

Please reply to:

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Our Ref: FPEM/0952/2022
Date: 29th November 2022
Enquiry: Four HVDC cables from Devon coast at Cornborough to a pair of new converter stations and twelve HVAC cables to new equipment
Location: Land At Grid Reference 249722 123624, Weare Giffard, Devon,

Dear [REDACTED],

I write further to the second pre-application enquiry regarding the X-Links project. This response should be read as an update to the original pre-application response (FPEM/0372/2021). The pre-application response in connection with FPEM/0372/2021 sought to appraise the location of the cable route and the site subject of the converter stations, including consultation comments to inform any future submission. The majority of these comments remain relevant, as much of the project remains unchanged with the exception of the converter station location.

I note that we have received the following information with the pre-application enquiry:

- Application Form
- Scheme Layout (1-6)
- Cable Route
- Converter Station Indicative Layout
- Planning Statement
- DB3 Concept Design

It should be noted that the Local Planning Authority awaits the following information, most likely expected with the January submission. The LPA is unable to conclusively appraise some parts of the application without the following detailed reports:

- LVIA
- Statement of Significance/Heritage Assessment
- Highways Plans, visibility splays, site accesses
- Noise Impact Assessment
- Ecology Reports/Biodiversity
- Landscaping Plan – indicating planting scheme and boundary treatments
- Environmental Statement
- Construction Method Statement/CEMP

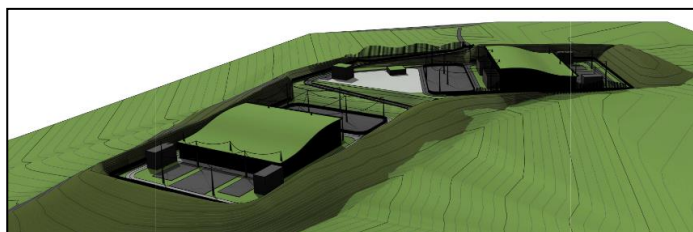
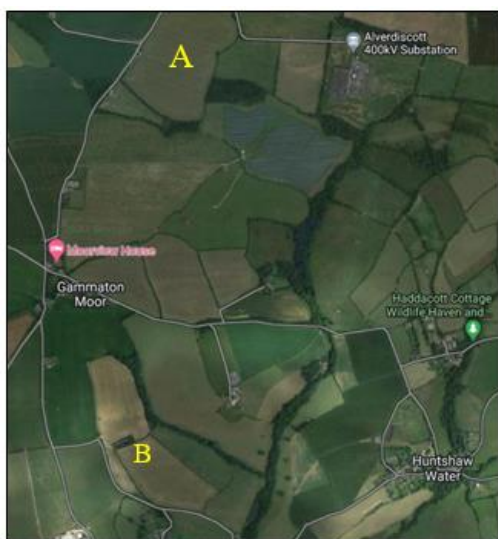
- Cable Route/Trench Methodology/Detail
- Archaeological Geophysical Survey/Field Evaluations – liaise with DCC Archaeology.
- Crime and Disorder and Sustainability Statement within a D&A – a requirement for the application.
- Drainage Plan/Surface Water Drainage Strategy, Percolation Tests and Monitoring – though it would be expected that you directly liaise with DCCFRM with TDC cc'd on any communications.

Policy Context:

Policy ST01: Principles of Sustainable Development; Policy ST02: Mitigating Climate Change; Policy ST03: Adapting Climate Change and Strengthening Resilience; Policy ST04: Improving the Quality of Development; Policy ST05: Sustainable Construction and Buildings; Policy ST06: Spatial Development Strategy for Northern Devon's Sub-Regional, Strategic and Main Centres; Policy ST07: Spatial Development Strategy for Northern Devon's Rural Area; Policy ST09: Coast and Estuary Strategy; Policy ST10: Transport Strategy; Policy ST11: Delivering Employment and Economic Development; Policy ST14: Enhancing Environmental Assets; Policy ST15: Conserving Heritage Assets; Policy ST16: Delivering Renewable Energy and Heat; Policy ST23: Infrastructure; Policy BID: Bideford Spatial Vision and Development Strategy; Policy NOR: Northam Spatial Vision and Development Strategy; Policy ABS: Abbotsham Spatial Strategy; Policy ABS01: Land at The Glebe; Policy DM01: Amenity Considerations; Policy DM02: Environmental Protection; Policy DM03: Construction and Environmental Management; Policy DM04: Design Principles; Policy DM05: Highways; Policy DM06: Parking Provision; Policy DM07: Historic Environment; Policy DM08: Biodiversity and Geodiversity; Policy DM08A: Landscape and Seascape Character; Policy DM10: Green Infrastructure Provision; Policy DM14: Rural Economy;

Converter Station Location

The location of the converter stations was amended for the purposes of this pre-application enquiry, following the negative pre-application advice given previously (FPEM/0372/2021). As per the image below, site A denotes the location submitted with FPEM/0372/2021 whilst Site B denotes the site submitted as part of this enquiry.



