

**Please reply to:**

Planning Officer: [REDACTED]  
Direct Dial: [REDACTED]  
Email: [REDACTED]@torridge.gov.uk

**Xlinks**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Our Ref:** FPEM/0372/2021  
**Date:** 8th October 2021  
**Enquiry:** Installation of 4 x 525kv electricity cables, construction of converter station and ancillary HDD and construction compounds.  
**Location:** Land Between Abbotsham And Alverdiscott.

Dear [REDACTED] and [REDACTED],

I write further to your submitted pre-application enquiry for the installation of underground cabling, a converter station at Alverdiscott and a series of ancillary HDD/Construction Compounds along the route.

This response shall follow the below structure.

1. Proposal Summary
2. Site Analysis
3. Supplementary Information
4. Consultee Engagement
5. Qualifying Criteria for NSIPS
6. Policy Context/Material Planning Considerations

1. Proposal Summary

The proposal comprises the installation of a set of electricity interconnector cables which connects renewable energy produced in Morocco with the electricity grid in the United Kingdom. According to the supporting information, the renewable energy in Morocco is produced by predominantly wind and solar. Further information could be provided regarding the specific number of panels and turbines in Morocco. Particular justification for the project lies with analysis that Morocco benefits from high levels of solar irradiance throughout the year and consistent Atlantic wind, noting the potential energy production. The supporting information also recognises that significant battery storage will be located within the Morocco sites to ensure a consistent supply of energy via a set of 3.6GW subsea cables generating approximately 7.5% of the UK's electrical supply.

Engagement has been undertaken with the National Grid which has selected Torridge as one of the potential destinations for the project, notably the Abbotsham to Alverdiscott route. The Alverdiscott site which is adjacent to land already used for national grid purposes will include a converter station that would seek to store and convert the energy source so that it is usable for the UK power supply.

The proposal also includes the provision of five HDD Compounds at various crossing or directional points throughout the terrestrial route in Torridge. The scheme also includes 10 construction compounds, HGV turning areas and the provision in some instances of new accesses, though I understand from our conversations that the majority of these are temporary and are only necessary for the duration of the construction period of the project.

## 2. Site Description

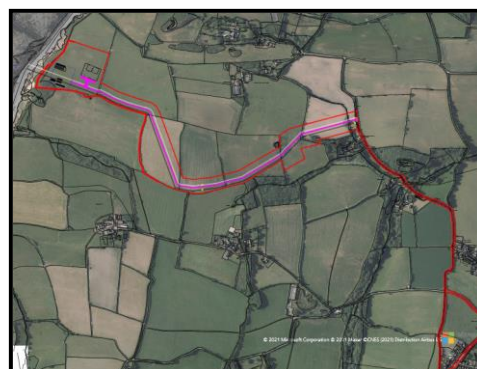
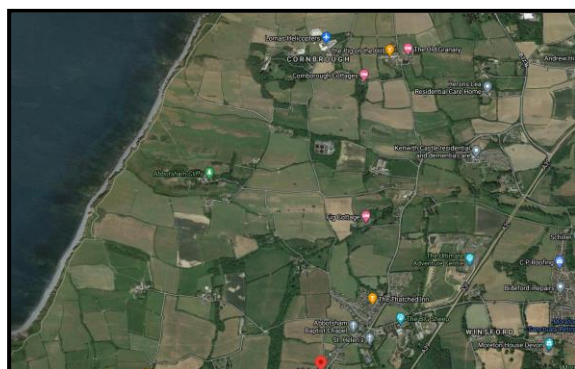
The application covers a territorial distance of approximately 9.3 miles within Torridge. The supporting documents have split the sites into the following areas with the accompanying references:

AL1-PA-002 Abbotsham Landfall  
AL1-PA-003 Abbotsham Village to Abbotsham Cross (A39 Intersect)  
AL1-PA-004 Alwington to Littleham  
AL1-PA-005 North of Littleham to Ford Woodlands  
AL1-PA-006 Ford Jennets/Torridge River  
AL1-PA-007 East-The-Water to Gammaton Moor  
AL1-PA-008 Gammaton/Alverdiscott (National Grid Site)

Following this trend, a brief site appraisal will be included to provide advice as to any land designations or notable geo-physical points worth raising. A further and more detailed assessment of particular concerns will be noted within subsequent sections.

### AL1- PA-002 – Abbotsham Landfall

The site is located to the south of Cornbrough and immediately off a section of the South West Coast Path. The A39 is located to the east, whilst the main core of the Abbotsham settlement is located 1 mile south-east of the site. This part of the site is within an Area of Outstanding Natural Beauty (AONB) and would clearly be considered part of the undeveloped coast which is subject to Policy ST09 within the North Devon and Torridge Local Plan. The site is also subject to the *Mermaid's Pool to Rowden Gut Site* SSSI which is noted for its geological interest. The shoreline management plan notes the erodibility of the cliffs in this location.

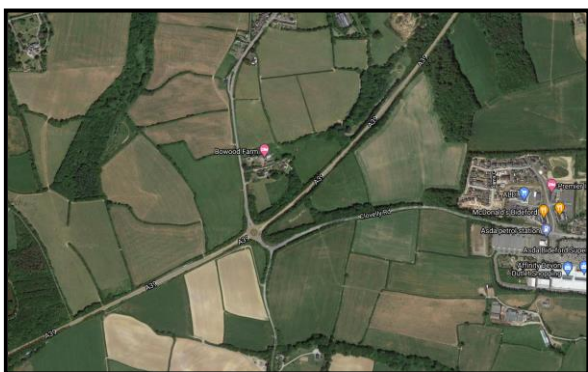


The site is located within a section of coast path where the longer distance views are more limited because the site is located within a valley. The proposal's location therefore has a more immediate impact to a significant but smaller section of the coast path. The location of the entry point for the proposal and permanent HDD compound is located on the underside of a valley hill which appears as more prominent within the local landscape setting but prevents it from longer distance views beyond

the valley. The land benefits from an established woodland and vegetation immediately south of the site's location.

#### AL1-PA-003 – Abbotsham Village to Abbotsham Cross (A39 intersect)

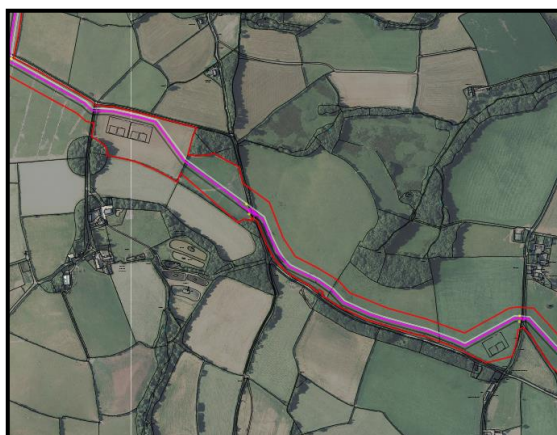
This part of the proposal relates to areas immediately north and south of the roundabout on the A39 which is used to direct traffic towards Abbotsham, Littleham, Bideford and further afield to Bucks Cross or Hartland. This part of the site includes the provision of a HGV compound, a construction compound, two HDD compounds and a new access which is directed south of the A39.



The site which sits either side to the A39 is screened with significant tree cover along the A39/approach to the roundabout so views towards each site is relatively limited. Further assessment would be required as to any longer distance impact.

#### AL1-PA-004 Alwington to Littleham

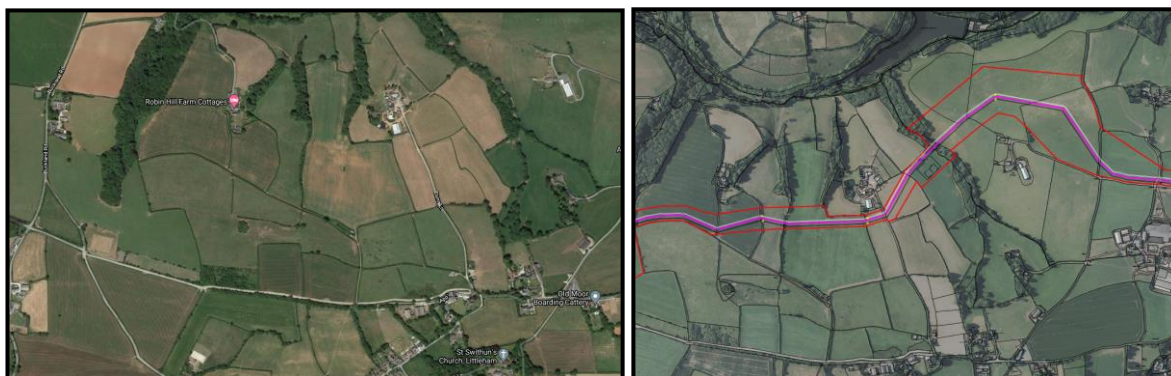
This part of the project seeks to include three construction compounds across two separate sites. Both sites chosen are well-screened with thick hedgerow/vegetation along the boundary of the road. It is noted that the site would utilise an existing narrow rural road, followed by the provision of a new road.





