



White Cross Offshore Windfarm Environmental Statement

Chapter 3: Policy and Legislative Context



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Glossary of Acronyms

Acronym	Definition
AfL	Agreement for Lease
AONB	Area of Outstanding Natural Beauty
CfD	Contracts for Difference
DCO	Development Consent Order
DECC	Department for Energy and Climate Change
DPD	Development Plan Documents
EIA	Environmental Impact Assessment
EPS	European Protect Species
ES	Environmental Statement
EU	European Union
GES	Good Environmental Status
HM	His Majesty
HPMA	Highly Protected Marine Areas
HRA	Habitats Regulation Assessment
IROPI	Imperative Reasons of Overriding Public Interest
LDS	Local Development Schemes
m	Metre
MMO	Marine Management Organisation
MPS	Marine Policy Statement
NERC	Natural Environment and Rural Communities
NGC	National Grid Company
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
NSN	National Site Network
OFTO	Offshore Transmission Owner
OSPAR	The Convention for the Protection of the Marine Environment of the North-East Atlantic
RIAA	Report to Inform an Appropriate Assessment
SAC	Special Area of Conservation
SCI	Site of Community Importance
SNA	Special Nature Areas
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
TEU	Treaty of European Union
UK	United Kingdom
UN	United Nations
WFD	Water Framework Directive

Glossary of Terminology

Defined Term	Description
Applicant	Offshore Wind Limited
Department for Business, Energy and Industrial Strategy (BEIS)	Government department that is responsible for business, industrial strategy, science and innovation and energy and climate change policy and consent under Section 36 of the Electricity Act.
Environmental Impact Assessment (EIA)	Assessment of the potential impact of the proposed Project on the physical, biological and human environment during construction, operation, maintenance, and decommissioning.
Export Cable Corridor	The area in which the export cables will be laid, either from the Offshore Substation or the inter-array cable junction box (if no offshore substation), to the National Grid Company (NGC) Onshore Substation comprising both the Offshore Export Cable Corridor and Onshore Export Cable Corridor.
Generation Assets	The infrastructure of the Offshore Project related to the generation of electricity within the windfarm site, including wind turbine generators, substructures, mooring lines, seabed anchors and inter-array cables
Inter-array cables	Cables which link the wind turbines to each other and the Offshore Substation Platform, or at the inter-array cables junction box (if no offshore substation). Array cables will connect the wind turbines to one and other and to the Offshore Substation (if utilised). The initial section for the inter-array cables will be freely suspended in the water column below the substructure (dynamic sections) while the on seabed sections of the cables will be buried where possible.
Jointing bay	Underground structures constructed at regular intervals along the Onshore Export Cable Corridor to join sections of cable and facilitate installation of the cables into the buried ducts
Landfall	Where the offshore export cables come ashore (up to MHWS)
Link boxes	Underground chambers or above ground cabinets next to the cable trench housing electrical earthing links
Mean high water springs	The average tidal height throughout the year of two successive high waters during those periods of 24 hours when the range of the tide is at its greatest.
Mean low water springs	The average tidal height throughout a year of two successive low waters during those periods of 24 hours when the range of the tide is at its greatest.
Mitigation	Mitigation measures have been proposed where the assessment identifies that an aspect of the development is likely to give rise to significant environmental impacts and discussed with the relevant authorities and