The response (FPEM/0372/2021) stated the following with regards to Site A:

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.

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 Torrige 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.

With reference to Site B, the chosen site is considered to be more suitable due to its typography, which provides a good baseline for any prospective re-development, subject to a LVIA review and formalised drawings/mitigation. The Council find the site subject of this enquiry to be preferred for that reason, and maintain some concern regarding Site A, particularly regarding its prominence in landscape terms. The Council however recognise that ultimately site selection is a decision to be made by the applicant, informed by their own landscape consultants. Once further information has been provided, the Council would continue to engage with an externally appointed landscape expert in order to review the significance of any landscape impact, as required by Policy DM08A, national policy, and underpinned by the appropriate evidence. It is still considered likely that there will be a significant shift in character, noting the prevalence of pylons and approved solar panel applications, which cumulatively have the potential to create an impact upon the local landscape. This, however, will be weighed in the balance in the determination of the application. Therefore, a site which is less prominent would be considered to be of benefit, in noting this potential cumulative impact and limiting any long-distance views as much as possible. It is noted that you will have engaged with the Pete Leaver (Landscape Consultant, instructed on behalf of TDC) directly. In more general terms, the design concept shows an array of options which appear to be well-thought out, aiming to limit the impact with design-led solutions and mitigation. The Council welcomes the site-led design approach and notes the inclusion of 'cut and fill' techniques.

The Council would reiterate the following points extracted from FPEM/0372/2021:

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.

Consultee Comments

Community Engagement Project Officer – [REDACTED]

In relation to the above application, please see the following comments:

Thank you for the opportunity to engage with this application and Xlinks.

This is an opportunity for local communities to benefit in a number of different ways, should the developer be in a position and wish to, which from previous communications, suggests they are. There are a number of community projects that would benefit from capital or revenue investment in the same way that S106 funds would be used. Physical infrastructure development or new projects that are linked to adopted strategies such as enhancing play facilities, sports/leisure facilities, horticultural projects, culture, sustainable travel and addressing important other health and wellbeing issues in the area, would benefit hugely.

For a project of this scale, innovation and uniqueness should also ensure that it has an impact on the local skills pipeline and on inspiring young people. As such, I would recommend close engagement with the Economic Development Officer, and through him, the North Devon Manufacturer's Association and schools in order to provide an integrated STEM impact.

We would welcome further discussion to establish how best to engage with local communities and how they could benefit.

Devon County Council – Climate Change, Environment and Transport

FPEM/0952/2022 - Land Between Cornborough and Gammaton Moor - Xlinks UK Onshore Development

Thank for consulting Devon County Council on the above pre-application enquiry concerning "Four HVDC cables from Devon coast at Cornborough to a pair of new converter stations and twelve HVAC cables to new equipment".

This response provides the views of Devon County Council in relation to:

- Local transport provision
- Waste planning
- Minerals planning
- Surface water flooding
- Local education provision
- Potential historic environment impacts

Transport

The application will need to be supported by a Transport Assessment detailing the impacts of the proposal on the local transport system. A large part of this proposal is a cable route, which is unlikely

to have a long-term transport impact. However, clarification should be provided on the consequences of the easement for the cables required to prevent damage and safety risks. Should the development sterilise land, the proposal would prevent significant improvement works to the existing highway network. This would limit the possibility of widening Gammaton Road for additional carriageway or cycleway in the future, and similarly this issue would apply to roads along the route including sites in Abbotsham, one of which is allocated for housing within the Local Plan.

The opportunity should be taken to make parts of the route permanent foot or cycle paths or new or widened roads, particularly where the route could extend or connect existing public rights of way.

Assessment will also need to be made of the transport impacts of the proposal during the large scale construction period. Especially the impact of a significant number of workers needing to access the converter station site at Gammaton.

In terms of future long term access to the converter site, there is no access to the site by any other means than private car. The application must build a minimum width 3m shared use foot and cycleway between the site and Gammaton Road for future use by staff accessing this site on a daily basis. This could be along the cable route, or otherwise, and is required to meet the Government target of 50% of all trips being made by walking or cycling by 2030.