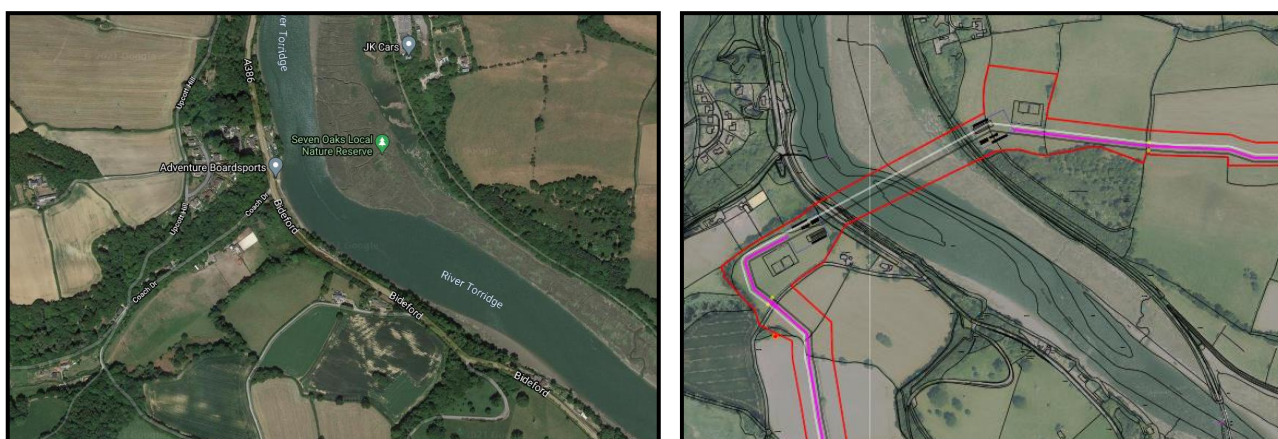
### AL1-PA-005 North of Littleham to Ford Woodlands

This part of the proposal seeks to create a HGV Access route as opposed to utilising an existing transport route. The route covers across several established field patterns. This part of the project also seeks to create a construction compound immediately east of Dunn Farm. The site subject of the construction compound contains established tree-cover to the east. Much of the local road network comprises of rural roads with little to no landscape views towards part of this site.



### AL1-PA-006 Ford Jennets/Torridge River

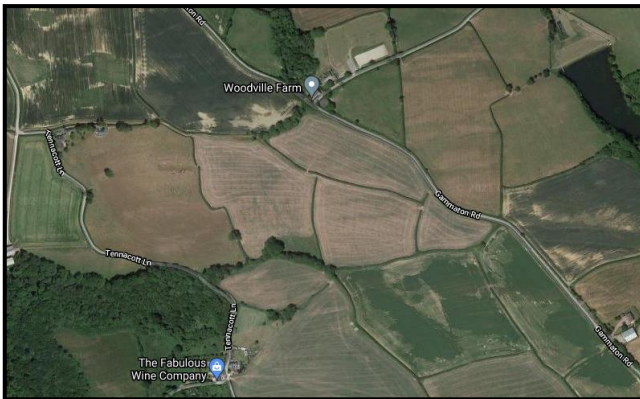
This part of the proposal includes the provision of two construction compounds and two HDD compounds as the sub-sea/terrestrial cables cross the Taw-Torridge. The Taw-Torridge is a Site of Special Scientific Interest (SSSI). The Taw-Torridge river contains mudflats and saltmarsh habitats that are likely to be of high interest for their biodiversity value. The site is within Flood Zones 2 and 3. Further discussion regarding the potential impact on biodiversity is to be included later in this response.



The areas identified above share a reasonably close relationship to areas such as Bideford and East-The-Water (and the BID04 NDTLP allocation for 600 dwellings). As a result, the works proposed are likely to be vulnerable from longer distance views to the north (East-The-Water, Bideford areas). The site is relatively low-lying compared with the higher terrain in surrounding areas by the very nature of having to cross a river. The sites do contain an existing level of screening, but it is not expected that this could resolve the downward views towards the sites.

### AL1-PA-007 East-The-Water to Gammaton Moor

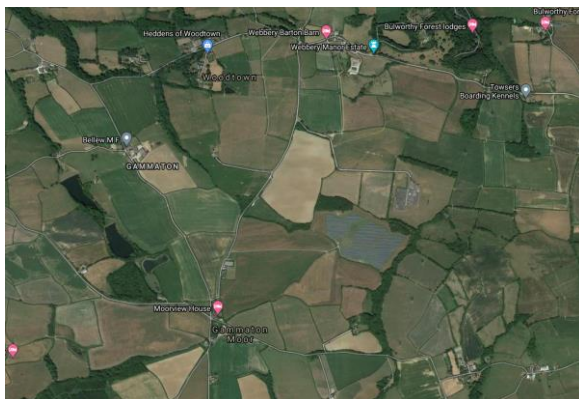
This part of the proposal relates to land off Gammaton Road. Prior to the connection with Gammaton Road, the proposal seeks to create a new access road which would divide existing field patterns to the north of Tennacott Lane. The proposal also includes the provision of a construction compound further along Gammaton Road. This particular area is not subject to any land designations though a detailed inspection of any impact to local habitats is advised.



### AL1-PA-008 Gammaton/Alverdiscott (National Grid Site)

The final section of the proposal seeks to construct a converter station, areas for the point of connection and a construction compound. A converter station is described as a '*specialised type of substation which forms the terminal equipment for a high-voltage direct current (HVDC) transmission line. The converter station converts direct current to alternating current or vice versa*'.

The plan below includes a series of indicative native planting to resolve any landscape impact. The converter station includes two separate buildings and is laid upon hard-surfaced foundations presumed to be concrete by the drawings provided. Each building will have a length of approximately 152m, a maximum width of 90m and a height of 26.35m. The overall development area for this site is 6.86ha (not including the points of connection).

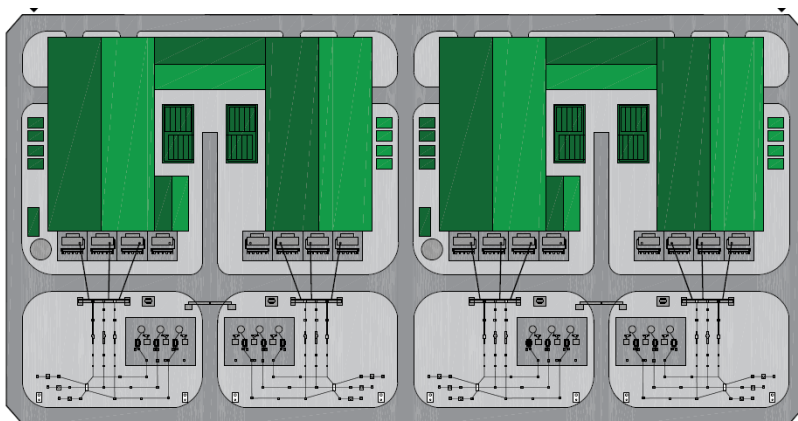
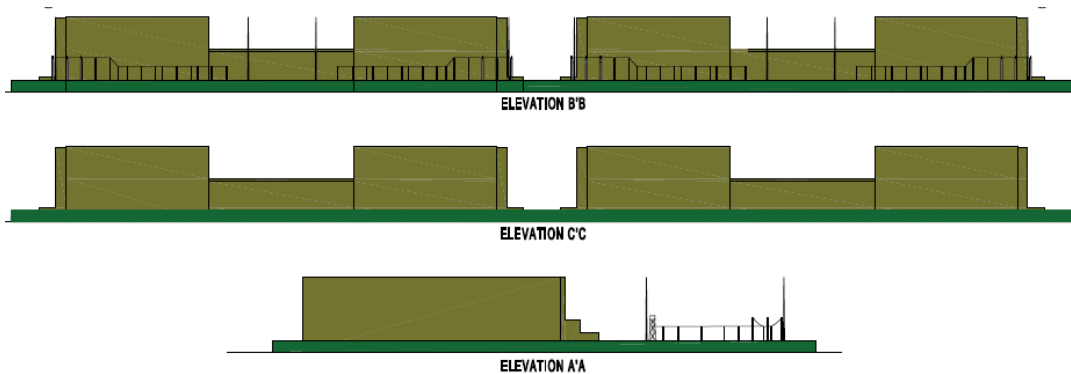




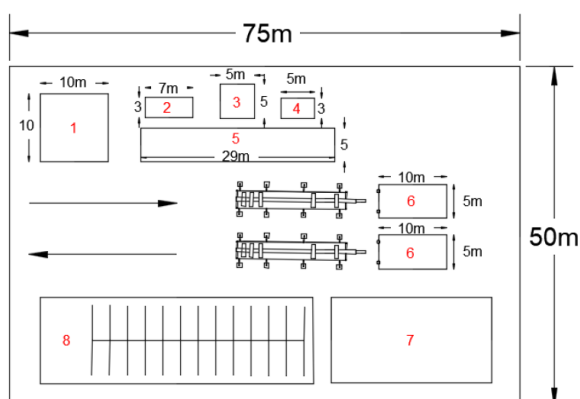
The site is an agricultural field. The site is extremely vulnerable to surrounding views due to the elevated nature of the site compared with other areas of the District. The particular viewpoints of concern are from the south (Gammaton Moor, Huntshaw) and further afield to the north-west (Westleigh, A39, Northam). Further discussion on this topic will be contained within section.

