Pollution:  Paragraph 191	<p>Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</p> <ul style="list-style-type: none"> <li>a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;</li> <li>b) identify and protect tranquil areas which have remained relatively undisturbed by noise and</li> </ul>		<p>In addressing each point in turn, the Applicant’s noise assessment concludes that there is an anticipated significant noise impact of the Proposed Development during the construction, operation and maintenance or decommissioning phases due to the Onshore HVDC Cable Corridor landward of the transition joint bay (due to HDD).</p> <p>For construction activities, the Applicant has developed an Outline Pollution Prevention Plan (PPP), annex 1 of the onshore CEMP, which is secured via Requirement 7(c) of the draft DCO. The Outline PPP seeks to ensure that:</p> <ul style="list-style-type: none"> <li>• Pollution to land, air and water is prevented;</li> <li>• Construction works are undertaken in compliance with current environmental legislation; and</li> <li>• there is a provision of good practice with respect to pollution prevention, as far as reasonably practicable.</li> </ul> <p>The On-CEMP captures construction mitigation measures relating to lighting. These measures include:</p> <ul style="list-style-type: none"> <li>• minimising light spillage or pollution, where practicable; and</li> </ul>	<p>Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p> <p>Part 7, Outline Pollution Prevention Plan. (Document Ref. 7.7 – Annex 1).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

		<p>are prized for their recreational and amenity value for this reason; and</p> <p>c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>		<ul style="list-style-type: none"> <li>• minimising disturbance to adjoining residents and occupiers of buildings and to wildlife, where practicable.</li> </ul> <p>Operational lighting at the Proposed Converter Stations would be designed in accordance with the latest guidance and legislation. The details of the location, height, design, and luminance of lighting to be used will be provided as part of the detailed design subject to Requirement 4 of the draft DCO.</p> <p>The ES considers the nighttime effects on landscape and seascape character and the night time effects on views and visual amenity.</p>	
4.22	<p>Pollution, Air Quality:</p> <p>Paragraph 192</p>	<p>Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the</p>		<p>The Air Quality Assessment considers the likely significant effects of the Proposed Development upon local air quality. The Air Quality Chapter provides an overview of the existing environment for the onshore development aspects of the Proposed Development.</p> <p>The Assessment considers any relevant Local Air Quality Management Areas (AQMA). The assessment confirms that there are no AQMAs or Clean Air Zones situated within the air quality study area of the Proposed Development.</p> <p>The Air Quality assessment concludes that no impact of the Proposed Development, either in isolation or cumulatively, during construction, and operation (and maintenance) is anticipated to give rise to an effect that is of greater than negligible significance, which is not significant in EIA terms.</p> <p>This is subject to the embedded mitigation measures which are secured in the Outline Dust Management Plan which is appended to the On-</p>	<p>Volume 2, Chapter 7 Air Quality (document ref. 6.2.7).</p> <p>Part 7, Outline Dust Management Plan (document ref. 7.7 – annex 3).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (document ref. 7.7).</p>

		need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.		CEMP and proposed to be secured via Requirement 7(b) of the draft DCO.	Part 3, Draft Development Consent Order (document ref. 3.1).
4.23	Proposals affecting heritage assets:  Paragraphs 200, 205	In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.  As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an		A historic environment desk-based assessment has been prepared, including reviews of relevant historic environment record data, aerial photographic and LiDAR data, and historic map regression. In addition, the Applicant has utilised other data sources, as set out in Table 2.11 of Volume 2, Chapter 2 Historic Environment of the ES, to inform an understanding of the known and potential onshore archaeological and cultural heritage resource and the significance of the assets within the defined study area.  The Applicant has further undertaken a series of geophysical surveys and archaeological investigations as described in Appendix 7.2 and Appendix 7.3 of the ES.  The Applicant considers, in consultation with the archaeological advisor to Torridge District Council, that a programme of further archaeological investigation is required prior to the start of construction in order to further enhance and complete the local archaeological records, where reasonably practical.  This proposed programme is set out in the Outline Onshore Written Scheme of Investigation (WSI).	Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).  Volume 2, Appendix 2.1 Historic Environment Desk-Based Assessment (Document Ref. 6.2.2.1).  Volume 2, Appendix 2.2: Onshore Geophysical survey Report (Document Ref. 6.2.2.2).  Volume 2, Appendix 2.3: Preliminary Trial Trenching

		<p>appropriate desk-based assessment and, where necessary, a field evaluation.</p> <p>When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.</p>		<p>The production of a detailed Onshore WSI is secured via Requirement 11 of the draft DCO.</p> <p>The Historic Environment assessment has identified that no designated heritage assets would be directly physically impacted by the construction, operation (including maintenance) or decommissioning of the Proposed Development.</p> <p>The overall summary of the likely impacts, measures adopted as part of the Proposed Development and residual effects with respect to the historic environment is presented within Volume 2, Chapter 2 Historic Environment of the ES. The impacts assessed include:</p> <ul style="list-style-type: none"> <li>• loss of, or harm to, buried archaeological remains and deposits of geoarchaeological and palaeoenvironmental interest during construction;</li> <li>• the impact of construction and decommissioning of the Proposed Development (other than the converter stations) on designated heritage assets as a result of change within their setting;</li> <li>• the impact of construction, operation and maintenance, and decommissioning of the converter stations on designated heritage assets as a result of change within their setting;</li> <li>• the impact of construction and decommissioning of the Proposed Development on the character of the historic landscape; and</li> </ul>	<p>Report (Document ref. 6.2.2.3).</p> <p>Volume 2, Appendix 2.4 Settings Assessment (Document Ref. 6.2.2.4).</p> <p>Volume 7, Outline Onshore Written Scheme of Investigation. (Document Ref. 7.8).</p>
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				<ul style="list-style-type: none"><li>• the impact of the operation and maintenance of the converter stations on the character of the historic landscape.</li></ul> <p>Any impacts on the significance of designated heritage assets would arise from a change within the setting of the asset. Potential impacts and residual effects with respect to the historic environment could occur due to construction, operation (including maintenance) and decommissioning of the proposed development.</p> <p>The Proposed Development would have residual effects with respect to the Historic Environment arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases, as well as cumulative effects –</p> <ul style="list-style-type: none"><li>• Loss of, or Harm to, Buried Archaeological Remains and Deposits of Geoarchaeological and Palaeoenvironmental Interest during construction - this has been identified on a precautionary basis, and the likelihood of this may reduce or disappear as the programme of archaeological evaluation continues – up to <b>Major Adverse Residual Effect</b></li><li>• The impact of the converter stations and the Converter Site on an Iron Age defended settlement and Roman camp 125 m east of Higher Kingdon Barn (Scheduled Monument) as a result of change within its setting during construction, operation and maintenance</li></ul>	
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				<p>of the converter stations and associated landscaping - <b>Moderate Adverse Residual Effect</b></p> <p>Embedded measures would form part of the final design, and where an assessment identifies likely significant adverse effects, further or secondary mitigation measures may be applied. One example of secondary mitigation would be –</p> <ul style="list-style-type: none"> <li>- Operational lighting at the Converter Site would be designed in accordance with the Design Principles Statement (document reference 7.4), as well as the latest guidance and legislation. The details of the location, height, design and luminance of lighting to be used would be provided as part of the detailed design.</li> </ul> <p>The operational lighting would be designed to avoid illumination of areas beyond the operational site as far as reasonably practicable. The design would include:</p> <ul style="list-style-type: none"> <li>o directional lighting to minimise overspill into the surrounding landscape.</li> <li>o operational outdoor lighting at the Converter Site boundary normally set to motion-activated security lighting.</li> </ul> <p>This is secured via DCO Schedule 2, Requirement 4 (Detailed design approval).</p>	
4.24	Proposals affecting	Where a development proposal will lead to less than substantial		The Applicant considers the Proposed Development will lead to 'less than substantial	Volume 2, Chapter 2 Historic

	<p>heritage assets:</p> <p>Paragraph 208 – 209</p>	<p>harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.</p> <p>The effect of an application on the significance of a non - designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non - designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset</p>		<p>harm' to the significance of designated heritage assets. The Applicant considers the public benefits of the proposal, namely the substantial contribution the Proposed Development will make in:</p> <ul style="list-style-type: none"> <li>• meeting the demand for greater energy to be produced from renewable sources,</li> <li>• supporting to meeting the UK's decarbonisation targets,</li> <li>• supporting the UK's commitments to mitigating global climate change,</li> </ul> <p>Through the implementation of mitigation measures, all residual effects are assessed as less than substantial harm to the significance of all designated and non-designated heritage assets impacted by the Proposed Development.</p> <p>In recognising that the Proposed Development will result in harm of a 'less than substantial' nature, the key policy test is that such harm is weighted against the public benefits. Given the clear and urgent need to deploy renewable energy at speed and scale, the Proposed Development demonstrably gives rise to substantial public benefits, which outweigh the less than substantial harm identified.</p>	<p>Environment (document ref. 6.2.2).</p>
4.25	<p>Considering potential impacts:</p>	<p>Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate</p>		<p>Archaeological mitigation is envisaged to comprise of a combination of standard approaches. A programme of further archaeological and geoarchaeological investigation is set out in the Outline Onshore Written Scheme of Investigation</p>	<p>Volume 7, Outline Onshore Written Scheme of Investigation. (document ref. 7.8).</p>

	Paragraph 211	to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.		<p>(WSI). The production of a detailed Onshore WSI is secured via Requirement 11 of the draft DCO.</p> <p>The Outline Onshore WSI secures that a project archive is produced and consists of the records relating to the programme of archaeological work, including written records, photographs, drawings and artefacts. The archaeological contractor(s) will ensure that the archive is fully catalogued, indexed, cross-referenced and checked for consistency.</p> <p>As such, the Applicant considers that the secured measures are in compliance with these policy requirements.</p>	
4.26	<p>The sustainable use of minerals:</p> <p>Paragraphs 215 and 218</p>	<p>It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.</p> <p>Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.</p>		<p>The Applicant confirms that the Proposed Development and study area does not enter into or overlap with land that falls under a Minerals Safeguarding designation (i.e., a Minerals Safeguarding Area).</p> <p>Therefore, the Applicant considers that the Proposed Development would not constrain future use, as that use is not applicable.</p> <p>The Applicant considers the Proposed development is compliant with this policy test.</p>	<p>Volume 2, Chapter 4 Geology Hydrogeology and Ground Conditions (document ref. 6.2.4).</p>



**Table 5 - North Devon and Torridge Local Plan 2011 – 2031 (Adopted 2018)**

Ref	Topic and Relevant Section	Relevant paragraph and Policy Text	Assessment	Relevant Application Documents
5.1	<p><b>Policy ST02:</b></p> <p><b>Mitigating Climate Change</b></p>	<p>Development will be expected to make a positive contribution towards the social, economic and environmental sustainability of northern Devon and its communities while minimising its environmental footprint by:</p> <p>a) reducing greenhouse gas emissions by locating development appropriately and achieving high standards of design;</p> <p>b) conserving and enhancing the natural, built and historic environment through the prudent use of key resources including land, buildings and energy, whilst protecting and enhancing the area’s biodiversity, geodiversity, landscape, coastline, air, water, archaeology and culture;</p>	<p>The Applicant recognises that, the Proposed Development is expected to make positive contributions to social, economic and environmental sustainability nationally and within the local plan area.</p> <p>Addressing each sub-criteria in turn:</p> <p>a) The Climate Change Chapter in the ES, Volume 4, considers the impact of Greenhouse Gas (GHG) emissions arising from the following:</p> <ol style="list-style-type: none"> <li>1. land use change during the construction, operation and maintenance and decommissioning phase<sup>1</sup>;</li> <li>2. the manufacturing and installation of the Proposed Development (during construction);</li> <li>3. the consumption of materials and activities required to facilitate the operation and maintenance of the Proposed Development; and</li> <li>4. decommissioning works (e.g., plant, fuel and vessel use) and the recovery (or disposal) of materials.</li> </ol>	<p>Part 6, Volume 4, Chapter 1 Climate Change (Document Ref. 6.4.1).</p> <p>Part 6, Volume 2, Chapter 1 Onshore Ecology and Nature Conservation (Document Ref. 6.2.1).</p> <p>Part 6, Volume 2, Chapter 3 Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Part 6, Volume 2, Chapter 4 Geology, Hydrology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Part 6, Volume 2, Chapter 6 Noise and Vibration (Document Ref. 6.2.6).</p> <p>Part 6, Volume 2, Chapter 7 Air Quality (Document Ref. 6.2.7).</p>

<sup>1</sup> The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (document reference 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the Local Planning Authority prior to the operation of the Proposed Development.

		<p>c) ensuring a balanced mix of uses where development takes place in environmentally, socially and economically sustainable locations by reducing the need to travel, especially by car, and facilitating a step-change towards the use of sustainable modes of transport including walking, cycling and public transport;</p> <p>d) promoting opportunities for renewable and low-carbon energy generation whilst conserving and enhancing the natural and built environment;</p> <p>e) redeveloping previously developed land and reducing, reusing and recycling resources, including construction materials, providing for more efficient use of facilities and enhanced opportunities for recycling; and</p> <p>f) reducing pressure on water resources and increasing their reuse through</p>	<p>The assessment concludes that the effects are no more significant than minor adverse, which is not significant in EIA terms.</p> <p>The chapter also identifies a cumulative beneficial environmental effect as the Net Whole Life GHG Emissions across construction, operation and maintenance of the development would reduce carbon emissions through the deployment of additional renewable energy in the UK. This has a beneficial significant effect in EIA terms.</p> <p>Finally, in terms of the location of the Proposed Development, the Project Development and Consideration of Options document (Annex 3 of the Planning Statement) identifies how the location of the Converter Stations has been chosen. This document concluded that there were a range of factors which influenced the Site selection including environmental, electrical, engineering and social and economic factors.</p> <p>Several chapters of the ES consider the effects of the Proposed Development on the natural environment. The ES assessments listed below conclude that there were no identified effects for construction, operation and maintenance which would be of greater than minor adverse effect, which is deemed not significant in EIA terms. These assessments included:</p> <ul style="list-style-type: none"> <li>• Hydrology and Flood Risk;</li> <li>• Geology;</li> <li>• Hydrogeology and ground conditions; and</li> <li>• Air Quality</li> </ul>	<p>Part 6, Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Part 6, Volume 2, Chapter 5 Traffic and Transport (Document Ref. 6.2.5).</p> <p>Part 6, Volume 2, Chapter 8 Land Use and Recreation (Document Ref. 6.2.8).</p> <p>Part 7, Planning Statement, Annex 3, Project Development and Consideration of Options (document ref 7.2).</p> <p>Part 7, Design Approach Document (document ref 7.3).</p> <p>Part 7, Outline Operational Drainage Strategy (Document Ref. 7.22).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
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		sustainable water management	The Onshore Ecology and Nature Conservation ES Chapter identifies five impacts which, following the implementation of further mitigation measures, are to result in significant adverse effects during the construction phase, which is significant in EIA terms. These effects are however reduced over time as the landscape management plan restores the onshore cable route land to its prior use and the landscape planting matures around the convertor station. The effects include:	
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		<p>An effect of up to moderate adverse significance arising from the permanent loss of hedgerows as a result of the construction of the Converter Site</p> <p>An effect of up to moderate adverse significance arising from the Permanent loss of Devon hedgerows as a result of construction of Converter Site in combination with the minor hedgerow losses for other schemes considered</p> <p>An effect of up to moderate adverse significance arising from the temporary and permanent loss of improved grassland and arable leys as a result of construction of the HVDC cable route and Converter Site. In combination there will be additional loss of this habitat</p> <p>An effect of up to moderate adverse significance arising from the Temporary and permanent damage to dormouse habitat (hedgerows) and potential disturbance to habitats adjacent to construction works as a result of construction of HVDC cable route, compounds, road widening and Converter Site</p> <p>An effect of up to moderate adverse significance arising from the damage to hedgerows used as foraging/migration flight-lines for bats. Removal of small number of trees potentially supporting bat roosts. Potential disturbance to adjacent habitats potentially including bat roosts from construction works.</p> <p>However, the Applicant considers that the temporary impacts in construction would be reasonably reduced over time as the landscape planting matures.</p> <p>Finally, the Volume 4 chapters of the ES also assess the potential impacts of the Proposed Development upon</p>	
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			<p>both natural and historic receptors. All but the 'Landscape, Seascape and Visual Resources' assessment confirm to have minor adverse impacts during both construction and operation (and maintenance) phases.</p> <p>The location of the Converter Station has been influenced by the location of the Alverdiscott Substation. While cars are expected to be the preferred option for construction workers travelling to the Site, it is proposed within the outline Construction Traffic Management Plan (oCTMP) that staff will then be transported from car parking at the temporary construction compounds to the relevant sections of the Proposed Development via a mini-bus shuttle system. This demonstrates that the Proposed Development seeks to mitigate the use of cars to the extent possible by reducing car movements thereby addressing the Policy.</p> <p>The Proposed Development would connect renewable generation assets in Morocco through the associated offshore cable infrastructure routed through Morocco, Spain, Portugal and France to the National Grid high voltage transmission network, via cable infrastructure and converter stations within the UK jurisdiction. The Proposed Development would provide an output of up to 3.6 Gigawatts (GW) of clean energy. This demonstrates the Proposed Development's compliance against the policy, promoting the use of renewable energy moving forward.</p> <p>The Project Development and Consideration of Options document, Planning Statement Annex 3, identifies how</p>	
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			<p>the location of the Converter Station has been chosen. This document concluded that there were a range of factors which influenced the Site selection including environmental, electrical, engineering and social and economic. Further the Applicant undertook two rounds of non-statutory consultation on the development of the design and location as documented in the Design Approach Document (Document Ref 7.3).</p> <p>The site selection process considered the availability of land within a 2km radius around the Alverdiscott Substation given the connection availability, as further set out in figure 4.1 of the Project Description and Consideration of Options Document.</p> <p>The Proposed Development would consider sustainability including the use of recycled materials where appropriate including considering end of life recycling or re-use, as documented in the Design Principles Statement (Document ref 7.3). Further, the Proposed Development's end of life decommissioning is discussed in the Outline Decommissioning Strategy which would consider appropriate recycling methods as available at the time of decommissioning.</p> <p>The Hydrology and Flood Risk ES Chapter considers the Proposed Development's impacts to water resources and concludes that no construction, nor operation (and maintenance) effect is to result in a significance of effect that is greater than minor adverse, which is not significant in EIA terms.</p> <p>An Outline Operational Drainage Strategy has been submitted with the Application where the production of a</p>	
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			<p>detailed Operational Drainage Strategy is secured via Requirement 13 of the draft Development Consent Order (DCO). The strategy will ensure water is managed sustainably during the operational phase.</p>	
5.2	<p><b>Policy ST03:</b></p> <p><b>Adapting to Climate Change and Strengthening Resilience</b></p>	<p>Development should be designed and constructed to take account of the impacts of climate change and minimise the risk to and vulnerability of people, land, infrastructure and property by:</p> <ul style="list-style-type: none"> <li>a) locating and designing development to minimise flood risk through: <ul style="list-style-type: none"> <li>i) avoiding the development of land for vulnerable uses which is or will be at risk from flooding, and</li> <li>ii) managing and reducing flood risk for development where that has wider sustainability or regeneration benefits to the community, or where there is no reasonable alternative site;</li> </ul> </li> <li>b) reducing existing rates of surface water runoff within Critical Drainage Areas;</li> </ul>	<p>The Applicant has considered the policy and sets out responses below.</p> <p>(a) The Applicant's Hydrology and Flood Risk ES assessment considers the impact of the Proposed Development upon the risk of flooding in the local area, ensuring the Proposed Development has avoided developing on land that is vulnerable to flooding and steered towards areas of the lowest flood risk (for example the Converter Stations are located in lowest risk Flood Zone 1). The onshore cable route does cross Flood Zone 3 at the River Torridge, where the design accounts for installation of the cables underneath the riverbed by means of trenchless crossing techniques like HDD, and thereby minimising flood risk impacts.</p> <p>An outline Operational Drainage Strategy, submitted with the DCO, considers how the Proposed Development will minimise flood risk in the local area, and this is secured via Requirement 13 of the draft DCO.</p> <p>(b) The Proposed Development is not situated within a Critical Drainage Area; however, the design is being developed to help reduce surface water runoff at the Site itself.</p>	<p>Part 6, Volume 4, Chapter 1: Climate Change (Document Ref. 6.4.1).</p> <p>Part 6, Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p> <p>Part 6, Volume 2, Chapter 3: Hydrology and Flood Risk (Document Ref. 6.2.3).</p> <p>Part 6, Volume 4, Chapter 2: Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

		<ul style="list-style-type: none"> <li>c) upgrading flood defences and protecting key transport routes from risks of flooding;</li> <li>d) re-establishing functional flood plains in accordance with the Shoreline Management Plan, Flood Risk Management Plan and Catchment Action Plan;</li> <li>e) locating development to avoid risk from current and future coastal erosion;</li> <li>f) adopting effective water management including Sustainable Drainage Systems, water quality improvements, water efficiency measures and the use of rainwater;</li> <li>g) ensuring development is resilient to the impacts of climate change through making effective use of renewable resources, passive heating and cooling, natural light and ventilation;</li> <li>h) ensuring risks from potential climate change hazards, including pollutants (of air and land) are minimised to</li> </ul>	<ul style="list-style-type: none"> <li>(c) The Proposed Development is proposing to use only a handful of highway sections that are not subject to flooding; and passing under existing flood defences with trenchless techniques. Trenchless techniques reduce the impact of increased flood risk arising from damage to flood defences, and therefore there is no need to upgrade flood defences.</li> <li>(d) As assessed within the Flood Risk Assessment of the ES, extents of Flood Zone 3 at the Landfall are considered to be tidal in nature. Extents of Flood Zone 3 across the remainder of the study area are associated with fluvial flows from small ordinary watercourses. The Proposed Development would not result in floodplain displacement and therefore no floodplain compensation is required, thereby achieving consistency with the relevant policy.</li> <li>(e) The Converter Stations are to be situated further ashore minimising any contributions to coastal erosion. The cable route will come onshore at Cornborough Range, but the use of HDD underneath the coastal path and tidal area are embedded mitigation measures that would reduce the risk of impacts for both current and future coastal erosion. The Proposed Development would not result in floodplain displacement and therefore no floodplain compensation is required, thereby achieving consistency with the relevant policy.</li> <li>(f) An outline Operational Drainage Strategy has been submitted with the application, setting out the</li> </ul>	
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		<p>protect and promote healthy and safe environments;</p> <p>i) conserving and enhancing landscapes and networks of habitats, including cross-boundary green infrastructure links, strengthening the resilience of biodiversity to climate change by facilitating migration of wildlife between habitats and improving their connectivity;</p> <p>j) protecting and integrating green infrastructure into urban areas, improving access to natural and managed green space; and</p> <p>k) promoting the potential contribution from ecosystem services that support adaptation to climate change.</p>	<p>process of adopting sustainable drainage systems using the SuDS hierarchy as the detailed design develops. This is particularly the case for the Converter Stations, which will have attenuation basins to deliver the drainage strategy, amongst other measures. A range of SuDs are considered within the strategy and the Design Principles Statement (Document ref 7.3) for future implementation into the detailed design, the final approach is to be secured via Requirement 4 of the draft DCO.</p> <p>(g) The buildings within the Proposed Development's Converter Stations are predominately designed to deliver the technical functionality of the electrical equipment they house and protect, while being sustainable.</p> <p>(h) Climate Change is assessed within the submitted ES, alongside a Climate Change Risk Assessment. All risks associated have been considered and appropriate mitigation measures provided to ensure environments continue to be protected.</p> <p>(i) The ES assesses the Proposed Development against the local landscapes and networks of habitats to ensure they are conserved and enhanced where possible. The Onshore HVDC cable corridor and Offshore Cable Corridor crosses the North Devon Biosphere Reserve Buffer Zone but through mitigation measures, such as habitat creation in the landscape design package, and the underground</p>	
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			<p>installation of the cable the impact is expected to be minimal.</p> <p>(j) An Outline Landscape and Ecology Management Plan has been submitted that includes reference to the improvements of green infrastructure elements of the Proposed Development.</p> <p>(k) An Outline Landscape and Ecology Management Plan has been submitted that includes restoration, enhancement, the creation of hedgerows, as well as the creation of woodlands, to enhance and connect habitats. This will help support ecosystem adaptations to climate change.</p>	
5.3	<b>Policy ST16: Delivering Renewable Energy and Heat</b>	<p>1) Proposals for development incorporating on-site provision of renewable energy (other than wind energy) or renewable heat and/or low carbon technologies will be supported and encouraged where appropriate.</p> <p>2) Proposals by community-led enterprises and schemes that meet the needs of local communities to offset their energy and heat demand from renewable and low carbon sources (other than wind energy) will be</p>	<p>(1) The Proposed Development is to connect to an off-site solar and wind farm in Morocco that produces renewable energy exclusively for the UK, importing up to 3.6 Gigawatts of low carbon energy which will be transported to the National Grid via underground cabling.</p> <p>(2) The Proposed Development will provide energy into the National Grid which will benefit those within the whole of the UK. A rapid increase in the supply of low carbon electricity is needed for the wider UK to meet its legally binding climate change targets. Increasing the supply of energy from renewable sources is a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'. The location of the Proposed Development enables the Project to make sure of available grid infrastructure to help meet the wider UK's targets.</p>	<p>Part 6, Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3).</p> <p>Part 6, Volume 4, Chapter 2: Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

		<p>supported where appropriate.</p> <p>3) Renewable and low carbon energy and heat generating development (other than wind energy) will be supported in the landscape character types where:</p> <ul style="list-style-type: none"> <li>a. landscape sensitivity is best able to accommodate them, assessed in accordance with the Councils' Landscape Sensitivity Assessments and by the landscape's sensitivity to accommodate the scale of development;</li> <li>b. there is no significant impact on local amenities; and</li> <li>c. the special qualities of nationally important landscape, biodiversity and heritage designations and their settings are</li> </ul>	<p>(3) The ES assesses the effect of the Proposed Development upon the local landscape and seascape, and visual receptors. It assesses that through the utilisation of mitigation methods, such as bunding around the Converter Stations, the effect is moderate adverse, and therefore significant in EIA terms. A final LEMP and the Design Principles would be secured as a Requirement of the DCO to ensure landscape measures, amongst other matters, would integrate the Proposed Development into the existing landscape and mitigate the landscape and visual effects.</p> <p>The Landscape, Seascape and Visual Resources assessment assesses the cumulative effects of the Proposed Development. The assessment concludes that due to the temporary nature of the construction works along the HVDC Cable Corridor, any likely cumulative significant effects would be medium-term in nature. In addition, the cumulative projects are predominantly large residential developments/ allocations which will have a far greater impact on the landscape character and people's views than the construction of the Proposed Development.</p>	
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		<p>conserved or enhanced.</p> <p>4) Renewable and low carbon energy development (other than wind energy) will be supported where it can demonstrate that the cumulative impact of operational, consented and proposed development on landscape character does not become a significant or defining characteristic of the wider fabric, character and quality of the landscape.</p>		
5.4	<p><b>Policy ST09:</b></p> <p><b>Coast and Estuary Strategy</b></p>	<p>The Coastal and Estuarine Zone is identified on the Policies Map where:</p> <p>1) The sustainability of coastal communities will be maintained and enhanced with regard to their distinctive cultural heritage, diverse maritime economy, landscape setting and regeneration opportunities. The separate identity of these settlements will be maintained and enhanced.</p> <p>2) ... (Policy not applicable)</p> <p>3) ... (Policy not applicable)</p>	<p>It is noted that the Proposed Development is situated within the Coastal and Estuarine Zone. The ES assesses any potential impacts upon this zone as a result of the Proposed Development.</p> <p>It is the Onshore HVDC Cable Corridor which crosses the Coastal and Estuarine Zone, using trenchless installation techniques to underground the cable, following which the zone would be return to its prior status once construction completes. The South West Coast Path and the Tarka Trail will remain open as trenchless techniques will be used to install the cable at the landfall and to go under the River Torridge, thus avoiding both PROWs.</p> <p>The Applicant has assessed the impact of the Proposed Development upon the local coast. The ES assesses the</p>	<p>Part 6, Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3)</p> <p>Part 6, Volume 2, Appendix 3.2: Onshor Water Framework Directive Assessment (Document Ref. 6.2.3.2)</p> <p>Part 6, Volume 4, Chapter 2: Landscape, Seascape and Visual Resources (Document Ref. 6.4.2)</p>

		<p>4) ... (Policy not applicable)</p> <p>5) The integrity of the coast and estuary as an important wildlife corridor will be protected and enhanced. The importance of the undeveloped coastal, estuarine and marine environments, including the North Devon Coast Areas of Outstanding Natural Beauty, will be recognised through supporting designations, plans and policies. The undeveloped character of the Heritage Coasts will be protected.</p> <p>6) Water quality will be improved where it has been affected by human activity.</p> <p>7) Development within the Undeveloped Coast and estuary will be supported where it does not detract from the unspoilt character, appearance and tranquillity of the area, nor the undeveloped character of the Heritage Coasts, and it is required because it cannot reasonably be located outside the Undeveloped Coast and estuary.</p>	<p>hydrology and flood risk impacts that could arise as a result of the Proposed Development.</p> <p>The Onshore Water Framework Directive Assessment noted that as the proposed mitigation measures have taken into account the requirements of the River Basin Management Plan and WFD, this would ensure potential impacts on the water environment are mitigated to within acceptable levels.</p> <p>The Offshore Cable Corridor is not expected to have significant effects to the seascape as installation of the cable laying and protection vessels are only temporarily visible during construction. The Landscape, Seascape and Visual Impact Assessment (LSVIA) study area covers parts of the sea to reflect coastal receptors impacted by the Landfall works (both onshore and offshore) and the nearest parts of the Onshore HVDC Cable Corridor to the beach. Key characteristics of the seascape are set out in the North Devon and Exmoor Seascape Character Assessment and the ES considers the effects on these characteristics.</p> <p>The offshore cable will also be installed through the use of ducted HDDs undergrounding the cable and passing it underneath the beach, therefore minimising the impact on the seascape.</p>	
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5.5	<b>Policy ST23: Infrastructure</b>	<p>1) Developments will be expected to provide, or contribute towards the timely provision of physical, social and green infrastructure made necessary by the specific and/or cumulative impact of those developments.</p>	<p>The Applicant has considered the cumulative impacts of the Proposed Development in line with this policy as follows:  Physical infrastructure is the significant focus of the Proposed Development and it's impacts (both direct and cumulative) are considered throughout the ES, together</p>	<p>Part 6, Volume 1, Chapter 3: Project Description (Document Ref. 6.1.3)   Part 6, Volume 4, Chapter 3: Socio-Economics and Tourism (Document Ref. 6.4.3)</p>