Plans and details of all works on, in, over, under or adjacent to the public highway must be submitted as part of the application, and separate agreement with the Highway Authority for such works are required before they are carried out. Including cable route, compounds and particularly compound accesses. It is noted that no details of the compounds have been submitted, including any visibility splays for each of the accesses to the compound areas.

The proposed compound(s) south of the A386 must improve the public highway access from the Junction onto the A386 to at least the site compound entrance, or the Highway Authority will recommend that the application is refused.

Compounds and cable proposals near the A39 Abbotsham Roundabout also lack any detail in the current submission. Land must not be sterilised that would prevent future widening of the A39 roundabout, with at least 20m from the existing roundabout safeguarded for future improvements, and no accesses must be used to or from the A39.

Abnormal load licences will be needed in regard to accessing the converter site with large indivisible loads. Delivery via the estuary, east of the Torrige and then driving via Manteo Way and widening Gammaton Road to the site is one of the few possible options given the local road restraints in terms of width, gradient and bends.

The applicant should be aware that the proposals will affect a number of Public Rights of Way in the area, including Abbotsham Footpath 7, which is part of the SWCP and ECP National Trail, Abbotsham Footpaths 2 and 3, Unclassified County Road 301 Rocky Lane, and Alwington Footpath 3 and Bridleway 12. The Construction and Environmental Management Plan should detail the measures being put in place to maintain access, where possible, to any affected routes during construction and the applicant must ensure all Public Rights of Way legislation requirements are met should any routes require diversion or temporary closure.

Waste Planning

The use of a 'cut and fill' technique at the site containing the converter stations is supported. The reuse of inert material is supported by Policy W4: Waste Prevention of the Devon Waste Plan and the waste hierarchy. It is understood that inert waste will, however, be produced in order to bury the cable

and, from attending the drop in event, that this waste cannot be reused and is likely to require disposal.

Whilst paragraph 7.67 of the Pre-application Planning Statement states that waste will be minimised, it is unclear how this would be achieved for the cabling element of the proposal. Policy W4: Waste Prevention of the Devon Waste Plan requires all major development to include a waste audit statement. Devon County Council has published a Waste Management and Infrastructure SPD that provides guidance on the production of Waste Audit Statements. This includes a template set out in Appendix B, a construction, demolition and excavation waste checklist (page 14) and an operational waste checklist (page 17). Following the guidance provided in the SPD will enable the applicant to produce a comprehensive waste audit statement that is in accordance with Policy W4: Waste Prevention of the Devon Waste Plan. This can be found online at: <https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/supplementary-planning-document>. The applicant intends to include this information in the Construction and Environmental Management Plan, however, the information may be suited in a standalone document given the scale of the works.

The Waste Plan forecast that Devon had enough inert landfill capacity for the Plan period to 2031, however, the most recently published Waste Monitoring Report, covering 2019-2020, identifies (indicator 2.3) that available inert landfill capacity is less than forecast. The waste audit statement must specify the final disposal location of inert waste and the applicant must ensure that waste is disposed of correctly.

Minerals

The proposed route does not cross any Mineral Safeguarding Areas and therefore, there are no mineral safeguarding concerns. However, it is understood that aggregate may be required to reinstate the cable trenches (as it is understood the excavated material may not be suitable). The application should specify the approximate amount of aggregate required during construction. The use of recycled and secondary aggregates is supported and should be prioritised. It would be helpful for the application to specify where material will be sourced from.

Surface Water Flooding

The cable route appears to cross multiple Ordinary Watercourses. The applicant has noted that these crossings will likely be constructed via Horizontal Drilling. This will unlikely require Land Drainage Consent from Devon County Council, unless something or someone needs to permanently or temporarily be placed within the watercourses. The applicant should check with the Flood and Coastal Risk Management Team at Devon County Council to confirm whether consent is required. If an alternative method for constructing the crossings is required, then the applicant should check whether Land Drainage Consent is required.

The applicant has noted within section 1.14 of the Pre-application Planning Statement that SuDS will be used within the convertor station. However, the applicant should highlight on the layout plans where there is space for above-ground surface water drainage features.

Education

Similarly to the transport comments, clarification on the easement is required to understand the impacts upon any new or extensions to existing schools. For example, the routing may impact the future expansion of Abbotsham Primary School should this be required.

Historic Environment (already provided)

The Historic Environment Team welcomes the consideration of the historic environment as one of the strands of consideration for this scheme as set out in paras 7.34 – 7.44 of the Planning Statement

submitted in support of this application. Paragraph 2.9 of this document states that the EIA will be supported by a “Geophysical Survey and Trial Trenching report”, this will enable the presence and significance of any heritage assets with archaeological interest to be understood along with the impact of the scheme upon them, as well as the requirement and scope of any further mitigation that may be required. This mitigation may take the form of further archaeological works to investigate and record any archaeological sites prior to being affected by the construction of the scheme or through alteration of the design and layout of the scheme to allow preservation in situ.