### 3. Supporting Information

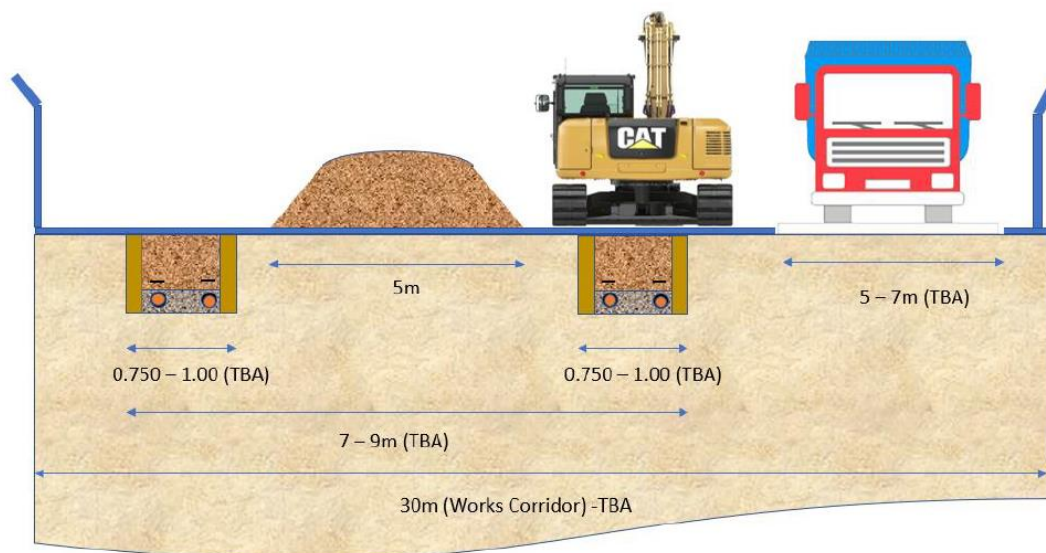
#### *Converter Station Drawings:*



#### *HDD Compound*



*Section Haul Road Swathe:*



Indicative – NOT FOR USE

#### 4. Consultee Engagement

##### **AONB Partnership**

We note that on either end of this stretch of line, there are proposals to locate permanent compounds. From details subsequently sent it would appear that these compounds would be approximately 50m X 75m in square area. Whilst the layout is clear, there are no elevation diagrams that would show the potential impact on the surrounding countryside.

Having studied the proposed route, we have the following observations to make.

##### **AL1-002 & AL1-003**

1. Thank you for sending us additional details about the proposed underground cable, in terms of dimensions and construction. This shows a proposed construction corridor of 30m, which includes fencing and site roads. Whilst we would expect the work area to be fenced off during the construction phase, we would wish to know if these fences would be removed after the cable has been laid. In addition, we would like to know if the construction roads laid are permanent or whether these too would be removed after the construction phase. If they are to be removed, we would wish to see the methodology for re-instatement. Also it is not clear if a permanent roadway would be required to the HDD compound and what that would be constructed of.

2. We also note that the current proposal does not follow the proposed route of the original Atlantic Array underground cable previously submitted and we would be interested to understand why there has been a change of route, as the previous route was developed by looking at the potential

constraints, including environmental constraints, to construction. Whilst the developers claim that they have sought consent of the landowners concerned, it is not clear which landowners have been approached in this area. We have learnt that the National Trust, who own land very close to the proposed route, have not been approached regarding this scheme.

AL1-002

3. The current plan, does not show how the under-sea cable is to be brought ashore. It should be noted that the foreshore is designated a Geological Site of Special Scientific Interest (Mermaid's Pool to Rowdens Gut SSSI) in the Atlantic Array proposal it was proposed to direct drill underneath the wave cut platform and we presume that this will be the case again, but would like some confirmation of this.

4. The original Atlantic Array proposal was to make landfall at the lowest point on the cliffs, however, from studying the plans it would appear that this proposal is to gain landfall almost at the top of Abbotsham Cliff, here the cliffs are over 50 feet high and also subject to coastal erosion, so we would be interested in the methodology for this. In addition, the route will also be located much higher and as a result is likely to be much more visible. (see powerpoint views previously sent)

5. We note that it is intended to have a construction compound on high ground back from the cliff edge, we are assuming that this compound would be removed on completion of the construction phase. We would wish to have details of this compound and the length of time that it will be on site and how the land would be re-instated after use.

6. We also note that it is proposed to have an HDD Compound, we are assuming that this is likely to be permanent. From the plans sent, this is likely to be 50m X 75 m in square area which is a considerable size, but no elevation drawings have been supplied. It should be noted that currently, there are no buildings or structures this close to the cliff edge along this section of undeveloped coast. We would therefore wish to review crucial elevation plans together with information about how it would affect landscape character and visual quality, and we would expect a Landscape and Visual Impact Assessment (LVIA) to cover this element of the proposed construction. In addition, we would like to be consulted with regard to the potential viewpoints chosen for the LVIA. We would also wish to know how this proposal may or may not affect the South West Coast Path, both during the construction phase and once the cable has been permanently installed. Looking at the current plans, the cable would cross this path and the proposed compound may affect the route, which is a Designated National Trail. We would also wish to know why this compound needs to be located on the very cliff edge. If the compound is necessary, we would request that this permanent compound be located much further inland, at least as far back as the Abbotsham to Abbotsham Court road near Combe Walker Cottage. Ideally, we would recommend that the HDD compound is located outside of the AONB boundary, as is the case with the South West Water Sewerage Treatment Works at Cornborough.

7. We note that it is also proposed to install an access road and turning circle, which would follow the proposed underground route. We would wish to see construction specifications for this and an indication as to whether or not this is likely to be a permanent feature, or whether it would be removed after the construction phase.

8. It should be note that the proposed route, runs very close to the former anthracite mines, which exit out onto the cliff near Greycliff. These old mines (linked to Bideford Black Mining) are supposed to run back towards Bideford and on through to Alverdiscott. Indeed the proposed cable route at some stage would cross over this line and so the Coal Authority would need to be consulted, with regard to the proposed route. Note you can see the rough line of the anthracite seam, from aerial photographs of ploughed fields in the area. Coal Authority - GOV.UK ([www.gov.uk](http://www.gov.uk))



9. From the plans submitted, it would appear that the route would run down the public highway, where the proposed construction track terminates (just above Combe Walter Cottage). This would be in the form of a surfaced public road (Abbotsham village to Abbotsham Court) until the route reached the outskirts of Abbotsham village. This in our opinion, would be a good route to follow, as the impact on landscape would be very low, although whether DCC Highways would agree, would be another matter. From the edge of Abbotsham village it would appear that the route would follow a couple of Unclassified County Roads, which are essentially unsurfaced "Green Lanes". Again whilst they are popular with walkers, this might be a good route to follow, provided the adjacent hedgerows, were not damaged in construction. It should be noted that the section of "Green Lane" that runs to the north of the Abbotsham-Greenclyff Road, is a very narrow lane, so we would like to see how construction proposals affected the adjacent hedgerows and any mitigation should they be affected. It should be noted that these Green Lanes, also define the designated boundary of the North Devon AONB and were recorded on the 1840 Tithe Map. It should further be noted that some hedgerows in this area are comprised of remnant Elm trees, which survived "Dutch Elm Disease" in a young state. Therefore care must be taken with these hedgerows as this valuable species cannot be replaced. However, having studied the construction plans submitted, it is difficult to see how any of the unclassified county roads, could accommodate such a large construction without damaging the valuable hedges and adjacent woodland, even if the construction width was reduced to 7m, which we understand is the minimum width of the construction trench.

10. Finally, we would wish to understand more fully the methodology involved in selecting this particular route, especially in light of the previous proposals for the Atlantic Array underground cable and how and if, it would affect key landscape features such as hedgerows and if it did, any re-instatement proposals. As a matter of high importance, we would wish to review the Options Appraisal for both the location of the HDD compounds and how and why the actual route became the preferred route, given many of the potential constraints listed above.

#### **AL1-003**

We have less issues to raise with regard to this section although we would like to see further details of the proposed construction compound and note that two HDD compounds are proposed on either side of the A39, which marks the boundary of the AONB. As with the previous section we would like to see some form of visual assessment of these structures, although this area is much less sensitive, being on the very boundary of the AONB adjacent to the growing settlement of Bideford.

#### **Conservation Officer**

This major infrastructure project will inevitably impact on the environment in Torridge. The main considerations will be the landscape harm, which will be assessed by others. The cabling route will disturb the landscape but this will be on a temporary basis until the route regenerates over the cables. The areas of permanent harm are the service compounds and their accesses as well as the main building at Gammaton.

#### **Section 02 -Coast to Abbotsham village**

The landfall is in an unspoilt section of coast and falls between the listed farmsteads of Abbotsham Court

<https://historicengland.org.uk/listing/the-list/list-entry/1170669>

Greenclyff

<https://historicengland.org.uk/listing/the-list/list-entry/1104405>  
<https://historicengland.org.uk/listing/the-list/list-entry/1170669>

There is a cluster of undesignated heritage buildings at Coombe Walter that would need to be assessed. The pipe then runs along the county road to the village of Abbotsham past the cluster of listed buildings at Chaltaborough

<https://historicengland.org.uk/listing/the-list/list-entry/1333178>  
<https://historicengland.org.uk/listing/the-list/list-entry/1104407>  
<https://historicengland.org.uk/listing/the-list/list-entry/1333177>

Shamland

<https://historicengland.org.uk/listing/the-list/list-entry/1104413>  
<https://historicengland.org.uk/listing/the-list/list-entry/1170681>

The route splits and runs up a footpath but also one section runs past the listed Baptist chapel.

<https://historicengland.org.uk/listing/the-list/list-entry/1104406>

There are also a cluster of listed buildings at the centre of the village including the church and Vicarage.

### **Section 003 – Abbotsham Village to Abbotsham Cross**

This section runs up the county highway but swings inland opposite Bowood House which is the site of the Windmill – the location of this is not know but the field is known as Windmill Field on the tithe and identified as an undesignated heritage asset.

[https://www.heritagegateway.org.uk/Gateway/Results\\_Single.aspx?uid=MDV106687&resourceID=104](https://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=MDV106687&resourceID=104)

This will need archaeological investigation.