		<p>2) Where on-site infrastructure provision is either not feasible or not desirable, then off-site provision or developer contributions will be sought to secure delivery of the necessary infrastructure, through methods such as planning obligations or the Community Infrastructure Levy.</p> <p>3) Developments that increase the demand for off-site services and infrastructure will only be allowed where sufficient capacity exists or where the extra capacity can be provided, if necessary through developer-funded contributions.</p>	<p>with mitigations and methods to remove, reduce or minimise such impacts.</p> <p>Social improvement would be achieved indirectly through the increase of renewable energy together with the socio-economic impacts considered in the socio-economic assessment of the ES.</p> <p>With the provision of renewable energy, the Proposed Development has a primary focus on Green Infrastructure by supporting the UK's decarbonisation targets and enhancement of the local Green Infrastructure network.</p>	
5.6	<p><b>Policy ST01:</b></p> <p><b>Principles of Sustainable Development</b></p>	<p>1) When considering development proposals the Councils will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Councils will always work proactively with applicants and local communities to find solutions which mean that proposals can be approved</p>	<p>1) The Applicant has assessed how the Proposed Development supports the need for Sustainable Development throughout the ES. The ES demonstrates that the Proposed Development would have a positive influence on UK decarbonisation targets by contributing to the UK National Grid by approximately 3.6 Gigawatts (GW) of renewable energy. The Applicant has demonstrated within Policy Compliance Table 4 of this document that the Proposed Development is in line with the Sustainable Development policies of the National Planning Policy Framework (NPPF).</p>	<p>Part 7, Project Development and Consideration of Options (Document Ref. 7.7 – Annex 2)</p>

		<p>wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>2) Planning applications that accord with the policies in this Local Plan (and where relevant with policies in Neighbourhood Plans) will be approved unless material considerations indicate otherwise.</p> <p>3) Where there are no policies relevant to an application, or relevant policies are out of date at the time of making the decision, then the Councils will grant permission unless material considerations indicate otherwise, taking into account whether:</p> <p>a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</p>	<p>From a socio-economic perspective, the Proposed Development, will lead to a beneficial economic impact upon the local North Devon region. In terms of job creation, the Proposed Development would support up to 9,410 jobs across the UK, including 400 supported in the North Devon region during both the construction and operation (and maintenance) phases.</p> <p>From a social perspective, the disturbance (noise, air quality, visual and traffic) to social infrastructure and population and social infrastructure impacts arising from the Proposed Development results in moderate adverse significance, which is significant in EIA terms.</p> <p>From an environmental perspective, the Applicant has sought to protect and enhance the natural, built and historic environment as far as reasonably practical. The use of undergrounding for the cable and the hard landscaping (bunds) and soft landscaping (planting) at the Converter Stations are both examples. The Applicant's assessment and application of the mitigation hierarchy for the Proposed Development have widely mitigated any effects to a level which is no greater than minor adverse significance, which is not significant in EIA terms.</p> <p>The Onshore Ecology and Nature Conservation assessment in ES Chapter 2, Volume 2, identifies five impacts which, following the implementation of further mitigation measures, are to result in</p>	
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		<p>b) specific policies in that Framework or guidance in the National Planning Practice Guidance indicate that development should be restricted.</p>	<p>significant residual adverse effects during the construction phase, significant in EIA terms. These impacts are however reduced over time as the landscape and ecology management plan restores the onshore cable route land to its prior use and the landscape planting matures around the convertor station.</p> <p>2) It is demonstrated that the Proposed Development accords with the Local Plan policies as set out within this table of the Policy Compliance Assessment. The Applicant confirms that the Proposed Development is also in accordance with the sustainable development policies set out within both the NPPF and NPSs.</p> <p>3) The Applicant can confirm that all relevant policy has been considered, both within the local plan, NPPF and the NPSs.</p> <p>The Applicant notes that NPS EN-1 confirms that the Secretary of State (SoS) may consider development plan documents both important and relevant to their decision-making. This notwithstanding, NPS EN-1 confirms that the NPSs constitute the primary policy documents and would take precedence in the event of a conflict between the NPSs and other matters, given the national significance of the Proposed Development.</p>	
5.7	<b>Policy ST04:</b>	Development will achieve high quality inclusive and sustainable design to support the creation of	The architectural objectives for the Converter Stations have been set out in the Design Principles Statement. The Design Approach Document outlines the	Part 7, Design Approach Document (Document Ref. 7.3).

	<p><b>Improving the Quality of Development</b></p>	<p>successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in policy DM04.</p>	<p>considerations and changes to date to ensure the design responds to the site characteristics. The design of the infrastructure is largely influenced by its functionality. The cables are buried during construction and land returned to its original use. The Converter Stations have extensive hard and soft landscaping in consideration of blending the otherwise functional electrical equipment into the landscape.</p> <p>Following the construction of the Proposed cable route, the Applicant confirms that the land is to be returned to the current use with no visible infrastructure within this area.</p> <p>A detailed design demonstrating further development in accordance with the Design Principles Statement would include further local stakeholder engagement and would be submitted post-consent. This is secured via Requirement 4 of the draft DCO.</p>	<p>Part 7, Design Principles (Document Ref. 7.4).</p> <p>Part 3, Development Consent Order (Document Ref. 3.1).</p>
5.8	<p><b>Policy ST05: Sustainable Construction and Buildings</b></p>	<ol style="list-style-type: none"> <li>1) All new major development proposals will make a positive contribution towards the creation of resilient and cohesive communities and ensure that built and environmental assets can adapt to and be resilient to climate change.</li> <li>2) Non-domestic development of at least 1,000m<sup>2</sup> will be expected to achieve a BREEAM rating of 'Very Good'.</li> </ol>	<p>The Applicant would have regard to Sustainable Construction and Buildings during Detail Design, which will be secured via Requirement 4 of the draft DCO.</p> <ol style="list-style-type: none"> <li>1) The Applicant's assessment has sought to respect the diverse character and appearance of the local area through ensuring good design is used all while being resilient to the proposed impacts of climate change and making a positive contribution to reducing impacts.</li> <li>2) The design principles for the Proposed Development, specifically the Converter Stations,</li> </ol>	<p>Part 7, Design Approach Document (Document Ref. 7.3).</p> <p>Part 7, Design Principles (Document Ref. 7.4).</p> <p>Part 3, Development Consent Order (Document Ref. 3.1).</p>

		<p>3) All new major development will be encouraged to build to a standard which minimises the consumption of resources during construction and thereafter in its occupation through:</p> <ul style="list-style-type: none"> <li>a. incorporating passive design measures to reduce overall energy demand and improve energy efficiency through the design and layout of the site;</li> <li>b. connecting to any existing or proposed decentralised energy scheme or developing a scheme individually or jointly within a specified time frame;</li> <li>c. maximising opportunities for renewable and low carbon technologies; and</li> <li>d. using locally sourced and/or recycled materials in construction where they are available and represent a viable option.</li> </ul>	<p>have been set out in the Design Principles Statement submitted with the DCO application and include sustainable design. The design of the Proposed Development is largely influenced by its functionality. The detailed design would therefore consider the use of the BREEAM sustainable standards where practicable. Development of the detailed design in accordance with the Design Principles Statement would be secured via Requirement 4 of the draft DCO.</p> <p>3) In accordance with the Design Principles Statement, the development would strive to reduce the carbon footprint of the Proposed Development, use recycled materials and locally sourced contracts where practicable and appropriate and subject to the detailed design phase. This includes installing the onshore cable route underground to avoid the need to install new pylons and overhead conductors, and routing to avoid adversely impacting existing highway drainage infrastructure and street furniture to minimise the need to replace infrastructure. Further, the Converter Stations will also be orientated within the existing topography to reduce cut and fill surplus and careful consideration of materiality will be given during the detailed design stage.</p>	
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5.9	<p><b>Policy DM01:</b></p> <p><b>Amenity Considerations</b></p>	<p>Development will be supported where:</p> <ul style="list-style-type: none"> <li>a) it would not significantly harm the amenities of any neighbouring occupiers or uses; and</li> <li>b) the intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.</li> </ul>	<p>The Applicant recognises the policy as followed:</p> <ul style="list-style-type: none"> <li>a) The Proposed Development has been assessed within the ES to ensure there is no significant harm on neighbouring receptors, and this is to be progressed through mitigation and enhancement of landscapes.</li> </ul> <p>Opportunities for mitigation and enhancement of landscapes have been identified where appropriate in the Applicant's assessment. An outline approach to embedded design mitigation at the Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out within the Outline landscape and Ecology Management Plan.</p> <p>The final detailed Landscape and Ecology Management Plan (which would be required to accord with the outline landscape and Ecology Management Plan) will be secured by Requirement 6 of the draft DCO.</p> <ul style="list-style-type: none"> <li>b) The intended occupants of the Proposed Development will be the Operational staff required to manage and maintain the Converter Stations post construction. The occupied areas of the Proposed Development currently comprise the existing Alverdiscott Substation Site, undeveloped rural (greenfield) land and part of the Foreshore Local Nature Reserve and therefore this policy consideration would not be relevant.</li> </ul>	<p>Part 7, Design Approach Document (Document Ref. 7.3).</p> <p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Development Consent Order (Document Ref. 3.1).</p>
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5.10	<p><b>Policy DM04:</b></p> <p><b>Design Principles</b></p>	<p>1) Good design seeks to guide overall scale, density, massing, height, landscape, layout, materials, access and appearance of new development. It seeks not just to manage land use but support the creation of successful places and respond to the challenges of climate change. Development proposals need to have regard to the following design principles:</p> <ul style="list-style-type: none"> <li>a. are appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood;</li> <li>b. reinforce the key characteristics and special qualities of the area in which the</li> </ul>	<p>The Applicant has considered good design principles in the development of the Proposed Development, which have be set out below:</p> <ul style="list-style-type: none"> <li>1) The Applicant has documented in the Design Approach Document the process and considerations in the iterative design and site selection process, in order to define a Proposed Development that makes the greatest contribution to renewable energy targets whilst following principles of good design. In addition, the design principles for further design development of the Proposed Development have been set out in the Design Principles Statement.. For example, one of the design principles includes "<i>Consider 'Good Design; in line with the requirements of Overarching National Policy Statement for Energy (NPS EN-1) and the National Infrastructure Commission's 'Design Principles for National Infrastructure'</i> <p>The Applicant has also ensured that the iterative design, at this stage, will interact positively with the surrounding landscaping. This will also be carried forward to the final design by ensuring there is an incorporation of ecological enhancement considerations within the adopted landscaping scheme to maximise the habitat creation on the Site. This is further set out within the Outline Landscape and Ecology Management Plan submitted with the DCO.</p> </li> </ul>	<p>Part 7, Design Approach Document (Document Ref. 7.3).</p> <p>Part 7, Design Principles (Document Ref. 7.4).</p> <p>Part 3, Development Consent Order (Document Ref. 3.1).</p>

		<p>development is proposed;</p> <ul style="list-style-type: none"><li>c. are accessible to all, flexible to adaptation and innovative;</li><li>d. contribute positively to local distinctiveness, historic environment and sense of place;</li><li>e. create inclusive environments that are legible, connected and facilitate the ease of movement and permeability through the site, allowing everyone to easily understand and find their way around;</li><li>f. retain and integrate existing landscape features and biodiversity to enhance networks and promote diversity and distinctiveness of the surrounding area;</li><li>g. provide public and private spaces that are well designed, safe, attractive and complement the built</li></ul>	<p>Overall, it is noted that the design of the infrastructure is largely influenced by its functionality and a detailed design is to be submitted post-consent and this is secured via Requirement 4 of the draft DCO.</p>	
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		<p>form, designed to minimise anti-social and criminal behaviour;</p> <ul style="list-style-type: none"><li>h. provide safe and appropriate highway access and incorporate adequate well-integrated car parking, pedestrian and cycle routes and facilities;</li><li>i. ensure the amenities of existing and future neighbouring occupiers are safeguarded;</li><li>j. incorporate appropriate infrastructure to enable connection to fast ICT networks;</li><li>k. optimise the efficient use of land, and provide well-designed adaptable street patterns and minimise functionless open spaces;</li><li>l. create and sustain an appropriate mix of uses and support local facilities and transport networks;</li></ul>		
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		<ul style="list-style-type: none"> <li>m. consider opportunities for public art; and</li> <li>n. provide effective water management including Sustainable Drainage Systems, water efficiency measures and the reuse of rainwater.</li> </ul>		
5.12	<p><b>Policy ST14:</b></p> <p><b>Enhancing Environmental Assets</b></p>	<p>The quality of northern Devon's natural environment will be protected and enhanced by ensuring that development contributes to:</p> <ul style="list-style-type: none"> <li>a) providing a net gain in northern Devon's biodiversity where possible, through positive management of an enhanced and expanded network of designated sites and green infrastructure, including retention and enhancement of critical environmental capital;</li> <li>b) protecting the hierarchy of designated sites in accordance with their status;</li> <li>c) conserving European protected species and the habitats on which they depend;</li> </ul>	<p>The Proposed Development has been assessed within the ES, to ensure that all natural and historic assets are protected through the placement of the Proposed Development and relevant mitigation methods.</p> <p>The Applicant has ensured that both environmental and historical designated sites have been protected as a result of the Proposed Development. However, in terms of biodiversity net gain the Applicant has not submitted a BNG strategy, but they are looking at opportunities both inside and outside the Order Limits to hit the target.</p> <p>However, Enhancement and Mitigation opportunities of landscapes have been identified where appropriate within the Applicant's assessment as set out within the relevant ES chapters. An overall outline approach to embed design mitigation at, which would be used to inform the detailed design of the landscape mitigation, is set out within the Outline Landscape and Ecology Management Plan.</p>	<p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Development Consent Order (Document Ref. 3.1).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan. (Document Ref. 7.7).</p>



		<p>d) conserving northern Devon's geodiversity and its best and most versatile agricultural land;</p> <p>e) conserving the setting and special character and qualities of the North Devon Coast Areas of Outstanding Natural Beauty whilst fostering the social and economic well being of the area;</p> <p>f) ensuring development conserves and enhances northern Devon's local distinctiveness including its tranquillity, and the setting and special qualities of Exmoor National Park including its dark night skies;</p> <p>g) protecting and enhancing local landscape and seascape character, taking into account the key characteristics, the historical dimension of the landscape and their sensitivity to change;</p> <p>h) recognising the importance of the undeveloped coastal, estuarine and marine environments through supporting designations, plans and policies</p>	<p>In terms of maintaining the character of coastline, once the construction works complete there will be no equipment seen above ground level. Access via the existing PRowS will continue to be available for those utilizing the public access points during construction as the installation of cable involves drilling under the Coastal Path.</p> <p>The ES assesses the potential impacts of the Proposed Development upon receptors which include, but are not limited to, Statutory designated sites within 10 km, locally designated sites within 2km of the Site, habitat features including Devon hedges, streams with wooded bank habitats, improved grassland, arable cropland, protected species including dormice, otters, bats, badgers, breeding birds, wintering and migratory birds and reptiles and other notable species such as fish and aquatic invertebrates.</p> <p>Following the consideration of mitigation measures (secured through design and mitigation measures contained within the On-CEMP), the residual effects arising from the Proposed Development are no greater than minor adverse, which is not significant in EIA terms across all impacts except the following due to some habitat loss in the construction phase:</p> <ul style="list-style-type: none"> <li>• Moderate adverse effect on dormice during construction;</li> <li>• Moderate adverse effect on bats during construction;</li> <li>• Moderate adverse effect on reptiles during construction.</li> </ul>	
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		<p>that aim to protect and enhance northern Devon's coastline;</p> <p>i) conserving and enhancing the robustness of northern Devon's ecosystems and the range of ecosystem services they provide;</p> <p>j) increasing opportunities for access, education and appreciation of all aspects of northern Devon's environment, for all sections of the community</p> <p>k) meeting the Nature Improvement Area's strategic objectives; and</p> <p>l) improving failing water bodies and preventing deterioration of water quality.</p>	<p>The Geology, Hydrogeology and Ground Conditions ES assessment concludes that the Proposed Development is not anticipated to lead to an impact whose effect (across construction, operation and decommissioning) is greater than minor adverse, which is not significant in EIA terms.</p> <p>The significance of these effects are subject to a number of embedded mitigation measures such as an outline Pollution Prevention Plan (PPP) (which is appended to the Outline On-CEMP and thus secured via Requirement 7 of the draft Development Consent Order) and the use of Horizontal Directional Drilling under sensitive receptors.</p> <p>The outline PPP seeks to ensure that, during construction:</p> <ul style="list-style-type: none"> <li>- pollution to land, air and water are prevented;</li> <li>- construction activities comply with current environmental legislation; and</li> <li>- there is a provision of good practice with respect to pollution prevention, as far as reasonably practicable.</li> </ul> <p>In terms of embedded mitigation within the wider Order Limits to ensure the above assessments are met, an Outline Landscape and Ecology Management Plan has been submitted. The final detailed Landscape and Ecology Management Plan (which would be required to accord with the outline Landscape and Ecology Management Plan) will be secured by Requirement 6 of the draft DCO.</p>	
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			Resultingly, and with the embedded mitigation measures outlined above, the Proposed Development is considered to comply with this policy test.	
5.13	<b>Policy ST15: Conserving Heritage Assets</b>	<p>Great weight will be given to the desirability of preserving and enhancing northern Devon's historic environment by:</p> <ul style="list-style-type: none"> <li>a) conserving the historic dimension of the landscape;</li> <li>b) conserving cultural, built, historic and archaeological features of national and local importance and their settings, including those that are not formally designated;</li> <li>c) identifying and protecting locally important buildings that contribute to the area's local character and identity; and</li> <li>d) increasing opportunities for access, education and appreciation of all aspects of northern Devon's historic environment, for all sections of the community.</li> </ul>	<p>The Applicant has considered Heritage assets within the Environmental Assessment and has regards to the following policy:</p> <ul style="list-style-type: none"> <li>a) Where possible, the Proposed Development has been designed with embedded mitigation to ensure the conservation and protection of the historic environment.</li> <li>b) The onshore elements have been designed to minimise land take and to avoid, where possible, impacts on known buried archaeological sites and features. They have also been designed to avoid direct physical impacts on designated heritage assets.</li> <li>c) The ES has assessed all locally designated sites within both the Order Limits and in close proximity. Overall, it is concluded that there may be significant residual effects, including cumulative effects when considered alongside other projects, arising from the loss of or harm to buried archaeological remains and deposits of interest during construction. However, this has been identified on a precautionary basis and the likelihood of this may reduce or disappear as the programme of archaeological evaluation continues. An detailed Onshore Written Scheme of Investigation (WSI) will detail the mitigation</li> </ul>	<p>Part 6, Volume 2, Chapter 2 Historic Environment. (Document Ref. 6.2.2).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan. (Document Ref. 7.7).</p> <p>Part 7, Outline Onshore Written Scheme of Investigation. (Document Ref. 7.8).</p>

			<p>requirements in advance of any construction activities taking place, as explained further below.</p> <p>d) The Applicant has proposed proportionate reporting of archaeological findings as part of it's WSI in the event of useful historical records being found during surveys proposed in future.</p> <p>An Outline Onshore WSI has been prepared and submitted with the application for development consent. A detailed oWSI will be developed in line with this as per Requirement 11 of the draft DCO. The Onshore oWSI will detail the survey and archaeological mitigation requirements in advance of and during construction.</p> <p>An Onshore Outline Written Scheme of Investigation (onshore WSI) has been prepared and submitted with the application for development consent. A final onshore WSI will be developed in line with this as per Requirement 11 of the draft DCO. The Onshore oWSI would detail the survey and archaeological mitigation requirements in advance of and during construction. As a whole, the Proposed Development adheres to the policy and will conserve the relevant historic landscape elements.</p>	
5.14	<p><b>Policy DM02:</b></p> <p><b>Environmental Protection Hazards</b></p>	<p>Hazards</p> <p>1) Development will be supported where it does not cause an unacceptable risk to public health and safety due to:</p>	<p><u>Hazards</u></p> <p>The Applicant confirms within the ES that the Proposed Development is not situated on contaminated land nor an area of coastal erosion.</p> <p>Further to this, the Proposed Development would not involve storage of hazardous substances, nor is it</p>	<p>Part 6, Volume 2 Chapter 4 Hydrogeology and Ground Conditions (Document Ref. 6.2.4).</p> <p>Part 6, Volume 2, Chapter 7: Air Quality (Document Ref. 6.2).</p>

		<p>a. coastal erosion or land instability;</p> <p>b. its siting on known or suspected contaminated land which is unsuitable for the use proposed; or</p> <p>c. the storage or use of hazardous substance;</p> <p>d. unless taking account of appropriate remedial, preventative or precautionary measures to remove, reduce or mitigate risk to an acceptable level.</p> <p>Pollution</p> <p>2) Development will be supported where it does not result in unacceptable impacts to:</p> <p>a. atmospheric pollution by gas or particulates, including smell, fumes, dust, grit, smoke and soot;</p> <p>b. pollution of surface or ground water (fresh and salt) including rivers, canals, other watercourses, water</p>	<p>situated within contaminated land as per the ES assessment on Hydrogeology and Ground Conditions.</p> <p><u>Pollution</u></p> <p>For construction activities, the Applicant has developed an Outline Pollution Prevention Plan (PPP), Appendix 1 of the outline onshore CEMP, which is secured via Requirement 7 of the draft Development Consent Order. The Outline PPP seeks to ensure that:</p> <ul style="list-style-type: none"> <li>- Pollution to land, air and water is prevented;</li> <li>- Construction works are undertaken in compliance with current environmental legislation; and</li> <li>- there is a provision of good practice with respect to pollution prevention, as far as reasonably practicable.</li> </ul> <p>The On-CEMP captures construction mitigation measures relating to lighting. These measures include:</p> <ul style="list-style-type: none"> <li>- minimising light spillage or pollution, where practicable; and</li> <li>- minimising disturbance to adjoining residents and occupiers of buildings and to wildlife, where practicable.</li> </ul> <p>Operational lighting at the Converter Stations would be designed in accordance with latest guidance and legislation. The details of the location, height, design and luminance of lighting to be used will be provided as part of the detailed design subject to Requirement 4 of the draft DCO.</p>	<p>Part 7, Outline Pollution Prevention Plan (Document Ref. 7.7 –annex 1).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p>
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		<p>bodies, wetlands, water gathering grounds including catchment areas, aquifers, groundwater protection areas, harbours, estuaries or the sea;</p> <p>c. noise or vibration; and</p> <p>d. light pollution (sky glow, light intrusion and light spillage), where light overspills on to areas not intended to be lit. Areas particularly sensitive to light pollution include tranquil areas of open countryside, in particular areas of nature conservation value and Exmoor National Park's Dark Sky Reserve.</p> <p>Air Quality Management Area</p> <p>Development and traffic proposals that help to deliver measures identified within a Local Air Quality Action Plan or improved overall air quality will be supported.</p>	<p>As per the noise and vibration assessment of the ES, there are expected to have moderate adverse significance in terms of residual effects upon the surrounding areas, as a result of operational noise from the Proposed Development. However, the Applicant will look to incorporate further design elements to reduce this impact where possible.</p> <p><u>Air Quality Management Area</u></p> <p>The Air Quality Assessment considers any relevant Local Air Quality Management Areas (AQMA). The assessment confirms that there are no AQMAs or Clean Air Zones situated within the air quality study area of the Proposed Development.</p>	
5.15	<b>Policy DM03:</b>	1) All development that will generate a significant volume of construction and operational	The Applicant has considered construction and operational waste generation in the Proposed Development and has prepared several Management	Part 3, Draft Development Consent Order (Document Ref. 3.1)

	<p><b>Construction and Environmental Management</b></p>	<p>waste will be required to demonstrate through a waste audit statement how the waste will be minimised, and residual waste will be reused or recycled on site, or segregated for reuse and recovery elsewhere in accordance with the waste hierarchy.</p> <p>2) ... (Policy not applicable)</p> <p>Development that will generate a significant volume of operational waste will be required to demonstrate that its impact on the highway network is not severe and must provide adequate site access for the type and volume of vehicles that will be using the development.</p> <p>(4) Management of waste from proposed development will be expected to accord with the Devon Waste Plan.</p>	<p>Plans as part of the application to mitigate the effects during Construction.</p> <p>1) As part of the Proposed Development, the Applicant has prepared and submitted an outline offshore and outline onshore Construction Environmental Management Plan (CEMPs) to demonstrate how waste will be minimised and managed. This is further supported by an outline Site Waste and Resource Management Plan which demonstrates how waste and the use of resources will be considered during the construction phase of the Proposed Development. The Onshore CEMP, alongside the appendices, will be secured via Requirement 9 of the draft DCO.</p> <p>The Applicant can confirm that the outline Site Waste and Resource Management plan, has been drafted in accordance with the Devon Waste Plan. Within this management plan, a number of commitments have been set out to ensure that any construction and operational waste will be minimised where possible.</p>	<p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 7, Outline Site Resource and Waste Management Plan (Document Ref. 7.7 – Appendix 2).</p>
5.16	<p><b>Policy DM07: Historic Environment</b></p>	<p>1) All proposals affecting heritage assets should be accompanied by sufficient information, in the form of a Heritage Statement, to enable the impact of the proposal on the significance of the heritage asset and its setting to be properly assessed. As part</p>	<p>Where possible, the Proposed Development has been designed with embedded mitigation to ensure the conservation and protection of the historic environment.</p> <p>1) The DCO Application includes a Heritage Assessment within the ES Chapter 2, addressing the relationship between the Proposed Development and the existing heritage assets within the surrounding area.</p>	<p>Part 6 Volume 2, Chapter 2 Historic Environment (Document Ref. 6.2.2).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p>

		<p>of such an assessment, consideration should be given, in order of preference, for avoiding any harm, providing enhancement, then minimising and mitigating any harm.</p> <p>2) Proposals which conserve and enhance heritage assets and their settings will be supported. Where there is unavoidable harm to heritage assets and their settings, proposals will only be supported where the harm is minimised as far as possible, and an acceptable balance between harm and benefit can be achieved in line with the national policy tests, giving great weight to the conservation of heritage assets.</p> <p>3) ...(Policy not applicable)</p>	<p>2) The onshore elements of the Proposed Development have been designed to minimise land take and to avoid, where possible, impacts on known buried archaeological sites and features. They have also been designed to avoid direct physical impacts on designated heritage assets. Further details can be found in ES Chapter 2.</p> <p>An Onshore Outline Written Scheme of Investigation (onshore WSI) has been prepared and submitted with the application for development consent. A final onshore WSI will be developed in line with this as per Requirement 11 of the draft DCO. The Onshore oWSI would detail the survey and archaeological mitigation requirements in advance of and during construction.</p> <p>An Outline Onshore Construction Environmental Management Plan (On-CEMP) has also been submitted with the DCO application which will include measures to reduce temporary disturbance to heritage assets during construction. The onshore CEMP will be secured through Requirement 9 of the draft DCO.</p>	<p>Part 7, Outline Onshore Written Scheme of Investigation (Document Ref. 7.8).</p> <p>Part 3, Development Consent Order (Document Ref. 3.1).</p>
5.17	<p><b>Policy DM08:</b></p> <p><b>Biodiversity and Geodiversity</b></p>	<p>1) Development should conserve, protect and, where possible, enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance. All</p>	<p>The Applicant has considered Biodiversity and Geodiversity within the Environmental Assessment and has regards to the following policy:</p> <p>1) The Proposed Development has been assessed within the ES, to ensure that all natural environmental assets are protected through the design, siting and placement of the Proposed</p>	<p>Part 7, Outline Landscape and Ecology Management Plan (Document Ref. 7.10).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>