The requirement for any EIA or planning application to be supported by sufficient heritage information is in accordance with Policy DM07 in the North Devon and Torrige Local Plan (2018) and paragraphs 194 and 195 of the National Planning Policy Framework (2021).

The results of these investigations will also allow an informed and reasonable planning decision to be made by your Authority.

Conservation Officer:

Previous comments have been made for both an earlier enquiry for routing and before that a similar scheme for the Atlantic array offshore wind project. The need to connect to a main electricity station for a project of this scale had led to the onshore connection and routing following the topography of the land and also following previously researched routes.

There are changes to the route from the previous considerations and each section has different local considerations with regard the potential to harm both designated and non- designated heritage assets.

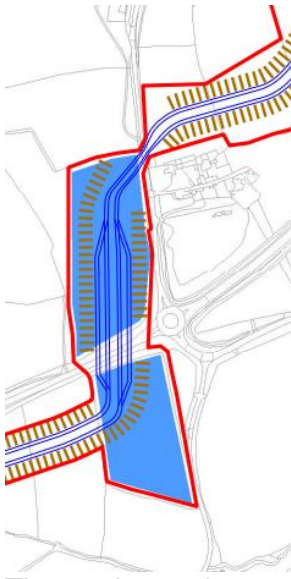
The non- designated are most likely to be found on below ground features which will be addressed more correctly by Colleagues from Devon County.

There is potential in the long and short term for the proposal to harm the setting of heritage assets both by proximity and by visual intrusion into the landscape. The long term is the fixed maintenance areas and the works for the converter station. The short term would be considered the temporary disturbance within the landscape for installation but then the land reverts to agricultural.

Notes on the sections.

Figure 2.

In this location the compound area at Abbotsham cross covers the site of a windmill identified in a heritage appraisal on the Clovelly road south site and this will need to be recorded before any site disturbance.



The routing and compounds where the cable crosses the river has potential to impact on the view into Bideford and the views from Landcross to Tennacott are a main viewpoint from the a388 and the level of visual harm to the views into Bideford will need to be assessed as part of a wider heritage assessment