### **Section 004 Alwington to Littleham**

The route runs from the A39 south and then skirts the farmstead of Winscott. There are few historic building considerations here.

### **Section 005 North of Littleham to Ford Woodlands**

Runs along the valley to Ashridge. While there are no listed building along this route the landscape remains unaltered.

### **Section 006 – Ford-Jennets to cross the Torridge**

Route skirts the hill farmstead of Hallsannery. The permanent compound near little America will need careful screening being in proximity to main road. This is the case on either side of the river as the landscape is more open on the east side.

There will be a permanent compound in this area which is currently in an inaccessible location and so a new road will be needed. There will be a high visual impact as this route is very visible from the Torrington road (west side of the valley) within the landscape.

These compounds and more especially the access route at east the water creates a new access road across a stretch of hillside which is presently undeveloped which is a real consideration on this stretch. It will affect the setting of the isolated farmsteads and iron bridge.

The route crosses the Torridge and is close to the memorial to crashed WWII plane located on the tarka trail.

### **Section 007 – ETW to Gammaton moor**

No listed building considerations evident at this time.

### **Section 008 – Gammaton -Webbery.**

Location of converter station is too close to ridge of the land and Kingdom Barns to use the contours of the land for effective screening...this is a visually sensitive site and falls within many longer distance views affecting church towers within the landscape.

This area is visible from Huntshaw Cross and the scale of the building proposed would read as an alien feature in views to the coast.

Any landscape assessment needs to take viewpoints from Huntshaw mast and from Horwood.

### **Devon County Council Archaeology**

I refer to the above scheme and your recent consultation. The proposed interconnector cable route crosses a landscape with archaeological potential, particularly with regard to prehistoric and Romano-British activity, and any proposals for the scheme should be supported by the results of a programme of archaeological work to enable the presence and significance of any heritage assets to be understood along with the impact of the proposed development upon them.

However, parts of the proposed cable route overly the route of cable route of the proposed Atlantic Array Windfarm, the route of which was subject to a programme of archaeological geophysical survey and field evaluation and in these areas of overlap I do not consider that it is necessary to repeat or refine the archaeological works in these areas. The comments below are informed by this previous programme of works.

#### **Plan 1 - AL1-PA-002**

The cable route at the landfall site and associated compound lies in an area where prehistoric activity is recorded in the form of findspots of flint tools as well as settlement sites indicated by the presence of ditched enclosures identified through aerial photography and historic fieldnames. Fieldname evidence also may indicate the presence of mining activity in this area too.

A programme of archaeological geophysical survey and field evaluation should be undertaken in this area to inform the cable route and enable an understanding of what archaeological mitigation will be required.

#### **Plan 2 - AL2-PA-003**

The cable route, HDD compound and construction compound lie in an area of known prehistoric activity demonstrated by findspots of flint tools and ditched enclosure identified by geophysical survey.



A programme of archaeological geophysical survey and field evaluation should be undertaken in this area to inform the cable route and enable an understanding of what archaeological mitigation will be required.

#### Plan 3 - AL3-PA-004

This section of the proposed cable route lies within the area previously investigated as part of the works undertaken for the Atlantic Array Windfarm in 2011. As such, the scope of any archaeological mitigation here can be determined on the basis of the result of this earlier work.

Previous investigations did reveal the presence of a substantial ditch of a putative prehistoric enclosure at NGR SS 4288 2390. This heritage asset should be avoided by the proposed cable route. If this is not possible then a programme of archaeological works will be required to investigate and record the archaeological deposits here prior to any disturbance by the laying of cables in this area.

#### Plan 4 - AL4-PA-005

This section of the cable route lies in an area of archaeological potential with regard to prehistoric activity in the wider landscape, while the cable route passes over or close to the deserted farmstead of Higher Dunn, which appears to have been abandoned some time in the mid-20th century.

A programme of archaeological geophysical survey and field evaluation should be undertaken in this area to inform the cable route and enable an understanding of what archaeological mitigation will be required.

#### Plan 5 - AL5-PA-006

Part of the proposed cable route in this area lies within the area already subject to a programme of archaeological works. These works have identified the remains of possible Roman-British field systems. In addition, to the west of the River Torridge aerial photographic evidence indicates the position of a ditched enclosure possibly of prehistoric or Romano-British date at NGR SS 4531 2481, along with others on the east of the river around NGR SS 4634 2530.

In areas not previously covered by archaeological works as part of the Atlantic Array Windfarm scheme a programme of archaeological geophysical survey and field evaluation should be undertaken in this area to inform the cable route and enable an understanding of what archaeological mitigation will be required. The results of this work and that previously undertaken will enable the requirement and scope of any archaeological mitigation to be understood and implemented in advance of construction work.

#### Plan 6 - AL6-PA-007

Part of the proposed cable route in this area lies within the area already subject to a programme of archaeological works. These works have identified the remains of possible Roman-British field systems. In addition, the proposed cable route passes close to the site of a deserted settlement.

A programme of archaeological works will be required to investigate and record the archaeological deposits here prior to any disturbance by the laying of cables in this area.

## Plan 7 - AL7-PA-008

A small section of the proposed cable route in this area lies within the area already subject to a programme of archaeological works. However, the southern part of the converter station occupies the site of a prehistoric or Romano-British enclosure surrounded by a contemporary field system.

A programme of archaeological geophysical survey and field evaluation should be undertaken in this area to inform the cable route and enable an understanding of what archaeological or design mitigation - to enable preservation in situ - that will be required.

The requirement for adequate heritage information is in accordance with guidance Policy DM07 in the North Devon and Torridge Local Plan (2018) and paragraphs 194 and 195 of the National Planning Policy Framework (2021).

Any EIA prepared for this development should be informed by:

- i) a programme of archaeological work (desk-based assessment, geophysical survey and field evaluation) covering the areas not previously subject to archaeological investigation under the works undertaken as part of the Atlantic Array Windfarm project and
- ii) a consideration of the archaeological works already undertaken as part of the Atlantic Array Windfarm project.

I will be happy to discuss this further with you, the applicant or their agent. The Historic Environment Team can also provide the prospective applicant with advice of the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic environment and planning, and our charging schedule please refer the applicant to: <https://new.devon.gov.uk/historicenvironment/development-management/>.

### **Devon County Council Flood Risk Management**

We would advise that any part of the application which includes the construction of impermeable areas such as compounds, the converter station and access roads, including HGV turning areas, should be drained in line with DCC SuDS for Devon Guidance (2017). The surface water management hierarchy should be followed where infiltration is the preferred method of disposal. Please note we have a requirement for groundwater monitoring where infiltration is being proposed. Further information on our SuDS guidance as well as groundwater monitoring can be found here; <https://www.devon.gov.uk/floodriskmanagement/planning-and-development/suds-guidance/>.

It is likely that a Flood Risk Permit will be required from the EA for watercourse crossing, as identified on AL1 PA 006, and we would encourage early dialogue with the EA.

### **Environment Agency**

**Note:** The Environment Agency did not provide a specific comment on these proposals because they have their own pre-application charging schedule. Please see here: <https://www.gov.uk/guidance/get-advice-before-you-apply-for-an-environmental-permit>

*If you would like our site-specific advice, we can provide this as part of our cost recovery service. For £100 per hour plus VAT, we can provide you with a project manager who will coordinate all meetings and reviews in order to give you detailed specialist advice with guaranteed delivery dates. I have attached a leaflet about this service to the email also. Please contact us at this email address if you would like to use this service or if you have any further questions.*

*I can confirm for the location of this proposed development that we would expect the applicant to fully assess the environmental impacts of the development. These would include; to assess for the presence of / impact on legally protected species and/or priority species, the presence of / impact on priority habitat (including loss or encroachment on priority habitat) and evidence that the risks have been assessed and addressed satisfactorily. This also includes the impact of construction on priority species / habitat / water quality. Impact on groundwater quality. Assessment on main river (please also refer to our advice for Environmental Permits below) with regards to impact on nature conservation/fisheries (including seasonal fish migrations) / ecology and physical habitats & Water Framework Directive, contaminated land assessment, waste management/permits, pollution risk management and flood risk.*

### **Environmental permit - advice to applicant**

*The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:*

- *on or within 8 metres of a main river (16 metres if tidal)*
- *on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)*
- *on or within 16 metres of a sea defence*
- *involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
- *in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission*
- 

*For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).*

*The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.*

As similarly advised by DCCFRM, the Council would suggest that you discuss the proposal with the Environment Agency as soon as practicably possible. Based on a brief conversation with the Environment Agency, the two areas of most concern are landfall at Abbotsham and crossing the Taw-Torridge. You should gauge what information is required by the Environment Agency for a planning application as it is likely to require further investigation, such as potentially the impact on migrating fish from the proposed works and how the subsea/terrain cables would impact upon local species, and what water-based solutions there might be in order to undertake any required drilling.

### **Devon County Council Highways**

The creation of the cabling and access routes provide the opportunity to turn the route into long term cycling and walking infrastructure (or new roads in some places). Doing so would make the proposal more sustainable in transport terms and increase the benefit to the local community. There is a long term ambition to create a walking and cycling route between Bideford and Westward Ho! – preferably on the line of the old railway out to Cornborough and joining the SW coast path. This is not on the exact route proposed, but if the route is amended, such a route should be considered.

AL1- 002

Use of the highway to lay cable under is concerning in this location due to the narrow width of the road and requirement to close this road for considerable time to carry out this work. Smaller rural roads in this location are little more than tarmac laid on earth, and full reconstruction of the road must be provided after works if this goes ahead.