		<p>development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and district-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance.</p> <p>European Sites</p> <p>2) The highest level of protection will be given to potential and existing Special Protection Areas, candidate and existing Special Areas of Conservation and listed or proposed Ramsar sites. Proposals having an adverse impact on the integrity of such areas that cannot be avoided or adequately mitigated to remove any adverse effect will not be permitted other than in exceptional circumstances. These circumstances will only apply where there are:</p> <p>a) no alternative solutions;</p>	<p>Development and mitigation methods. This includes embedded measures such as site selection and route refinement, minimising construction corridor widths where they intersect with hedgerows, and avoiding sensitive ecological receptors, further details of which are in Table 1.14 of ES Volume 2, Chapter 1.</p> <p>Opportunities for mitigation and enhancement of landscapes have been identified where appropriate in the Applicant's assessment. An outline approach to embedded design mitigation at, which would be used to inform the detailed design of the landscape mitigation, is set out within the Outline Landscape and Ecology Management Plan.</p> <p>2) The Proposed Development does not interact with any European Sites and therefore was scoped out of the ES Assessment as per the scoping opinion submitted to the Planning Inspectorate.</p> <p>3) The ES has assessed the impact of the Proposed Development upon the neighbouring Sites of National Significance (including SSSIs and the Marine Conservation Zone) and note that there is a minor adverse impact upon neighbouring Sites. This will be mitigated through the outline Landscape and Ecology Management Plan.</p> <p>4) The Applicant has submitted a Habitats Regulations Derogation Provision of Evidence</p>	<p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 6, Volume 2, Chapter 1: Onshore Ecology and Nature Conservation (Document Ref. 6.2.1)</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA). (Document Ref. 7.16)</p>
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		<p>b) imperative reasons of overriding public interest; and</p> <p>c) necessary compensatory provisions secured to ensure that the overall coherence of the Natura 2000 network of European sites is protected.</p> <p>3) Development will only be supported where any necessary mitigation is included such that, in combination with other plans or projects, there will be no adverse effects on the integrity of European Nature Conservation Sites.</p> <p>National Sites</p> <p>4) Development proposals within or outside a Site of Special Scientific Interest or Marine Conservation Zone which would be likely to affect the designation adversely, either individually or in combination with other developments, will not be supported unless the benefits of the development at this site clearly outweigh both the</p>	<p>document to provide evidence to support Stage 3 (Derogation) of the HRA Process.</p> <p>With respect to the impacts on ecology receptors, all effects are no more than minor except for those on dormice, bats and reptiles which will be moderate during construction.</p> <p>5) The ES assesses the potential impacts of the Proposed Development upon receptors which include, but are not limited to, Statutory designated sites within 10 km, locally designated sites within 2km of the Site, habitat features including Devon hedges, streams with wooded bank habitats, improved grassland, arable cropland, protected species including dormice, otters, bats, badgers, breeding birds, wintering and migratory birds and reptiles and other notable species such as fish and aquatic invertebrates. Following the imposition of mitigation measures (secured through design and mitigation measures contained within the On-CEMP), the residual effects arising from the Proposed Development are no greater than minor adverse, not significant in EIA terms across all impacts except the following:</p> <ul style="list-style-type: none"> <li>• Moderate adverse effect on dormice due to some habitat loss during construction;</li> <li>• Moderate adverse effect on bats during construction;</li> <li>• Moderate adverse effect on reptiles during construction</li> </ul>	
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		<p>adverse impacts on the site and any adverse impacts on the wider network of Sites of Special Scientific Interest and Marine Conservation Zones.</p> <p>Local Sites</p> <p>5) Development likely to affect adversely locally designated sites, their features or their function as part of the ecological network, including County Wildlife Sites, County Geological Sites and sites supporting Biodiversity Action Plan habitats and species, will only be permitted where the need for and benefits of the development clearly outweigh the loss, and the coherence of the local ecological network is maintained.</p> <p>Protected Species and Habitats</p> <p>6) Adverse impacts on European and UK protected species and Biodiversity Action Plan habitats and species must be avoided wherever possible, subject to:</p>	<p>6) A tree survey has been undertaken in accordance with BS5837:2012. This survey has identified the most valuable trees, including any veteran trees and areas of Ancient Woodland. Tree Root Protection Zones (RPZ) have been mapped and the routing of the cables and decisions of whether to use trenched or trenchless techniques will take account of the tree survey findings. Where work has to be undertaken within a RPZ of a tree that is to be retained a method statement will be agreed with the relevant tree officer. Where a tree cannot be retained, replacement trees will be planted as close to the original location as possible. Ancient Woodland, veteran trees and their RPZs will be avoided by the direct impacts of the Onshore HVDC Cable Corridor and the Converter Site.</p> <p>7) The Applicant has submitted an Outline Landscape and Ecology Management Plan which demonstrates the proposed mitigation and enhancement aspects of the development to ensure that ecological assets are protected. The final detailed Landscape and Ecology Management Plan (which would be required to accord with the outline landscape and Ecology Management Plan) will be secured by Requirement 6 of the draft DCO.</p>	
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	<p>iii) the legal tests afforded to them where applicable; or otherwise unless</p> <p>iv) the need for and benefits clearly outweigh the loss.</p> <p>Ancient Woodland and Veteran Trees</p> <p>7) Development must avoid the loss or deterioration of ancient woodland and veteran trees, unless the need for, or benefits of development on that site clearly outweigh the loss.</p> <p>Avoidance, Mitigation and Compensation for Biodiversity and Geodiversity Impacts</p> <p>8) Development should avoid adverse impact on existing features as a first principle and enable net gains by designing in biodiversity features and enhancements and opportunities for geological conservation alongside new development. Where adverse impacts are unavoidable they must be adequately and proportionately mitigated, If full mitigation cannot</p>		
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		be provided, compensation will be required as a last resort.		
5.18	<b>Policy DM08A:</b>  <b>Landscape and Seascape Character</b>	<p>1) Development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and undesignated landscapes and seascapes; it should avoid adverse landscape and seascape impacts and seek to enhance the landscape and seascape assets wherever possible. Development must take into account and respect the sensitivity and capacity of the landscape/seascape asset, considering cumulative impact and the objective to maintain dark skies and tranquility in areas that are relatively undisturbed, using guidance from the Joint Landscape and Seascape Character Assessments for North Devon and Torridge.</p> <p>Development within or affecting the setting of the North Devon Coast</p>	<p>The Applicant has considered the Landscape, and Seascape Character within the Environmental Assessment and has regards to the following policy:</p> <ol style="list-style-type: none"> <li>1) The ES has assessed the indicative design of the Proposed Development against the local landscape. It concludes that the indicative parameters of the Converter Site is dictated by the function and a further detailed design will be finalised post-consent and secured via Requirement 4 of the draft DCO. The ES landscape, seascape and visual resource assessment, concludes that there will be significant residual landscape and visual effects and significant landscape cumulative effects during construction, however these will be localised and temporary. The significant residual and cumulative effects during operation and maintenance would reduce overtime as planting matures, with some effects reducing to not significant. Furthermore, it is considered that the benefits of the Proposed Development to supply approximately 8% of the UK's annual electricity needs with low carbon electricity outweigh any harm.</li> <li>2) The Onshore HVDC Cable Corridor crosses the North Devon Coast National Landscape (NL) (formerly AONB) using trenched and trenchless techniques. However, once the construction of the cable corridor is completed, the land will be returned to pre-construction condition and will</li> </ol>	<p>Part 6, Volume 4, Chapter 3 - Landscape, Seascape and Visual Resources (Document Ref. 6.4.3).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

	<p>AONB or affecting the setting of Exmoor National Park</p> <p>2) Great weight will be given to conserving the landscape and scenic beauty of designated landscapes and their settings. Proposals affecting the North Devon Coast Area of Outstanding Natural Beauty (AONB) or Exmoor National Park or their settings should have regard to their statutory purposes including to ensure that their landscape character and natural beauty are conserved and enhanced. Development should be appropriately located to address the sensitivity and capacity of these designated areas and will not be permitted where it would conflict with the achievement of their statutory purposes.</p> <p>3) Proposals within or affecting the setting of the AONB should be informed by, and assist in the delivery of, the North Devon Coast Area of Outstanding Natural Beauty Management</p>	<p>remain this way during the operation (and maintenance) phase.</p> <p>However, it should be noted that the Converter Site is not visible from the North Devon Coast NL and Exmoor National Park to affect their settings. Therefore, the assessment concludes that the Proposed Development will not conflict with or compromise the statutory purposes of the national landscape designations.</p> <p>3) As detailed above, the Proposed Development would not have significant adverse effects on the North Devon Coast NL and therefore would not conflict with the relevant AONB Management Plan. Furthermore, the Proposed Development is a Nationally Significant which is therefore in the public interest, supplying low carbon electricity to the UK's national grid and making positive contributions to social, economic and environmental sustainability both nationally and in the local area.</p>	
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		<p>Plan. Major development within the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.</p> <p>Heritage Coast</p> <p>Development within the Heritage Coast should maintain the character and distinctive landscape qualities of the area.</p>		
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**Table 6 - UK Marine Policy Statement (2011)**

Ref	Topic and Relevant Section	Relevant paragraph and Policy Text	Assessment	Relevant Application Documents
6.1	<p><b>Economic, social and environmental considerations:</b></p> <p>Paragraph 2.5.3</p>	<p>Marine based activities can provide opportunities for employment in long established industries such as fishing, marine transport, port related storage and processing, oil and gas production and new and developing industries such as the renewable energy sector and associated offshore electricity transmission. This employment provides wide and long-term benefits for both national and local economies.</p>	<p>The Applicant is cognisant of the opportunities marine-based activities (and development) can provide in terms of employment. The ES confirms that the construction economic effect of the Proposed Development's offshore elements is approximately £457.7 million, with this magnitude of effect on employment being (negligible beneficial) through the contribution of 2,050 jobs.</p> <p>Equally, marine-based activities (and development) caused by the Proposed Development can also lead to adverse effects being experienced by other industries and users.</p> <p>With regard for other existing marine-based activities, the Proposed Development's construction, operation and maintenance and decommissioning phase assesses the effects upon Commercial Fisheries, Shipping and Navigation and Other Marine Users receptors. It is concluded that the Proposed Development's construction, operation and maintenance and decommissioning 1phase do not give rise to effects on these receptors (a minority of which</p>	<p>Part 6, Volume 4, Chapter 3, Socio-economics and Tourism. (Document Ref. 6.4.3).</p> <p>Part 6, Volume 3, Chapter 3 Commercial Fisheries. (Document Ref. 6.3.3).</p> <p>Part 6, Volume 3, Chapter 5 Shipping and Navigation. (Document Ref. 6.3.5).</p> <p>Part 6, Volume 3, Chapter 6 Other Marine Users. Sections 6.10 to 6.12 and 6.16. (Document Ref. 6.3.6).</p>

<sup>1</sup> The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (document reference 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the Local Planning Authority prior to the operation of the Proposed Development.



			<p>are residual non-significant effects, post-additional mitigation measures) that are greater than minor adverse, not significant in EIA terms.</p> <p>The Proposed Development will provide opportunities for employment and does not give rise to any significant adverse effects in relation to existing activities, therefore, the Proposed Development is supported by this paragraph.</p>	
6.2	<p><b>Climate change adaptation and mitigation:</b></p> <p>Paragraph 2.6.7.8</p>	<p>Marine plan authorities should take account of the findings of the latest UK Climate Change Risk Assessment, relevant national adaptation programmes and the latest set of UK Climate Projections, as well as any other relevant research. Marine plan authorities should also consider the opportunities to increase the resilience of the marine environment to adapt to the impacts of climate change including by:</p> <p>Building in sufficient flexibility to take account of climate change impacts, for example by introducing appropriate criteria for selection or de-selection of protected marine areas, seeking the advice of statutory advisors, changing or moving current uses/spatial allocations, or safeguarding areas for future uses;</p> <p>Encouraging development/projects to take account of the impacts of climate change over their estimated lifetime, in particular taking account of risks such as increased land and sea temperatures and sea level rise and possible increase in risk from extreme events such as flooding and coastal erosion;</p>	<p>Whilst this paragraph is applicable for the consideration of marine plan authorities, the Applicant confirms that the Proposed Development has taken account of the effects of climate change. With the Applicant noting within the ES assessment that they have taken into account the findings of the latest UK Climate Change Risk Assessment, relevant national adaptation programmes and the latest set of UK Climate Projections, as well as any other relevant research.</p> <p>The topic assessments contained within ES Volume 3 consider, where relevant, the effects of climate change upon both the existing baseline and future baseline conditions across the marine environment and the extent to which these climatic changes may affect the conclusions (i.e., significance of effect upon receptors) of the assessments.</p> <p>The Climate Change assessment considers the effects of climate change upon the offshore elements of the Proposed Development. This</p>	<p>Part 6, Volume 3, All Chapters (1 to 9) (document refs. 6.3.1 to 6.3.9).</p> <p>Part 6, Volume 4, Chapter 1: Climate Change. (Document Ref. 6.4.1).</p>

		<p>Being in a position to take advantage of the opportunities that climate change may bring to certain marine areas, for example, increase in leisure activities and the aquaculture of acceptable and commercially desirable species;</p> <p>Considering the opportunities for synergies with, and recognising the benefits of, climate change mitigation actions in the marine environment which may include, but are not limited to, offshore renewable energy, carbon capture and storage and certain types of shipping.</p>	<p>specifically is around the baseline environment (both existing and future) which acknowledges there are a range of climatic changes that may affect the Proposed Development.</p> <p>Within the Climate Change chapter, the Applicant has considered opportunities to increase resilience, alongside building in flexibility to ensure that the Proposed Development is prepared for any future adverse effects of climate change.</p>	
6.3	<p><b>Energy production and infrastructure development:</b></p> <p>Paragraph 3.3.1</p>	<p>A secure, sustainable and affordable supply of energy is of central importance to the economic and social well being of the UK. The marine environment will make an increasingly major contribution to the provision of the UK's energy supply and distribution. This contribution includes the oil and gas sectors which supply the major part of our current energy needs, and a growing contribution from renewable energy and from other forms of low carbon energy supply in response to the challenges of tackling climate change and energy security. Contributing to securing the UK's energy objectives, while protecting the environment, will be a priority for marine planning.</p>	<p>The marine environment is integral to the delivery of the Proposed Development, as it facilitates the delivery of the Offshore Cable Corridor. The Proposed Development would connect the renewable generation assets in Morocco and associated cable infrastructure (routed through Morocco, Spain, Portugal and France) to the National Grid's high voltage transmission network, via cable infrastructure and converter stations within the UK jurisdiction. The Proposed Development would enable the delivery of an output of up to 3.6 Gigawatts (GW) of clean, sustainable, secure and affordable supply of energy.</p> <p>The Applicant's offshore assessments, as contained within Volumes 3 and Volume 4 of the ES, consider the effects of the Proposed</p>	<p>Part 6, Volume 1, Chapter 3 Project Description. (Document Ref. 6.1.3).</p> <p>Part 6, Volume 3, All Chapters (1 to 9). (Document Refs. 6.3.1 to 6.3.9).</p> <p>Part 6, Volume 4, All Chapters (1 to 5). (Document Refs. 6.4.1 to 6.4.5).</p>

			<p>Development's construction, operation and maintenance and decommissioning on receptors across the marine environment. These assessments conclude that, for most of the assessed effects, the Proposed Development will give rise to effects that are no greater than minor adverse, not significant in EIA terms. In a small number of cases, additional mitigation measures such as the inclusion of waste management protocols are required to lessen the significance of effects, to be reduced to non-significant residual effects.</p> <p>In one instance, an effect upon marine archaeology (being direct construction effect through seabed disturbance during route preparation, penetration, compression, and disturbance activities, laying of cables, the anchoring of jack-up barges and other construction vessels, and laying of rock protection over cable crossings) is to result in a residual moderate adverse effect, significant in EIA terms. However, a Protocol for Archaeological Discoveries (PAD) has been integrated into the Offshore Outline Written Scheme of Investigation (OOWSI) to monitor this and mitigate any potential effect. The OOWSI is secured via the DML.</p> <p>Therefore, the Proposed Development will facilitate a significant import of renewable energy in a way which has considered and minimises effects upon the marine environment at every opportunity. As noted within the submitted</p>	
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			Statement of Need, the benefit outweighs the potential harm of the Proposed Development.	
6.4	<p><b>Issues for consideration for all energy infrastructure:</b></p> <p>Paragraph 3.3.4</p>	<p>When decision makers are examining and determining applications for energy infrastructure and marine plan authorities are developing Marine Plans they should take into account:</p> <ul style="list-style-type: none"> <li>• The national level of need for energy infrastructure, as set out in the Overarching National Policy Statement for Energy (EN-1) which applies in England and Wales, the National Planning Framework which applies in Scotland and the Strategic Energy Framework in Northern Ireland;</li> <li>• The positive wider environmental, societal and economic benefits of low carbon electricity generation and carbon capture and storage as key technologies for reducing carbon dioxide emissions</li> </ul>	<p>The Secretary of State directed, under Section 35(1) of the Planning Act 2008, that the Proposed Development be treated as development for which development consent under the Planning Act 2008 is required. Therefore, under NPS EN-1 Paragraph 4.2.5, the Proposed Development is considered a Critical National Priority and so (under Paragraph 4.2.6 of NPS EN-1) substantial weight should be given to the Proposed Development's need and forms the starting point for assessment.</p> <p>The Applicant has considered the design and placement of the Offshore cables to ensure there is a reduced effect upon surrounding projects but also the marine environment, such as the Crown Estate's Project Development Area 3 (Offshore Wind Leasing Round 5). This has been done through moving the proposed placement of the cable from the original plan and in particular extending the offshore cable corridor width from 500 m to 1500 m around the aforementioned Crown Estate PDA3.</p> <p>Notwithstanding the established critical need for the Proposed Development, the Applicant has demonstrated, through assessment, that the mitigation hierarchy has been applied in line with policy requirements and that the moderate residual effect arising from the direct effect of the</p>	<p>Part 6, Volume 1, Chapter 3 Project Description. (Document Ref. 6.1.3).</p> <p>Part 6, Volume 1, Chapter 5 Environmental Impact Assessment Methodology. (Document Ref. 6.1.5).</p> <p>Part 6, Volume 4, Chapter 3: Socio-economics and Tourism. (Document Ref. 6.4.3).</p>

			<p>Proposed Development during construction through seabed disturbance during route preparation on the marine archaeology cannot be reduced in significance any further.</p> <p>In balance, those identified significant effects are to be weighed against the substantial need for the Proposed Development and the other employment benefits which have been identified in the Socio-Economics assessment.</p>	
6.5	<p><b>Offshore Electricity Networks:</b></p> <p>Paragraph 3.3.28</p>	<p>Electricity interconnections between parts of the UK and other European countries to allow for import and export of electricity will also become increasingly important to ensure that the UK continues to have a secure and stable network, particularly as the penetration of renewables rises and develops capacity to allow export of energy from parts of the UK to Europe.</p>	<p>This Paragraph recognises the growing importance of interconnectors and projects such as the Proposed Development that connects renewable energy sources directly to the UK.</p> <p>The Proposed Development would connect the renewable generation assets in Morocco and associated cable infrastructure to the National Grid. The Proposed Development would enable the delivery of an output of up to 3.6 Gigawatts (GW) of clean, sustainable, secure and affordable supply of energy.</p> <p>The Applicant recognises this Paragraph's in principle sentiment towards the Proposed Development.</p>	<p>Part 6, Volume 1, Chapter 3 Project Description. (Document Ref. 6.1.3).</p>
6.6	<p><b>Renewable energy, Potential impacts:</b></p> <p>Paragraph 3.3.24</p>	<p>Renewable energy developments can potentially have adverse impacts on marine fish and mammals, primarily through construction noise and may displace fishing activity and have direct or indirect impacts on other users of the sea, including mariners. Certain bird species may be displaced by</p>	<p>The Benthic Ecology, Fish and Shellfish, Commercial Fisheries, Marine Mammals &amp; Turtles, Shipping and Navigation, Other Marine Users and Offshore Ornithology Chapters of the ES have assessed the construction, operation and maintenance and decommissioning effects of the Proposed Development on marine fish and</p>	<p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p>

		<p>offshore wind turbines, which also have the potential to form barriers to migration or present a collision risk for birds. Their foundation designs are likely to have an effect on hydrodynamics and consequent sediment movement. This includes potential scouring of sediments around the bases of turbines. These and other potential adverse impacts, together with potential mitigation measures, are considered in the National Policy Statement for Renewable Energy Infrastructure (EN-3).</p>	<p>mammals, fishing activity and other users of the sea.</p> <p>These assessments conclude that no effect, except for two, of the Proposed Development is to result in a significance of effect (post-embedded mitigation) that is greater than minor adverse, not significant in EIA terms.</p> <p>The Commercial Fisheries Chapter identifies the two effects pre-mitigation (being “Displacement leading to gear conflict and increased fishing pressure on adjacent grounds” and “Reduction in access to, or exclusion from established fishing grounds”) which result in moderate adverse construction and decommissioning effects upon the UK Potting Fleet. With the application of further mitigation measures, in the form of application of further mitigation in line with Fishing Liaison with Offshore Wind and Wet Renewables Group Guidance, these significant adverse effects are reduced to minor adverse, not significant in EIA terms.</p> <p>The Physical Processes Chapter considers the effects of secondary (localised) scour during the Proposed Development’s construction, operation and maintenance and decommissioning phases to receptors and concludes that no effect will be greater than minor adverse, not significant in EIA terms.</p>	<p>Part 6, Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Part 6, Volume 3, Chapter 3 Commercial Fisheries, (Document Ref. 6.3.3).</p> <p>Part 6, Volume 3, Chapter 4 Marine Mammals, (Document Ref. 6.3.4).</p> <p>Part 6, Volume 3, Chapter 5 Shipping and Navigation, (Document Ref. 6.3.5).</p> <p>Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p> <p>Part 6, Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p> <p>Part 6, Volume 3, Chapter 8 Physical</p>
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				Processes (Document Ref. 6.3.9).
6.7	<p><b>Renewable energy, Potential impacts:</b></p> <p>Paragraph 3.3.23</p>	<p>Renewable energy offers the potential for significant broad-scale environmental benefits through mitigating greenhouse gas emissions from energy production. In addition, there are a number of potentially significant socio-economic benefits from the sector including employment opportunities, export business and energy security. As yet, the potential for benefits such as introduction of artificial reef structures, which can yield biodiversity benefits and fishing opportunities around wind farm sites, have not been fully explored. These should be considered further in the context of marine planning, and for individual developments.</p>	<p>The Applicant acknowledges this paragraph and the recognition it gives to the environmental benefits of mitigating greenhouse gas emissions.</p> <p>The Applicant's offshore assessments, as contained within Volumes 3 and Volume 4 of the ES, consider the effects of the Proposed Development's construction, operation and maintenance and decommissioning on socio-economic benefits for both the local population and wider UK population. The socio-economic assessment concludes that there are employment benefits for the offshore proposed works such as the following –</p> <p>The UK leading to £457.7 million GVA and 2,424 equivalent years of employment in the UK.</p>	<p>Part 6, Volume 3, All Chapters (1 to 9). (Document Refs. 6.3.1 to 6.3.9).</p> <p>Part 6, Volume 4, All Chapters (1 to 5). (Document Refs. 6.4.1 to 6.4.5).</p>
6.8	<p><b>Offshore Electricity Networks, Potential impacts:</b></p> <p>Paragraph 3.3.30</p>	<p>An increase in underwater cables in the UK marine area will cause environmental impacts. Impacts from cable installations on the sea bed are low and mainly occur due to the physical disturbance involved with their placement. They tend to be of short duration with a relatively small area being affected. The main impact will be where cable protection, for example rock armour or concrete mattresses, is required where cable burial is not feasible. This is particularly the case where cables either run through, or have landfall within, any site designated as being of national or international nature conservation importance</p>	<p>The Applicant acknowledges this paragraph and the recognition it gives to the environmental effects that will likely be caused as a result of an increase in underwater cables.</p> <p>The Applicant's offshore assessments, as contained within Volumes 3 and Volume 4 of the ES, consider the effects of the Proposed Development's construction, operation and maintenance and decommissioning on receptors across the marine environment. These assessments conclude that, for most of the assessed effects, the Proposed Development will give rise to effects that are no greater than minor</p>	<p>Part 6, Volume 3, All Chapters (1 to 9). (Document Refs. 6.3.1 to 6.3.9).</p> <p>Volume 4, All Chapters (1 to 5). (Document Refs. 6.4.1 to 6.4.5).</p>

		<p>or other sensitive areas such as designated shell fisheries, spawning or nursery grounds for economically important fish species or marine archaeological sites. It may also displace fishing activity.</p>	<p>adverse, not significant in EIA terms. However, in a small number of cases, additional mitigation measures are required to lessen the significance of effects, to be reduced to non-significant residual effects.</p> <p>In terms of reducing effect of the proposed cable against designations, the Applicant has conducted a careful route selection for the Proposed Development avoids all MPAs with the exception of the Bristol Channel Approaches SAC which is unavoidable for any cables that seek to make landfall across much of the south-west. The RIAA has assessed potential for effects on the Bristol Channel Approaches SAC. Multiple direct consultations have been held with Natural England and JNCC to discuss the specific proposed infrastructure and the proposed activities that would take place within (and in close proximity) to the Bristol Channel Approaches SAC. The RIAA concludes no adverse effects on site integrity, and there is no HRA compensatory measures or derogation case to present. There is considered no residual unacceptable HRA effect which would prevent consent being granted.</p> <p>However, in one instance, an effect upon marine archaeology (being direct construction effect through seabed disturbance during route preparation, penetration, compression, and disturbance activities, laying of cables, the anchoring of jack-up barges and other construction vessels, and laying of rock protection over cable crossings) is to result in a</p>	
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			<p>residual moderate adverse effect, significant in EIA terms. A Protocol for Archaeological Discoveries (PAD) has been integrated into the Offshore Outline Written Scheme of Investigation (OOWSI) to monitor this and mitigate any potential effect. The OOWSI is secured via the DML.</p> <p>In terms of Volume 3 and Volume 4's cumulative effects assessments and assessments of potential transboundary effects, these assessments conclude that the Proposed Development will not give rise to significant cumulative effects as a result of the underwater cables and confirms that there are no significant effects associated with transboundary effects which could arise.</p>	
6.9	<p><b>Issues for consideration, Air quality:</b></p> <p>Paragraph 2.6.2.1</p>	<p>Activities and developments in the marine and coastal area can have adverse effects on air quality at various stages. The construction, operation and decommissioning phases of projects can involve emissions to air which could lead to adverse impacts on human health, biodiversity, or on the wider environment. Other key sources that impact air quality include emissions from shipping, oil and gas platforms at sea, oil and gas importing facilities, vehicle emissions as a result of increased coastal activity, and dust from construction. The generation of energy from renewable sources has an overall beneficial effect on air quality, as compared with fossil fuels.</p>	<p>The Air Quality Chapter's study area has been informed by the Institute of Air Quality Management's Guidance (2024).</p> <p>The Chapter goes on to identify human health receptors and designated ecological receptors as the two receptor groups which are taken forward for assessment of the construction, operation (and maintenance) and decommissioning phases of the Proposed Development.</p> <p>The Chapter concludes that no receptor will experience an effect that results in a significance of effect that is greater than negligible, not significant in EIA terms as a result of mitigation measures being adopted.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p> <p>Volume 2, Chapter 7 Air Quality. (Document Ref. 6.2.7).</p> <p>Part 7, Outline Construction and Ecology Management Plan (Document Ref. 7.7).</p>

			<p>This assessment of significance is subject to embedded dust control mitigation measures which are to be included within a Dust Management Plan (DMP), which will be appended to the final Construction Environmental Management Plan whose production is secured via Requirement 7 of the draft DCO.</p>	<p>Part 7, Outline Dust Management Plan (Document Ref. 7.7 – Annex 3).</p>
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**Table 7 - South West Inshore and South West Offshore Marine Plan 2021**

Ref	Policy and Topic	Relevant paragraph and Policy Text	Assessment	Relevant Application Documents
7.1	Policy SW-CO-1:  Co-existence	<p>Proposals that optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities will be supported.</p> <p>Proposals that may have significant adverse impacts on, or displace, existing activities must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate                             <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ul> <p>If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>The Applicant has considered existing spaces and activities in line with this policy and the Applicant's assessments conclude the following:</p> <p>For Commercial Fisheries, no impact of the Proposed Development upon the assessment's identified receptors (post-embedded and further mitigation) is to give rise to a residual effect whose significance is greater than minor adverse, not significant in EIA terms. This is the same for the cumulative residual effect, which is no greater than minor adverse.</p> <p>For Shipping and Navigation, no impact of the Proposed Development upon the assessment's identified receptors (post-embedded, further mitigation measures and proposed monitoring) is to give rise to a residual effect whose significance is greater than minor adverse, not significant in EIA terms.</p> <p>For Other Marine Users (which considers offshore wind, military activity and munitions, subsea cables, recreational boating and sailing, diving and water sports, recreational fishing and aquaculture), no impact of the Proposed</p>	<p>Part 6, Volume 3, Chapter 3 Commercial Fisheries (Document Ref. 6.3.3).</p> <p>Part 6, Volume 3, Chapter 5 Shipping and Navigation (Document Ref. 6.3.5).</p> <p>Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>

			<p>Development upon the assessment's identified receptors (post-embedded mitigation) is to give rise to a significance of effect whose significance is greater than minor adverse, not significant in EIA terms.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects.</p> <p>Therefore, based on the ES chapter assessments noted above, they indicate that the Proposed Development is compliant with this policy.</p>	
7.2	Policy SW-AQ-1:  Aquaculture	<p>Proposals within existing or potential strategic areas of sustainable aquaculture production must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals that may have significant adverse impacts on sustainable aquaculture production must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate</li> </ul>	<p>The Applicant has considered aquaculture in line with this policy as follows;</p> <p>The Proposed Development does not spatially overlap with any areas of aquaculture production. However, it should be noted that the Offshore Cable Corridor extends parallel to the south west extent of the Bideford Bay Seaweed Farm, having been specifically routed to avoid the Seaweed Farm during early route reviews. It is located just 15 m north of the Offshore Cable Corridor at its closest point and is shown in Volume 3, Figure 6.5 of the ES</p>	Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).