Defined Term	Description
	<p>stakeholders in order to avoid, prevent or reduce impacts to acceptable levels.</p> <p>For the purposes of the EIA, two types of mitigation are defined:</p> <ul style="list-style-type: none"> • Embedded mitigation: consisting of mitigation measures that are identified and adopted as part of the evolution of the project design, and form part of the project design that is assessed in the EIA. <p>Additional mitigation: consisting of mitigation measures that are identified during the EIA process specifically to reduce or eliminate any predicted significant impacts. Additional mitigation is therefore subsequently adopted by OWL as the EIA process progresses.</p>
NGC Onshore Substation	Part of an electrical transmission and distribution system. Substations transform voltage from high to low, or the reverse by means of the electrical transformers.
NGC Grid Connection	The point at which the White Cross Offshore Windfarm connects into the distribution network at East Yelland substation and the distributed electricity network. From East Yelland substation electricity is transmitted to Alverdiscott where it enters the national transmission network.
Offshore Export Cables	The cables which bring electricity from the Offshore Substation Platform or the inter-array cables junction box to the Landfall (up to MHWS)
Offshore Export Cable Corridor	The proposed offshore area in which the export cables will be laid, from Offshore Substation Platform or the inter-array cable junction box to the Landfall (up to MHWS)
Offshore Infrastructure	All of the offshore infrastructure including wind turbine generators, substructures, mooring lines, seabed anchors, Offshore Substation Platform and all cable types (export and inter-array). This encompasses the infrastructure that is the focus of this application and Environmental Statement and the parts of the Offshore Project consented under Section 36 of the Electricity Act and the Marine and Coastal Access Act 2009
the Offshore Project	The Offshore Project for the offshore Section 36 and Marine Licence application includes all components offshore of MHWS. This includes the infrastructure within the windfarm site (e.g., wind turbine generators, substructures, mooring lines, seabed anchors, inter-array cables and Offshore Substation Platform (as applicable)) and all infrastructure associated with the export cable route and landfall (up to MHWS) including the cables and associated cable protection (if required).
Offshore Substation Platform	A fixed structure located within the Windfarm Site, containing electrical equipment to aggregate the power from the wind turbines and convert it into a more suitable form for export to shore
Offshore Transmission Owner	An OFTO, appointed in UK by Ofgem (Office of Gas and Electricity Markets), has ownership and responsibility for the transmission assets of an offshore windfarm.

Defined Term	Description
Offshore Wind Limited	Offshore Wind Ltd (OWL) is a joint venture between Cobra Instalaciones Servicios, S.A., and Flotation Energy Ltd
the Project	the Project is a proposed floating offshore windfarm called White Cross located in the Celtic Sea with a capacity of up to 100MW. It encompasses the project as a whole i.e., all onshore and offshore infrastructure and activities associated with the Project
Transition joint bay	Underground structures at the Landfall (up to MHWS) that house the joints between the offshore export cables and the onshore export cables
White Cross Offshore Windfarm	100MW capacity offshore windfarm including associated onshore and offshore infrastructure
Windfarm Site	The area within which the wind turbines, Offshore Substation Platform and inter-array cables will be present
Works completion date	Date at which construction works are deemed to be complete and the windfarm is handed to the operations team. In reality, this may take place over a period of time.

3. Policy and Legislative Context

3.1 Introduction

1. This chapter of the Environmental Statement (ES) presents a review of the international, national and local planning policy and legislative context which is of relevance to the development of all components seaward of Mean High Water Springs (MHWS) of the White Cross Offshore Windfarm Project (hereafter referred to as 'the Offshore Project'). This chapter also outlines the consenting regime and legislative framework that is applicable to the Offshore Project.
2. Policies and legislation specific to each Environmental Impact Assessment (EIA) topic are outlined in the relevant technical chapters (**Chapters 8: Marine Geology, Oceanography, and Physical Processes to 26: Major Accidents and Disasters**).

3.1.1 Requirement for Environmental Impact Assessment

3. EIA is a tool for systematically examining and assessing the impacts of a development on the physical, biological and human environment. This process allows management and mitigation measures to be identified to ensure the development is sustainable.
4. An EIA is required under the terms of the following regulations:
 - the Electricity Works (EIA) (England and Wales) Regulations 2017; in relation to new offshore generating stations
 - the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); related to EIAs associated with use of the Marine Environment.
5. Together these regulations are referred to as the "EIA Regulations".
6. These Regulations set out the statutory process and minimum requirements for the provision of adequate environmental information to enable the EIA process to be considered acceptable under law. The EIA activities, including the supporting surveys and studies are reported in this ES.