The roads used for access to the site are narrow and not suitable for use by large vehicles to access the proposed compound at Greencliff.

The proposed cable routes and site access would make a good future cyclist and pedestrian route between the SW coast path and Abbotsham – onwards to Bideford with the rest of the project if not using narrow rural lanes.

Adequate visibility splays and site access from the highway will be required to be constructed with the likely loss of significant hedges.

#### AL1-003

New access directly onto the A39 is a concern due to the strategic nature of this road. The road from Clovelly Road (off the A39 Abbotsham Cross roundabout) to Littleham is narrow in places and sees a lot of conflict between vehicles. The proposed cable and access routes would make a good alternative road in the future (see also AL1-PA-004). Use of the highway to lay cable under is concerning in this location due to the narrow width of the road and requirement to close this road for considerable time to carry out this work.

Smaller rural roads in this location are little more than tarmac laid on earth, and full reconstruction of the road must be provided after works if this goes ahead. Adequate visibility splays and site access from the highway will be required to be constructed with the likely loss of significant hedges.

#### AL1-004

Works adjacent to the 'Littleham Road' should enable long term widening of this road which is narrow in places. (see also AL1-PA-003). Small rural roads in this location are little more than tarmac laid on earth, and full reconstruction of the road must be provided after works if this goes ahead. Adequate visibility splays and site access from the highway will be required to be constructed with the likely loss of significant hedges.

#### AL1-005

Access to the works in this area via narrow local roads with few passing places is not considered acceptable for large vehicles associated with construction traffic. There appears to be no new access proposed to this area from the A386 (see plan AL1-PA-006).

Small rural roads in this location are little more than tarmac laid on earth, and full reconstruction of the road must be provided after works if this goes ahead. Adequate visibility splays and site access from the highway will be required to be constructed with the likely loss of significant hedges.

#### AL1-006

Access to the works in this area via narrow local roads with few passing places is not considered acceptable for large vehicles associated with construction traffic. Existing access to the A386 is steep with a more than 90-degree bend, not capable for large vehicles to use to access the junctions onto the proposed new access road.

The access road could act as a longer-term replacement for the existing narrow road.

Small rural roads in this location are little more than tarmac laid on earth, and full reconstruction of the road must be provided after works if this goes ahead.

Adequate visibility splays and site access from the highway will be required to be constructed with the likely loss of significant hedges.

AL1-007

The access road takes a long detour north/south for no apparent reason. Adequate visibility splays and site access from the highway will be required to be constructed with the likely loss of significant hedges. With the detour, the visibility requirement will be further north outside of the red edge. Access for vehicles to from the access road where it crosses the road here is not acceptable.

Small rural roads in this location are little more than tarmac laid on earth, and full reconstruction of the road must be provided after works if this goes ahead.

AL1-008

The access road could act as a longer-term replacement for the existing narrow road with sharp bends.

Small rural roads in this location are little more than tarmac laid on earth, and full reconstruction of the road must be provided after works if this goes ahead.

Adequate visibility splays and site access from the highway will be required to be constructed with the likely loss of significant hedges.

### **Environmental Protection**

The proposed development will presumably involve a significant amount of construction works which has the potential to result in disturbance to the residential amenity of nearby dwellings, from noise and dust for example. Subsequently, the Environmental Protection Team would expect a Construction Environmental Management Plan to be submitted that outlines measures for preventing or minimising disturbance to residential amenity during development.

In addition to the above, the Environmental Protection Team would require a noise impact assessment, in accordance with appropriate guidance, to be undertaken with regards any fixed electrical plant and equipment (eg. converter stations) in order to evaluate the impact on neighbouring dwellings.

### **Natural England**

The proposal will come ashore at Mermaid's Pool to Rowden Gut Site of Special Scientific Interest (SSSI) which is notified for its geological interest. The cliffs here are maritime cliff and slope priority habitat and the shoreline management plan indicates the cliffs are erodible.

### **AONB**

A significant part of the proposal is within an undeveloped section of the North Devon Area of Outstanding Natural Beauty (AONB).

As such this application will need to be determined in accordance with paragraphs 176 and 177 of the National Planning Policy Framework which requires 'great weight' to be given to the landscape and scenic beauty in the AONB. That policy also sets a default of no major development within the AONB unless exceptional circumstances can be demonstrated. Your authority also has a statutory duty under section 85 of the Countryside and Rights of Way Act 2000 to 'have regard' to the statutory purpose of the AONB in carrying out its functions, including planning matters. The statutory purpose is to conserve and enhance the area's natural beauty.

Given the location of the proposal, Natural England's advice is that a Landscape and Visual Impact Assessment (LVIA) is necessary to understand the potential impacts of the proposal on this nationally designated and highly sensitive landscape and on the special qualities of the AONB. This will support your Authority in reaching a fully informed determination of this development. The LVIA should be based on the Guidelines for Landscape and Visual Impact Assessment (3rd edition) produced jointly by the Landscape Institute/Institute of Environmental Assessment.

Landscape character assessment (LCA) provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change, and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed. The LCA for the AONB and wider landscape should therefore be an important guide to the potential effects of the proposed scheme. The statutory management plan for the AONB should also be used with particular reference to its presentation of the key characteristics or 'special qualities' of the area and their vulnerability to the type of development proposed.

We would strongly advise you to seek and give weight to the advice of the AONB Partnership. Their knowledge of the location and wider landscape setting of the development further informed by an LVIA will help to confirm whether it would impact significantly on the statutory purposes of the AONB. They will also be able advise on whether the development accords with the aims and policies set out in the AONB management plan.

#### Public Rights of Way

Any planning application should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development.

The proposal will affect the South West Coast Path National Trail at the landfall and the Tarka Trail at the river crossing. We therefore advise you to seek the advice of the National Trail Officer and/or the Coast Path Officer for North Devon to ensure there are no adverse effects on the Trails. Their knowledge of the location and wider landscape setting of the development should help to confirm whether it would impact significantly on the National Trails.

Please send consultations via email to: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

The National Trails website<sup>2</sup> provides information including contact details for the National Trail Officers.

Access to the trails should be maintained throughout the project. Impacts on the Trails and its users, both during construction and operation, should be considered as part of the LVIA.

We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that could be maintained or enhanced.

#### Protected Species

The developer must provide information supporting this application sufficient for your authority to assess whether protected species are likely to be affected and, if they are, whether sufficient mitigation, avoidance or compensation measures will be put in place.

Natural England has published Standing Advice on protected species which provides detailed advice on the protected species most often affected by development.



The Institute of Lighting Professionals has produced practical guidance on considering the impact on bats when designing lighting schemes - Guidance Note 8 Bats and Artificial Lighting. They have partnered with the Bat Conservation Trust and ecological consultants to write this document on avoiding or reducing the harmful effects which artificial lighting may have on bats and their habitats and we recommend this is followed.

## Biodiversity Enhancements

Development provides opportunities to secure a net gain for nature as outlined in paragraphs 174 and 180 of the NPPF and within the Defra 25 year Environment Plan. Policy ST14 of the Joint Torridge and North Devon Local Plan (JLP) also expects all development to provide a net gain in biodiversity. We advise you first to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and Policy DM08 of the JLP and consider what existing environmental features on and around a site can be retained or enhanced before considering what new features could be incorporated into a development proposal.

An evidence based approach to biodiversity net gain can help LPAs demonstrate compliance with their duty to have regard for biodiversity in the exercise of their functions<sup>3</sup> (under Section 40 NERC Act, 2006). Biodiversity metrics are available to assist developers and local authorities in securing net gain. Local Authorities can set their own net gain thresholds, but the Environment Bill currently sets a 10% threshold.

## Soils and Agricultural Land Quality

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society. It is therefore important that the soil resources are protected and used sustainably in line with paragraph 174 of the NPPF.

Any planning application should consider the degree to which soils are going to be disturbed or harmed as part of this development and whether 'best and most versatile' agricultural land is involved. This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see [www.magic.gov.uk](http://www.magic.gov.uk) Natural England Technical Information Note 049 - Agricultural Land Classification: protecting the best and most versatile agricultural land also contains useful background information.

If required, an agricultural land classification and soil survey of the land should be undertaken. This should be at a detailed level e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource i.e. 1.2 metres.

Consideration should be given to how any adverse impacts on soils can be minimised. Further guidance is contained in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites

## 5. Qualifying Criteria for NSIPS

Paragraph 14 of The Planning Act 2008 lists types of developments that are likely to be considered as 'nationally significant projects'. These are:

*(a) the construction or extension of a generating station;*

*(b) the installation of an electric line above ground;*

- (c) development relating to underground gas storage facilities;*
  - (d) the construction or alteration of an LNG facility;*
  - (e) the construction or alteration of a gas reception facility;*
  - (f) the construction of a pipe-line by a gas transporter;*
  - (g) the construction of a pipe-line other than by a gas transporter;*
  - (h) highway-related development;*
  - (i) airport-related development;*
  - (j) the construction or alteration of harbour facilities;*
  - (k) the construction or alteration of a railway;*
  - (l) the construction or alteration of a rail freight interchange;*
  - (m) the construction or alteration of a dam or reservoir;*
  - (n) development relating to the transfer of water resources;*
- (see <https://www.legislation.gov.uk/ukpga/2008/29/section/14>)

The Council are of the view that the proposal would not fall within the defined types of developments listed above. The project does not include a 'generating station' as per 14 (a) of the Planning Act 2008, and thus in assessment of the legislation alone, the project would not be deemed to be nationally significant.