		<ul style="list-style-type: none"> <li>- adverse impacts on sustainable aquaculture production so they are no longer significant.</li> </ul> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>The Other Marine Users assessment concludes that the identified impacts of the Proposed Development (across construction, operation and maintenance, and decommissioning<sup>1</sup>) upon aquaculture receptors will not lead to an effect that is greater than minor adverse, not significant in EIA terms. For clarification, the Proposed Development itself does not overlap with any aquaculture site, as noted above, however this was included as a receptor within the assessment as it is located within the Other Marine Users study area and therefore has been included within the assessment</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of aquaculture.</p> <p>Therefore, based on the ES chapter assessments noted above, they indicate that the Proposed Development is compliant with this policy.</p>	
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<sup>1</sup> The DCO does not provide for the decommissioning of the Proposed Development and a separate assessment and consent will be undertaken and obtained in advance of decommissioning if required. To provide more detail on the principles of decommissioning, the Applicant has submitted an Outline Decommissioning Strategy (document reference 7.17) and under requirement 16 of the DCO a Decommissioning Strategy will be submitted to the Local Planning Authority prior to the operation of the Proposed Development.

7.3	<p>Policy SW-CAB-1:</p> <p>Cables</p>	<p>Preference should be given to proposals for cable installation where the method of protection is burial.</p> <p>Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.</p>	<p>The Applicant has considered cable installation burial in line with this policy as follows:</p> <p>The Proposed Development secures, as a form of embedded mitigation, that the offshore High Voltage Direct Current Cables will be buried (where possible) up to approximately 1.6 m below the seabed, subject to a detailed Cable Burial Risk Assessment (CBRA), which is submitted in outline at the DCO submission stage and secured in final at the pre-construction stage by a Principal Contractor via the DML. The target depth is 1.5 m and this is further set out within the submitted Commitments Register of the ES.</p> <p>Only when full burial is not possible will additional protection be installed, such as rock placement and potentially concrete mattresses. This embedded mitigation measure is secured by the draft deemed Marine Licence (DML) which is presented within the draft Development Consent Order. These measures set out above, along with others, are to be adopted in order to ensure that the Applicant is compliant with this policy.</p>	<p>Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Part 6, Volume 1, Appendix 3.1 Commitments Register</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
7.4	<p>Policy SW-CAB-2:</p> <p>Cables</p>	<p>Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference:</p>	<p>The Applicant has considered landfall sites in line with this policy as follows;</p> <p>After identifying a preferred Converter Station site, an assessment of potential landfall options was considered. The selection of a location for the Landfall site was informed by the key technical requirements and parameters needed</p>	<p>Part 7, Project Development and Considerations of Options (Document Ref. 7.2 – annex 2).</p>

		<p>a) avoid  b) minimise  c) mitigate</p> <ul style="list-style-type: none"> <li>- adverse impacts on existing and potential future landfall sites so they are no longer significant.</li> </ul> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>to facilitate the construction and operation of the Project, which are further discussed within the Project Development and Consideration of Options document.</p> <p>The Landfall Site selection adopted a 4-stage approach where:</p> <ul style="list-style-type: none"> <li>- Stage 1 sought to identify the regional landfall locations appropriate to the grid connection offer;</li> <li>- Stage 2 sought to identify and assess the landfall options which would facilitate an onward connection from the landfall to the Converter Site;</li> <li>- Stage 3 assessed the short-listed options to identify the preferred option; and</li> <li>- Stage 4 which further assessed the technical and feasibility of the preferred option.</li> </ul> <p>The Offshore Cable Corridor makes landfall within the North Devon Coast National Landscape, at Cornborough Range. However, the effects of the construction works will be temporary. After construction of the Onshore HVDC Cable Corridor, including jointing bays, the land will be returned to farmland. The Landscape, Seascape and Visual Resources assessment of the ES assesses the likely impacts and effects of the Proposed Development on landscape, seascape and visual resources during the construction, operation and maintenance and</p>	<p>Part 6, Volume 4, Chapter 2: Landscape Seascape and Visual Resources (Document Ref. 6.4.4).</p> <p>Part 7, Outline Onshore Construction Environmental Management Plan (Document Ref. 7.7).</p> <p>Part 7, Statement of Need (Document Ref. 7.1)</p>
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			<p>decommissioning phases. The Chapter concludes that, in relation to the Landfall, there will be the following effects which are locally significant in EIA terms:</p> <ul style="list-style-type: none"><li>- A construction phase impact at the landfall from the barge to landward, which will result in a negligible to moderate adverse effect;</li><li>- Temporary construction works undertaken in hours of darkness, as the working hours sought, are from 07.00 to 19.00 throughout the year. There will also be certain tasks that require 24 hour continuous work, such as HDD and potentially lights on the marine vessels. This will result in a negligible to moderate adverse effect;</li><li>- A temporary construction phase impact on tranquillity to the 'North Devon and Torridge District Landscape Character Types - Directly Affected – 4H Cliffs' as the construction works at the landfall take place from the barge located in the sea and the works at the landward side, at the transition joint bays and construction compounds which would also be visible, which will result in a moderate adverse effect;</li><li>- A construction phase impact on people using South West Path and Tarka Trail which results in a major adverse effect;</li></ul>	
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			<ul style="list-style-type: none"><li>- A construction phase impact on people using beach and sea from beach which results in an adverse effect;</li><li>- A construction phase impact on recreational sailors which results in an adverse effect; and</li><li>- A construction phase impact on cyclists and people walking along roads which results in a negligible to moderate adverse effect.</li></ul> <p>All other impacts as a result of the Proposed Development's landfall works result in effects which are not significant in EIA terms.</p> <p>The Outline Onshore Construction Environmental Management Plan (On-CEMP) would be responsible for managing works at the Landfall. The On-CEMP would include measures to maintain and address ecology and nature conservation (including protected species and invasive species), surface water and groundwater environment (including flood protection and control, drainage, and pollution prevention), transport and access, noise management measures, air quality and dust management, land use and recreation, landscape and visual, historic environment, climate change, waste management, site security, and health and safety.</p> <p>Whilst adverse effects remain, the Applicant has utilised the mitigation hierarchy as far as is reasonably practicable and is therefore</p>	
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			<p>confident that the construction, operation and maintenance and decommissioning of the Landfall meets this policy test. However, based on the above it is understood that there is a clear and established need for the Proposed Development (see the Statement of Need) and substantial weight from the Secretary of State should be placed upon this need. This is further supported within NPS EN-1, and NPS EN-3 which both support Critical National Infrastructure projects.</p> <p>Therefore, the Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of landfall.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.5	Policy SW-CAB-3:  Cables	Where seeking to locate close to existing subsea cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities relating to the cable.	<p>The Applicant has considered existing assets in line with this policy as follows;</p> <p>The Proposed Development's Offshore Cable Corridor crosses or is in close proximity to several existing subsea cables. These existing subsea cables are detailed in the Other Marine Users Chapter.</p>	Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).

			<p>The Other Marine Users Chapter considers the impacts of the Proposed Development on existing subsea cables across the construction, operation and maintenance and decommissioning phases. It concludes that no impact will give rise to an effect to subsea cable receptors which is greater than minor adverse, not significant in EIA terms.</p> <p>Crossing and proximity agreements will be established with other developers, where required, to further reduce any potential impacts to these cables.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.6	<p>Policy SW-PS-1:  Ports, harbours and shipping</p>	<p>In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported.</p> <p>Only proposals demonstrating compatibility with current port and harbour activities will be supported.</p> <p>... [Policy section not relevant]</p> <p>Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference:</p> <p>a) avoid</p>	<p>The Applicant has considered the NPS for Ports in line with this policy as follows;</p> <p>The Shipping and Navigation assessment considers the Proposed Development's compatibility and possible impacts on ports and harbours and the extent to which these impacts would give rise to adverse effects.</p> <p>The assessment concludes that, as an impact, reduced access to local ports and harbours within the Rivers Taw and Torridge, namely Bideford, Appledore and Yelland, are not to experience a significant effect that is greater than tolerable adverse, not significant in EIA terms. To achieve this, embedded mitigation</p>	<p>Part 6, Volume 3, Chapter 5 Shipping and Navigation (Document Ref. 6.3.5).</p>

		<p>b) minimise c) mitigate</p> <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>measures to the Proposed Development include:</p> <ul style="list-style-type: none"> <li>- Promulgation of information</li> <li>- Development of a vessel management plan</li> <li>- Compliance with international legislation</li> <li>- Management of project vessels via marine coordination and communication</li> <li>- Displaying of marks and lights.</li> </ul> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of ports, harbours and shipping.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.7	Policy SW-REN-1:  Renewables	Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.	<p>The Proposed Development would enable the delivery of up to 3.6 Gigawatts (GW) of renewable energy into the UK.</p> <p>The Proposed Development would connect renewable generation assets in Morocco and associated cable infrastructure (routed through Morocco, Spain, Portugal and France) to the National Grid's high voltage transmission</p>	<p>Par 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Part 7, Outline Skills and Employment</p>

			<p>network, via cable infrastructure and converter stations within the UK jurisdiction.</p> <p>The Proposed Development will generate economic opportunities in terms of jobs and contracts. To maximise the economic benefits for local people and companies, the Applicant will seek to steer its activities and those of its principal contractors to provide opportunities to local people and local supply chain companies. This is further set out within the Outline Skills and Employment Strategy submitted with the application.</p> <p>Therefore, this Marine Plan policy supports the consenting of the Proposed Development.</p>	Strategy (Document Ref. 7.23)
7.8	Policy SW-REN-2:  Renewables	Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project.	<p>The Applicant has considered existing renewable generation lease agreements in line with this policy as follows;</p> <p>The Proposed Development's Offshore Cable Corridor has been widened alongside The Crown Estate's Offshore Wind Leasing Round 5 Project Development Area (PDA) 3 to allow for no overlap with potential future development. The Applicant is continuing to consult with The Crown Estate on this matter.</p> <p>Notwithstanding, the Other Marine Users Chapter includes a cumulative effects assessment, which identifies The Crown Estate's Offshore Wind Leasing Round 5 PDA 3 as a Tier 3 Project. The assessment concludes</p>	Part 6, Volume 3, Chapter 6 Other Marine Users. Sections 6.13 to 6.16.

			<p>that no operational phase impacts arising from the Proposed Development (increased vessel traffic, presence of infrastructure and safe passing zones, increases in SSC and deposition and increases in subsea noise) will lead to a significance of effect that is greater than minor adverse, not significant in EIA terms.</p> <p>The Proposed Development is therefore considered to comply with the requirements of this Policy.</p>	
7.9	<p>Policy SW-HER-1:  Heritage assets</p>	<p>Proposals that demonstrate they will conserve and enhance the significance of heritage assets will be supported.</p> <p>Where proposals may cause harm to the significance of heritage assets, proponents must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- any harm to the significance of heritage assets.</li> </ul> </li> </ul> <p>If it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.</p>	<p>The Applicant has considered heritage assets in line with this policy as follows;</p> <p>The Marine Archaeology Chapter confirms that proactive management of marine archaeology and cultural heritage throughout the Proposed Development's construction, operation and maintenance and decommissioning is part of the embedded mitigation strategy. For example, the Outline Offshore Written Scheme of Investigation (off-WSI) contains further information on the enhancement of cultural heritage assets (e.g. approaches to recording, reporting, archiving and dissemination of data). The production of a final OWSI is secured via Requirement 11 of the deemed Marine Licence, as contained within the draft Development Consent Order.</p> <p>With regard to the Proposed Development's harm to the historic marine environment, the Marine Archaeology Chapter concludes that there will be no significant effects arising from</p>	<p>Part 6, Volume 3, Chapter 7 Marine Archaeology (Document Ref. 6.3.7).</p> <p>Part 6, Volume 3, Appendix 7.5 Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).</p> <p>Part 3, draft Development Consent Order (Document Ref. 3.1).</p>

			<p>the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>The exception to this being potentially significant adverse impact from the disturbance of currently unknown features, which cannot ever be fully discounted (the nature of discovery may be impactful). Any such disturbance is considered unlikely to occur following the extensive Proposed Development surveys that have been undertaken, and the significance of any such impact would be moderated as far as possible by the OOWSI and PAD mechanisms that are in place. However, the risk is still acknowledged.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.10	Policy SW-SCP-1:  Seascape and landscape	<p>Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area.</p> <p>The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape.</p> <p>Proposals that may have a significant adverse impact on the seascape and</p>	<p>The Applicant has considered the Seascape and Landscape in line with this policy as follows;</p> <p>The Landscape, Seascape and Visual Resources ES Chapter considers the likely impacts and effects of the Proposed Development on landscape, seascape and visual resources during the construction, operation and maintenance and decommissioning phases.</p> <p>Specifically, it relates to the onshore and offshore elements of the Proposed</p>	Part 6, Volume 4, Chapter 2 Landscape, Seascape and Visual Resources (Document Ref. 6.4.2).

		<p>landscape of the area should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ul> <p>If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area.</p> <p>Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.</p>	<p>Development landward of Mean High Water Springs (MHWS) and seaward for 1 km from the Landfall for the Offshore Cable Corridor.</p> <ul style="list-style-type: none"> <li>• The assessment concludes that in terms of the Offshore Cable Corridor, there are a number of potential effects including: Effects on Seascape character, views and visual amenity;</li> <li>• Effects of landscape character, views and visual amenity;</li> <li>• Effects on the special qualities of the North Devon Coast NL; and</li> <li>• Cumulative landscape, seascape and visual effects on character and views and visual amenity.</li> </ul> <p>However, through the design and mitigation, the Proposed Development has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of ports, harbours and shipping.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.11	Policy SW-FISH-2:  Fisheries	<p>Proposals that enhance access for fishing activities should be supported.</p> <p>Proposals that may have significant adverse impacts on access for fishing activities must</p>	<p>The Applicant has considered fishing activities in line with this policy as follows -</p> <p>The Commercial Fisheries Chapter considers the following impacts upon receptors relating to the Proposed Development:</p>	Part 6, Volume 3, Chapter 3 Commercial Fisheries. (Document Ref. 6.3.3).



		<p>demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ul> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<ul style="list-style-type: none"> <li>- reduction in access to, or exclusion from established fishing grounds;</li> <li>- displacement leading to gear conflict and increased fishing pressure on adjacent grounds;</li> <li>- displacement or disruption of commercially important fish and shellfish resources;</li> <li>- increased vessel traffic associated with the Proposed Development within fishing grounds leading to interference with fishing activity; and</li> <li>- physical presence of infrastructure leading to gear snagging.</li> </ul> <p>The above impacts generally result in a significance of effect, post-embedded mitigation, which are to be no greater than minor adverse for receptors, which is not significant in EIA terms.</p> <p>The Proposed Development impacts include the following but they are significant pre-mitigation and following the application of mitigation they are to become minor adverse with no significant residual effect. However, at present the moderate adverse effects include:</p> <ol style="list-style-type: none"> <li>1. Reducing access to, or exclusion from established fishing grounds upon the UK potting fleet receptor across both construction and decommissioning; and</li> </ol>	<p>Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>
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			<p>2. Displacement leading to gear conflict and increased fishing pressure on adjacent grounds upon the UK plotting fleet receptor across both construction and decommissioning are to result in moderate adverse effects, significant in EIA terms.</p> <p>Further mitigation will be implemented for affected vessels following an evidence-based approach, in line with FLOWW guidance, via the establishment of co-operation agreements which reduces the significance of effects to minor adverse residual effects, not significant in EIA terms.</p> <p>The Other Marine Users Chapter assesses the Proposed Development's impacts upon recreational fishing receptors. It concludes that no impact of construction, operation and maintenance, and decommissioning are to lead to a significance of effect that is greater than minor adverse, not significant in EIA terms.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of fisheries.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
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7.12	Policy SW-FISH-3:  Fisheries	<p>Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, should be supported.</p> <p>Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ul>	<p>The Applicant has considered fisheries in line with this policy as follows;</p> <p>The Fish and Shellfish Chapter considers the construction, operation and maintenance and decommissioning impacts of the Proposed Development on receptors such as shellfish species, pelagic fish species, demersal, benthic, elasmobranchs and diadromous. Where relevant, and/or applicable, the assessment considers spawning and nursery grounds importance to the food chain, endangered statuses and migratory routes of each receptor.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of fisheries.</p> <p>A key embedded mitigation measure in ensuring no significant adverse effects arise is the production of a detailed Offshore Construction Environmental Management Plan (Of-CEMP) as secured by the DML.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	<p>Part 6, Volume 3, Chapter 2 Fish and Shellfish (Document Ref. 6.3.2).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
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7.13	Policy SW-EMP-1:  Employment	<p>Proposals that result in a net increase in marine-related employment will be supported, particularly where they meet one or more of the following:</p> <ol style="list-style-type: none"> <li>1) are aligned with local skills strategies and support the skills available</li> <li>2) create a diversity of opportunities</li> <li>3) create employment in locations identified as the most deprived</li> <li>4) implement new technologies in, and adjacent to, the south west marine plan areas.</li> </ol>	<p>The Applicant has considered marine employment in line with this policy as follows;</p> <p>In relation to marine/offshore employment, the Socio-Economics and Tourism Chapter does not conclude that any impact of the Proposed Development's construction, operation and maintenance and decommissioning will result in significant adverse or beneficial effects, which is not significant in EIA terms.</p> <p>However, the assessment does conclude that:</p> <ul style="list-style-type: none"> <li>- For construction, the economic impact and increased employment from offshore activity in the UK from the Proposed Development is expected to lead to £457.7 million GVA and 2,050 years of employment in the UK (negligible significance of effect); and</li> <li>- For operation and maintenance, the economic impact and increased employment from offshore activity in the UK from the Proposed Development is expected to lead to £12.9 million GVA and 230 jobs in the UK (negligible significance of effect).</li> <li>- Diversity of opportunities available as a result of the Proposed Development has been assessed in the ES. This level of diversity overall sits within the diversity of the economy as it demonstrates resilience.</li> <li>- The North Devon region is not considered to be deprived, however the</li> </ul>	Part 6, Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).
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			<p>creation of further employment as a result of the Proposed Development in this area will contribute to the wide economy.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.14	<p>Policy SW-CC-2:  Climate Change</p>	<p>Proposals in the south west marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.</p>	<p>The Applicant has considered climate and coastal change in line with this policy as follows;</p> <p>The Climate Change Risk Assessment assesses the potential adverse effects of climate change and coastal change on the Proposed Development through the consideration of climate-related current and anticipated physical coastal change risks throughout the Proposed Development's 50-year lifetime, in line with the UK's guidance on climate change risk assessments.</p> <p>The Assessment concludes that, with the embedded measures including trenchless installation techniques sub-surface at the landfall and with further mitigation measures in place, the identified potential risks posed to the Proposed Development would be reduced to an acceptable and non-significant level in EIA terms.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	<p>Part 6, Volume 4, Appendix 1.2: Climate Change Risk Assessment (Document Ref. 6.4.1.2).</p>

7.15	<p>Policy SW-CC-3:  Climate Change</p>	<p>Proposals in the south west marine plan areas, and adjacent marine plan areas, that are likely to have significant adverse impacts on coastal change, or on climate change adaptation measures inside and outside of the proposed project areas, should only be supported if they can demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ul>	<p>The Applicant has considered climate change in line with this policy as follows;</p> <p>The Physical Processes Chapter considers the impacts of coastal change arising from the Proposed Development. The impacts considered include sediment disturbance or seabed change, changes to water quality and secondary (localised) scour across the construction, operation and maintenance and decommissioning phases. The Chapter also considers the impacts and adaptation needed to adapt to climate change.</p> <p>The Physical Processes Chapter concludes that there will be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p> <p>The Climate Change Chapter considers the potential impacts of the Proposed Development on climate change during the construction, operation and maintenance, and decommissioning phases.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of climate change.</p>	<p>Part 6, Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p> <p>Part 6, Volume 4, Chapter 1, Climate Change (Document Ref. 6.4.1).</p> <p>Part 7, Outline Greenhouse Gas Reduction Strategy (Document Ref. 7.18).</p> <p>Part 3, draft Development Consent Order (Document Ref. 3.1).</p>
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			Therefore, the Proposed Development complies with this policy.	
7.16	Policy SW-AIR-1:  Air quality and emissions	Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases.  Proposals that are likely to result in increased air pollution or increased emissions of greenhouse gases must demonstrate that they will, in order of preference:  a) avoid b) minimise c) mitigate - air pollution and/or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements.	The Applicant has considered air quality and emissions in line with this policy as follows;  The Applicant confirms that an Air Quality Assessment has been undertaken for the Onshore Elements of the Proposed Development.  For the Offshore Elements of the Proposed Development, the Climate Change Chapter considers the potential effect of greenhouse gas (GHG) emissions caused directly or indirectly by the Proposed Development, which may have the potential to contribute to climate change.  The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of air quality.  Therefore, the Proposed Development complies with this policy.	Part 6, Volume 4, Chapter 1, Climate Change (Document Ref. 6.4.1).  Part 7, Outline Greenhouse Gas Reduction Strategy (Document Ref. 7.18).  Part 3, draft Development Consent Order (Document Ref. 3.1).
7.17	Policy SW-ML-2:	(...)	The Applicant has considered marine litter in line with this policy as follows;	Part 7, Outline Offshore Construction

	<p>Marine litter</p>	<p>Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- waste entering the marine environment.</li> </ul> </li> </ul>	<p>The Application is supported by an Outline Offshore Construction Environmental Management Plan (offshore CEMP) which includes necessary mitigation measures to reduce and/or prevent potential effects upon the environment and nearby sensitive receptors during the construction phase of the Offshore Elements of the Proposed Development.</p> <p>The Offshore CEMP will include:</p> <ul style="list-style-type: none"> <li>- An Offshore Emergency Spill Response Plan;</li> <li>- A Marine Pollution Contingency Plan;</li> <li>- A Shipboard Oil Pollution Emergency Plan;</li> <li>- A Dropped Objects Procedure; and</li> <li>- A Dredging Management Plan.</li> </ul> <p>The above management plans seek to avoid and/or minimise the chances of waste entering the marine environment during the Proposed Development's construction. The offshore CEMP will be developed into a final version in line with the requirement of the DML.</p> <p>During the operation and maintenance phase of the Proposed Development, works would be limited to unplanned maintenance works (in the event of a failure of components of the system) during which works would be undertaken in accordance with best practice.</p>	<p>Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>
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			Therefore, the Proposed Development complies with this policy.	
7.18	Policy SW-WQ-1:  Water quality	Proposals that protect, enhance and restore water quality will be supported.  Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference:  a) avoid b) minimise c) mitigate - deterioration of water quality in the marine environment.	The Applicant has considered water quality in line with this policy as follows;  The Benthic Ecology, Fish and Shellfish Ecology and Physical Processes Chapters assess the Offshore Elements of the Proposed Development's impacts upon water quality within the marine plan area. These Chapters conclude that no impact of the Proposed Development (during construction, operation and maintenance and decommissioning) will lead to a significance of effect that is greater than minor adverse, which is not significant in EIA terms.  The above assessments depend on embedded mitigation measures (such as the Offshore CEMP which has been submitted as an outline framework for a detailed Offshore CEMP, secured via the DML). The Offshore CEMP will detail the best practice approach to offshore activities and would implement those measures and environmental commitments identified in the EIA.  Therefore, the Proposed Development complies with this policy.	Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).  Part 6, Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).  Part 6, Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).  Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).  Part 3, Draft Development Consent Order (Document Ref. 3.1).  Part 7, Offshore Water Framework Directive (WFD)

				Assessment (doc ref 7.14)
7.19	Policy SW-ACC-1:  Access	<p>Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported.</p> <p>Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ul>	<p>The Applicant has considered public access in line with this policy as follows;</p> <p>The Socio-Economics and Tourism Chapter considers the impacts of the Proposed Development on economic activity, tourism and recreation, the tourism economy and community and social assets across the construction and operational and maintenance phases. The Chapter concludes that no impact to the above receptor groups would give rise to a significance of effect that is greater than minor adverse, not significant in EIA terms.</p> <p>For the Offshore Elements of the Proposed Development, the Other Marine Users, Shipping and Navigation and Commercial Fisheries Chapters also consider, to differing extents, impacts upon public access to and within the marine area. These Chapters conclude that no construction, operation and maintenance, and decommissioning impact will result in a residual effect that is greater than minor adverse, which is not significant in EIA terms, except for the following pre-mitigation effects of:</p> <ol style="list-style-type: none"> <li>1. Reducing access to, or exclusion from established fishing grounds upon the UK potting fleet receptor across both construction and decommissioning; and</li> </ol>	<p>Part 6, Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).</p> <p>Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p> <p>Part 6, Volume 3, Chapter 5 Shipping &amp; Navigation (Document Ref. 6.3.5).</p> <p>Part 6, Volume 3, Chapter 3 Commercial Fisheries (Document Ref. 6.3.3).</p>

			<p>2. Displacement leading to gear conflict and increased fishing pressure on adjacent grounds upon the UK plotting fleet receptor across both construction and decommissioning.</p> <p>The above is anticipated to result in moderate adverse residual effects, which is significant in EIA terms. Notwithstanding the above significant adverse effects, the Applicant confirms that the mitigation hierarchy has been followed as far as reasonably practicable and the application of further mitigation in line with FLOWW guidance results in a residual effect that is not significant.</p> <p>However, considering the above, there is a clear and established need for the Proposed Development and substantial weight from the Secretary of State should be placed upon this need. This is further supported within the NPSs which supports Critical National Infrastructure projects.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.20	<p>Policy SW-TR-1:  Tourism and recreation</p>	<p>Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported.</p>	<p>The Applicant has considered tourism and recreation in line with this policy as follows; The Socio-Economics and Tourism Chapter considers the impacts of the Proposed Development on economic activity, tourism and recreation, the tourism economy and</p>	<p>Part 6, Volume 4, Chapter 3 Socio-economics and Tourism (Document Ref. 6.4.3).</p>

		<p>Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ul>	<p>community and social assets across the construction and operational and maintenance phases.</p> <p>The chapter concludes that as a result of embedded mitigation that has focused on avoiding and minimising adverse effects, there would be no impact on the above receptor groups which would give rise to a significance of effect that is greater than minor adverse.</p> <p>Therefore, the Proposed Development complies with this Policy.</p>	
7.21	<p>Policy SW-SOC-1:  Social benefits</p>	<p>Those bringing forward proposals should consider and demonstrate how their development shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.</p>	<p>The Applicant has considered social benefits in line with this policy as follows;</p> <p>The Marine Archaeology Chapter confirms that proactive management of marine archaeology and cultural heritage throughout the Proposed Development's construction, operation and maintenance, and decommissioning is part of the embedded mitigation strategy. It should also be noted that relevant results from geotechnical surveys will be released / shared with Archaeology Data Service (ADS), with the aim to enhance the paleogeographic knowledge and understanding of the area.</p> <p>There are no further measures included as part of the Proposed Development to enhance public knowledge, understanding or appreciation and enjoyment of the marine environment as, once operational, the Proposed</p>	<p>Part 6, Volume 3, Chapter 7 Marine Archaeology (Document Ref. 6.3.7).</p> <p>Part 6, Volume 3, Appendix 7.5 Outline Offshore Archaeological Written Scheme of Investigation (Document Ref. 6.3.7.5).</p> <p>Part 3, draft Development Consent Order (Document Ref. 3.1).</p>

			<p>Development will be assimilated into the marine environment.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.22	<p>Policy SW-DEF-1:  Defence</p>	<p>Proposals in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence.</p>	<p>The Applicant has considered defence areas in line with this policy as follows;</p> <p>The Proposed Development is located within a Military Practice and Exercise Area (PEXA) and is in proximity to three charted Ministry of Defence (MoD) firing practice areas.</p> <p>Consultation has been undertaken with the MoD's Defence Infrastructure Organisation (DIO) to identify areas of interest for the DIO.</p> <p>Both the Other Marine Users and Shipping and Navigation Chapters assess the impacts of the Proposed Development on Ministry of Defence (MoD) areas.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of defence.</p> <p>As a result, both assessments demonstrate that the Proposed Development will not result in an</p>	<p>Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p> <p>Part 6, Volume 3, Chapter 5 Shipping and Navigation. Sections (Document Ref. 6.3.5).</p>

			<p>effect upon any receptor that is of greater significance than minor adverse effects, which is not significant in EIA terms.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.23	<p>Policy SW-MPA-1:  Marine protected areas</p>	<p>Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported.</p> <p>Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts, with due regard given to statutory advice on an ecologically coherent network.</li> </ul> </li> </ul>	<p>The Applicant has considered marine protected areas in line with this policy as follows;</p> <p>The Benthic Ecology, Fish and Shellfish Ecology, Marine Mammals, Physical Processes and Offshore Ornithology Chapters assess the extent to which the Proposed Development would impact upon the differing aspects that qualify marine protected areas.</p> <p>These Chapters conclude that no construction, operation, maintenance, or decommissioning impact will result in an effect upon any receptor that is of greater significance than minor adverse effects, which is not significant in EIA terms.</p> <p>The Proposed Development's embedded mitigation measures include, but is not limited to, the production of an Offshore-CEMP (secured by a requirement of the DML) which will detail the best practice approach to offshore activities and would implement those measures and environmental commitments identified in the EIA.</p>	<p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 6, Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Part 6, Volume 3, Chapter 4 Marine Mammals and Turtles (Document Ref. 6.3.4).</p> <p>Part 6, Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p> <p>Part 6, Volume 3, Chapter 9 Offshore Ornithology</p>