3.1.2 Consenting Regime and Legislation

7. The set of consents/permission required in order for the Offshore Project to proceed are outlined below:

- Consent under the Section 36 of the Electricity Act 1989 (Section 36) and a Marine Licence under the Marine and Coastal Access Act 2009 (MCAA 2009) are required for the following generation assets (within the Windfarm Site):
 - Wind Turbine Generators
 - Semi-submersible floating platforms
 - Subsea catenary mooring lines
 - Anchoring solutions (drag embedment anchors, suction anchor, or pin piles)
 - Inter-array cables and associated protection
 - Other associated offshore infrastructure, such as navigational markers.
 - A second Marine Licence is required to enable the option for an Offshore Transmission Owner (OFTO) to be appointed under The Electricity (Competitive Tenders for Offshore Transmission Licences) Regulations 2015 for the following transmission assets (to Mean High Water Springs):
 - Offshore Substation Platform
 - Offshore export cable
 - Other associated offshore infrastructure, such as navigational markers.
 - Planning permission under the Town and Country Planning Act 1990 (TCPA 1990) is required for the Onshore Project (landward of Mean Low Water Springs):
 - Onshore export cables
 - White Cross Onshore Substation
 - Onshore export cables (66kV from landfall (up to MHWS) to onshore substation and 132kV from the White Cross Onshore Substation to National Grid Company (NGC) Grid Connection)
 - Temporary main construction compound and temporary construction compounds
 - Transition Joint Bay, jointing bays, link boxes, access roads and haul roads
 - Grid connection.
8. In the UK, the consenting route and associated legislation for offshore windfarm development is dependent on the location and generating capacity of the offshore windfarm.
9. The introduction of the Development Consent Order (DCO) regime under the Planning Act 2008, significantly reduced the need for developers to seek consent under Section 36. However, Section 36 remains relevant in England for offshore wind generators within UK territorial waters of between 1MW and 100MW capacity, with the Marine Management Organisation (MMO) being the 'appropriate authority' for the Section 36 regime.

10. The Electricity Act 1989, Section 36(1) is also subject to the provisions of Section 12 of the MCAA 2009, which transfers the Secretary of State's powers under the Electricity Act 1989 Section 36 to the MMO in relation to generating stations that are not "nationally significant infrastructure projects' (NSIPs) but are situated in waters in or adjacent to Great Britain that are between the mean low water mark and the seaward limits of the territorial sea, or in a Renewable Energy Zone.
11. The MCAA 2009 establishes the MMO, introducing a new system of marine planning, management, and licensing. It also revised the management of marine, migratory and freshwater fisheries, and marine conservation, including recreational access to the English and Welsh coasts. The MCAA requires a Marine Licence for carrying out a "licensable marine activity", including construction, alteration or improvement works on, over or beneath the seabed, deposition/removal of substances. The Marine Licence can be applied for alongside the Section 36 consent route.
12. As outlined above, a second Marine Licence is required to enable an OFTO to be appointed. An OFTO is appointed in the UK by Ofgem (Office of Gas and Electricity Markets) and has ownership and responsibility for the transmission assets of an offshore windfarm.
13. Consent to build, extend and/or operate offshore windfarms, either under the Electricity Act 1989 Section 36 or the DCO regime, constitutes a separate regulatory requirement and does not remove the need for planning permission under the TCPA 1990.

3.2 International Context

14. In 2017 the UK government triggered article 50 of the Treaty on European Union (TEU) and, on 30 January 2020, a withdrawal agreement for the UK to leave the EU was ratified by the Council of the European Union, with the United Kingdom formally withdrawing from the EU on 31 January 2020.
15. In its white paper (HM Government, 2017) considering the form and function of the EU (Withdrawal) Bill (HM Government, 2020), there is a general commitment by the UK government to maintain the body of environmental commitments and legislation already made following the departure of the UK from the EU.
16. The European Union (Withdrawal) Act 2018 makes savings for EU-derived domestic legislation and the incorporation of direct EU legislation. This includes EIA, with the introduction of the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018. The vast majority of European

environmental commitments have already been adopted by successive UK Governments and transposed into UK legislation.

17. International environmental and nature conservation legislations and treaties that are relevant to the Offshore Project are described below in **Table 3.1**.