Notwithstanding the wording of the Planning Act, the Council acknowledges the scale of the scheme, including the potential significance of the amount of energy expected to be added to the UK's energy supply, and would therefore conclude that the proposal, could in fact, be nationally significant. It is my view that such an application could have a severe impact upon the Council's ability to undertake normal day-to-day duties. For that reason, I would encourage discussions to take place with the Planning Inspectorate/Secretary of State through their pre-application service, to establish whether any future comprehensive application would be best submitted directly to the Secretary of State for examination as an NSIP.

Should you still wish to submit the application to the Council, it is likely that we would seek a Planning Performance Agreement (PPA) given the scale of the project and political significance (e.g., requiring the need to . The finer detail of any agreement would include clauses for any fee to be returned, if the application was then decided by SoS (depending on the circumstances).

Despite the above suggestion, this pre-application enquiry has still served a useful purpose by engaging with statutory consultees at an early stage and receiving their comments prior to any application being further developed. Therefore, and without prejudice to the means by which any future application may be considered, I set out below the main planning policy context and considerations.

## 6. Policy Context/Material Planning Considerations

Please note that these comments relate to mainly the terrestrial aspects of the proposal, in consideration of the Town and Country Planning Act 1990 and any accompanying planning legislation. The applicant should consider contacting the Marine Management Organisation for a view on matters relating to the Marine and Coastal Access Act 2009 and whether a marine license would be granted for the proposal.

In July 2019, Torridge District Council declared a 'climate emergency'. We have committed to a target of net zero carbon emissions from our operations by 2030. We also recognise the impacts we have on the residents, businesses and communities of Torridge through a range of functions and services that we deliver.

Resolving the causes and impacts of climate change needs a joined-up approach where everyone from the government, businesses and local residents all play their part. We understand that we are in a position to promote effective partnership working in Torridge, and have recently published the 'Carbon, Environment and Biodiversity Plan' in June 2021. Chapter 14 of the NPPF promotes meeting the challenges of climate change, promoting the use and supply of renewable technologies.

The Council acknowledges its role with regards to the climate emergency and seeks to support development which contributes towards these aims, where possible. Paragraph 155 of the NPPF states:

*To help increase the use and supply of renewable and low carbon energy and heat, plans should:*

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);*
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and*
- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

The main planning considerations of the proposal are addressed below:

### Principle of Development:

Policy ST07 is broadly considered to apply as the proposal relates to areas mainly outside the main villages and towns in the District and thus sub-section (4) is relevant. Policy ST07 (4) states that development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a Countryside location.

Chapter 2 of the NPPF 'achieving sustainable development' underpins the planning system concluding that sustainable development is formed of three objectives:

- a. 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 by identifying and coordinating the provision of infrastructure;



- b. 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
- c. 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.

The submitted pre-application enquiry lacks the detailed assessments that may be required in order to make a judgement as to the project's credentials in sustainability terms, and also specifically what level of harm would arise. A proposal of this scale is expected to cause harm and it is therefore important to ensure that such negative impacts are mitigated as much as possible, as these will be weighed up against the benefits of the scheme within any determining planning balance.

*Policy ST16 of the Local Plan relates to renewable energy and heat noting, at section (3) that; 'Renewable and low carbon energy and heat generating development (other than wind energy) will be supported in the landscape character types where:*

- (a) Landscape sensitivity is best able to accommodate them, assessed in accordance with the Council's Landscape Sensitivity Assessments and by the landscape's sensitivity to accommodate the scale of development;*
- (b) There is no significant impact on local amenities; and*
- (c) The special qualities of nationally important landscape, biodiversity and heritage designations and their settings are conserved or enhanced.'*

*Section (4) of Policy ST16 further notes:*

*'Renewable and low carbon energy development (other than wind energy) will be supported where it can be demonstrated 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.'*

The site is located within parts of the AONB.

Paragraph 177 of the NPPF is therefore relevant which states:

*When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

The exceptional test, including the need for any project to be justified against a public benefit, only relates to AONB major developments. As per footnote 60 of the NPPF, the Local Planning

Authority would first need to determine whether the application would be considered major in reference to paragraph 177 of the NPPF. The Council are at this stage unable to make a determination as to whether it would be classified as a 'major' or not in reference to Paragraph 177, due to the infancy and the outline nature of the project thus far.

Given that there is likely to be significant harm associated with the proposal, the benefits need to be clearly identified. The information provided thus far has been limited. How will the proposal support the local and wider economy? How many staff would be hired? Would local construction companies be used? Would there be local job opportunities, and would there be training/skills uplift? Is there an opportunity to partner with some local educational facilities such as Petroc? More detail regarding the energy produced, how it is stored, how much can be stored at one time and how it relates to the UK's energy supply would be useful. How will it help the Council and the UK as a whole meet statutory climate change targets?

The benefits of the proposal are contingent on the energy being provided from Morocco in perpetuity. The Council would therefore ask you to clarify the nature of any agreements made with officials in Morocco and how assured the Council can be that these would remain in effect long into the future. Given the international cross-boundary aspect of the proposal, a robust mechanism for ensuring the energy source is secured would need to be established.

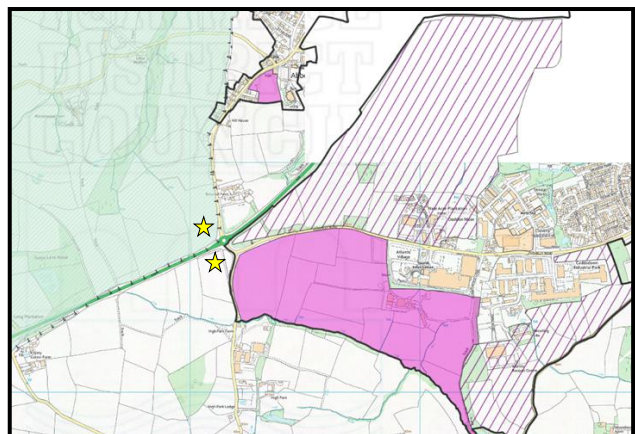
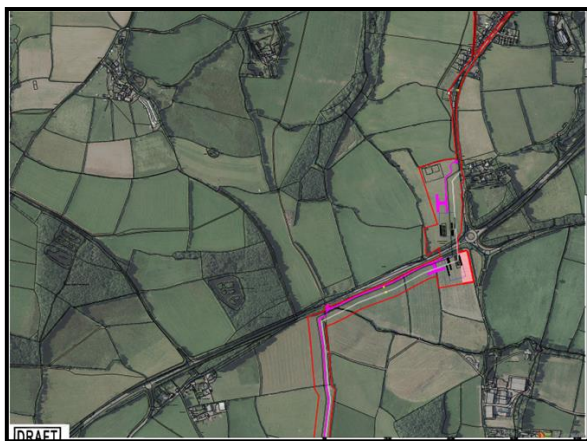
The proposal is likely to completely change the character of the affected sites and their wider surroundings. Other negatives include the potential habitat and biodiversity impact which require further investigation with the Environment Agency, such as the river crossing. The size of the converter building and its current proposed location is likely to have a significant landscape impact. The Council would be concerned about the potential cumulative impact of the proposed development when considered in the context of the surrounding developments which are within reasonably close proximity.

Further consideration will be given to this aspect in subsequent sections.

#### The Cabling Route

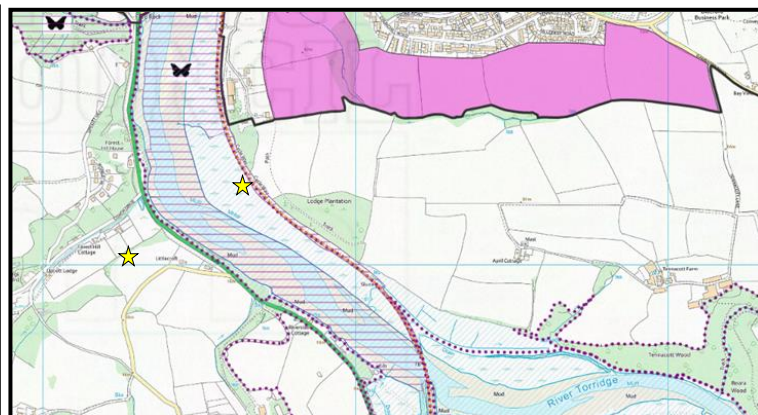
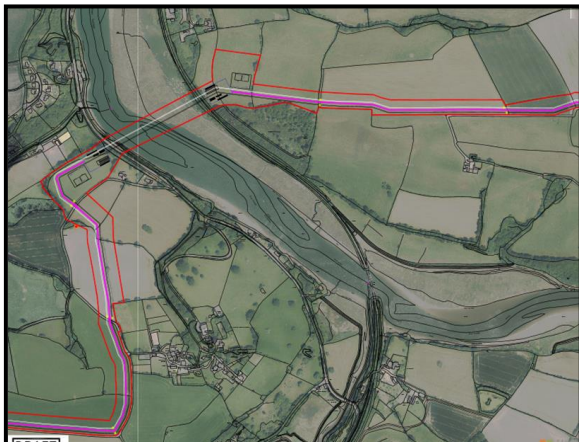
More generally regarding the proposed cabling route, it is noted that some of the route and in particular the siting of permanent HDD Drilling Compounds is sited close to some of the Council's strategic housing allocations (BID01 and BID 09 – AL1-PA-003) (BID 04 – AL1-PA-006). I have provided relevant images below that help to indicate this. The Council's interactive policies mapping is available at: <https://maps.torridge.gov.uk/WM9/Map.aspx?MapName=PlanningPolicy>

#### AL1-PA-003 – A39 Abbotsham - Urban Extensions to Bideford



★ denotes location of HDD Compounds

### AL1-PA-006 – Ford Jennets/Torridge River



The Council are currently in the process of a local plan review and will therefore be undertaking a housing and economic land availability assessment (HELAA) which seeks to identify a future supply of land that might be suitable for development over the plan period. More information regarding the HELAA is available here: <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>.