			<p>A Marine Conservation Zone (MCZ) assessment has been prepared alongside the Proposed Development's EIA studies. When considering benthic ecology features it was determined in the Environmental Statement that the impact with the greatest Zone of Influence (Zol) would be dispersion of suspended sediment.</p> <p>A semi-empirical approach was used to estimate the Zol for suspended sediment dispersion and has indicated that disturbed sediments could, under worst case assumptions, be dispersed up to 15.2 km in an east northeast and west southwest direction within Bideford Bay.</p> <p>This 15.2 km dispersal would only ever be associated with a peak spring tide and has been applied as a worst-case scenario assessment.</p> <p>The Proposed Development embeds mitigation measures which ensure that all potential sediment disturbance activities in Bideford Bay will avoid peak spring tides and significant wave activity to limit the potential for sediment mobilisation. In addition, all construction activities undertaken on the seabed including boulder clearance activities will remain entirely within the Offshore Cable Corridor, and a minimum distance of 20 m from any MCZ boundary. Therefore, the Proposed Development will not hinder the achievement of the objectives for the features considered for MCZs.</p>	<p>(Document Ref. 6.3.9).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p> <p>Part 6, Volume 3, Appendix 8.1 Sediment source concentrations and assessment of disturbance (Document Ref. 6.3.8.1).</p> <p>Part 7, Report to Inform Appropriate Assessment (RIAA) (Document Ref. 7.16).</p> <p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p>
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			<p>Further, the Applicant has provided a HRA Report to Inform Appropriate Assessment (RIAA). The Secretary of State will undertake the final Appropriate Assessment whilst the Applicant's RIAA represents a 'shadow HRA' (i.e. a suggested assessment undertaken independently on behalf of the Applicant).</p> <p>The submitted RIAA reports updates to the Stage 1 assessment (being the HRA Screening Report) to account for regulator comments. The RIAA submitted at this stage presents the results of the Stage 2 assessments, or the Report to Inform Appropriate Assessment.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.24	Policy SW-MPA-2:  Marine protected areas	<p>Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of the marine protected area network, will be supported.</p> <p>Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change, and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise</p>	<p>The Applicant has considered marine protected areas in line with this policy as follows;</p> <p>The Applicant would also reference the assessment to SW-MPA-1 in this Table</p> <p>The Proposed Development proposes to facilitate the import of up to 3.6 Gigawatts (GW) of low carbon electricity into the National Grid. Together with the generation infrastructure located in Morocco, the Proposed Development would help the UK to meet carbon reduction commitments by significantly increasing the</p>	<p>Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Part 6, Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p>



		<ul style="list-style-type: none"> <li>c) mitigate</li> <li>- adverse impacts.</li> <li>-</li> </ul>	<p>proportion of electricity supplied by renewable sources.</p>	
7.25	<p>Policy SW-MPA-4:  Marine protected areas</p>	<p>Proposals that may have significant adverse impacts on designated geodiversity must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate</li> <li>- adverse impacts so they are no longer significant.</li> </ul>	<p>It is deemed that the Proposed Development would serve to reduce overall carbon emissions thus slowing the rate at which marine protected areas may need to adapt to the effects of climate change.</p> <p>The Physical Processes Chapter considers the Proposed Development's impacts on designated geodiversity. The assessment's receptors include nationally or internationally designated sites which include SSSIs, SACs, MCZs and Biosphere Reserves.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of Marine Protected Areas.</p> <p>Therefore, the Proposed Development complies with both of these policy.</p>	
7.26	<p>Policy SW-BIO-1:  Biodiversity</p>	<p>Proposals that enhance the distribution of priority habitats and priority species will be supported.</p> <p>Proposals that may have significant adverse impacts on the distribution of priority habitats</p>	<p>The Applicant has considered habitats and species in line with this policy as follows;</p> <p>The Benthic Ecology, Fish and Shellfish Ecology, Marine Mammals, Physical Processes and Offshore Ornithology Chapters assess the</p>	<p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p>

		<p>and priority species must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> <li>d) compensate for significant adverse impacts that cannot be mitigated.</li> </ul>	<p>extent to which the Proposed Development would impact on the distribution of priority habitats and priority species. However, it can be confirmed from the relevant assessments that all effects of these assessments are no greater than minor adverse, and therefore there are no significant residual effects on either habitats or species in accordance with the policy.</p> <p>A Marine Conservation Zone (MCZ) assessment has been prepared alongside the Proposed Development's EIA studies. When considering benthic ecology features it was determined in the Environmental Statement that the impact with the greatest Zone of Influence (Zol) would be dispersion of suspended sediment. A semi-empirical approach was used to estimate the Zol for suspended sediment dispersion and has indicated that disturbed sediments could, under worst case assumptions, be dispersed up to 15.2 km in an east northeast and west-southwest direction within Bideford Bay. This 15.2 km dispersal would only ever be associated with a peak spring tide and has been applied as a worst-case scenario assessment.</p> <p>The Proposed Development embeds mitigation measures which ensure that all potential sediment disturbance activities in Bideford Bay will avoid peak spring tides and significant wave activity to limit the potential for sediment mobilisation. In addition, all construction activities undertaken on the seabed including</p>	<p>Part 6, Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Part 6, Volume 3, Chapter 4 Marine Mammals and Turtles (Document Ref. 6.3.4).</p> <p>Part 6, Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p> <p>Part 6, Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p> <p>Part 6, Volume 3, Appendix 8.1 Sediment source concentrations and assessment of disturbance (Document Ref. 6.3.8.1).</p> <p>Part 7, Report to Inform Appropriate</p>
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			<p>boulder clearance activities will remain entirely within the Offshore Cable Corridor, and a minimum distance of 20 m from any MCZ boundary. Therefore, the Proposed Development will not hinder the achievement of the objectives for the features considered for MCZs.</p> <p>Further, the Applicant has provided an HRA Report to Inform Appropriate Assessment (RIAA). The Secretary of State will undertake the final Appropriate Assessment whilst the Applicant's RIAA represents a 'shadow HRA' (i.e. a suggested assessment undertaken independently on behalf of Xlinks 1 Limited). The RIAA has also been shared with JNCC and NE prior to submission who deemed the approach taken as being appropriate.</p> <p>The submitted RIAA reports updates to the Stage 1 assessment (being the HRA Screening Report) to account for regulator comments. The RIAA submitted at this stage presents the results of the Stage 2 assessments, or the Report to Inform Appropriate Assessment.</p> <p>Overall, the Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects in terms of Marine Protected Areas.</p>	<p>Assessment (RIAA) (Document Ref. 7.16).</p> <p>Part 7, Marine Conservation Zone (MCZ) Assessment (Document Ref. 7.15).</p>
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			Therefore, the Proposed Development complies with this policy.	
7.27	Policy SW-BIO-2:  Biodiversity	<p>Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported.</p> <p>Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> <li>d) compensate for significant adverse impacts that cannot be mitigated.</li> </ul>	<p>The Applicant has considered species and habitats in line with this policy as follows;</p> <p>The Benthic Ecology, Fish and Shellfish Ecology, Marine Mammals, Physical Processes and Offshore Ornithology Chapters assess the Proposed Development's impacts upon native species, habitat adaptation, connectivity and native species migration.</p> <p>These assessments conclude that the Proposed Development will not lead to an effect on local habitats or species during construction, operation and maintenance and decommissioning that is of greater than minor adverse significance, not significant in EIA terms.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	<p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 6, Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Part 6, Volume 3, Chapter 4 Marine Mammals and Turtles (Document Ref. 6.3.4).</p> <p>Part 6, Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p> <p>Part 6, Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p>

7.28	<p>Policy SW-BIO-3:  Biodiversity</p>	<p>Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, will be supported.</p> <p>Proposals must take account of the space required for coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate</li> <li>d) compensate for <ul style="list-style-type: none"> <li>- net habitat loss</li> </ul> </li> </ul>	<p>The Applicant has considered coastal habitats in line with this policy as follows;</p> <p>The Applicant is cognisant of conserving, restoring and/or enhancing coastal habitats, where reasonably practicable.</p> <p>For the offshore Elements of the Proposed Development, the width of the Offshore Cable Corridor allows some flexibility for the micro-routing of cables within it. Flexibility for micro-routing within the Offshore Cable Corridor will be retained until cable installation to, for example but not limited to minimise any potential damage to Annex I habitats. Further, Offshore Cables will be buried (where possible) up to approximately 1.6 m below the seabed, subject to detailed Cable Burial Risk Assessment (CBRA).</p> <p>The Proposed Development will employ Horizontal Directional Drill methods at the Landfall to avoid any direct disturbance of the intertidal, the foreshore and the coastal cliffs, and therefore will reduce any displacement of coastal habitats.</p> <p>Further, the Benthic Ecology Chapter considers the effects of the Proposed Development on coastal habitats. The Chapter concludes that that there will be no significant effects arising from the Proposed Development during the construction, operation and maintenance or decommissioning phases.</p>	<p>Part 6, Volume 1, Chapter 3 Project Description (Document Ref. 6.1.3).</p> <p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p>
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			<p>In terms of the interaction of the Proposed Development and compensation for net habitat loss, there is currently no BNG strategy, but the Applicant is looking at opportunities both inside and outside of the Order Limits.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.29	<p>Policy SW-HAB-1: Biodiversity</p>	<p>Proposals that incorporate measures to conserve deep sea habitats will be supported.</p> <p>Proposals that may have direct adverse impacts on deep sea habitats must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- direct adverse impacts on deep sea habitats.</li> </ul> </li> </ul>	<p>The Applicant has considered deep sea habitats in line with this policy as follows;</p> <p>The Benthic Ecology Chapter considers the effects of the Proposed Development on deep-sea habitats. The Chapter concludes that no impact of the Proposed Development will lead to a significance of effect that is greater than minor adverse, not significant in EIA terms.</p> <p>A key embedded mitigation measure to ensure no significant adverse residual effects arise in relation to deep sea habitats is the production of a detailed Offshore Construction Environmental Management Plan (Offshore CEMP) as secured by a requirement of the DML. The offshore CEMP will detail the best practice approach to offshore activities and would implement those measures and environmental commitments identified in the EIA.</p> <p>The Proposed Development, through its design and mitigation, has sought (as far as is</p>	<p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p> <p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p>

			<p>reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects. For example, the width of the Offshore Cable Corridor allows some flexibility for the micro-routing of cables within it. Flexibility for micro-routing within the Offshore Cable Corridor will be retained until cable installation to, for example but not limited to minimise any potential damage to Annex I habitats. Further, Offshore Cables will be buried (where possible) up to approximately 1.6 m below the seabed, subject to detailed Cable Burial Risk Assessment (CBRA).</p> <p>The Proposed Development will employ Horizontal Directional Drill methods at the Landfall to avoid any direct disturbance of the intertidal, the foreshore and the coastal cliffs, and therefore will reduce any displacement of coastal habitats.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	
7.30	<p>Policy SW-INNS-1:</p> <p>Invasive non-native species</p>	<p>Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported.</p> <p>Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the</p>	<p>The Applicant has considered invasive species risks in line with this policy as follows;</p> <p>Measures to prevent the introduction and spread of marine and coastal water invasive non-native species (INNS) are secured via the Offshore CEMP (as secured by a requirement</p>	<p>Part 7, Outline Offshore Construction Environmental Management Plan (Document Ref. 7.9).</p>

		<p>introduction and transport of invasive non-native species, particularly when:</p> <ol style="list-style-type: none"> <li>1) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another</li> <li>2) introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area.</li> </ol>	<p>of the DML and the Outline Offshore Biosecurity Plan.</p> <p>The Biosecurity Plan will be adhered to with the incorporation of a Biosecurity Risk Assessment. The Risk Assessment will be undertaken to identify potential pathways of introduction, and critical control points for preventing the spread of INNS.</p> <p>All project vessels (where relevant) would be compliant with the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	<p>Part 3, Draft Development Consent Order (Document Ref. 3.1).</p> <p>Part 7, Outline Offshore Biosecurity Plan (Document Ref. 7.19).</p>
7.31	Policy SW-DIST-1: Disturbance	<p>Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts so they are no longer significant.</li> </ul> </li> </ol>	<p>The Applicant has considered highly mobile species in line with this policy as follows;</p> <p>The Benthic Ecology, Fish and Shellfish Ecology, Marine Mammals and Offshore Ornithology Chapters consider the effects of the Proposed Development's construction, operation and maintenance and decommissioning upon highly mobile species. However, it can be confirmed from the relevant assessments that all effects of these assessments are no greater than minor adverse, and therefore there are no significant residual effects on either habitats or species in accordance with the policy.</p>	<p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 6, Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Part 6, Volume 3, Chapter 4 Marine Mammals and Turtles</p>



			<p>The Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	<p>(Document Ref. 6.3.4).</p> <p>Part 6, Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p>
7.32	<p>Policy SW-UWN-2:  Underwater noise</p>	<p>Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse impacts on highly mobile species so they are no longer significant.</li> </ul> </li> </ul> <p>If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>The Applicant has considered noise generation in line with this policy as follows;</p> <p>The Proposed Development does not propose any impulsive noise generating activities, such as piling, where monitoring might be expected.</p> <p>The Applicant has completed an Underwater Noise Technical Assessment. The approach and results from the noise assessments have been discussed with statutory regulators, including Natural England and MMO.</p> <p>The relevant Chapters consider the impacts of noise (being the Benthic Ecology, Fish and Shellfish, Marine Mammals, Physical Processes and Offshore Ornithology Chapters) and the effects of noise-related impacts arising from the Proposed Development.</p>	<p>Part 6, Volume 3, Appendix 4.1: Underwater Noise Technical Assessment (Document Ref. 6.3.4.1).</p> <p>Part 6, Volume 3, Chapter 1 Benthic Ecology (Document Ref. 6.3.1).</p> <p>Part 6, Volume 3, Chapter 2 Fish and Shellfish Ecology (Document Ref. 6.3.2).</p> <p>Part 6, Volume 3, Chapter 4 Marine</p>

			<p>The ES concludes that no noise related impact will lead to more than a minor adverse effect. Therefore, the Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	<p>Mammals and Turtles (Document Ref. 6.3.4).</p> <p>Part 6, Volume 3, Chapter 8 Physical Processes (Document Ref. 6.3.8).</p> <p>Part 6, Volume 3, Chapter 9 Offshore Ornithology (Document Ref. 6.3.9).</p>
7.33	<p>Policy SW-CE-1: Cumulative effects</p>	<p>Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate <ul style="list-style-type: none"> <li>- adverse cumulative and/or in-combination effects so they are no longer significant.</li> </ul> </li> </ul>	<p>The Applicant has considered cumulative effects in line with this policy as follows;</p> <p>Each of the offshore assessments which form part of the ES, have conducted a cumulative effect assessment. It can be confirmed that that ES concludes that no cumulative effect related impact will lead to more than a minor adverse effect. Therefore, the Proposed Development, through its design and mitigation, has sought (as far as is reasonably practicable) to avoid and minimise adverse effects in the first instance before, where possible and reasonably practicable, employing further mitigation measures to reduce the significance of adverse effects.</p>	<p>Part 6, Volume 3, Chapter 6 Other Marine Users (Document Ref. 6.3.6).</p>

			Therefore, the Proposed Development complies with this policy.	
7.34	Policy SW-CBC-1:  Cross-border co-operation	Proposals must consider cross-border impacts throughout the lifetime of the proposed activity.  Proposals that impact upon one or more marine plan areas or terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.	<p>The Applicant has considered cross-border impact in line with this policy as follows;</p> <p>The Proposed Development is located wholly within the marine area that is covered by the South West Inshore and South West Offshore Marine Plan.</p> <p>Marine Plan is the only Marine Plan relevant to the Proposed Development.</p> <p>Volumes 3 and 4 of the Environmental Statement include screenings of transboundary impacts and any potential for significant transboundary effects with regard to the topic Chapters. This is further set out within the Transboundary Screening document that forms part of the ES.</p> <p>All Chapters of Volumes 3 and 4 conclude that there will be no significant transboundary effects from the Proposed Development, except for the Climate Change Chapter which identifies a significant beneficial effect (being 'Net Whole Life GHG Emissions') when considered cumulatively with the Moroccan generation assets.</p> <p>Therefore, the Proposed Development complies with this policy.</p>	<p>Part 6, Volumes 3 and 4 of the Environmental Statement (document refs. 6.3.1 to 6.4.4).</p> <p>Part 6, Volume 1, Appendix 5.2: Transboundary Screening (Document Ref. 6.1.5.2)</p>

## **Annex 2: Project Description and Consideration of Options**

# **XLINKS' MOROCCO-UK POWER PROJECT**

## **Annex 2 - Project Development and Consideration of Options**



Version  
November 2024

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## **Glossary**

The Glossary used for the Project Development and Consideration of Options report can be found within Volume 1, Chapter 1 of the Environmental Statement (Document ref. 6.1.1).

# 1 INTRODUCTION

## 1.1 The Application

- 1.1.1 The Applicant for the Proposed Development is Xlinks 1 Limited which is a UK company with a mission to capture the power of nature to generate a near constant, low-cost energy supply and connect it to the point of consumption in real time. Its vision is to unlock the potential for remote renewable energy generation and to enable markets with high energy demand to achieve net zero emissions. Through the development of large-scale power infrastructure spanning across both land and sea, the Applicant aims to transmit reliable but flexible power from resource rich remote locations, where it can be most economically and sustainably generated at scale.
- 1.1.2 The Proposed Development was originally anticipated to be consented under the Town and Country Planning Act (TCPA). In its pursuit of that planning pathway, the Applicant conducted two stages of non-statutory consultation in 2022 and early 2023. These consultations were based on the original concept design for the Project and for the purposes of this DCO application, this consultation is referred to as non-statutory consultation which informed the Proposed Development as presented by the Applicant during the statutory consultation.
- 1.1.3 Prior to the submission of the originally planned TCPA application the Applicant, by letter to the SoS received on 30 August 2023, formally requested that the Secretary of State exercise the power vested under section 35(1) of the Planning Act 2008 to direct that elements of the Proposed Development be treated as development for which development consent under the Planning Act 2008 is required. The SoS then subsequently confirmed the Direction on 26 September 2023. The reasons for the decision to issue the Direction without prejudice to the Secretary of State's consideration of any application for development consent which may be made are:
- The Proposed Development is of national significance, taking into account that it forms part of a generation project which is comprised of 11.5GW of renewable power in Morocco, which is intended to deliver 3.6 Gigawatts (GW) of low carbon electricity to the UK's grid and could improve the security and diversity of the UK's electricity supply.
  - The Proposed Development could 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.
  - Progressing the development through the Planning Act 2008 development consent process, to the extent that the Proposed Development is within that process, would provide the certainty of a single, unified consenting process and fixed timescales.



- 1.1.4 Following this Direction the Applicant carried out a statutory consultation under the Planning Act 2008 which took place from 16 May to 11 July 2024. This included the publication of the preliminary findings of the EIA process in the PEIR and consultation with statutory bodies under section 42 and landowners under section 44.
- 1.1.5 The full project description is contained within Volume 1, Chapter 3 of the ES (**Document ref. 6.1**).
- 1.1.6 The Proposed Development is made up of the following elements:
- Point of Connection (location only as works required at the Point of Connection will be consented separately by NGET)
  - Converter Site
  - Landfall Site
  - Cable Corridor (Offshore)
  - Cable Corridor (Onshore)
  - Temporary Construction Compounds and other infrastructure to facilitate the works.
- 1.1.7 Each of these elements and the parameters and criteria applied in the site selection process is more fully described in chapter 3 of this report.

## 1.2 Purpose of this report

- 1.2.1 This report supports the Planning Statement submitted as part of the DCO Application and its purpose is to present the reasons why the Proposed Development and Order Limits are located in this particular location and to provide an explanation of the alternative sites and options considered by the Applicant, where relevant.
- 1.2.2 It is important to acknowledge that this report is not a consideration of alternatives for the purposes of the EIA Regulations, but an explanation of the site selection process carried out to date. ES Volume 1, Chapter 4: Need and Alternatives (**Document ref. 6.1.4**) summarises the alternatives considered within the EIA process and the main reasons for selecting or discounting alternative design options.
- 1.2.3 As explained later in this report, in this case, there is no legal or policy requirements to demonstrate that the Proposed Development and all its elements are in the optimum location. There are however certain policy preferences, for instance with regard to considering lower quality agricultural land before higher quality land and previously developed land before greenfield land as well as consideration of flood risk for the permanent above ground elements of the Proposed Development. This report explains the process undertaken by the Applicant in having regard to these important factors.
- 1.2.4 Chapter 2 of this report provides details of how these matters have been considered.
- 1.2.5 It is acknowledged that the Application includes a request for powers of compulsory acquisition and as such there are policy requirements in relation to consideration of reasonable alternatives to such acquisition. Alternatives in this context are addressed in the Statement of Reasons (**Document ref.**

**4.1).** Such considerations have been taken into account in the development of the Proposed Development.

## **1.3 Need for the Development**

- 1.3.1 The DCO application is accompanied by a Statement of Need (**Document ref: 7.1**) which sets out a detailed and compelling case as to why the Proposed Development is urgently required at the scale proposed.
- 1.3.2 The Project will be entirely powered by solar and onshore wind energy combined with a battery storage facility located in Morocco. This will unlock the potential of dedicated, remote, renewable energy and enable the UK to diversify its energy supply, increase resilience and help support local and national carbon ambitions. It would be capable of supplying 3.6 GW of power to the UK, meeting around 8% of the UK's identified electricity needs and helping the UK to meet carbon reduction commitments as well as diversifying and securing its energy supplies. Crucially, this can take place within the timeframe identified by the Government for transitioning to generating all electricity from low carbon sources.
- 1.3.3 The consideration of options has taken place and should be considered in this overall context.

## 2 POLICY CONSIDERATIONS

### 2.1 Overarching National Policy Statement for Energy (EN-1)

- 2.1.1 Volume 1, Chapter 2: Policy and Legislation of the ES (**Document ref: 6.1.2**) sets out the key overarching legislation and policy relevant to the Proposed Project including the applicability of the National Policy Statement (NPS) EN-1, NPS EN-3, and NPS EN-5 (2023).
- 2.1.2 In addition, section 1.4 of the Planning Statement sets out the legislative context, including the legal requirements of the PA 2008 and compliance of the Proposed Development with National Planning Statements (NPS) and local policy, as relevant.
- 2.1.3 As the Secretary of State has given a section 35 direction for the Proposed Development to be treated as development for which consent is required, the relevant requirements set out in NPS EN-1, including those which requires the consideration of alternatives, will apply to the Proposed Development.
- 2.1.4 Section 4.3 of NPS EN-1 set out the circumstances where NPS planning policy requires the consideration of alternatives. At paragraph 4.3.9, NPS EN-1 states:
- ‘This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective.’*
- 2.1.5 However, paragraphs 4.3.15 and 4.3.16 of the NPS EN-1 go on to set out the circumstances where there is a requirement to consider alternatives, as noted:
- “Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant’s choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility”*
- “In some circumstances, the NPSs may impose a policy requirement to consider alternatives’*
- 2.1.6 The Planning Inspectorate’s (PINS) Advice Note 7 sets out that PINS considers that a good ES is one that amongst numerous things: *“explains the reasonable alternatives considered and the reasons for the chosen option taking into account the effects of the Proposed Development on the environment.”* The Applicant has considered the reasonable alternative design and technologies which could be considered to realistically achieve the objectives for the Proposed Development. This is set out in Chapter 4 of the ES (**Document Ref: 6.1**).
- 2.1.7 In respect of the policy requirements of NPS EN-1 sections 5.4 (Biodiversity and Geological Conservation) and 5.8 (Flood Risk) relating to the consideration of alternatives, the Applicant has considered the following:
- Section 5.4 - Biodiversity and geological conservation - Considerations of reasonable alternatives have informed

the design of the Proposed Development from the outset and integrated as part of the design process, as described in the Design Approach Document (**Document ref: 7.3**). This has facilitated an approach to mitigating impacts that first seeks to avoid impacts, then minimise them, and then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.

- Retained existing onsite and immediately adjacent offsite vegetation will assist in providing screening to the Converter Station as well as providing maturity to the landscape proposals and retaining biodiversity habitats. To maximise biodiversity and minimise maintenance actions a species rich grassland will be proposed on the remaining landscape areas. The proposed landscaping will seek to recreate any loss of habitats undertaken to deliver the built proposal.
- Section 5.8 of NPS EN-1 requires a sequential test to be applied as part of the site selection process. The approach to flood risk and the assessment is described in the Flood Risk Assessment in the ES (**Document ref: 6.2**). The permanent development associated with the Converter Site is located within Flood Zone 1. However, due to its vulnerability classification and location within Flood Zone 1, 2, 3 and 3b, the Landfall and Onshore HVDC Cable Corridor has been subject to and has passed the sequential test and exception test.
- As part of the FRA the discharge of surface water from the Onshore Converter Stations have been considered within the context of the surface water flood risk and the need to ensure that any drainage solutions do not result in an increase in flood risk either to or from the Onshore Converter Stations.
- Surface water drainage requirements will be designed to meet the requirements of the NPPF, NPS EN-1 and the CIRIA SuDS Manual C753 (CIRIA, 2015) Runoff from the Onshore Converter Station will be limited and discharged in accordance with best practice. Details of the proposed surface water drainage design, including the approach to the adoption of the Sustainable Drainage System (SuDS) Hierarchy, during construction and operation will be secured via a Requirement DCO.

- 2.1.8 Paragraph 5.4.9. of NPS EN-1 confirms that “Marine Conservation Zones” (MCZs), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest”. The same paragraph recognises that the protected feature(s) and conservation objectives for MCZ are stated in the specific MCZ designation order and can vary between MCZs.
- 2.1.9 Paragraph 5.4.9 highlights that “*if a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act 2009*”.

- 2.1.10 A Marine Conservation Zone (MCZ) Assessment (**Document ref: 7.15**) has been undertaken for the Offshore Cable Corridor (OCC) route within the UK EEZ boundary to the landfall site at Cornborough Range on the north Devon coast. The total length of the OCC in UK waters is approximately 370 km.
- 2.1.11 Four MCZs are located within 5 km of the OCC (UK element) and are therefore considered to be within the potential ZoI of the Proposed Development. These are:
- Bideford to Foreland Point MCZ (UKMCZ0029);
  - Lundy MCZ (UKMCZ0010);
  - South West Approaches to Bristol Channel MCZ (UKMCZ0083); and
  - East of Haig Fras MCZ (UKMCZ0023)
- 2.1.12 Following initial assessment, it was determined that only South West Approaches to Bristol Channel MCZ and East of Haig Fras MCZ required a more detailed Stage 1 assessment. The outcomes of the detailed assessment however concluded that the Proposed Development will not hinder the achievement of the objectives for the features considered for both of these MCZs and therefore no Stage 2 assessment was required.
- 2.1.1 Section 5.1 of this report provides details of how sensitive environmental sites were excluded from the offshore survey corridor wherever possible.
- 2.1.2 The Applicant can confirm that no derogation case is required to be made in the context of impacts upon sites protected under the Habitats Regulations. As such, no requirement to consider alternatives arises in that context.
- 2.1.3 In summary, therefore, consideration of alternatives has been carried out in line with or in compliance with regulatory requirements and in the context of the clear and urgent need case for the development, which is in line with the policy prerogatives of Part 5 of NPS EN-1.

## 2.2 National Policy for Renewable Energy Infrastructure (EN-3)

- 2.2.1 The NPS on Renewable Energy Infrastructure (EN-3), updated and published by the DESNZ in November 2023, taken together with the Overarching NPS for Energy (EN-1), provides the primary basis for decisions by the Examining Authority on applications it receives for nationally significant renewable energy infrastructure.
- 2.2.2 In term of site selection, paragraph 2.3.5 of NPS EN-3 sets out that *“It is for applicants to decide what applications to bring forward. In general, the government does not seek to direct applicants to particular sites for renewable energy infrastructure. In specific circumstances it may be appropriate to provide some direction or guidance, for example to areas of search or areas to avoid through Marine Plans, Strategic Environmental Assessments (SEAs) or The Crown Estate Leasing Rounds, in respect of marine renewable technology. All of the examples given consider marine specific aspects of many of the assessment principles set out in Part 4 of EN-1.2.”*

- 2.2.3 In respect of the starting point established by paragraph 2.3.6 of NPS EN3, the Applicant has utilised design principles, environmental constraints, and engineering assumptions in developing initial locational options for each of the individual project elements. The Order Limits have been refined to a preferred option through this process and assessed accordingly through the ES.
- 2.2.4 The assessment of alternatives undertaken by the Applicant has been outlined within Volume 1, Chapter 4: Need and Alternatives, of the ES **(Document ref. 6.1)**.
- 2.2.5 In summary, the site selection process and consideration of alternatives have been considered in accordance with the relevant regulatory requirements within the context of the clear and urgent need case for the Proposed Development.

## 2.3 Other National and Local Planning Policy

- 2.3.1 Although the Applicant recognises the importance and relevance of other national and local planning policies it is noted that there is nothing in these documents that is particularly pertinent to site selection that is not already covered by national planning policy. The Planning Statement **(Document ref: 7.2)** provides an assessment of the Proposed Development against these policies.

## 3 SITE SELECTION PROCESS

### 3.1 Geographical project location

- 3.1.1 Many factors influenced the broad strategic geographical start and end point options for the Project including:
- Selection of a generation site in Morocco that enables renewable generation technologies to deliver a generation profile that cannot be economically achieved with similar technologies located in the UK.
    - Selection of a generation site that does not conflict with Morocco's decarbonisation strategy.
  - Limiting the maximum depth of the offshore cable route such that existing installation engineering techniques can be used.
  - Locating the landing point in the UK to allow proven engineering techniques to be utilised within an acceptable risk envelope and minimising the impact on the local environment and people directly impacted by the works.
    - NGESO's site selection process for the grid connection point (CION).

### 3.2 Factors influencing location of project components

- 3.2.1 A number of important factors influenced the optioneering work undertaken and the evolving locational factors of project components of the Proposed Development (weight may vary depending on the nature of the component and its context) (described here at a high level):
- **Environmental** – Considering the relative sensitivity of different options in terms of National Designations, landscape, ecology, historic environment, hydrology, noise, traffic, recreational value, land use/ownership and other environmental factors.
  - **Social and Economic**—Utilising the available capacity within the existing network, the social-economic impacts and benefits by considering the generation of low-carbon electricity, security of supply, and cost of development to manage the affordability of electricity for consumers.
  - **Electrical** – Considering the effect of the additional power input into the existing National Grid Electricity Transmission system to identify available capacity and existing assets.
  - **Engineering** – Considering the technical constraints arising from constructing and maintaining different options, such as those associated with using cable drilling techniques.