Table 3.1 International Environmental Legislation

Legislation	Summary of Legislation
Convention on Environmental Impact Assessment in a Transboundary context – The Espoo Convention	The United Nations Economic Commission for Europe convention (the 'Espoo Convention') sets out the obligations of States to assess the environmental impact of certain activities at an early stage of planning and also to notify and consult each other on all major projects under consideration that are likely to have a significant adverse environmental effect across international boundaries (transboundary effects).
The Convention on Biological Diversity (CBD)	CBD is the legal instrument for "the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources". The treaty is currently ratified by 196 nations with its overall objective being to encourage actions, which will lead to a sustainable future.
The Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention)	Establishes Ramsar sites to protect important areas for waterfowl. The Ramsar Convention is the only international mechanism for protecting sites of global importance. The Convention considers all aspects of wetland conservation and 'wise use'.
The OSPAR Convention	Establishes a network of Marine Protected Areas (MPAs). The OSPAR Convention (1992) is the legal instrument guiding international cooperation for the protection of the marine environment of the North-East Atlantic. Its main objective is to prevent and eliminate pollution and protect the marine environment from the adverse effects of human activities, while promoting the sustainable use of its goods and services.
UN Framework Convention on Climate Change (Paris climate agreement)	Limit global temperature increase to below 2°C, while pursuing efforts to limit the increase to 1.5°C. Commitments by all parties to prepare, communicate and maintain a Nationally Determined Contribution. In 2023 and every five years thereafter, a global stocktake will assess collective progress toward meeting the purpose of the Agreement.

3.3 UK Context

18. UK legislation relating to renewable energy policy is underpinned by a number of domestic laws and agreements. The policies relevant to the Offshore Project are presented in **Table 3.2**.

Table 3.2 Summary of relevant climate change policies

Policy	Summary
UK Climate Change Act 2008	<ul style="list-style-type: none"> • A reduction of 34% in greenhouse gases by 2020 (below 1990 levels). • A reduction of 80% in greenhouse gases by 2050 (below 1990 levels). • October 2021, the UK Government accounted its Net Zero Strategy¹ to 'Build Back Greener' and commit to a 'net zero' emissions by 2050.
UK Energy Act 2013	<ul style="list-style-type: none"> • Introduction of provisions to enable a statutory 2030 decarbonisation target range for the GB electricity sector. • Electricity Market Reform including introduction of the Contracts for Difference (CfD) support mechanism.
Climate Change Act 2008 (2050 Target Amendment) Order 2019	<ul style="list-style-type: none"> • Introduces a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. • Supersedes the Climate Change Act 80% target.

3.3.1 National Policy Statements

19. National Policy Statements (NPS) are statutory documents which set out the government's policy on specific types of NSIPs and are published in accordance with the Planning Act 2008.
20. The Planning Act 2008 makes provision for NPSs, which are designed to set the policy framework for determination of NSIP applications. They integrate the UK Government's objectives for infrastructure capacity and development with its wider economic, environmental and social policy objectives, including climate change goals and targets, in order to deliver sustainable development.

¹

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1033990/net-zero-strategy-beis.pdf

21. Although the Offshore Project is not an NSIP, it is recognised that due to its size of 100MW and its location in English waters, certain NPS are considered relevant to the Offshore Project and decision-making and are referred to in this ES.
22. There are twelve NPSs in total, of which six are relevant to energy and are produced by the former Department of Energy and Climate Change (DECC). The three NPSs of relevance to the Offshore Project includes:
 - EN-1 Overarching Energy NPS (DECC, 2011): Sets out the government’s policy, regulatory framework and high-level objectives in relation to development of energy infrastructure. In combination with the relevant technology-specific energy NPSs, provides the basis on which the Infrastructure Planning Commission (IPC) makes its decisions in relation to applications for energy developments that fall within the scope of NPSs
 - EN-3 Renewable Energy Infrastructure NPS (DECC, 2011): Considered together with EN-1 to form the primary policy for the IPCs decisions on applications for nationally significant renewable energy infrastructure. This NPS also includes general principles on how assessment of impacts is applied for renewable energy projects DCO applications
 - EN-5 Electricity Networks Infrastructure (DECC, 2011): Considers the electrical infrastructure associated with an NSIP.
23. It is noted that the NPS for Renewable Energy Infrastructure (EN-3) is in the process of being revised. A draft version was published for consultation in September 2021 (Department for Business Energy and Industrial Strategy (BEIS), 2021). A review of this draft version has been undertaken in the context of this EIA. At the time of writing revisions to the current energy NPS are under review following consultation and updates are expected to be published during 2022.
24. In addition, the Marine Policy Statement (MPS) adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development.