This process, according to our Planning Policy team, may approximately take 12-18 months as the Council reviews which sites may be appropriate for housing-led and economic development. The Council within any submitted planning application would have to consider whether the route, particularly at these locations, would prejudice the Council's ability for expansion, especially given that this relates to the Council's main hub for residential growth, Bideford, a strategic centre as identified within Policy ST06 of the North Devon and Torridge Local Plan. Torridge District Council seek clarification as to whether parts of the proposed route could be adjusted to take account of these concerns and be located further away from the Council's strategic allocations which may be subject to change (be expanded upon) over the coming year. The Council's preference would be for a buffer zone to be applied from all strategic allocations which have been identified.

#### Community and Stakeholder Engagement

I have already advised that you seek engagement with the Environment Agency at the earliest opportunity. No information has been submitted regarding the applicant's intentions to engage with local stakeholders prior to the planning process which is often included within a statement of community engagement.

The crux of energy proposals such as this, certainly within the public eye, often bring about conversations of 'community benefits', how will this benefit those that might be affected by the proposals? I must confirm that this is not explicitly a planning consideration though it is often a key matter within the political space that is intertwined with the planning process. I would advise you to consider whether such benefits can be detailed or considered prior to any submitted application.

#### Character/Landscape Impact

NDTLP Policy DM04 expects that development proposals adhere to the standards of good design. The policy states that good design seeks to guide overall scale, density, massing, height, landscape, layout, materials, access and appearance of any new developments. The policy provides fourteen design principles that developments should have regard to.

Policy DM08A expects that proposals should take consideration of the potential impact on landscape character.



Policy ST14 notes the importance protecting and enhancing local landscape character, taking into account their key characteristics in relation to Policy ST04. Paragraph 6.7 of the Joint North Devon and Torridge Local Plan recognises the importance of the North Devon's landscape considerations such as its topography, geology, soil, climate and cultural heritage which should be highly regarded when making decisions that impact character. The key characteristics of all landscape character types are defined in the Joint Landscape Character Assessment published in 2010.

Policy ST16 of the Local Plan relates to renewable energy and heat noting, at section (3) that; 'Renewable and low carbon energy and heat generating development (other than wind energy) will be supported in the landscape character types where:

- (a) Landscape sensitivity is best able to accommodate them, assessed in accordance with the Council's Landscape Sensitivity Assessments and by the landscape's sensitivity to accommodate the scale of development;
- (b) There is no significant impact on local amenities; and
- (c) The special qualities of nationally important landscape, biodiversity and heritage designations and their settings are conserved or enhanced.'

Section (4) of Policy ST16 further notes:

'Renewable and low carbon energy development (other than wind energy) will be supported where it can be demonstrated 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.'

The proposal area covers many different character types across the district. For conciseness, this response will cover the two most severe impact areas which are expected to be the entry point at Abbotsham Cliffs and the site of the converter station in Alverdiscott. Notwithstanding this, a project of this scale would have some degree of impact at each point of its route. Most of the route exists within open countryside where such development is not generally expected. Therefore, the Council would judge that the siting of an HDD compound has some degree of harm as it introduces a feature of an urban setting in the natural environment of the countryside. The Council have not received any section/elevation drawings of the HDD Compounds, though it was advised that the area is constructed upon effectively a concreted pad, which measured 25 x 75m could be a significant area/intrusive in generally isolated locations. The Council would advise that you consider how to limit and mitigate the impact caused by HDD & Construction Compounds, HGV and new accesses. Further information is required regarding the permanence of such newly formed routes.

#### Landfall – Abbotsham Cliffs

The two cables will enter terrestrial land adjacent the coastal path at Abbotsham Cliffs just south of Cornborough. The site is within an Area of Outstanding Natural Beauty (AONB) and would be subject to Local Plan Policy ST08A and also ST09 as the site relates to undeveloped coast.

This part of the site would include the two energy cables, a HDD Compound, a Construction Compound and a HGV turning/access. It is expected that the site will permanently include the HDD Compound. The two energy cables will be sub-terrain whereas the above ground construction compound and HGV turning areas are expected to be only temporary. The Council requires further information regarding the permanence of any access routes. Despite this, the effects to the enjoyment of the coastal path, within an AONB, must be considered.

As per Paragraph 177 of the NPPF, the Council must only allow development within designated landscapes exceptionally and where it can be demonstrated that the proposal is in the public



interest. Clearly, further information is required to justify the principle of developing within a protected landscape. In particular, Paragraph 177 of the NPPF (c) requires an assessment of any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which it could be moderated. The Council would therefore require a substantial level of detail as to how such impacts could be mitigated against and what efforts will be undertaken to ensure that the land used for construction will be in a condition deserving of its designated status following the construction period. The Council would also need to establish whether

The AONB Team have raised several comments regarding the potential impact to this part of Abbotsham Cliffs which should be noted, in particular with reference to whether a permanent road would be installed to access HDD Compounds in the future. The Council would also need to see a methodology as to how the cables are to be brought ashore which would also be relevant for the Environment Agency to be consulted on. The site is subject to the Mermaids Pool to Rowdens Gut SSSI.

Policy ST09 (5, 7 and 11) states the following:

*(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.*

*(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.*

*(11) The continuity of the South West Coast Path and the Tarka Trail will be protected and a network of connecting routes will be improved. Improvements to coastal and estuarine access will be sought where rundown waterfront areas are regenerated. The Tarka Trail link between Ilfracombe and Braunton will be completed.*

With reference to ST09(7), and in terms of a matter of principle, any proposal would need to demonstrate that the elements that are proposed within the undeveloped coast cannot reasonably be located outside the undeveloped coast.

Policy ST16 requires that where proposals relate to an energy proposal, landscape harm is of pivotal importance and should be supported with the provision of an LVIA. The Council, especially given part of the sites being located within the setting of an AONB, would consult a landscape specialist who would assess the submitted LVIA and provide comments as to any impact upon the AONB. The Council would help to agree any viewpoints that may be of particular significance regarding any LVIA.

The site currently selected is identified to be located within landscape character type 5B (Coastal Undulating Farmland) as set out in the Joint Landscape Character Assessment for North Devon and Torridge Districts (JLCA). This landscape character type is characterised by open and uninterrupted sea views, strong field patterns (including medieval fields) with frequent crooked hedgerow trees, rolling farmland, and peace, tranquillity & low levels of development. The JLCA identifies a number of forces for change which have previously or are currently taking place in this landscape character area including the installation of prominent pylon lines, demand for on-shore and off-shore wind farms, development pressures and the lack of hedgerow management leading

to sections of hedgerow lost or gapped up with post and wire fencing. The LVIA should respond to these factors/forces for change.

It is difficult for the Council to make a judgement as to the impact upon the AONB without such information being provided. The Council would though note that it is likely that the HDD Compound would have a more localised impact being located within the part of the coast path that sits within a valley of sorts. The proposed HGV road needs clarification as to whether it would be kept post-construction (to the HDD Compound) as such harm could be relatively significant to the overall tranquillity of the coast path and surrounding uses.



*Pictures of the Abbotsham Landfall site*

### Converter Station – Alverdiscott

For the purpose of this enquiry, a converter station is understood to be a specialised type of substation which converts direct current to alternating current or vice versa. Some images of converter stations, via 'Google' are included below:



During the pre-application enquiry process, I was informed that the siting of the converter station could be subject to change. Nevertheless, I have undertaken a detailed site visit of the National Grid location including surrounding areas in preparation of this response (pictures contained below). The drawings are included within Section 3 of this document. The site for the HVDC converter station is approximately 370m x 185m. The buildings measure individually at 150m x 90m with a height of approximately 27m.

The proposed development at the National Grid site is extremely large and would be generally unsightly as the above images indicate. It is therefore imperative that a site is carefully selected with regard to potential landscape and character harm. The Council would usually expect any site to be assessed with the assistance of a Landscape Visual Impact Assessment. The Council can of course review any updated location with advice on potential viewpoints that may be of critical importance.

The site currently selected is identified to be located within landscape character type 5A (Inland Elevated Undulating Land) as set out in the Joint Landscape Character Assessment for North Devon and Torridge Districts (JLCA). This landscape character type is characterised by long views from elevation ridgelines, a patchwork of fields and hedges and includes valued Culm grassland areas and wetland habitats. In addition, the area is identified as being quiet, relaxed, and tranquil. The JLCA identifies a number of forces for change which have previously or are currently taking place in this landscape character area including the installation of prominent pylon lines crossing through the landscape, the noise and intrusion of main roads dissecting the landscape and the demand for commercial scale wind turbines on open ridgelines.

A detailed Landscape and Visual Impact Assessment (LVIA) would need to be prepared in relation to any formal application and it would be useful for a draft copy of this to be forwarded as part of the pre-application discussions in advance of any formal application. It may also be useful to agree potential viewpoints to be used within any LVIA in advance.

The JLCA concludes that the site is within a vulnerable or elevated location. The site visit confirmed and supported the main aspects of the JLCA regarding the site's elevation, and in particular that the site was able to be viewed from a series of locations including Huntshaw Cross, Gammaton Moor and areas of Northam/A39.