Fig 2e

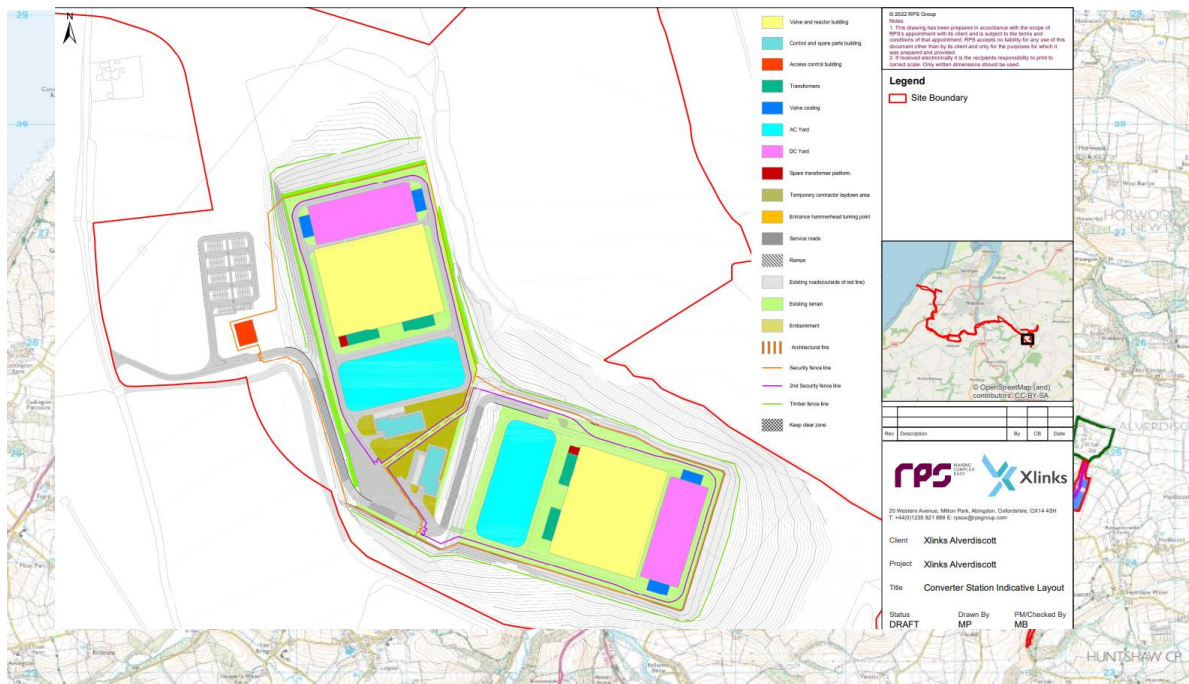


Fig 2f

The termination of the route with the converter station will need more detailed justification and assessment as the scale of the building within the steep sided valley leading down to the stream that feeds Huntshaw Mill and the on to the Torrige . The proximity to the listed farmstead at Great Huxhill will require a more detailed consideration of the siting and how the proposed earth works to assimilate the converter station at the head of the valley will impact on the setting of this historic farmstead.

As the project is of some scale and a major application then a full heritage impact assessment is expected on the corridor on either side of the proposed route with some assessment of views to the conservation area of Bideford.

Further evaluation and justification will be needed on the visual impact of the converter station on the landscape and setting of the settlement of Guscott and from Huntshaw which is a traditional farmstead settlement adjacent a church and valuable as a heritage asset as well as the adjacent Great Huxhill listed farmstead.



Coastal Engineer – Torrige District Council

Torrige District Council Planning Support have asked that I comment on the above pre-application enquiry. Having considered the pre-application planning enquiry documents, I have the below comments.

The location of the landfall station at Cornborough Range must give consideration to the coastal management policies as set out in The Shoreline Management Plan Review (SMP2) Hartland Point to Anchor Head 2010. The SMP2 identifies the site to lie within Policy Unit 7c05 which recommends a “No Active Intervention” coastal management policy. The SMP policies were defined by DEFRA (2006) and “No Active Intervention” is defined as “A decision not to invest in providing or maintaining defences”. There are currently no coastal defences along the foreshore or cliffs seaward of the development site.

In addition, there must also be evidence that the landfall station is in a sustainable location and will not be impacted by coastal change for the lifetime of the development. The implications of climate change will lead to increased average sea levels and storminess which is commonly accepted to increase erosion rates.

Further information relating to the above is welcomed.

AONB Team

Thanks for sharing the pre-application information with us, which we have now had a chance to look at.

I know the “devil is in the detail” and we will have to wait for this at full application stage next year. However, the AONB Partnership is much heartened by the fact that after construction no above ground works will remain within the designated AONB, as the DC/AC converter station will be located at Gammaton Moor near Alverdiscott.

We also now feel that the amended route through the AONB is much improved, provided that it does not compromise the South West Water pipeline from Cornborough Sewage Treatment Works. It now meets the cliff line at the lowest point and it would appear that the cable will be direct drilled under the wave-cut platform on the foreshore (which is designated SSSI) to appear in the field behind the cliff line and coast path.

Our only other thoughts are that the area through which the cable passes used to be the site of the old Shepperton Racecourse. This is not protected as such, but does appear on the County Council Historic Environment Record. The racecourse utilised natural undulations in the ground to provide the track, with elevated positions in the middle and surrounding it. During the construction phase, this needs to be born in mind and not levelled. Also care will be required when crossing the line of the old anthracite mines, but this will only happen once now.

We are of course assuming that the LVIA will cover the construction phase and would be interested to learn how long the temporary works compound, identified in the AONB at Cornborough will remain in situ. In terms of selected viewpoints for this we would assume from the South West Coast Path at Cornborough Range, where the old railway line turns inland would be the main viewpoint. Also we would suggest a selected viewpoint on the coast path to the west of the cable route, before reaching the top of Greycliff. With a further viewpoint from the Public Footpath that runs from Abbotsham Court down to the coast.

We are less concerned regarding the temporary compounds at Abbotsham Cross as this is a much less sensitive area and right on the very edge of the AONB.

Please let me know if you require any further information at this stage.

Environmental Protection

Thank you for consulting the Environmental Protection Team in relation to the above pre-application enquiry.

As mentioned within the Planning Statement, the proposed development will undoubtedly involve disturbance to neighbouring amenity from the construction works as well as the associated external plant and equipment. The Environmental Protection Team will require a comprehensive assessment of the noise impact from permanent installations. In addition, a Construction Environmental Management Plan will be required with regards the construction phase of the proposed development and should include appropriate measures for preventing or minimising disturbance to neighbouring amenity. Although there is a degree of overlap, the Construction Environment Management Plan should not be confused with a Construction Traffic Management Plan. The Planning Statement indicates that the above mentioned information will be provided.

North Devon District Council

North Devon District Council notes that the works fall outside of NDDC and would be considered by TDC.