3.3.2 Marine Plans

25. The Marine Policy Statement (MPS) (HM Government, 2011) provides a high-level approach to marine planning and general principles for decision making that contribute to the NPS objectives. It also sets out the framework for environmental, social and economic considerations that need to be taken into account in marine

planning. The high-level objective 'Living within environmental limits' covers points relevant to offshore ecology and requires that:

- Biodiversity is protected, conserved and where appropriate recovered and loss has been halted
- Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems
- Our oceans support viable populations of representative, rare, vulnerable, and valued species.

26. One overarching theme of the MPS is the critical role offshore renewables plays as a low carbon energy generation source, which mitigates climate change impacts and helps to reduce the UK's dependency on fossil fuels. The UK is identified in the MPS as a leading country in offshore wind development and identifying potential sites for offshore renewables in UK waters will ensure the UK maintains its position as a global leader in renewable energy production
27. The UK is divided into marine planning regions, each having its own plan authority responsible for preparing a marine plan for their area. The MMO is the planning authority in England while in Wales, Scotland and Northern Ireland, it's the devolved administrations.
28. England currently has nine marine plans; those relevant to the Offshore Project are the South West Inshore and South West Offshore Marine Plans (HM Government, 2021). Marine planning provides a framework for decisions on Marine activities, reduces user conflict, while encouraging an ecosystem-based approach. The objectives of the South West Marine Plan are also reflected in the high-level marine objectives as set out in the MPS. These contain the three objectives stated below, which are of relevance to offshore ecology, as they cover policies and commitments on the wider ecosystem:
 - Achieving a sustainable marine economy
 - Ensuring a strong, healthy, and just society
 - Living within environmental limits.
29. The South West Marine Plan also details specific policies including SW-REN-1, SW-REN-2 and SW-REN-3 which support proposals that enable the provision of renewable energy technologies, safeguards areas held under a lease or an agreement for lease for renewable energy generation from other proposals for new activity and supports proposals to install infrastructure for the generation of offshore

renewable energy respectively. A review and compliance assessment of the South West Marine Plans is provided in **Appendix 3.A: South West Marine Plans Review**.

3.4 Other Relevant Environmental Legislation

30. An overview of a number of other key national environmental and nature conservation legislation of relevance to the Offshore Project are provided on **Table 3.3**.

Table 3.3 Key relevant environmental legislation

Level	Legislation	Summary
UK Legislation	The Wildlife and Countryside Act 1981	<ul style="list-style-type: none"> Enables the designation of Sites of Special Scientific Interest (SSSI) to provide protection for flora, fauna, geological and physio-geological features. Enables designation of sites which are considered to be of national importance as National Nature Reserves (NNRs). Makes it an offence to intentionally: kill, injure, or take wild birds and to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Makes it an offence to intentionally kill, injure or take any animal listed in Schedule 5 of the Act and protects occupied and unoccupied places used for shelter or protection. Makes it an offence to intentionally pick, uproot or destroy any wild plant listed in Schedule 8 and to plant or otherwise cause to grow any non-native, invasive species listed under Schedule 9 of the Act.
	Water Environment (WFD) (England and Wales) Regulations 2003	<ul style="list-style-type: none"> Ensures a 'good ecological status' of inland, estuarine and groundwater bodies including coastal surface waters up to one nautical mile offshore.
	Natural Environment and Rural Communities Act 2006 (NERC)	<ul style="list-style-type: none"> Requires the relevant Secretary of State to compile a list of habitats and species of principal importance for the conservation of biodiversity.
	Marine Coastal and Access Act 2009	<ul style="list-style-type: none"> Enables the designation of MPAs in England, Wales, and UK offshore waters, including Marine Conservation Zones (MCZs) and Highly Protected Marine Areas (HPMA). Introduced measures including a streamlined Marine Licensing system and the introduction of a marine