## 3.3 Design Parameters and Principles

- 3.3.1 Following the selection of the preferred locations for the project components, based on the application of the geographical locational criteria and factors mentioned above, the Applicant then developed a set of core design principles which are described in the Design Approach Document **(Document ref: 7.3)**.
- 3.3.2 The design principles for the Onshore Infrastructure Areas, which consists of Landfall, Onshore Cable Route Corridor and Onshore Converter Station, are set out in the Design Principles Statement **(Document Ref. 7.4)**. These adopted principles were:
- **Integrated Development:** Where reasonably practicable, development and construction would be integrated to streamline the Onshore Infrastructure areas delivery, mitigate any unnecessary environmental impacts and limit local receptor and stakeholder disruption while achieving the functional, safety and security requirements for critical national infrastructure.
  - **Safeguard Sensitive Receptors:** Where possible, cable route and locations for both Converter Stations would be chosen to avoid sensitive receptors, including settlements, ecologically valuable or designated sites, and habitat areas.
  - **Minimise Construction Impact:** Construction in the Onshore Order Limits will adapt to existing conditions and designations to minimize impact. This includes installing cables underground to reduce visible infrastructure, narrowing corridor widths where appropriate, and employing trenchless crossings to limit disturbance where feasible.
  - **Landscape Restoration:** Where plants have been significantly disturbed or removed, new planting would be designed to blend into the natural landscape wherever reasonably practicable.
  - **Ecological Enhancement:** Design proposals will aim to compensate for any loss by reinstating and creating new habitats and vegetation, ensuring ecological enhancements. The goal is to achieve no net loss to biodiversity and, where reasonably practicable, promote improvement in biodiversity.
- 3.3.3 In addition to the design principles described above in paragraph 3.3.3 more detailed sets of criteria and parameters were applied for each of the individual project elements. These are further described in chapter 4 (onshore) and chapter 5 (offshore ) of this report.



## 4 SITE SELECTION ASSESSMENT FOR ONSHORE COMPONENTS

### 4.1 Point of Connection

- 4.1.1 The Applicant, in May 2020, submitted an application to National Grid ESO (NGESO)<sup>1</sup> to connect electricity generated by a large amount of wind, solar, and battery storage plant installed in Morocco to the national grid via 2 x 1800 MW HVDC links.
- 4.1.2 In order to make a connection offer, NGESO carried out an initial options appraisal assessment to identify and evaluate potential connection options within an agreed geographical range of the UK, spanning both South Wales and the South-West of England, known as the Connection and Infrastructure Options Note (CION) process. The CION process is an optioneering process that NGESO carry out to identify connection options for offshore transmission and interconnector projects.
- 4.1.3 The location of the geographical area was selected by the need of the Project to round the Iberian Peninsula leading to areas in the South West of England being considered as connection options.
- 4.1.4 The two main geographical areas assessed in the CION were South Wales and the South West peninsula. North Wales would be much further geographically and would potentially clash with Round 4 wind projects in the area, and connections further east along the south coast would likely have contributed to the existing stability issues in the area. Electrically, any connection in the South West Peninsula would likely cause similar issues, as would any location in South Wales.
- 4.1.5 The approach followed by NGESO as part of the CION process involved a number of steps including:
- Identifying potential connection options – Potential substation locations were identified based on existing connection points that are technically feasible to the Project as well as being appropriate in planning and environmental terms.
  - Evaluation of connection options – This involved evaluating the options, considering the complexity of construction, land issues, technology, costs, and environmental constraints.
  - Detailed appraisal – This involved a more detailed appraisal of the options taken forward during the previous step to identify the preferred option.
- 4.1.6 NGESO considered existing substation sites with the potential to be expanded rather than zones for potential new substations. Although a new substation could be designed and constructed, connecting to existing sites in

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<sup>1</sup>The connection application was made prior to National Energy System Operator Limited (NESO) taking over the electricity system operation from National Grid Electricity System Operator Limited (NGESO)

principle entailed fewer constraints and would usually be more economically feasible.

4.1.7 The following potential connection options were investigated by NGESO:

- Alverdiscott
- Pembroke
- Seabank
- Indian Queens
- Exeter

4.1.8 These substation sites were each evaluated against a range of criteria including offshore cable route length, development risk, environmental constraints, and interactions with other infrastructure.

4.1.9 Seabank Substation was considered due to its strengthened position after the new Hinkley - Seabank circuit is complete. However, this was ruled out due to the additional offshore cable route length and a lack of clear benefits over other options. In addition, there was a complicated access to the potential substation site which would provide difficulty in constructing the Proposed Development.

4.1.10 Sensitive environmental areas, including woodland areas, and residential areas were identified around the Indian Queens Substation. In addition to this constraint an appropriate and acceptable landing point and onshore cable route to the Indian Queens Substation point of connection could not be identified. For these reasons, the Indian Queens Substation was not taken forward for further consideration.

4.1.11 A connection at the Exeter substation would likely have a series of constraints including existing solar farms around it. The potential was identified in this scenario that the converter could be located close to Exeter Airport to enable it to be perceived as part of the commercial development around the airport, which would be the nearest industrial area to the substation. This would mean a longer HVAC cable route which would sterilise a larger swathe of land and also require a large trench route which would impact negatively on ecology. The Exeter Substation point of connection also showed potentially challenging interactions with other HVDC and telecom cables in the vicinity of the Proposed Development route. It was also not clear what mitigation strategies existed to minimise the cost of these interactions, therefore resulting in a high development risk. Further, the NGESO analysis considered that only one 1,800 MW connection would be made at Exeter, with a second connection of 1,800 MW at Alverdiscott. Ultimately, this option was not taken forward.

4.1.12 This left the Pembroke, South Wales, and the Alverdiscott Substation, South-West England, as the two preferred points of connection to take forward for further consideration.

4.1.13 Pembroke Substation was identified as a potential connection point in South Wales as it has a 400kV connection and is located close to the coastline, therefore reducing onshore cabling. The initial options appraisal resulted in an offer from NGESO for a 1.8 GW connection at Pembroke and another 1.8 GW at Alverdiscott which was accepted by the Applicant at that stage.

- 4.1.14 Following this, NGENSO identified that there were technical and environmental considerations that limited the potential for a second connection at Pembroke Substation during the post-signature CION process. This was principally related to the potential for significant impacts along the onshore cable route and difficulty managing cumulative impacts associated with other projects already proposed to connect to Pembroke Substation.
- 4.1.15 In the post-signature CION, having both connections at Alverdiscott emerged as a feasible and preferable option. This option of a single point of connection at the Alverdiscott substation was considered a better choice for the Project as it would only require one onshore cable route which would be less impactful on the environment and less disruptive to local communities from a construction perspective.
- 4.1.16 The connection into the Pembroke Substation was not therefore progressed for further consideration. The outcome of the further CION assessment process resulted in the Alverdiscott Substation being identified as the preferred option by NGENSO as it had sufficient space for the development of any required additional infrastructure within the substation site (owned by National Grid) and the development of the proposed new converter stations on land close to the substation site.
- 4.1.17 Additionally, compared with the alternative options considered above, the Alverdiscott Substation was highlighted as being at minimal risk of significant conflict with nearby infrastructure and had limited environmental constraints identified within the initial appraisal.
- 4.1.18 As part of the assessment process NGENSO undertook an economic cost-benefit analysis (CBA) of the Pembroke and Alverdiscott Substations to establish the most economically efficient point of connection. This demonstrated the significant advantages of having two connections in the South West of England. Given the findings of the CBA and fewer environmental constraints compared with other options, two 1800 MW connections at Alverdiscott Substation were offered to the Applicant by NGENSO to take forward as part of the original intended TCPA application and subsequently, this DCO application.
- 4.1.19 At the time of writing this report NGET have advised that they are working through the design elements of the required substation works in 2025 with a view to submission of the planning application for the expanded substation in 2026. This will allow the Proposed Development to connect into the substation as per the grid connection offer.

## 4.2 Converter Site

- 4.2.1 The identification of potential sites for the Converter Station was focussed on a study area within a 2 km radius around the proposed Point of Connection as shown in **Figure 4.1** attached to this report.
- 4.2.2 The radius was chosen by the need to minimise transmission losses along the HVAC cable route between the proposed Converter Site and the proposed Point of Connection as transmission losses increase with distance along a HVAC cable. In addition, having a reduced length of HVAC cable, which requires a 65 m wide temporary construction corridor, will further limit the impacts associated with the construction activities and reduce the

number of landowners to be negotiated with along the cable route, thus reducing time and complexity for project delivery.

4.2.3 Within the study area the following criteria were considered to identify potential converter sites:

- Area of land available to house two convertor stations as well as additional land required to accommodate necessary access and landscaping mitigation.
- Land ownership and willingness of landowners to participate in the Project.
- Topography of available land.
- Landscaping and screening opportunities.
- Environmental constraints including flood risk, ecological habitats and archaeology.
- Proximity of sensitive receptors.
- Suitability of existing road access to and from the site.
- Avoidance of Public Rights of Way (PRoW).
- Distance and potential impact of the HVAC cable corridor.

4.2.4 Following a review of the criteria above, two potentially suitable locations were identified within the study area at Huntshaw and the old Webbery showground.

4.2.5 The proposed Converter Station site at old Webbery was presented as the preferred option to Torridge District Council (TDC) as part of a TCPA pre-application process. TDC however issued an advice note requesting that an alternate location be found due to its concerns about the site being located within a vulnerable or elevated location. Following the TDC advice the Huntshaw Converter Site was proposed as the preferred option during the first non-statutory consultation in November 2022. The proposed Huntshaw Converter Site was located near Great Huxhill, approximately 0.7 km south of the Gammaton Crossroads.

4.2.6 Feedback from the non-statutory consultation and a special Town Hall meeting in December 2022 at the Alverdiscott Village Hall indicated strong opposition to the proposed Converter Site at Huntshaw. Concerns about the proposed Huntshaw location included:

- Proximity to and associated construction phase impacts on residential dwellings, including listed buildings within 300 m of the proposed Converter Site
- Visual impacts created by the proximity of Converter Site to residential dwellings and scale of landscaping mitigation required within close proximity
- Steep topography with a steep drop in ground levels towards the south east of the proposed site
- The need for a widening of existing roads and construction of a new temporary road for construction access to the proposed site
- Potential impacts on ecology.

- 4.2.7 As a result of the community opposition to the proposed Huntshaw Converter Site, the Applicant undertook further investigations and assessments of possible mitigation measures which could address the concerns raised by TDC relating to the vulnerability of the elevated position for the Converter Station at the old Webbery showground site. This included mitigation measures to reduce the visual impact of the building on the landscape which is more fully described in The Design Approach Document (**Document Ref: 7.3**) and the Outline Landscape and Ecology Management Plan (oLEMP) (**document ref: 7.10**).
- 4.2.8 The Applicant also considered the additional cost of the longer HVAC cables required to connect from the Huntshaw location together with the additional construction impacts on the environment as a result of the longer cable distance.
- 4.2.9 On balance the decision was taken by the Applicant to revert back to the proposed site at the old Webbery showground as the preferred Converter Station location for the second non-statutory consultation event. The Applicant, after careful consideration of further representations received during the second non-statutory consultation in support of as well as in opposition to the proposed location, decided on balance to proceed with the old Webbery site as the preferred Converter Site location within the DCO.
- 4.2.10 The old Webbery site is situated between Gammaton and Alverdiscott, approximately 5 km southwest of the town of Bideford. The 30.28 ha site is currently comprised of agricultural fields with boundaries defined by trees, hedgerows and small ditches.
- 4.2.11 Existing infrastructure within the site includes an existing road that runs from west to east providing access to the current substation. Various buried utilities such as gas pipes, underground electric lines, and telecom lines are present, along with overhead electric lines that cross the site.
- 4.2.12 Although the site features some vegetation and tree coverage, it is primarily characterised by wide, unobstructed views. A visual representation of the site in its locational context is demonstrated in the Design Approach Document (**Document Ref: 7.3**).
- 4.2.13 The location of the Converter Station at the old Webbery showground has been assessed against the site selection criteria mentioned above and the outcome of this was:
- The site is large enough to accommodate the maximum design scenario for the Converter Station.
  - Flatter topography compared to the proposed Huntshaw site, noting that the proposed old Webbery showground is still located on a rolling hillside. The old Webbery showground site falls away from the road with the proposed converter buildings sitting further down the slope, with a backdrop of existing electricity pylons, the Alverdiscott Substation and a portion of land within the Converter Site which includes permitted solar farm development, which is under construction at the time of writing. The permitted solar farm relates to the planning application 1/1057/2021/FULM, which includes a 36 MW solar farm that occupies 63.2 ha of land, 6 ha of which falls within the Proposed Development. and as well as an existing solar farm.

- The topography of the site allows the implementation of screening and landscape mitigation measures through the creation of extensive earthworks to form bunds around the proposed buildings, balancing cut and fill onsite. The profile of the bunds has been designed to have a more naturalistic gradient that will help to assimilate into the wider landscape. Mixed native woodland planting will be used to provide further screening, soften the bunds, provide habitat creation and assist in soil stabilisation.
  - The site has no negative impacts on ecological designations, existing PRoW or the potential risk of flooding. Access to an existing road network, noting a proposed haul road will mitigate impacts of construction traffic between the proposed Converter Site and proposed construction compound on Gammaton Road.
  - The short HVAC cable route between the proposed Converter Station Site and the existing Alverdiscott substation resulting in less disruption to the environment during construction.
- 4.2.14 Due to the potential visual impacts that the Converter Station infrastructure will have in the surrounding context the Applicant has given careful consideration in the ongoing design process to ensure a balance is achieved between the visual appearance, sustainability and functionality of each building and operational equipment.
- 4.2.15 The Design Approach Document (**Document Ref: 7.3**) demonstrates the Applicant's commitment to embedding good design from the outset of the Proposed Development. This is achieved through early engagement with key stakeholders and experts to guide the design development process which ensures the design meets the 'good design' standards set by NPS EN-1, fulfils its functional and operational needs, and integrate well with its surroundings.
- 4.2.16 An Outline Landscape and Ecology Management Plan (oLEMP) (**Document Ref: 7.10**) has been developed as part of this DCO application and a detailed LEMP based on the framework of the oLEMP will be secured by Requirement in the Draft Development Consent Order (**Document Ref. 3.1**). The oLEMP provides the framework to agree details relating to the soft landscaping proposals (planting and seeding) around the Onshore Converter Station where required. The landscape proposals seek to retain where feasible all existing vegetation onsite to assist in integrating the proposals. Retained existing onsite and immediately adjacent offsite vegetation will assist in providing screening to the Converter Station as well as providing maturity to the landscape proposals and retaining biodiversity habitats.
- 4.2.17 Taking into consideration the performance of the old Webbery showground site against the site selection criteria, the balance of opinion received during consultation feedback and the ability to minimise potential impacts through suitable mitigation measures, this is the preferred location for the Converter Station for the DCO submission.

### 4.3 Landfall

- 4.3.1 The works at the Landfall site, which is where the Offshore HVDC Cables come ashore (i.e., make landfall) and are jointed to the Onshore HVDC Cables, will be undertaken using Horizontal Directional Drilling (HDD)

techniques. Using HDD allows for cable installation under sensitive coastal features thereby avoiding any direct impacts to sensitive areas.

- 4.3.2 The selection of a location for the Landfall site was informed by the key technical requirements and parameters needed to facilitate the construction and operation of the Proposed Development. Table 3.1 below sets out the technical parameters considered during the site selection process for the Landfall site.

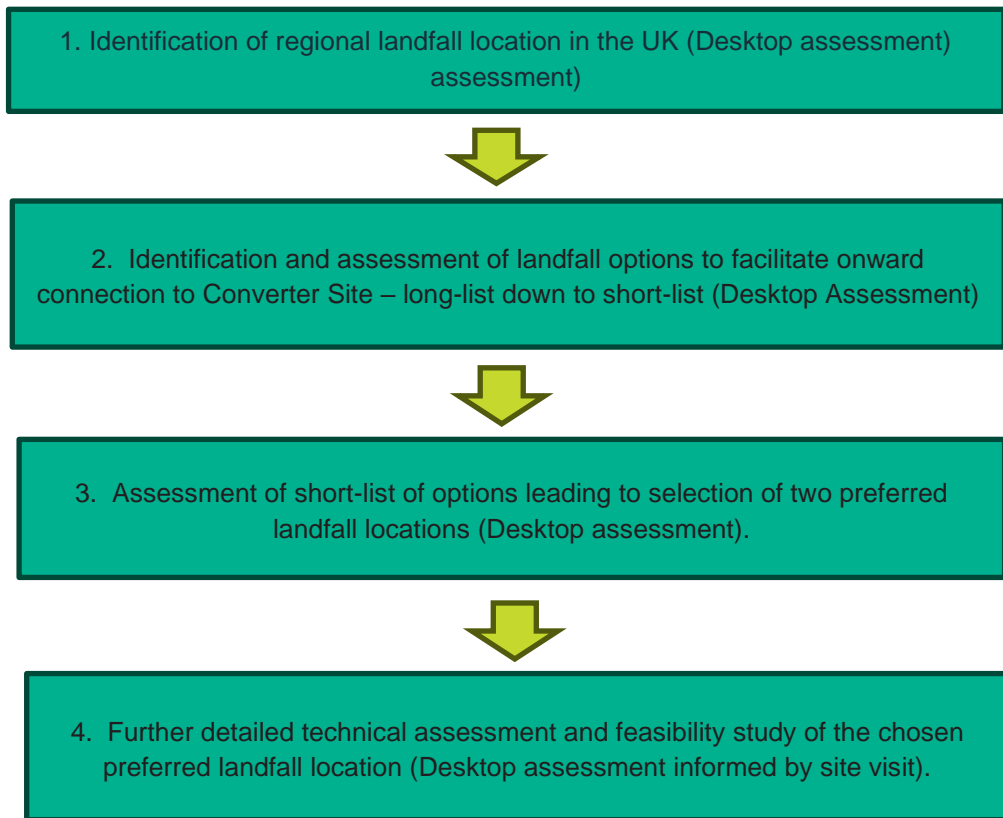
**Table 4.1 Landfall Technical Parameters**

<b>Infrastructure</b>	<b>Key Parameter</b>	<b>Maximum Design Scenario</b>
Landfall HDD	Number of Power Cable Ducts	4
	Number of Fibre Optic Ducts	6 (included 2 spares)
	Diameter of Power Cable Ducts (mm)	450
	Diameter of Fibre Ducts (mm)	110
	Longest indicative length of HDD from entry to exit pit (m)	2,110
	Shortest indicative length of HDD from entry to exit pit (m)	672
	Number of onshore exit pits	4
	Volume of excavated material (m <sup>3</sup> ) per onshore exit pit	75
	Temporary construction compound (m <sup>2</sup> )	10,000
	Duration of HDD works (months)	12
	Duration of cable pulling operations (each bipole) (months)	6
Transition Joint Bay (TJB)	Number of TJBs	2
	Maximum depth of TJB (m)	2.5
	Volume of excavated material (m <sup>3</sup> ) per TJB	1,875

	Construction Area of TJB (m <sup>2</sup> ) (per TJB)	750
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4.3.3 Taking into account the specific technical parameters mentioned above, the following 4-stage site selection process was followed to assess the various landfall options and to then identify a preferred landfall location.

**Landfall Site Selection: 4 Stage Approach**



4.3.4 A brief description of the various stages is provided below:

- **Stage 1:** Identification of the regional landfall location (Area of Search (AoS)) .
- **Stage 2:** Assessment of landfall options that will enable a connection . This stage involved the identification of a 'long-list' of potential options which was then narrowed-down to a short-list of potential landfall locations.
- **Stage 3:** Desk top assessment of the short-listed options further to identify the preferred option to be taken forward for detailed technical and feasibility assessment.



- **Stage 4:** Further desk-based technical and feasibility assessments informed by a site visit to confirm that the preferred option is appropriate and feasible for construction and operational activities.

## Assessment of landfall options

### Stage 1

#### Identification of a landfall study area

- 4.3.5 Stage 1 focused on the identification of an appropriate landfall location from which to bring the cable onshore.
- 4.3.6 Identifying an appropriate landfall location will subsequently assist identifying the shortest viable length of the onshore cable route in the interests of minimising environmental impacts, disruption to the amenity of communities through construction activity, reducing the length of the construction programme and delivering technical and cost efficiencies.
- 4.3.7 This principle is in accordance with NPS EN-5, specifically section 2.2 – ‘Factors influencing site selection and design’.

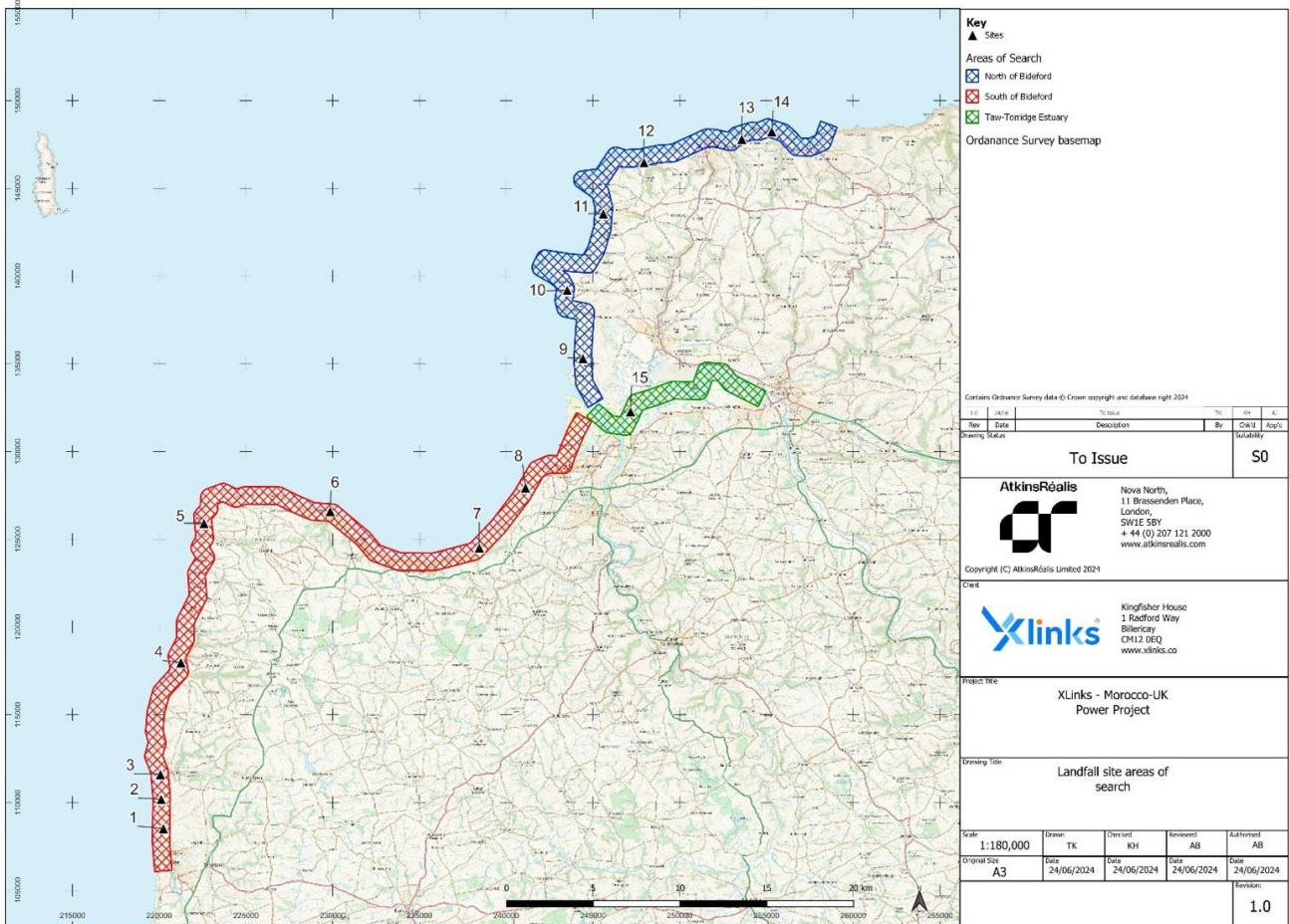
### Stage 2

#### Identification and assessment of landfall options: long-list down to short-list (Desktop Assessment)

- 4.3.8 Following the identification of a regional landfall location on the north Devon coastline, the site selection process progressed to the consideration of identifying an appropriate specific landfall location.
- 4.3.9 In order to focus the assessment, three key AoS were identified along the north Devon coastline as shown in the image below:
  - **South of Bideford:** extending from Northcott Mouth Beach in Cornwall to Cornborough Range in Devon. Whilst the north Devon coastline was identified as the regional landfall location, a small number of sites in north Cornwall (extending 8 km south of the Cornwall-Devon border) were selected for assessment. The inclusion of these sites in the assessment was considered appropriate as it would explore the potential suitability of the landfall points on a geographical basis rather than excluding potential sites on the basis of jurisdiction boundaries. The AoS extends to Cornborough Range, which is geographically the last possible potential landfall site south of the Taw-Torridge Estuary. No potential landfall sites were considered south of Northcott Mouth Beach as this would likely result in a lengthy onshore cable route.
  - **North of Bideford:** extending from Saunton Sands/ Braunton Burrows to Watermouth Bay. This AoS was defined as Saunton Sands/ Braunton Burrows being the first possible potential landfall point north of the Taw-Torridge Estuary. The AoS extends to Watermouth Bay, which is geographically the last possible potential landfall point outside of Exmoor

National Park. No potential landfall points were explored within Exmoor National Park.

- **Taw-Torridge Estuary:** The Taw-Torridge Estuary was identified as a separate AoS due to the specific marine environment considerations required for construction feasibility at this potential landfall location.



4.3.10 Several potential landfall points were identified within each AoS for consideration. The broad criteria applied to the identification of these sites included assessment against onshore topography and gradient, geological conditions based on available information and site access.

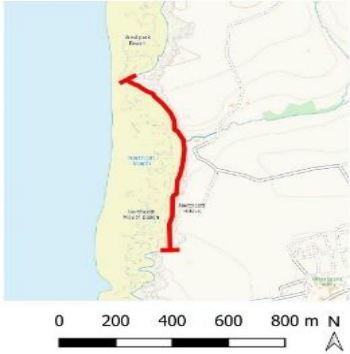
4.3.11 The potential landfall sites identified are listed below:

- **South of Bideford:** Northcott Mouth Beach (Site 1), Sandymouth Bay Beach (Site 2), Duckpool Beach (Site 3), Welcombe Mouth Beach (Site 4), Abbey River Beach (Site 5), Mouthmill Beach (Site 6), Portledge (Peppercombe) (Site 7), and Cornborough Range (Site 8).
- **North of Bideford:** Saunton Sands (Site 9), Croyde Bay (Site 10), Woolacombe (Site 11), Lee Beach (Site 12), Ilfracombe and Hele Beach (Site 13), and Watermouth Bay (Site 14).
- **Taw-Torridge Estuary:** Instow Sands (Site 15).

4.3.12 The locations of these sites are shown spatially in the images below.

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Site 1: Northcott Mouth Beach



Site 2: Sandymouth Bay Beach



Site 3: Duckpool Beach



Site 4: Welcombe Mouth Beach



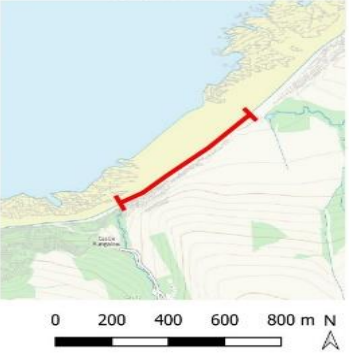
Site 5: Abbey River Beach



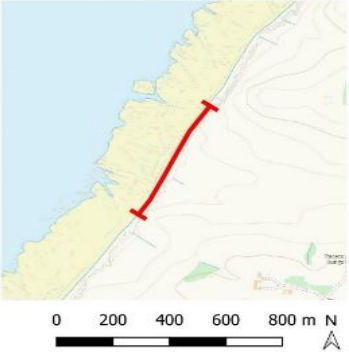
Site 6: Mouthmill Beach



Site 7: Portledge (Peppercombe)



Site 8: Cornborough Range



Site 9: Saunton Sands/Braunton Burrows



Site 10: Croyde Bay



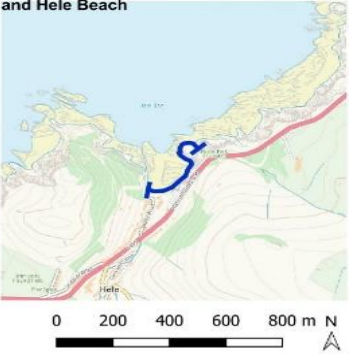
Site 11: Woolacombe



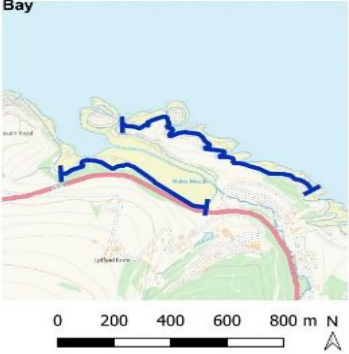
Site 12: Lee Beach



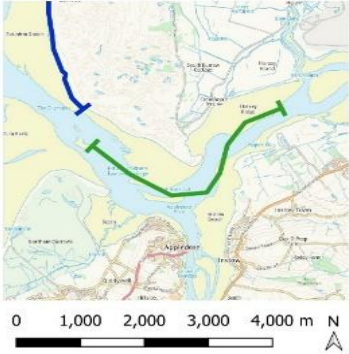
Site 13: Ilfracombe and Hele Beach



Site 14: Watermouth Bay



Site 15: Instow Sands



4.3.13 Each potential landfall site was individually assessed against environmental, physical, technical, and commercial/socio-economic criteria using publicly available data. A comprehensive assessment of each site against these criteria was undertaken and each site was allocated a category in relation to the identified criteria, in accordance with the category definitions outlined in **Table 3.2**.