The works would propose the provision of renewable energy which is supported by strategic policy ST16 – Delivering Renewable energy and Heat, subject to accordance with all other parts of relevant national and local plan policy.

Much of the cabling works are below ground, and some would be temporary in connection with the construction phase of the development. The majority of the above ground works are in the

vicinity of the existing NGET Substation at Gammaton Moor.

The land for the converter station would appear to be a parcel of agricultural land to the south west of the Substation at Gammaton Moor.

Principle (ST01, ST02, ST07, ST11, ST22, ST16):

The development would be required to contribute towards the provision of Sustainable Renewable Energy. The applicants must therefore fully set out how the proposal contributes to wider National and Local renewable energy aims (Net Zero, National Policy Statement for Energy (EN-1 as amended), the 3 overarching dimensions of sustainable development (Economic, social, environmental), NPPF part 14 – (Meeting the Challenge of Climate change, flooding and coastal change)

In terms of Strategic policy, Policy ST01 is clear that the LPA must take a positive approach reflecting the presumption in favour of Sustainable Development contained within the framework. The principle policy for renewable/energy production would be ST16 – Delivering Renewable Energy and Heat. The principle of this policy is to support proposals for development incorporating on-site provision for renewable energy or renewable heat where this would accord with all other relevant legislation and national and planning policy. The LPA would expect the applicant to provide all relevant assessments in terms of the principle, estimated lifespan of the scheme (if required), and demonstrable need and benefits to energy production/output, number of dwellings provided with energy for the estimated span of the scheme, number of local houses to benefit etc., to show a need for the link,. I would wish to understand how the scheme would benefit both the national grid and local energy use energy production/output, connectivity to the grid, local community benefits (although this may not be a 'material planning consideration'), along with the results of EIA and

Environmental Statement.

As part of the site selection process the application must clearly set out in the ES, why the site is the optimal site for the substations, and for the location of the pipework. It is assumed this has been carried out at Screening/Scoping stage.

In terms of whether the site would lose best or most versatile agricultural land, the economic benefits of the Renewable Energy must demonstrably outweigh the loss of agricultural land and where possible result in only loss of least productive land. the land for the substation compound appears to be Grade 3 agricultural land, and the pipework would cross over various grades and types of agricultural land. A full assessment of the impact on the local rural economy must be presented to demonstrate that the scheme would not harm the local economy (DM14).

Design and Landscape Visual Impact Assessment (ST14 ST07, ST09, DM04, DM08, DM08A).

The plans submitted show an indicative layout for the site compound, and therefore it is not possible to provide a detailed design assessment. What is clear is that the site covers a large area, and will have a degree of change within the countryside setting. The buildings and associated infrastructure should be as unobtrusive as possible, of minimal scale to effect the development, and coloured appropriately to 'blend' into the landscape as much as possible, and taking account of the scale of development proposed, must introduce landscape mitigation measures, and use topography to limit the visual effect of the scheme as much as possible. The site would be apparent from a relatively localised section of countryside, but must be assessed by the applicants in terms of any cumulative impact with established and proposed

infrastructure schemes such as the solar farm. On the other hand, I note that there is a significant amount of infrastructure present in this rural landscape, where the substation compound may be best sited in this location, rather than elsewhere.

To assess the impact of the proposal within the immediate rural setting and the wider setting of the LCT, a detailed LVIA would be required, in accordance with relevant LVIA assessment Guidance, to assess the likely effect of any above ground works on the rural setting and landscape. This would be in terms of temporary compounds, and permanent above ground use and how these would be perceived in the rural setting, and from what distance or from any public vantage points. The applicants should provide contextual work from identified viewpoints in the countryside and in the public realm (Settlements, individual properties, PROW, Footpaths, and Roads etc) similar to a solar scheme, whereby the LPA can then assess the magnitude of impact. The scheme should be designed to minimise the visual impact of the proposal, including height of structures, restricting undue lighting, acceptable external fencing and colouration and number of the buildings. The proposal would be read in accumulation with the Gammaton Solar Farm and other infrastructure in the landscape, so the applicants should provide an assessment of the likely cumulative effects.

Geodiversity:

The scheme involves a considerable amount of subterranean works to install the pipework which would require relevant assessment of the effect on geodiversity, land form, soil structures and how land would be reinstated and used in the future (can agricultural land remain used as productive agricultural land). The geodiversity must not lose important areas of high productive soil, or harm areas of any particular geodiversity interest if the site passes through such an area.