Level	Legislation	Summary
		planning system and decision-making to enable sustainable development in accordance with the MPS.
	Marine Strategy Regulations 2010	<ul style="list-style-type: none"> Establishes measures to maintain or achieve 'good environmental status' (GES) in the marine environment.
	Conservation of Habitats and Species Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017 (together the 'Habitats Regulations')	<ul style="list-style-type: none"> Provides a framework for the conservation and management of wild fauna and flora, including protection for specific habitats listed in Annex I and species listed in Annex II of the Directive. Provides for the establishment of a Europe wide network of protected sites, known as Natura 2000 (the definition of which includes Special Areas of Conservation (SAC) and Special Protection Areas (SPA)). Makes it an offence to kill, injure, capture, or disturb European Protected Species (EPS). Note that these two sets of regulations are currently being consolidated by the Government; however, there will be no policy changes as a result of this exercise. Further detail is provided in the following text.

3.4.1 Habitat Regulations Assessment

31. The Habitats Regulations makes provision for the designation of sites for the protection of certain species and habitats. These sites are collectively referred to as 'European sites' and form part of a network of protected sites across the UK referred to as the 'national site network' (NSN).
32. Under the Habitats Regulations, the Secretary of State must consider whether a plan or project has the potential to have a likely significant effect, either alone or in combination with other plans or projects on the integrity and features of an NSN site (i.e. a SAC, SPA, candidate SAC or Site of Community Importance (SCI)), and is not directly connected with or necessary for the management of the site.
33. HRA can be described as a multi-stage process which identifies likely significant effect on NSN, assesses adverse effects on their integrity and considers the derogations where appropriate. The stages of the process are detailed below:
 - Stage 1: Screening is the process which initially identifies the likely impacts upon the interest features of a National site of a project or plan, either alone or in combination with other projects or plans and considers whether these impacts may be significant. It is important to note that the burden of evidence is to show, on the basis of objective information, that there will be no significant effect; if the effect may be significant, or is not known, that would trigger the need for an

appropriate assessment. However, if the screening outcome is that there is no likely significant effect on all NCN and their qualifying features considered, then proceeding to the next stage of the HRA will not be required.

- Stage 2: Appropriate assessment is the detailed consideration of the impact on the integrity of the National site of the offshore project or plan, either alone or in combination with other projects or plans, with respect to the site's conservation objectives and its structure and function. This is to determine whether there is objective evidence that adverse effects on the integrity of the site can be excluded. This stage also includes the development of mitigation measures to avoid or reduce any possible impacts.
- Stage 3: Derogation offers the opportunity for an 'exception to the rule' where the plan or project fails the appropriate assessment. At this stage, there are three tests which would need to be applied in order and each test must be passed in sequence for a derogation to be granted. The three tests include:
 - Consideration of alternative solutions
 - Consider justification i.e., imperative reasons of overriding public interest (IROPI)
 - Develop compensatory measures.

34. An HRA has been undertaken for the Offshore Project and is presented in the Report to Inform an Appropriate Assessment (RIAA) (**Appendix 6.A**).

3.5 Regional and Local Context

35. Local authorities are required to prepare and maintain up to date Local Development Plans which set out their objectives for the use and land development within their administrative area, and general policies for implementation.

3.5.1 Southwest Regional Planning Guidance

36. The Southwest Regional Planning Guidance dates back to 2010, however it sets out a potential scenario for the Southwest to seek 11-15% target for electricity production to derive from renewable sources including tidal, wind and solar power by 2010 (Government Office for the South West, 2001). As no more recent information can be found, this target is considered to be superseded by the Local Development Scheme (**Subsection 3.5.2**).