**Table 4.2 - Landfall site assessment categories**

<b>Category</b>	<b>Description</b>
A	The potential landfall site is technically feasible and of low environmental and socio-economic impact. Where environmental and/or socio-economic impact is anticipated or unavoidable, appropriate mitigation measures can be put in place. These potential landfall sites are the preferred options for landfall.
B	The potential landfall site is technically feasible and may result in some environmental and/or socio-economic impact which cannot be suitably mitigated.
C	The potential landfall site is not technically feasible and/or is of high environmental and/ or socio-economic impact. These potential landfall sites should not be taken forward as landfall sites.

4.3.14 A qualitative approach was taken in the categorisation of the potential landfall sites, using professional judgement to determine the weight that should be attributed to each of the four criteria mentioned above. This was to allow a holistic assessment of each site, informed by a balance of each of the following factors:

- Technical feasibility of construction at the potential landfall point;
- Minimising disruption of landscape and environmental designations;
- Minimising disruption of existing and proposed development;
- • Ease of potential mitigation measures to reduce any anticipated adverse impact.

4.3.15 A summary of the assessment of each site is set out in Table 4.3 below.

**Table 4.3: Summary of individual site assessments**

		<b>Environmental</b>	<b>Physical</b>	<b>Technical</b>	<b>Socio-economic</b>	<b>Summary comment</b>
<b>South of Bideford</b>	<b>Site 1 - Northcott Mouth Beach</b>	A	C	C	B	The cliff height and topography are sub-optimal for HDD operation. The site is also a significant distance from Alverdiscott and would therefore require a lengthy cable route. The site is also located adjacent to the town of Bude and may therefore have adverse impact on residential receptors.
	<b>Site 2 - Sandymouth Bay Beach</b>	A	C	C	A	The cliff height and topography are sub-optimal for HDD operation. The site is also a significant distance from Alverdiscott and would therefore require a lengthy cable route.
	<b>Site 3 - Duckpool Beach</b>	A	C	C	A	The cliff height and topography are sub-optimal for HDD operation. The site is also a significant distance from Alverdiscott and would therefore require a lengthy cable route.

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<b>Site 4 - Welcombe Mouth Beach</b>	A	C	B	B	The site is a significant distance from Alverdiscott and would require a lengthy cable route. HDD operation is possible. The site is not subject to many environmental designations and/ or socio-economic receptors. It is anticipated that any potential impact on these receptors can be mitigated.
<b>Site 5 - Abbey River Beach</b>	A	C	B	B	The site is a significant distance from Alverdiscott and would require a lengthy cable route. HDD operation is possible. The site is not subject to many environmental designations and/ or socio-economic receptors. It is anticipated that any potential impact on these receptors can be mitigated.
	<b>Environmental</b>	<b>Physical</b>	<b>Technical</b>	<b>Socio-economic</b>	<b>Summary comment</b>
<b>Site 6 - Mouthmill Beach</b>	A	C	C	A	The cliff height and topography are sub-optimal for HDD operation. The site is also a significant distance

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						from Alverdiscott and would therefore require a lengthy cable route.
	<b>Site 7 - Portledge (Peppercombe)</b>	A	A	A	A	The site is in close proximity to Alverdiscott and cliff height is optimal for HDD operation. There are limited environmental and socio-economic receptors, and it is anticipated that any potential adverse impact can be mitigated. A39 is located in close proximity, allowing ease of access to the site.
	<b>Site 8 - Cornborough Range</b>	A	A	A	A	The site is in close proximity to Alverdiscott and cliff height is optimal for HDD operation. There are limited environmental and socio-economic receptors, and it is anticipated that any potential adverse impact can be mitigated.
<b>North of Bideford</b>	<b>Site 9 - Saunton Sands/ Braunton Burrows</b>	C	A	A	B	The site is in close proximity to Alverdiscott. HDD operation is possible at this location, however crossing the Taw estuary may be challenging. There are many environmental designations at this location and so robust



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						mitigation will likely be required. Noted that White Cross Offshore Wind planning application makes landfall at this location. Braunton Burrows regularly used by MoD for military exercises.
	<b>Site 10 - Croyde Bay</b>	A	B	A	C	The site is located directly adjacent to the village of Croyde, which would likely result in significant disruption during construction. Crossing the Taw Estuary to reach Alverdiscott may be challenging.
	<b>Site 11 - Woolacombe</b>	A	A	A	B	The site is subject to limited environmental constraints. The site is located in close proximity to Alverdiscott, however crossing the Taw Estuary may be challenging. The site is located directly adjacent to Woolacombe and so there may be some impact on residential and commercial receptors during construction.

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	<b>Site 12 – Lee Beach</b>	A	B	A	A	The site is located directly adjacent to the village of Lee, which would likely cause significant disruption during construction. The cliff height and topography are sub-optimal for HDD operation. The site is also a significant distance from Alverdiscott, and would require crossing the Taw Estuary, which may be challenging.
	<b>Site 13 - Ilfracombe and Hele Beach</b>	B				The site is located directly adjacent to the town of Ilfracombe, which would likely cause significant disruption during construction. The cliff height and topography are sub-optimal for HDD operation. The site is also a significant distance from Alverdiscott, and would require crossing the Taw Estuary, which may be challenging.
	<b>Site 14 - Watermouth Bay</b>	A	B	C	C	The cliff height and topography is sub-optimal for HDD operation. The site is located directly adjacent to Watermouth Bay and will

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						likely cause disruption to residential and commercial receptors during construction. The site would likely require the cable routing to cross the Taw Estuary, which may be challenging.
<b>Taw-Torridge Estuary</b>	<b>Site 15 - Instow Sands</b>	B	B	B	B	The site is not subject to cliff height restrictions. The site is located in close proximity to Alverdiscott, however this location will require HDD drilling underneath the Taw Estuary, which may be challenging. The site is located in close proximity to a number of environmental designations and socio-economic receptors.

4.3.16 Following the individual assessment of each potential landfall site against environmental, physical, technical, and commercial/ socio-economic criteria, each site was allocated into an overall category (in accordance with the descriptors set out in Table 3.3).

**Table 4.4 - Categorisation of potential landfall sites**

Category	Sites
A	Site 7 – Portledge (Peppercombe) Site 8 – Cornborough
B	Site 9 – Saunton Sands/ Braunton Burrows Site 11 – Woolacombe Site 15 – Instow Sands
C	Site 1 – Northcott Mouth Beach Site 2 – Sandymouth Bay Beach Site 3 – Duckpool Beach Site 4 -Welcombe Mouth Beach Site 5 – Abbey River Beach Site 6 – Mouthmill Beach Site 10 – Croyde Bay Site 12 – Lee Beach Site 13 – Ilfracombe and Hele Beach Site 14 – Watermouth Bay

4.3.17 Following the Stage 2 assessment, based on the detailed assessment and application of professional judgement, Site 7 - Portledge (Peppercombe) and Site 8 - Cornborough were identified as the most preferable potential landfall sites. These sites were progressed for further technical assessment under Stage 3.

## Stage 3

### Assessment of short-list of options leading to selection of preferred landfall location

- 4.3.18 Following the identification of the two shortlisted sites of i) Portledge (Peppercombe) and ii) Cornborough, a technical desk-based assessment of these sites was carried out by appropriate technical experts.
- 4.3.19 The desk-based assessment focused on the technical feasibility of these sites for Horizontal Directional Drill (HDD). The assessment considered the performance of the two shortlisted sites against the following criteria:
- Geology;
  - Topography and conceptual design; and
  - Duct stringing approach.
- 4.3.20 A summary of the assessment against these criteria for the 2 sites is set out below.

#### Portledge (Peppercombe)

##### Geology

- 4.3.21 The BGS 1:50,000 scale mapping indicates superficial deposits of Marine beach deposits (sand and gravel) on the beach, but no superficial deposits on the onshore area. The 1:50,000 scale mapping indicates bedrock of Exeter Group – breccia and sandstone, interbedded across the potential HDD site, with Bude Formation Sandstone to the north and south of the site. The 1:10,000 mapping sheets note red sand, sandstone and breccia with marl beds in the coastal cliffs and, to the north, thin and medium-bedded sandstones with shaley partings. These sandstones to the north would be encountered approximately from approximately 400m onward based on the conceptual HDD design.
- 4.3.22 There are faults crossing the route at Peppercombe, including a 2 km length East-West trending fault that defines the northern side of the Exeter Group. It crosses the potential HDD alignments at 200-250 m from the shore. The line of this fault defines a boundary between exposed intertidal rock platform to the north and beach deposits to the south, indicating that the movement has brought in weaker Exeter Group on the southern side that have been more deeply weathered and eroded.

##### Topography and conceptual design

- 4.3.23 Conceptual design drawings for Peppercombe have been used to inform the comparison assessment between the two sites.
- 4.3.24 The entry elevation at Peppercombe is high at 30-22 m, with 15-18 m cliff heights and scarps from the fields down to the beach. There will need to be 32 m depth of cover between the western edge of the field (cliff top) and the HDD bore to ensure 13 m of cover beneath bedrock where the HDD passes beneath the beach.

### **Duct stringing**

- 4.3.25 The Peppercombe location is difficult for stringing due to the steep topography. The duct stringing would need to be located through the fields to the south-southeast. The design of the stringing will need to assess the requirement for duct restraint down the steeper sections if rollers are used. The primary difficulty will be if a pulled installation requires transfer of the duct from land to sea. The cliffs at the location prevent beach access, so an engineered method would be required to pass and support the duct from the fields to the beach. Whilst this is potentially feasible using cranes and possibly bridging scaffolds, it will be a significant undertaking.

### **Cornborough**

#### **Geology**

- 4.3.26 Based upon BGS 1:50,000 scale mapping shows that no superficial deposits and bedrock belonging to the Bideford Formation of mudstones and siltstone with some sandstone beds. The 1:10,000 mapping sheets show that shales with thin sandstones and silty mudstones at the intertidal rock platform. An anticline is indicated with a westerly axis and bedding dipping at 65 degrees to 75 degrees on either side.
- 4.3.27 A number of faults are indicated in the rock platform which were narrow, at less than 65 cm in width, with no significant weathering.
- 4.3.28 Mapping indicates a 2 km long -north-westerly trending faults that potentially crosses indicative HDD alignments 400 m west of the shoreline. The alignment of this fault is marked by deeper weathering in the rock platform

#### **Topography and conceptual design**

- 4.3.29 The topography at Cornborough is gently sloping fields down to a small, 2-3 m high, scarp onto a narrow, 40m width, beach of sand, gravel and cobble, with cobble dominating the sections above mean high water. West of the beach is a 200 m width intertidal rock platform, that is notably flat with minor gullies along the alignments of faults. The topography is very suitable for designing a landfall profile that provides an even depth of cover from top of bedrock down to the level of the bore design. This is beneficial in minimising the risk of drilling fluid frac out to the surface and optimising depth for cable thermal design.
- 4.3.30 On the Cornborough site, 140-180 m inland of the coast, there is a knoll of outcropping bedrock. Consideration has been had to positioning the HDD on the eastern side of this knoll to partially remove the site from the line of vision when walking along the coastal footpath. However, as can be seen on the conceptual designs, this increases the HDD length by 144 m, and it also increases the depth of cover to 28 m where it passes the western edge of the field.
- 4.3.31 Cornborough has also been subject to a previous HDD drill for the Southwest Water Outfall which demonstrated that there is proven access to the site.

### **Duct stringing**

- 4.3.32 The Cornborough location has sufficient available length along the onshore cable route for welding and stringing the duct for the option of exiting at 5 m

latitude (LAT). The topography is gently to moderately sloping and suitable for fabrication and stringing.

### **Comparison of location feasibility**

#### **Geology**

- 4.3.33 The geology at both locations generally appears suitable; the Peppercombe ground conditions appear a little softer and it could be perhaps 10-25% quicker to drill. However, this advantage is possibly offset to an extent by two factors; contrasting layers of stronger and softer rock that can make steering difficult, and potentially the risk of cobble within the breccia could result in bore collapse or difficulty in cleaning the bore. Additionally, the presence of synclines and anticlines to the north indicate that the HDDs could encounter changes in the angle of bedding as they drill and this will also complicate the steering of the HDD. This risk also exists at Cornborough, but probably to a lesser extent because the orientation of the fold axis is parallel to the drilling alignment, and there is only one fold indicated near the Cornborough route.
- 4.3.34 The bedrock at Cornborough has fairly consistent bedding orientations and the rock strengths appear to be more consistent than at Peppercombe. While the drawing for Cornborough indicates a larger number of faults, this is due to the excellent rock outcrop in the intertidal area, rather than a higher density of faults than Peppercombe. Peppercombe is expected to have at least as many faults, potentially more because the folded strata (synclines and anticlines) indicate the area is more affected by folding and faulting. Both locations have a larger, circa 2 km length, fault crossing the drill routes offshore at an oblique angle. The ground conditions in the faults are expected to be weaker, but they are probably only going to be noticed as faster drilling and perhaps as a zone of temporary fluid loss until they are crossed. They are probably 5 m true width so on the alignments they might be encountered as 10-15 m length of softer ground.
- 4.3.35 The BGS offshore index only gives very high level information on seabed sediments; at Cornborough they are indicated as sand (based on folk), and at Peppercombe they are indicated as muddy sand (based on folk). No thicknesses are indicated at the exit locations. Ideally the HDD landfall should exit in 2-4 m thickness of sediment and avoid areas with significant thicknesses of gravel, cobble or boulder. Based on the seabed slope on the navigational charts, it is likely that the HDD's exiting in 5 m water at LAT will encounter more suitable than those exiting at 10 m water. The 10 m water exits will probably require the HDD to drill through hundreds of meters of sediment between leaving bedrock and exiting on the seafloor. Offshore and nearshore surveys at the locations with sub bottom profiling are required to determine the most suitable length, from an HDD perspective.
- 4.3.36 An interpretation of the geological profile at each location is provided on the conceptual design drawings, but it must be restated that it is based on a high level review with the nearshore and offshore areas being poorly defined geologically.
- 4.3.37 In summary, the geology at Cornborough, while probably a little slower to drill, is expected to be more consistent allowing the drill to follow the design alignment and creating a more stable borehole than at Peppercombe.

#### **Topography and conceptual design**

4.3.38 Conceptual HDD design drawings, showing potential ways in which the HDD operation could be implemented, was used to inform the assessment against this criteria. The conceptual designs for both sites include the technical design requirement to exit the water at 5 metres of water and 10 m of water. The Cornborough design also included two potential HDD entry locations with the same exit point due to the 'short' option starting closer to the beach. Table 4.5 below summarises the respective design lengths.

**Table 4.5 – Summary of landfall option lengths**

Landfall location	Length of HDD to achieve exit in water depth of:	
	5m	10m
Cornborough long (m)	816	2110
Cornborough short (m)	672	1966
Peppercombe (m)	705	1656

4.3.39 The topography at Peppercombe is less helpful for minimising the unintentional return of drilling fluids to the surface during HDD, known as a frac out risk, and optimising cable design. The equivalent cover for the Cornborough design is 21 m.

4.3.40 The conceptual designs all have suitable radii and tangent angles for HDD, and there is sufficient room at the entry points for a maxi rig site. The spacing between the HDDs is required to be 10 m between poles and 20 m between circuits. Using 20 m provides some allowance for unexpected deviation of the HDD or re-drilling if an HDD encounters difficulties and cannot be completed.

**Duct stringing**

4.3.41 For the longer HDD options at both Cornborough and Peppercombe, it is potentially viable to string the complete duct length, but it is likely to require engineering of temporary underpasses (culverts or larger diameter HDD ducts) or overpasses (elevated supports) of obstacles such as streams, tracks or roads. The longer options are likely to either moor the ducts at the closest safe harbour or use an alternative system such as pushed steel casing.

**Summary and conclusions**

4.3.42 For both locations there are no apparent significant constructability risks from an HDD technical perspective. For exiting at 5 m water at LAT, Cornborough offers the slightly shorter option. Overall, Cornborough is preferred over Peppercombe because Peppercombe has steeper topography that affects site access, duct stringing, beach access, the topography allows a consistent depth of cover below bedrock, and it also has less consistent geology with a greater risk of drilling difficulties.



- 4.3.43 The geology at both locations generally appears suitable; the Peppercombe ground conditions appear a little softer and it could be perhaps 10-25% quicker to drill. This advantage is offset by layers of stronger and softer rock that can make steering difficult, along with the potential risk of gravel and cobble within the breccia that could cause bore collapse and lead to drilling equipment becoming stuck.
- 4.3.44 At Cornborough, the option of drilling from the western side of the knoll is preferred because it shortens each HDD lengths by 140m. The HDD site will still be 50 m from the coastal path, so the benefit of reducing visibility and noise at the coastal path is minimal and greatly outweighed by the savings in time, cost, and emissions from reducing the HDD length.
- 4.3.45 Table 4.6 sets out a summary comparison of the landfall options at Peppercombe and Cornborough.

**Table 4.6 - Summary comparison of the landfall site options at Peppercombe and Cornborough**

	Benefits	Constraints
Portledge (Peppercombe)	<ul style="list-style-type: none"> <li>• Potentially softer ground for the first 380m, so potentially faster drilling</li> </ul>	<ul style="list-style-type: none"> <li>• Coastal Cliffs result in an uneven depth of cover, the maximum depth of cover is likely to be 32 m, as opposed to 22 m at Cornborough. The greater depth of cover affects the cable thermal performance.</li> <li>• Potential for cobble or core-stone in the breccia, resulting in localised bore collapse or cobbles trapping equipment. Potentially a mix of hard and soft ground causing steering difficulty. Impact is time and cost, but it does not impact feasibility.</li> <li>• Potential for localised ground collapse in the first 140 m if the red sandstone and breccia contains weak zones.</li> <li>• Access is less straightforward. There appears to be suitable roads and tracks from the west, but it would be disruptive to Portledge Estates. Access through fields to the south of the</li> </ul>

		<p>site will need to traverse step slopes (1 in 5).</p> <ul style="list-style-type: none"> <li>• Pipeline stringing for a pushed High Density Polyethylene (HDPE) Corrugated Pipe installation requires a suitable route along very steep topography.</li> <li>• The coastal cliffs probably rule out the option of fabricating the duct onshore and then pulling out to sea for a pulled duct installation</li> </ul>
<p>Cornborough</p>	<ul style="list-style-type: none"> <li>• Successful completion of wastewater outfall by HDD proves that ground conditions are suitable.</li> <li>• Proven Site access from previous drill.</li> <li>• Good duct stringing alignment provided along the onshore route.</li> <li>• Easy access to the beach for management of any fluid breakout or towing duct from land to sea for a pulled installation.</li> <li>• Consistent geology, with exposed bedrock in intertidal area providing excellent ground information.</li> <li>• Consistent topography and bathymetry allowing a design with consistent depth of cover below bedrock. Maximum depth of cover is likely to be 22m.</li> </ul>	<ul style="list-style-type: none"> <li>• Proximity to wastewater outfall HDD. Will require agreement with Southwest Water. Outfall As-built drawings is required for design, but it is expected to be feasible to accommodate the cable landfalls in the RLB.</li> <li>• Rock strength appears stronger than Peppercombe potentially resulting in increased cost and programme.</li> <li>• 10 m water depth exit is near 2 km HDD length. Possible as an HDD but increased HDD risks. Needs to be assessed if viable for cable pull.</li> </ul>

### **Quantitative comparison assessment**

- 4.3.46 Taking the outcomes and conclusion from the technical study, a quantitative comparison of the two locations was carried out to identify and confirm the preferred location.
- 4.3.47 The quantitative comparison assesses the suitability of the two locations against a number of criteria falling under the categories of: Offshore, HDD drilling, and Onshore.
- 4.3.48 From an HDD perspective, the preferred HDD conceptual design is at Cornborough at approximately 670 m length drilled from the western side of the knoll and exiting in 5 m water at LAT. The design is forecasted to exit in 2 m thickness of marine sediments overlying bedrock, but nearshore surveys are required to confirm this and optimise the exit location.
- 4.3.49 Based upon the application of the scoring calibration, the landfall location at Cornborough was identified as the preferred location.

## **Stage 4**

### **Further detailed technical assessment and feasibility study of the chosen preferred landfall location**

- 4.3.50 In the final stage of the assessment methodology, the Applicant undertook further technical assessment and feasibility studies of the chosen preferred landfall location (Cornborough) in order to confirm that HDD drilling and cable routing would be feasible.

### **HDD Feasibility assessment of Cornborough landfall option**

- 4.3.51 Following the identification of the Cornborough site as the preferred landfall location, further desk-based assessment work and a site visit was carried-out by a team of experts from an industry leading civil engineering and construction company who specialise in frontend feasibility and crossing design services and constructability reviews for HDD operations, to confirm that it is feasible to achieve HDD and deliver the landfall site.
- 4.3.52 The feasibility assessment was carried-out to provide further certainty on the technical viability of Cornborough which assessed:
  - Access
  - Site area
  - Geology
  - Coastal Erosion
  - The Drill profile
  - Baseline construction methodology
    - Site preparation
    - Site setup
    - Preparation for drilling
    - Casing installation
    - Pilot hole drilling

- Hole opening
- Drilling fluid
- Breakthrough
- Duct installation (push and pulled installation)
- Marine works
- Rig down and demobilisation
- Onshore plant and equipment
- Marine equipment
- Programme

### **Summary conclusions of the HDD suitability assessment**

- 4.3.53 Subject to recommendations that further borehole investigations are required to understand the depths of the seabed sediments, to allow the HDDs to target the optimum exit locations, the assessment concludes that the geology of the site is considered suitable for HDD drilling. There are no major technical challenges from an HDD perspective, however drilling could be harder to achieve as ‘stop-start’ periods could be encountered in the highly weathered sections of bedrock.
- 4.3.54 The 2 conceptual HDD designs used for this final assessment explored exiting water depths at 6 m and 9 m respectively and the results are shown below:
- Option 1, a shorter (approx. 800 m) design exiting at 6 m water depth at LAT; and
  - Option 2, a longer (approx. 1600 m) design exiting at 9 m water depth at LAT.
- 4.3.55 Both options are considered feasible based on the information available at the time of writing, however, the construction challenges and risks present with the longer HDDs would be significantly higher due to the increased length of the HDDs and increased scope of the marine works.
- 4.3.56 The shorter designs proposed in HDD Design Option 1 comprises the preferred methodology from an HDD perspective, due to the following advantages:
- Reduced overall project risk;
  - The duration of works would be shorter, reducing cost;
  - The ducts can be welded, strung and installed from onshore, removing the need for wet storage of the ducts; reducing the marine work scope and risks of programme delay due to weather conditions;
  - Reduced ground investigation scope;
  - Reduced wear on and requirement for downhole tooling.

## Summary and conclusions for Landfall Options

- 4.3.57 This section has provided an overview of the site selection assessment undertaken to inform the landfall selection for the Proposed Development.
- 4.3.58 It identified the overarching landfall and technical requirements needed to inform the site selection process and sets out an assessment methodology which comprised a qualitative and quantitative desk-based assessment of 15 potential landfall sites located on the coastline north and south of Bideford, north Devon and north-east Cornwall.
- 4.3.59 The assessment methodology identified Cornborough and Portledge (Peppercombe) as the two preferred landfall options as a result of a range of favourable environmental, technical, and socio-economic factors.
- 4.3.60 Following further detailed assessment, Cornborough was identified as the preferred landfall option for the following reasons:
- Shorter onshore cable routing to the preferred Converter Site and subsequently the Alverdiscott grid connection;
  - Suitable and favourable topography for landfall design;
  - Limited environmental designations and constraints;
  - Successful completion of wastewater outfall by HDD proves that ground conditions are suitable and that site access is feasible;
  - Good duct stringing alignment provided along the onshore route;
  - Easy access to the beach for management of any fluid breakout or towing duct from land to sea for a pulled installation;
  - Consistent geology, with exposed bedrock in intertidal area providing excellent ground information;
  - Consistent topography and bathymetry allowing a design with consistent depth of cover below bedrock.
- 4.3.61 Following the outcomes of the 4 Stage assessment process the proposed Cornborough site, located approximately 2.5 km south of Westward Ho! and 4 km west of Bideford, was confirmed as the preferred Landfall location for the DCO application.

## 4.4 Onshore Cable Route Options

- 4.4.1 The onshore Cable Route Corridor works includes the infrastructure necessary for connecting HVDC cables between the transition joint pit at the preferred Landfall site and the proposed Converter Station site. The corridor required for construction will be located within the order limits. This would allow for construction plant access, spoil and materials laydown. Following construction, the typical permanent easement will be 32 m for standard ducted installation and for trenchless crossings the permanent easement may extend out to the full order limits width.

- 4.4.2 Taking into consideration the technical limits known at the time, an initial corridor for the proposed cable route was identified.
- 4.4.3 Having identified the provisionally preferred location for the Converter Station site, the Applicant undertook an initial technical exercise of mapping out all local statutory, residential and ecological features within its area of investigation between this location and the preferred Landfall site as well as taking into consideration all potential areas of flooding and water courses.
- 4.4.4 As part of the optioneering exercise the Applicant also met with landowners and undertook a walkover of the route, following which the route was refined by taking account of local knowledge from the landowners. This included existing residential property access to natural water sources, farming activities including seasonal activities, land drainage and flooding, minimisation of farm business impact, and reduced impact on farm access.
- 4.4.5 The location of the various existing features and potential constraints identified within the area of investigation prior to 2022 was mapped as part of the TCPA planning pathway.
- 4.4.6 A description of each potential feature/constraint that was investigated to determine potential impacts which could require alterations to the original route is summarised in the Table 4.7 below:

**Table 4.7: Features and Constraints pre-2022**

<b>Point of investigation</b>	<b>Description, Principles and Parameters</b>
A	The provisionally preferred Landfall Site.
B	The principle of “keeping tight to the hedgerow was employed to minimise the impact to landowners. This principle did however lead to some issues relating to access and general constructability of the project.
C	A previous landfall site investigated as part of the TCPA optioneering to find the preferred landfall site.
D	Location of an alternative route option explored nearer the village of Abbotsham. Following local feedback, the consensus was to keep further away from residential properties to minimise impact.
E, F, G & H	Potential cable routes in and around the woodland were explored to optimise the cable route.
I & J	Due to the location of a water reservoir, different routes were explored to minimise potential impact that the cable route would have on this feature.
K	The makeup and constraints associated with this land parcel and the location of existing trees necessitated various option to find a route which will have the least impact on ecology.
L	The original intention was for the cable to be trenched in this location. Following a site visit and further investigation it was deemed more suitable for an HDD in a different location.
M	In this area for the crossing of the river Torridge, a number of HDD crossing were identified taking into account topographical constraints and conditions and ongoing input from HDD and engineering specialists.

N & O	Based on local knowledge as well as information obtained from a previous development application in this area, a site visit was undertaken which confirmed an unmarked archaeological feature. This resulted in the initial proposed route being relocated to avoid this feature.
P	Various options were considered in this area to avoid isolated islands of land being created. These options were discarded due to bending radii of the cable required to achieve an acceptable solution not being technically feasible.
Q	The location of the Old Webbery Showground. This was the original proposed location for the Converter Station during the early optioneering exercise.

4.4.7 The assessment process as part of the TCPA planning pathway for the onshore cable corridor route, including the initial location for the Converter Station site, also took account of planning and environmental features as well as engineering and cost considerations.

4.4.8 Environmental and planning features that were considered, in order to reduce the associated impacts of the onshore cable route, included the following:

- Locations of settlements, including residential dwellings and farms
- Existing infrastructure, including roads and pipelines (e.g. gas pipelines)
- Statutory designated sites, such as Areas of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR)
- Historically designated sites, such as Scheduled Monuments & Listed Buildings
- High flood risk areas & watercourses
- Areas of Ancient Woodland.

4.4.9 Having identified potential environmental and planning features and constraints, the Applicant identified a number of cable corridor options for further investigation.

4.4.10 **Figure 4.3** shows the locations of the various points within the cable corridor area that were investigated as well as the corridor options that were considered during the period 2022 - 2024. Table 4.8 below provides a narrative of each point of investigation.

**Table 4.8: Onshore Cable Corridor Options Consideration 2022 - 2024**

<b>Point of investigation</b>	<b>Description</b>
A	Landfall Site at Cornborough Range – After a site walkover visit by the technical team, the assessment of the topography of the large field known as the ‘Old Racecourse’ and the location of seasonal water courses led to a refinement of the proposed routing of each bipole. The extent of the Order Limits was reduced from the previous red line version as compound areas were refined.