Biodiversity and ecology assessment (ST14, DM08, DM08A):

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). Paragraphs 170 and Paragraph 175 of the framework are clear that when determining applications, if harm to biodiversity resulting from the development cannot be avoided then it should be adequately mitigated. Policy DM14: Enhancing Environmental Assets of the NDTLP expects new development to protect the quality of northern Devon's natural environment, to contribute positively towards providing a net gain in biodiversity and positive management of the landscape, protect the hierarchy of designated sites and conserve European Protected species, conserving the setting of the North Devon Coast AONB whilst fostering the social and economic wellbeing of the area

The LPA would expect to see the results of the Environmental Statement, and full ecological surveys of the entire scheme. This would include any impact on ecological aspects relating to watercourses as the pipework crosses under river networks.

In terms of Ecological, landscape and Protected area constraints, a search shows that the development site falls within Landscape Character Type 4A Estuaries, and is within the adopted Coast and Estuary Zone where the principles of Strategic Policy ST09 (Coast and Estuary Zone) would apply. The development site falls within the SSSI 500m Buffer in North Devon and IRZ for the SSSI. The site is also within the Braunton Burrows SAC 10km buffer zone and Zone of Influence, and the site is within the Adopted Unesco Biosphere Transition Zone where policy ST14 – (Enhancing Environmental Assets) would apply.

The site must deliver appropriate and proportionate ecological assessment, taking account of all habitats and species identified through the assessment, and how to provide mitigation, especially around the substation compound buildings, including appropriate lighting, fencing and ecological offsetting /mitigation measures to protect and enhance ecology. The assessment must address if the scheme would run through or affect the Impact Risk Zones for any Statutory protected areas (SSSI, CWS, TPO, Protected Coastal Areas, and heritage Coast etc) and the application must be accompanied by a full and wide ranging assessment of the effect on such areas and the flora/fauna contained within.

The scheme for the buildings will remove a large section of agricultural land which would affect biodiversity, and the wider pipework may affect field boundaries, hedgerows and other areas of ecological benefit, habitat and networks. The assessments must look at biodiversity replacement, and net gains to achieve in excess of 10% BNG across the scheme. This must be presented and managed over the lifetime of the scheme to accord with the principles of ST14/DM08.

In conjunction with the findings of the ES and ecological reports the site must be accompanied by relevant arboriculture assessments and tree protection plan, Use of DEFRA Metric to assess net gains and acceptability of the development, a LEMP to show how the development can be assimilated into the landscape. This must be assessed with the Arboriculture Office and Sustainability Officer.

Heritage and Archaeology (ST15, DM07)

Matters of heritage would be assessed in terms of the likely effect on any heritage assets within the area of the development, both in terms of the physical effect (although I assume the proposal would avoid Heritage Assets) but also in terms of any wider impact on setting of Heritage assets. A heritage assessment should accompany the scheme if the development would impact on heritage assets or the setting of an asset. The scheme involves subterranean works and would require relevant archaeological assessment and WSI where appropriate. I assume the relevant assessments would form part of the ES and details accompanying the scheme.

The comments of the Historic Environment Team, Conservation officer and English heritage would be required.

Amenity and Environmental protection (DM01, DM02, DM04)

The NPPF at paragraph 130 states that planning should always seek to secure a high standard of amenity for existing and future occupants of land and dwellings. Policy ST16 b) states that renewable energy development will be supported in the landscape character types where 'there is no significant impact on local amenities'.

Policy DM01 a) of the NDTLP supports development where it would not significantly harm the amenities of any neighbouring occupiers or users. Policy DM04 i) supports development where the scheme ensures the amenity of existing and future occupiers are safeguarded. The comments of the Environmental Health Team would be required to assess matters of Environmental protection in terms of DM02. The scheme should provide a detailed Construction Management Plan to address all matters of construction impact, including noise, dust and odours. A contaminated Land Condition would be likely required by EH along with mitigation for construction times identified in the CMP and by EH.

In terms of general amenity impacts, the ES should present a detailed assessment of all properties materially affected by the proposal across the entire site. This is in terms of matters of noise, odour, physical impact to enjoyment of property, effect of lighting, CCTV, and construction/decommission impacts.

The views of the Police Architectural Officer would be required to assess matters of Crime or Disorder and the provision of fencing and CCTV.

Highway impacts (ST10, DM05, DM06):

At paragraph 110 and 111 of the framework new development should ensure that safe and suitable access to the site can be achieved for all road users, and 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. Paragraph 111 is clear that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on the highway safety, or the residual cumulative impacts on the highway would be severe. This is reflected through policies ST10 (Transport Strategy) DM05 (Highways and DM06 (Parking) of the NDTLP.