3.5.2 Local Development Schemes

37. Prior to the Planning and Compulsory Purchase Act 2004, local planning policy was set out in a single document, the Local Plan. Under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended), local planning authorities are required to prepare Local Development Schemes (LDS), which must specify the

Development Plan Documents (DPD) (i.e. local plans) as part of the development plan for the area.

38. The Offshore Project infrastructure sits wholly within the jurisdiction of North Devon District Council as well as Braunton, Fremington and Instow Parish Councils. A small portion of the Onshore Cable Corridor overlaps with Heanton Punchardon Parish within the Taw Estuary. However, no works are expected within this area.
39. Relevant development plans have been considered during the site selection process for the Offshore Project and to avoid wherever possible, conflict with specific planning allocations. The development plans which have been reviewed and considered are detailed below (see **Subsections 3.5.3** and **3.5.4**).

3.5.3 North Devon and Torrridge Local Plan 2011-2031 and Local Development Scheme 2022

40. Policy ST16 states that Northern Devon has a range of resources suitable for energy generation including offshore and marine renewables, however it also states that planning applications for wind energy development for more than one turbine should only be granted permission where the site is in an area identified for wind energy in the Local or Neighbourhood Plan and must demonstrate potential impacts on local communities have been fully addressed.
41. Section 6.25 within the Local Plan states that the Southwest region became the UK's first Low Carbon Economic Area in 2009 with a view to becoming a 'world centre for marine energy'. Northern Devon 'seeks to become a hub for the manufacture, delivery and maintenance of renewable energy technologies. Onshore operation & maintenance facilities are to be 'supported' in their development so long as the 'size, scale and any impacts are appropriate to its setting'. Appropriate locations must take into account environmental and heritage assets as noted in Policies ST14: Enhancing Environmental Assets and ST15: Conserving Heritage Assets. Landscape and visual impacts must have due consideration alongside the Joint Landscape Character Assessment (Torrige District Council, 2011), Landscape Sensitivities Assessment and best practice guidance within Devon's landscape policy group advice note (LUC, 2013). These will be taken into consideration in **Chapter 19: Offshore Seascape, Landscape and Visual Amenity, Chapter 24: Onshore Ecology, Chapter 25: Onshore Archaeology and Cultural Heritage and Chapter 28: Onshore Landscape and Visual Amenity**.

3.5.4 Neighbourhood Plans

3.5.4.1 Braunton Parish

42. This Neighbourhood Plan mentions the support of small-scale domestic commercial and Community renewable and low carbon energy generation under Policy BE4 (Braunton Parish Council, 2022), however the Offshore Project is not considered to fall under this category given its size and capacity of 100MW.
43. There are also policies in relation to the natural environment - specifically bats, biodiversity, hedges and trees, the footpath network and landscape/views. These policies limit development that may result in the loss of Special Nature Areas (SNA) or valued areas for biodiversity, geodiversity or habitats. The Offshore Project falls within the parish's Strategic Nature Area - an area that contributes higher than average concentrations of wildlife habitats e.g., native woodland as well as AONB, SSSI and SSSI impact zones identified in the Neighbourhood Plan (Devon Biodiversity Records Centre, 2019). The exceptions to development here are where no other suitable sites exist, or where net gains in biodiversity can be achieved.

3.5.4.2 Fremington and Instow

44. The parishes of Flemington and Instow have been designated as "Neighbourhood Areas"; Flemington Parish was designated in 2015 while Instow Parish was designated recently. Consultation and discussions are currently ongoing related to the production of the Plan for Fremington. However, Instow Parish Council has decided it is unable to proceed at this time with the production of a plan due to the level of skills and resources required. The Parish Council has instead called for interest from local people to create a Neighbourhood Forum. The Offshore Project will endeavour to keep up to date if this changes and a Plan is produced.

3.5.4.3 Heanton Punchardon

45. A small portion of the Onshore Cable Corridor overlaps with Heanton Punchardon Parish within the Taw Estuary. Heanton Punchardon Parish was designated as a Neighbourhood Area in 2016. A Neighbourhood Plan survey was undertaken in July - August 2018. The Offshore Project will endeavour to keep up to date if a Plan is produced.