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B	Blue route – This route option was similar to the routing employed by a previous (abortive) infrastructure project, the Atlantic Array. This option was discounted due to the proximity to the strip of woodland running north to south and the consequent anticipated ecological impact.
C	Red route – This route was closer to Abbotsham Village than previous alternative routes. This route was presented at the public consultations for the TCPA series of consultations, which is referred to in this application as the non-statutory consultation, which took place during November and December 2022. There was significant local opposition to this route from the Abbotsham Community as reflected in the consultation feedback with some landowners raising concerns about the cable corridor’s proximity to new homes and a school in Abbotsham. Some local landowners opposed this route due to the potential of the land for development, with one plot of land at the time included in the Local Plan for housing (Allocation reference ABS01- land at the Glebe, Abbotsham). This cable route option also crossed the public highway twice and would have therefore had a higher impact on local traffic than the alternative route finally chosen. Details of the non-statutory consultation is captured in the Consultation Report ( <b>Document ref: 5.1</b> ). Following the Stage 1 Design and the non-statutory consultation in November 2022 the onshore HVDC Cable Corridor route was further refined to be located further from Abbotsham. This amended route was consulted on at the second non-statutory consultation in April 2023.
D	Orange route - As with Option B, this option had greater ecological impact, with more disruption to the farmland by bisecting fields, leaving a significant proportion of each field orphaned from the rest of the agricultural operation within the land parcel. This would lead to an unsustainable farming operation and as such this option was discarded.
E	Green route – As described below for option F, this option was considered too close to the A39 Clovelly Cross roundabout and was not taken forward as a potential option.
F	Red route – Torrridge District Council provided feedback on the proximity of the cable route to the Clovelly Cross roundabout as it crossed the A39. A concern was raised as the potential expansion and movement of this roundabout to the west to accommodate the development of housing near the roundabout would conflict with the proximity of the proposed corridor route. Additionally, the landowner to the south commented on the plan, identifying this land as potentially hosting a service station, which would not be possible if the cable route orphaned this land plot.
G	Buckland Road – The northern section of the red route shows the originally planned Horizontal Directional Drill (HDD) to cross the deep gully which runs to the southwest of Jennetts Reservoir. The configuration of the HDD and the haul road resulted in a constricted access from the land to the east of the spit of woodland into the land parcel to the east of this, where the looped haul road joined the HDD at the east compound. This constricted access would have restricted light vehicles from using the haul road, necessitating the use of the private track at H, and the private lane at I. The updated and latest white option cable route solved several issues at G, H and I by foregoing the HDD and replacing it with a looped cable route to the south which crossed an additional landowner’s land and thereby enabled the haul road to continue, negating the need for the use of the private tracks. This also addressed the concerns expressed during the TCPA consultation by several residents of Littleham that the red option would have brought construction vehicles close to Littleham and



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	on to the public roads for short sections, which would have had a significant impact on local traffic. For these reasons this option was discarded.
H	Private access track – This track would have been required for construction traffic had the red route HDD been retained. As well as bringing construction traffic closer to Littleham, this option was opposed by the landowner who expressed concern that the use of his track by construction traffic would have set a precedent for uncontrolled use by local residents of this private track as a cut through. This would have had safety implications for his large farm vehicles servicing the substantial dairy farm, resulting in this option being discarded. .
I	Dunne Lane – This private unadopted road would have been required for the red route HDD option as set out in G. The owner of an agricultural engineering business operating from the site expressed concern that the use of this narrow road would have impacted his business as the access track for the business is not sufficiently wide for two vehicles to pass. Following the change in the corridor route Dunne Lane was removed from the Order Limits as access along the lane and private road at Littleham was no longer required.
J	West Ashridge – A review of the HDD and cable route between Dunn Farm and West Ashridge, resulted in a relocation of the proposed HDD and cable route at West Ashridge. A revised HDD reduced the delta in height between the HDD entry point and exit point, reducing risk of frack out during the drilling operation. This revision also distanced the cable route further from the Stag and Otter holiday cottages at West Ashridge.
K	This alternative (purple) crossing option for the Torridge River was investigated with a site visit by the technical team for a stitch drill solution to the crossing. Adverse topography and proximity to a County Wildlife Site (ST14 - North Devon and Torridge Local Plan 2011-2031) meant that this alternative crossing was ruled out.
L	The original option for the Torridge Crossing was superseded on review by the contracted HDD specialist due to the long length (circa 900m) and the large delta in height between the HDD entry point and exit point, which increased the risk of frack out during the drilling operation. A shorter alternative (see white route) was selected as it presented a lower environmental risk.
M	The initial option for the converter station site was at the Old Webbery Showground near the Alverdiscott sub-station into which the AC cables will connect from the converter stations. An advisory note from Torridge District Council cautioned against selecting this site on account of the height and potential visibility impact. To address this concern Xlinks selected a south site (site N) towards Huntshaw as an alternative for the proposed converter station.
N	There was strong opposition in particular from residents in proximity to the south site option for the converter station. These views along with the feedback from the wider community at Huntshaw Water, Huntshaw and Great Torrington were taken into account by Xlinks in reviewing the public consultation feedback as captured in the Consultation Report ( <b>Document ref: 5.1</b> ). The decision was taken to revert to the original selected location of Old Webbery Showground which was assessed on balance to be less impactful to the local community (see section 3.4 of this report for the optioneering process for the location of the convertor station site).
O	The south site option (site N) for the converter stations also included approximately 2 km of HVAC cable, with 12 HVAC cables instead of the 4 cables for the HVDC cable corridor. The resulting wider corridor over the 2 km would have resulted in a greater ecology impact than the north option of Old Webbery Showground which had an HVAC cable length of circa 200m.

P	To the west of Gammaton Cross the orange option of the cable route passed closer to several properties at Gammaton Cross and on the road leading north from Gammaton Cross. The route was adjusted to pass further from these properties (white route), in view of the duration of the haul roads along the cable corridor being required for the full duration of construction of the converter stations.
Q	A narrow corridor was included around the woodland as part of the yellow route option to allow for potential utility diversions. Subsequent communication with utilities companies clarified that this route was not required and it was therefore removed.
R	Similar to Q. This strip was included within the Order Limits to enable utility diversions within this area if required. After communication with utilities companies Xlinks clarified that this route was not required and it was therefore removed.
S	The yellow option included a greater area around the chosen converter station site, to preserve maximum optionality for discussions to advance with utility companies with regards to an overhead line and water and gas pipeline diversions. These discussions have reduced the options and in consequence the Order Limits were tightened from the yellow to white option.
T	As the design for the converter site has progressed, with requisite visual impact mitigation through cut and fill techniques and the creation of bunds, the footprint of the converter site has developed and required a larger area to accommodate all the design elements. For this reason, the Order Limits were increased from the orange option to the yellow option (much wider for utility diversions) and then the white version (incorporating an extra field to allow for the design evolution).
U	The yellow Order Limits options included public roads which the construction traffic and Abnormal Indivisible Loads (AILs) would use. The subsequent white option includes only those areas of the public highway where adjustments may be required (eg removal of street furniture).

4.4.11 In addition to the above, specific engineering and cost considerations that further influenced the design of the onshore cable corridor route included the following:

- The crossing of the River Torridge
- The crossing of existing infrastructure, including roads and pipelines (e.g. A39 or gas pipelines)
- Cost associated with the length of cable required
- Areas of steep or variable terrain

4.4.12 The proposed cable route has occasional major and minor road crossings and several utility crossings. The Applicant has investigated various crossing methods and Table 4.9 shows a summary of crossing methods to be implemented.

**Table 4.9 - Crossing Methods**

Crossing Method	Crossings	Example Locations	Notes
Open Trench	Agricultural Land Footways / Verges		The default construction method of the cable route. Cables can be installed in ducts.
Various options – see Notes column	Farm Tracks Minor Roads		Crossing minor roads will require measures such as traffic management and/or road diversion. When these measures are not opportune, one of the following trenchless methods can be used:  1) HDD, 2) auger bore thrust boring, 3) micro-tunnelling.  Cables are usually installed in ducts to minimise traffic disruptions.
Horizontal Directional Drill (HDD)	Major Roads / Rivers	- A39 at Clovelly roundabout - A386/River Torridge - Landfall site - Kenwith Stream near Rocky Lane crossing - Winscott Barton - West Ashridge	This requires a flat working platform to be developed on each side of the drilled underground corridor.

- 4.4.13 The following paragraphs summarise later steps in the iterative design process.
- 4.4.14 The initial optioneering study and conclusions summarised in this Report have influenced the subsequent detailed design evolution and assessment of the cable route corridor. The Design Principles document (**Document Ref: 7.24**) contains a list of Onshore Cable Route Corridor design principles which will be applied during the future detailed design process alongside the final Landscape Environmental Management Plan (LEMP) to further refine the precise location of the cable within the cable route corridor. The final LEMP will be in accordance with the principles contained in the outline LEMP (**Document ref: 7.10**) and will be secured through a requirement in the DCO.
- 4.4.15 Further technical investigations and a review of potential HDD crossing locations for the River Torridge were undertaken as part of the Stage 3 Design.

- 4.4.16 These technical investigations resulted in the identification of a preferred crossing point. Following the identification of a preferred HDD crossing point the Cable Corridor was adjusted accordingly to include this preferred crossing location as shown in the final submitted Onshore Cable Route Corridor.
- 4.4.17 Following the optioneering process the location of the proposed Cable Corridor Route including the Landfall and Converter Station locations , was selected after having regard to a range of technical, environmental and planning considerations, along the points of investigation set out in Table 4.8 above.

## 4.5 Temporary Construction Compounds

- 4.5.1 Following the identification of the provisionally preferred locations for the Converter Station, Landfall site and the Cable Corridor Route required to connect these sites, the Applicant has identified that a number of different types of temporary onshore construction compounds are required to facilitate construction of the onshore components of the Project.
- 4.5.2 The initial identification of preferred locations for temporary construction compounds was informed by the types of compounds required to enable the construction of the project as well as proximity to work site locations, land availability and proximity to existing road network that could accommodate them within the parameters as set out in Table: 4.10 below.

**Table 4.10: Summary of Construction Compounds Parameters**

Construction Compound	Maximum Design Parameters		
	Number	Compound Size	Duration
Construction Compound (Gammaton Road)	1	63,000 m <sup>2</sup>	72 months
Secondary Construction Compound (A39 Compound)	1	48,000 m <sup>2</sup>	36 months
Landfall Compound	1	10,000 m <sup>2</sup>	Two periods, for 18 months plus an additional 6-month period
Trenchless Crossing Compounds	11	10,000 m <sup>2</sup>	36 months
Converter Compound	1	20,000 m <sup>2</sup>	72 months

- 4.5.3 The purpose of each temporary construction compound and the preferred locations are set out below:
  - Main construction compound: proposed to be situated between Gammaton Road and Tennacott Lane, just south of East-the-Water. The

compound would be utilised as the main compound for all construction work across the Onshore HVDC Cable Corridor and Converter Site. It will also include park and ride facilities for contractors working at both the Converter Site and the Onshore HVDC Cable Corridor, which would take a number of vehicles off local lanes.

- Secondary construction compound: proposed to be located adjacent to the A39, south west from the Abbotsham Cross roundabout. This compound would also include a HDD compound for the A39 crossing.
- Landfall compound: this compound would be situated at the landfall (Cornborough Range).
- HDD Compounds: most compounds for HDD crossings will be located either side of the haul road and within the 65 m temporary construction corridor.
- Converter site compound: proposed to be situated within the Converter Site, which would include welfare facilities, soil and material storage, and storage of plant and equipment.

4.5.4 Following the early site selection process informed by the availability of suitable land, landowner engagement and the technical requirements to facilitate the construction of the Project, the Applicant undertook a preliminary assessment and verification process of the selected locations against the following criteria:

- Environmental – preliminary assessments of the proposed locations have been undertaken to flag any early concerns. Detailed assessments including site walkover surveys will be conducted prior to establishment of the temporary compounds and suitable mitigation measures, if required, will be developed and implemented as part of the site establishment process.
- Accessibility – initial assessments of traffic routes, including those to and from the temporary construction compounds, has been undertaken to assess the impacts of the locations on the wider traffic network. Final details of construction traffic routes, including trips to and from the temporary construction compounds, will be addressed in the Construction Traffic Management Plan which will be secured by a DCO Requirement
- Feasibility of temporary utility connections – initial feasibility assessments of available utilities and temporary connection points in proximity to the temporary construction compounds were undertaken to ensure the suitability of the selected locations.

4.5.5 Following the outcomes of these assessments, the locations as described above, and shown on **Figure 4.5**, remain the preferred locations for the temporary construction compounds.

# 5 SITE SELECTION FOR OFFSHORE COMPONENT

## 5.1 Offshore Cable Corridor

5.1.1 The proposed route for the offshore HVDC cables has been developed in 3 stages.

### Stage 1

5.1.2 Global Marine was commissioned in 2019/2020 to conduct a desktop options analysis of the entire offshore cable route and to identify a preferred route based on existing data. The study identified three potential route options from Morocco to the UK, as shown in **Figure 5.1** which shows the 3 routes that was considered with a brief description below:

- Cable route in water depths less than 700 m, keeping on the continental shelf, and relatively close to coasts of Portugal and Spain (red route) ‘the Preferred Route’;
- Cable route in water depths less than 3,000 m, taking a deeper route across the Straits of Gibraltar and the Bay of Biscay (blue route); and a more direct route from Morocco to the UK (green route).

The more direct route between Morocco and the UK is significantly shorter (c.25%) than the other options but has a maximum depth of over 5,000 m in the Bay of Biscay. The number of cable systems operating in water depths beyond 700 m is extremely limited. There are some HVDC cables that have been installed and are in operation up to depths of 1,640 m in the Mediterranean. In addition, the EuroAsia interconnector is currently under development with a maximum depth of 3,000 m however this has no operational track record. Due to associated engineering uncertainties the direct route was not taken forward for consultation, nor for the purposes of the DCO application.

### Stage 2

5.1.3 Intertek conducted a feasibility assessment in 2022 to select the optimum route that balanced avoiding natural hazards and conservation areas, technological feasibility, and ease of installation, protection, and operation. The 700 m deep cable route (red) option followed a route close enough to the continental shelf to be deemed technically feasible and was selected as the preferred option for further optimisation.

### Stage 3

5.1.4 In stage 3, the Preferred Route (red) was further refined by a Routing Workshop that considered the following parameters:

- Water depth;
- Seabed features and geohazards;

- Metocean influences;
- External stakeholders (e.g. seabed leaseholders, general fishing activities, shipping, etc.); and
- Environmental constraints such as marine protected areas, including Special Areas of Conservation (SAC), Special Protection Areas (SPA), and Marine Conservation Zones (MCZ).

### Further refinement of Preferred Route

- 5.1.5 Following the initial route option analysis and the confirmation that Cornborough Range would be the preferred entry point for the proposed landfall HDD, a more precise corridor was defined in UK waters through a series of further technical workshops with the marine survey contractors, 4C Offshore and Global Marine.
- 5.1.6 The following process was used to define the survey corridor:
- The centreline of the preferred route from the landfall out to the limit of the UK EEZ was used as the base case Route Position List (RPL)
  - A 500 m wide survey corridor was determined to provide sufficient flexibility for detailed cable route engineering within the corridor
  - Geographic Information System (GIS) was used to conduct a detailed review of the most up-to-date information about seabed conditions and possible challenges to cable installation within the base case survey corridor
- 5.1.7 The Offshore Cable Corridor was then modified through an iterative process to optimise the survey corridor further using the following factors:
- Sensitive environmental sites were excluded from the survey corridor wherever possible. For example, the preferred Offshore Cable Corridor was modified to avoid the East of Haig Fras Marine Conservation Area.
  - The request by The Crown Estate for route amendments in the vicinity of Project Development Area 3 of the Offshore Leasing Round 5 in the Celtic Sea (PDA 3). To maximise separation distance between any future PDA 3 infrastructure and the proposed cable, the Offshore Cable Corridor width was extended eastwards, noting that it is limited in its capacity to do so by the presence of the South West Approaches to the Bristol Channel MCZ to the east. For context, PDA 3 located approximately 34 km from the Skomer, Skokholm and the Sea of Pembrokeshire Special Protection Area (SPA).
  - Existing and proposed seabed infrastructure and other marine users and existing and planned offshore installations (oil, gas and renewables) were excluded from the survey corridor by at least 500 m where possible
  - There are significant numbers of in-service and out-of-service submarine cable crossings in UK waters. For the in-service cable crossings, the Project cables have been routed to cross as close to 90 degrees as possible, with the Offshore Cable Corridor width extended around in-service crossing locations to allow sufficient approach flexibility (and therefore minimise crossing footprints). Navigation and Traffic Separation Schemes (TSS) present a continuous risk of planned and unplanned anchoring. Areas of significant shipping activity have been avoided

- Dredging and dumping operations have a direct impact on the seabed and, therefore, are a potential threat to the cable, installation and future security. Therefore, designated areas for dredging and dumping were avoided
  - Coastal firing ranges crossed by the route pose a UXO risk to marine operations. In addition, ongoing exercises can clash with construction schedules. To minimise the risk it is preferable to avoid coastal firing areas.
- 5.1.8 In the UK, there are several boulder fields and outcrops that go deep into the seabed and the chosen route avoids these. Seabed sediment distribution and transportation affect the burial capability of the cable (sands and gravels offshore of the UK) and potential exposure after burial. Sandwaves are highly mobile and avoided where possible; otherwise, deeper burial/ or increased armouring will be required. Pockmarks, rock outcrops and reefs were avoided (there are some near Whitecross) as they can damage equipment or cause abrasion, suspension and/or exposure.
- 5.1.9 The Offshore Cable Corridor was modified to exclude all known wrecks from the survey corridor by at least 500 m. If uncharted wrecks were found during the subsequent surveys, separation of 1x water depth within the surveyed corridor was achieved.
- 5.1.10 From a design perspective a decision was taken early in the process to utilise best-in-class, proven cable technology and crossing methodologies, with cable burial as the preferred method for protection. This required that:
- Straight route for at least 1 km from the UK landfall (for the HDD) is followed; and
  - The minimum bending radius of the indicative cable system was considered to ensure the Offshore Cable Corridor could be followed by the cables.
- 5.1.11 This output of this process was the Offshore Cable Corridor and associated survey corridor, which provided the basis for all of the Project's marine survey operations to date.
- 5.1.12 Detailed geophysical, geotechnical and environmental surveys were carried out in UK waters during 2022 and 2023 to inform the cable routing further. The results were used to refine the Offshore Cable Corridor to form the preferred location.
- 5.1.13 As no further changes to the Offshore Cable Corridor boundaries have been requested through the statutory consultation process, and the design and engineering process has optimised the route to minimise, as far as reasonably practicable, the environmental impacts, the Offshore Cable Corridor at application is therefore consistent with that presented within the within the EIA Scoping Report and the PEIR.



## 6 CONCLUSIONS / SUMMARY

- 6.1.1 This report has described the process undertaken to determine the preferred locations for the core components of the Project.
- 6.1.2 The process, as set out in chapter 3 of this report, informed the geographical location as well as the location of the individual components of the Project.
- 6.1.3 The Applicant has assessed these original locational choices made for the individual components to be delivered by the Proposed Development against the parameters set out in the Design Approach Document (**Document ref: 7.4**) through a 'back-checking' process to verify that the original site selection outcomes were acceptable.
- 6.1.4 The Applicant has assessed and selected the location of the various project components in accordance with the relevant regulatory requirements set out in NPS EN- 1 and NPS EN-3. Alternatives in the compulsory acquisition context are considered in the Statement of Reasons (**Document ref 4.1**).
- 6.1.5 Further information about the alternatives considered by the Applicant is outlined within Volume 1, Chapter 4: Need and Alternatives, of the ES (Document ref. 6.1).

## 4.2 References

*Online source:*

Department for Energy Security & Net Zero (2023a) Overarching National Policy Statement for Energy (NPS EN-1). Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1147380/NPS\\_EN-1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1147380/NPS_EN-1.pdf) (Accessed: November 2023).

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Department for Levelling Up, Housing and Communities (2023) National Planning Policy Framework. Available at: <https://www.gov.uk/guidance/national-planning-policy-framework> (Accessed: November 2023).

# Annex 3: Planning History

Reference	Address	Description	Decision
1/0089/2023/DIS	Land At Webbery Barton And Cleave Farm Bideford Devon	Discharge of conditions 9, 10, and 15 of planning approval 1/1057/2021/FULM (Tree protection, CMP, CEMP)	Permitted 11 January 2024
1/0037/2023/FUL	Electricity Substation At Grid Reference 250194 125149 Alverdiscott Devon	Replace an existing switch room flat roof with a pitched roof increasing the height by 2.6 metres.	Permitted 13 April 2023
1/1057/2021/FULM	Land At Webbery Barton And Cleave Farm Bideford Devon	Installation and operation of a solar farm together with all associated works, equipment and infrastructure (Further Information)	Permitted 19 April 2022
1/1096/2018/FUL	Land North Of A386 Landcross Bideford Devon	Erection of stables and creation of access track	Refused 18 December 2021
1/0425/2020/FUL	Riverside Cottage Bideford Devon EX39 5HB	Relocation of site entrance ramp and creation of multi-purpose function room facility	Refused 19 October 2021
1/0001/2020/SCO	Solar Farm At Grid Reference 249919 124897 Gammaton Devon	EIA Scoping Opinion on Construction of photovoltaic (PV) solar array and associated works	Screening Opinion Completed 25 November 2020
1/0279/2019/SCR	Land At Webbery Barton And Cleave Farm Bideford Devon	Installation of a solar photovoltaic (PV) farm with ancillary infrastructure	Screening Opinion Completed 10 May 2019
1/0678/2017/FUL	Use of unit 1 as a residential supervisory unit in lieu of approved holiday use (Affecting a public right of way)	Winscott Barton Fairy Cross Bideford Devon EX39 5EE	Withdrawn 27 September 2017
1/0553/2016/FUL	Riverside Cottage Bideford Devon EX39 5HB	Retention of change of use of dining room to tea room cafe	Withdrawn 25 August 2016
1/1032/2014/FUL	Higher Kingdon Barn Gammaton Bideford Devon EX39 4QQ	Proposed annexe for a dependant relative	Permitted 9 December 2014

1/0444/2014/FUL	Land Adjacent Alverdiscott Substation Near Gammaton Moor Alverdiscott Devon	Retrospective application for the temporary use of an existing access for the construction of a solar farm (under Planning Permissions 1/0997/2012/FULM)	Permitted 5 August 2014
1/0052/2012/SCR	Land At Alverdiscott East The Water Devon	Screening opinion for 5 MW Solar Farm	Screening Opinion Completed 19 December 2012
1/0808/2012/CPZ	South West Water Cornborough Waste Water Treatment Plant Westward Ho! Bideford Devon EX39 5BE	Approval of details reserved by condition in respect of submission of Odour Management Plan for planning permission DCC/3266/2011, TDC application 1/0894/2011/CPZ	Permitted 29 October 2012
1/0445/2012/CPZ	South West Water Cornborough Waste Water Treatment Plant Westward Ho! Bideford Devon EX39 5BE	Proposed process improvements to existing waste water treatment - Revised Planspi	Permitted 29 October 2012
1/0894/2011/CPZ	South West Water Cornborough Waste Water Treatment Plant Westward Ho! Bideford Devon EX39 5BE	Proposed process improvements to existing waste water treatment facility to include odour control plant and equipment, lime silo, modifications to the existing sludge storage tank and including ancillary plant, pipework and equipment at Cornborough Waste Water Treatment Facility	Permitted 23 July 2012
1/0911/2011/FUL	Riverside Cottage New Road Bideford Devon EX39 5HB	Retrospective application for continued use as a B&B and detached building as a self-catering unit. Proposed parking spaces alongside the garage and alongside the dwelling	Permitted 11 November 2011
1/0637/2011/FUL	Riverside Cottage New Road Bideford Devon EX39 5HB	Retrospective application for continued use as a B&B and detached building as a self-	Withdrawn 19 September 2011

		catering unit. Proposed new access and parking	
1/0007/2011/SCR	Land At Gammaton Barton Bideford	Request for screening opinion for solar installation	Screening Opinion Completed 16 March 2011
1/1407/2006/OHL	Alverdiscott To Barnstaple	Erection of an overhead line on wooden poles plus one single steel gantry	Permitted 3 July 2007
1/1107/2003/FUL	Part Plot OS 7572 Gammaton Road Bideford Devon	Construction of coarse fishing lake, toilet block with septic tank foul drainage, access paths, car parking and new highway access	Permitted 20 August 2003
1/0919/2003/OHL	Higher Kingdon To Moorland Cottage Alverdiscott Bideford	Remove 430 m of overhead line and erect 880 m overhead line and lay 340 m of cable to connect power sources from Bideford to Great Torrington	Permitted 11 August 2003
1/0725/2000	Riverside Cottage New Road Bideford	PARTIAL DEMOLITION & ERECTION OF NEW TWO STOREY RESIDENTIAL EXTENSION	Permitted 20 June 2000
1/0674/1993	East Langdon Abbotsham Bideford Devon EX39 5BG	ERECTION TEMPORARY WIND MONITORING EQUIPMENT FOR 6 MONTHS (15M MAST & ANEMOMETER)	Permitted 14 July 1993
1/0230/1992	Land At Grid Reference 242423 127267 Abbotsham Devon	ERECTION OF SINGLE WIND TURBINE	Refused, Appeal Granted 7 July 1992
1/1544/1987	EH Tarka Trail Torrington Dog Fouling Patrols Torrington Devon	CHANGE OF USE TO PROVIDE PERMISSIVE PUBLIC ACCESS (TARKA TRAIL) AND ANCILLARY RECREATIONAL USES	Permitted 3 December 1987
1/1728/1981	Kiln Into One Dwelling, Hall-Sannery, A386, Landcross	CONVERSION OF EXISTING LIME KILN INTO ONE DWELLING, HALL- SANNERY, A386, LANDCROSS	Refused 16 March 1982
1/1743/1981	Pt.O.S.A386, Landcross Road, Bideford	ERECTION OF A DWELLING PT.O.S.A386, LANDCROSS ROAD, BIDEFORD	Refused 02 February 1982

1/0855/1981	Land At Grid Reference 249658 124995 Gammaton Devon	OVERHEAD LINES ALVERDISCOTT	Permitted 28 July 1981
1/1295/1981	Land At Grid Reference 249955 125381 Alverdiscott Devon	OVERHEAD LINES ALVERDISCOTT, BIDEFORD	Permitted 25 September 1981
1/0863/1981	Webbery Barton, Alverdiscott	ELECTRICITY SUBSTATION AND ACCESS ROAD	Permitted 7 July 1981
1/1970/1979	Electricity Substation At Grid Reference 250194 125149 Alverdiscott Devon	SUBSTATION & ACCESS ROAD, WEBBERY BARTON, ALVERDISCOTT, (RENEWAL OF 1/1159/76/3/9)	Permitted 20 December 1979
1/0154/1977	Land At Grid Reference 245280 125046 Bideford Devon	ERECTION OF OVERHEAD LINES ASHRIDGE BIDEFORD	Permitted 7 February 1977
1/1159/1976	Electricity Substation At NGR 250194 125149 Alverdiscott Devon	SUBSTATION AND ACCESS ROAD WEBBERY BARTON, ALVERDISCOTT	Unknown 29 November 1976

# Annex 4: Section 35 Direction



## **DIRECTION BY THE SECRETARY OF STATE FOR ENERGY SECURITY AND NET ZERO (“THE SECRETARY OF STATE”) UNDER SECTION 35 OF THE PLANNING ACT 2008 RELATING TO THE XLINKS MOROCCO – UK POWER PROJECT**

By letter to the Secretary of State received on 30 August 2023, Xlinks 1 Ltd (“the Applicant”) formally requested that the Secretary of State exercise the power vested in her under section 35(1) of the Planning Act 2008 to direct that the two proposed UK onshore converter stations for the Xlinks Morocco – UK Power Project, as set out in the Direction request, be treated as development for which development consent under the Planning Act 2008 is required.

The Secretary of State notes that the Direction request of 30 August 2023 relates to—

- The construction and operation of the two converter stations in the UK to convert and supply the electricity to the GB grid forms the development for which development consent should be required (“the Proposed Development”); and
- Associated development, which may include the onshore High Voltage Direct Current (“HVDC”) cables from the Transition Joint Bay to the converter stations; the offshore HVDC cables and/or works to install the cables within the UK inshore territorial waters; and other works to facilitate the connection of the project to the UK National Grid.

Together the elements for which development consent should be required and its associated development comprise the “Proposed Project”. The Secretary of State concludes that the Proposed Project is an energy project within the scope of section 35 of the Planning Act 2008.

Noting the above, and further that Torridge District Council supports the request, the Secretary of State is satisfied that—

- The Proposed Project sits within one of qualifying infrastructure fields listed in section 35(2)(a)(i) (energy) and that the Proposed Project will be wholly within England, waters adjacent to England up to the seaward limits of the territorial sea or the Renewable Energy Zone (in relation to which the Scottish Ministers do not have functions);
- The Proposed Project does not 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 Applicant’s request constitutes a “qualifying request” in accordance with section 35ZA(11) of the Planning Act 2008.

Having considered the details of the Applicant’s proposals as set out in their letter of 30 August 2023 the Secretary of State concludes that the Proposed Project is nationally significant, for the reasons set out in the Annex below.

The Secretary of State considers that if the details of the Proposed Project change, before submitting any application to the Planning Inspectorate, the Applicant 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 Development is to be treated as development 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 Development.

Signed by

John Wheadon  
Head of Energy Infrastructure Planning  
For and on behalf of the Secretary of State for Energy Security & Net Zero

26 September 2023

## **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, taking into account that it forms part of a generation project which is comprised of 11.5GW of renewable power in Morocco, which is intended to deliver 3.6 Gigawatts (GW) of low carbon electricity to the UK's grid and could improve the security and diversity of the UK's electricity supply.
- The Proposed Project could 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.
- Progressing the development through the Planning Act 2008 development consent process, to the extent that the Proposed Project is within that process, would provide the certainty of a single, unified consenting process and fixed timescales.