Furthermore, as the JLCA indicates, the area subject of this enquiry and its surrounding areas have already been subject to forces of change. These include the erection of pylons, solar farms, the existing National Grid site and the existing road network. The Council have to therefore give regard to the potential 'cumulative' impact that would arise from a scheme of this nature and how much permanent harm would be caused to the landscape within this part of Torridge, in the countryside. The JLCA highlights the importance of tranquillity within the subject landscape character type which is a feature that is likely to be significantly affected by the proposals.

The buildings because of their sheer scale require a site to be chosen which helps to naturally limit their impact, to appear somewhat sheltered within its setting, and only then should additional mitigation be sought to further improve any wider character/landscape impacts. It is important also to recognise that the harm doesn't just arise from the buildings themselves, but the use and the accompanying structures/level of urbanisation that is taking place within a countryside setting. It

will therefore be important to use mitigation such as copse planting to obscure the development from longer views.



The Council accepts that there will be a character impact as a result of this scheme. The aim therefore is to secure a location and use mitigation that helps to limit those impacts to more acceptable levels, underpinned by a LVIA. Were an application to be submitted, the Council would likely instruct a landscape consultant to assist in reviewing such impacts to ensure a robust approach is adopted.

It would be useful to know how much of the building can be excavated to limit the building's overall height. Equally, the plans seem to indicate that the building is constructed of a metallic composite with presumably concreted pads. Would it be possible to utilise more countryside-friendly materials or is there a limitation on what materials can be used because of the proposed use?

As noted above, there are concerns about the likely cumulative impacts of the proposed development given the proximity of a number of other solar farms and other works within the surrounding landscape. A more detailed assessment of this aspect of the development can be undertaken with the submission of a draft LVIA to assist in identifying the key viewpoints. It would be essential for any LVIA to robustly assess the impacts of the proposed development on the surrounding landscape character type and how these can be mitigated. Ultimately, the prospects for achieving a positive planning decision come down to the balance between the economic and environmental benefits of providing this level of renewable energy against any resultant harm to the landscape. I would however strongly recommend that alternative sites be considered.

#### Residential Amenity, Noise and Disturbance

Policy DM01 of the Local Plan relates to residential amenities and notes that development proposals will be supported where they would not significantly harm the amenities of any neighbouring occupiers or uses.

#### *Policy DM02: Environmental Protection*

#### *Hazards*

*(1) Development will be supported where it does not cause an unacceptable risk to*



*public health and safety due to:*

- (a) coastal erosion or land instability;*
  - (b) its siting on known or suspected contaminated land which is unsuitable for the use proposed; or*
  - (c) the storage or use of hazardous substance;*
- unless taking account of appropriate remedial, preventative or precautionary measures to remove, reduce or mitigate risk to an acceptable level.*

#### *Pollution*

*(2) Development will be supported where it does not result in unacceptable impacts to:*

- (a) atmospheric pollution by gas or particulates, including smell, fumes, dust, grit, smoke and soot;*
- (b) pollution of surface or ground water (fresh and salt) including rivers, canals, other watercourses, water bodies, wetlands, water gathering grounds including catchment areas, aquifers, groundwater protection areas, harbours, estuaries or the sea;*
- (c) noise or vibration; and*
- (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.*

#### *Air Quality Management Area*

*(3) 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.*

The Council would require more detail regarding the cables at the cliff face and whether this would impact cliff-face stability. Such information should be documented within a methodology document. The Council would also seek information as to the impact, in particular regarding any noise and vibration, on ground water sources and their habitats (see 2b/2c) which would be aided by engagement with the Environment Agency.

The Councils Environmental Protection Officer comments are provided within section 2 of this document which requests a Construction Environmental Management Plan and a Noise Impact Assessment.

#### Impact upon Historic Character

Policy DM07 of the Local Plan relates to the historic environment and notes that all proposals affecting heritage assets should be accompanied by sufficient information in the form of a Heritage Statement. Further, Policy DM07 states that proposals which conserve and enhance heritage assets and their settings will be supported and where there is unavoidable harm to 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.

You are advised to consider the responses from the Councils' Conservation Officer and DCC Archaeology contained within Section 2 of this report. Both responses note the proximity and potential harm to designated heritage assets. The Council would expect that information is submitted which details the potential impact upon such assets, including a heritage statement (impact of the development on any nearby designated assets and their significance) and an archaeological works/geophysical survey programme (see full comments).

### Access and Parking

Policy ST10 sets out the transport strategy for the District which notes that the function and safety of the road network will be protected and enhanced. Policy DM05 states that all development must ensure safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.

Developments should also protect and enhance existing public rights of way. Information will need to be submitted to the Council to conclude how the public rights of way will be enhanced during and post any construction.

The comments from DCC Highways provide detailed comments in relation to each phase of the proposal which should be seriously considered. The Council would re-iterate the comments of the Highways Authority which recognises that any new accesses proposed could be later utilised for improved cycle ways/walking routes within the district where possible which would be evidence of a local benefit.

In particular it is noted that the scheme seeks to provide a new access at AL1-007 which has the potential to create an impact from a character perspective, but also would have to be justified as DCC Highways suggest.

### Flood Risk and Drainage

Policy DM02 of the Local Plan relates to environmental protection and section (2) specifically relates to pollution noting that development proposals will be supported where they do not result in unacceptable impacts to the pollution of surface or ground water.

The comments from Devon County Council Flood Risk Management in their entirety are detailed within section 2. The advice recognises that where any part of the application which includes large areas of impermeable areas such as compounds and the converter station, adequate surface water drainage measures should be included. Further information can be found here;  
<https://www.devon.gov.uk/floodriskmanagement/planning-and-development/suds-guidance/>

### Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced within the North Devon and Torridge District Local Plan through Policy DM08 which requires new development to 'avoid adverse impacts on existing ecology features as a first principle and enable net gains by designing in biodiversity features'.

A completed Wildlife Trigger List should be submitted in support of the proposed development, together with any accompanying reports which would be triggered by the site area/proposal. Any Assessment should also reflect the relevant mitigation and enhancement measures as required by Policies DM08 and ST14 of the Local Plan. The supporting text to Policy DM08 notes that the DEFRA Metric will be used to assess the extent of any net gain and acceptability of developments having an impact on biodiversity with biodiversity assets being retained or enhanced on site where feasible (paragraph 13.62).

I have previously noted that further investigation with the Environment Agency should take place to assess the impact to species, habitats re river crossing/Abbotsham Cliffs.

### Conclusion

For completeness, this pre-application response has covered the material planning considerations associated with the proposal at this initial stage and further comments can be provided as part of the ongoing pre-application process should more details be provided to respond to the request for consideration of alternative sites for the converter station, feedback regarding the concerns of statutory consultees and queries regarding the proposed route.

As part of a formal application submission, a detailed LVIA would be required to justify the level of development proposed with reference to the local landscape character with mitigation measures included as necessary. A detailed LVIA will be key in establishing the most appropriate form, scale and siting of development and to identify appropriate mitigation together with resultant levels of harm. Appropriate consideration should also be given to the potential heritage impacts of the proposed development (including archaeology) and the need for a detailed surface water drainage scheme. The scheme could very clearly have an impact upon wildlife/habitats, especially where the cabling would cross the river and at landfall which needs investigating.

Any submission would need to clearly set out the benefits of the proposal, e.g. the level of electricity that would be generated, the benefits to local communities, how much employment would be generated, so that any identified harm can be balanced against these. The significance of the proposed levels of electricity should be made clear in terms of percentage of national requirements and to what extent the proposal would help mitigate climate change. A secure arrangement for long term use of the energy infrastructure in Morocco is crucial to establish the principle of this development proposal and for significant weight to be applied to any energy generation benefits.

The scheme should be further developed with reference to the Council's Landscape Character Assessment and the wider impact to the setting of all areas affected by the scheme. It will also be important for the applicant to consider whether any community benefits are proposed as part of the scheme.

I would again re-iterate that it may be most appropriate for any future application(s) to be directed towards the Planning Inspectorate/Secretary of State for consideration. The scheme would likely trigger representations on a scale way beyond the norm and the Council's ability to undertake day-to-day responsibilities could be affected. Therefore, and as suggested above, should you wish to submit the application directly to the Local Planning Authority, the Council would be likely to require a PPA agreement to be secured. I am happy to engage on further conversation regarding this point, if helpful.

Lastly, I note that your cover letter seeks advice regarding EIA, however I would advise that you submit a separate formal screening/scoping request with the required detail. Due to the outline nature of the proposal, the Council are not able to provide any further advice with regards to EIA development until further detail has been provided. More information can be found at:  
<https://www.gov.uk/guidance/environmental-impact-assessment>

Kind Regards,

[REDACTED]

**Planning Officer – Torridge District Council**

[REDACTED]

1. When you make an application please ensure that it meets the requirements of the council's validation advice note and that a validation checklist appropriate for the type of application is completed and submitted with it.
2. The advice note and relevant checklist can be accessed via the "Applying for planning permission" pages of the council's website (<http://www.torridge.gov.uk/planningforms>).
3. The advice given above does not indicate any formal decision by the council as Local Planning Authority. Any views or opinions are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application.
4. The final decision on any application can only be taken after the Council has consulted local people, statutory consultees and any other interested parties.
5. A final decision on an application will be made by senior officers or by the council's Planning Committee and will be based on all the information available at that time.
6. This advice will be carefully considered in reaching a decision or recommendation on any resulting applications; subject to the proviso that the circumstances and information may change or come to light that could alter the position. It should be noted that the weight given to pre-application advice will decline over time.
7. Please be aware that the proposed development may also require Building Regulations Approval. We would suggest you contact Building Control on 01237 428724 if you would like to discuss this further.