In terms of highway impact, it is assumed that most of the traffic movements would be generated at construction/decommission phase with a further element of traffic generated from the ongoing use/maintenance of the Sub Station. It is assumed that limited new access points would be required other than temporary access to the compounds, and permanent access to the substation buildings. It is not clear where the applicants propose to access the site, or if this would affect NDDC land also. The applicants should provide clear Traffic and Transport Assessment, and a Transport and Traffic Management Plan to show how this would work at construction/decommission phase and through the lifetime of the scheme. This would include details of times and frequency of movements and details of the quantum of traffic over the course of the development. The developers should work with DCC Highways and the Police Authorities prior to the construction phase to ensure that roads are clearly indicated and signposted and maintained/cleaned where part of the Management Plan. It is not clear how much employment this use would create, or how much traffic generation for the lifetime of the scheme would be generated. I understand TDC would assess this with colleagues in DCC Highways. It would appear that matters of highway impact within the NDDC area from construction/decommission traffic or from incidental traffic from the lifetime of the development could be avoided.

Flood risk and drainage

Part 14 of the framework at paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas of highest risk of flooding. Where development is necessary in such areas it should be made safe for its lifetime without increasing flood risk elsewhere.

As well as providing drainage within the substation compound, the application would need to provide a full assessment of any impacts on rivers or water courses from the proposed piping. The applicants should work with the Environment Agency, Devon County Lead Local Flooding Authority and South West Water to provide suitable Sustainable drainage strategy, taking account of any localised flood zones or areas prone to cumulative flooding.

Summary

On balance the scheme must demonstrate that the benefits from providing the energy source would outweigh any constraints identified through the course of the application.

The scheme should demonstrate clear opportunity to contribute towards the reduction of carbon footprint and towards Net Zero, and the presumption in favour of Sustainable Development. The scheme must show benefit to the economy and economic growth and that the proposal would genuinely benefit the energy consumption for the local area, as well as the grid, and that community benefits may be achieved to benefit the local community.

The proposal must demonstrate that landscape impacts can be minimised, taking account of any landform topography, and mitigation measures.

The proposal must show that there is no overriding impact to any statutory designated or protected site, and that all matters of ecology and biodiversity can be appropriately mitigated, and that biodiversity gain and enhancement is achievable, and manageable. The proposal must assess all heritage assets in the vicinity of the scheme, and avoid impact on such assets or their setting.

The proposal must not significantly impact on amenity, nor present issues of crime or disorder. The proposal must also show that existing local economic uses such as tourism uses would not be harmed.

In conjunction with the highway authority the proposal must present suitable transport assessment and transport mitigation such that the rural road network is not harmed, for the lifetime of the development, and must show an appropriate routing for traffic during construction/decommission phases. If this affects NDDC area this should be shown.

The proposal must show appropriate design form and siting of the substation and any associated above ground infrastructure, to minimise impact where possible. The scheme must demonstrate suitable Drainage strategy such that downstream flooding or localised flood issues is not harmed or accentuated.

The proposal must deliver the aims of the framework and Local Plan to deliver energy wheres the benefits clearly outweigh any constraints.

Designing Out Crime – North Devon, Torrige and Mid-Devon – Devon and Cornwall Police

Having previously met with the applicants to gain an overview of the project, there are no police objections in principle to the proposal.

During the construction phase, the proposed compounds and associated high value equipment, plant and tools will be vulnerable and therefore these areas will need to be fully enclosed and appropriately protected. Consideration therefore should be given to the inclusion of appropriate site management policies, signage, fencing, lighting, CCTV, Perimeter Intrusion Detection Systems (PIDS) and monitored intruder alarms and not undermining the safety and security of any adjacent existing business or dwelling by for example, providing additional unauthorized concealed access points. Should the project move forward as expected and more detail regarding security measures becomes appropriately available, particularly with the converter station in mind, I would suggest/imagine more in-depth and specific consultations with the Police Counter Terrorism Advisors (CTSA) and the Centre for Protection of National Infrastructure (CPNI) will be required to identify and implement the required enhanced levels of physical security and site management protocols.

Conclusion

As noted above, in principle the scheme is acceptable, subject to an assessment of the material considerations. In terms of siting, it is acknowledged that this site will be less prominent than 'site 1' and therefore the scheme is preferable from this perspective. The above consultation responses

provide a brief overview, however, there are some consultation responses missing, including Historic England, The EA, and the Councils own Landscape Consultant who is liaising directly with your own prior to the submission of an LVIA.

Please do not hesitate to contact me if any clarification is sought or I can assist further.

I trust this answers your query.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the Principal Planning Officer.

Principal Planning Officer – Torrige District Council

Notes

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.torrige.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.