3.6 References

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White Cross Offshore Windfarm Environmental Statement

Appendix 3.A: South West Marine Plans Review



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1. Chapter 3: Policy and Legislation

1.1 Introduction

1.1.1 Marine Policy Statement Assessment

1. **Table 1.1** sets out the South West Inshore and Offshore Marine Plans policies in a coherent format and assesses compliance of the Project against each Policy Aim. It also notes any policies that are not relevant to the Project (i.e., where they have been screened out).

Table 1.1 Assessment of the Project against the South West Inshore and Offshore Marine Plans policies

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
SW-INF-1	Proposals for appropriate marine infrastructure which facilitates land-based activities, or land-based infrastructure which facilitates marine activities (including the diversification or regeneration of sustainable marine industries), should be supported.	Many marine activities in the south west and adjacent marine plan areas are reliant on land-based infrastructure. Similarly, activities on land may also be reliant on marine infrastructure. Supporting infrastructure development, diversification and regeneration will provide socio-economic benefits and support marine businesses, including those that are land-based. SW-INF-1 supports the integration of the marine and terrestrial systems. It does so by encouraging	Screened out - no infrastructure development proposed outside of that required for renewable energy generation	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		proposals (and other measures) that maintain or improve the existing, or provide new, sustainable marine or land-based infrastructure that facilitates activity in the other system.			
SW-INF-2	<p>(1) Proposals for alternative development at existing safeguarded landing facilities will not be supported.</p> <p>(2) Proposals adjacent and opposite existing safeguarded landing facilities must demonstrate that they avoid significant adverse impacts on existing safeguarded landing facilities.</p> <p>(3) Proposals for alternative development at existing landing facilities (excluding safeguarded sites) should not be supported unless that facility is no longer viable or capable of being made</p>	Landing facilities in the south west inshore marine plan area are critical for enabling industries such as shipping, tourism, recreation and leisure, construction, aggregates, and waste. By protecting existing landing facilities and identifying the difference in safeguarding, SW-INF-2 mirrors similar provisions in terrestrial planning and supports the continued	Screened out - no safeguarded or non-safeguarded landing facilities will be obstructed.	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	viable for waterborne transport. (4) Proposals adjacent and opposite existing landing facilities (excluding safeguarded sites) that may have significant adverse impacts on the landing facilities should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	operation of vital existing landing facilities.			
SW-CO-1	Proposals that optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities will be supported. Proposals that may have significant adverse impacts on, or displace, existing activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	The south west marine plan areas, and in particular the inshore area, are busy areas, where space is limited. To realise sustainable social, environmental and economic benefits, it is important to plan for and make efficient use of the space. SW-CO-1 encourages proposals to be spatially planned,	Screened in	Chapter 4: Site Selection and Assessment of Alternatives	The Windfarm Site boundary was established through site selection associated with The Crown Estate Test and Demonstration opportunity. Environmental, technical and commercial constraints and factors were analysed including: Physical parameters (including water depths, wave height, ground conditions and wind resource) National Grid connection point Landscape designations Environmental designations

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	If it is not possible to mitigate significant adverse impacts, proposals must state the case for Proceeding.	take account of existing activities, and to promote co-existence. The policy ensures new proposals seek to avoid creating conflicts and to minimise their footprint or optimise it where it may not be feasible to minimise.			<p>Sensitive ecological habitats (ecological receptors) Other users (e.g. Ministry of Defence (MoD) activity, shipping and navigation, National Air Traffic (NATs) services, fishing activity, oil and gas infrastructure and key resource areas (marine aggregates and tidal energy)) Cumulative impacts with other licensed activities.</p> <p>Compliant with policy.</p>
SW-AGG-1	Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the proposal is compatible with aggregate extraction.	SW-AGG-1 safeguards marine aggregate licence areas from other activities unless it is demonstrated that the other activities are compatible with marine aggregate extraction. This enables continuity of the supply of construction aggregates and supports local and national objectives and economies.	Screened in	Chapter 18: Infrastructure and Other Users	The Project has the potential to interact with existing aggregate sites via vessel operations although there is no overlap with existing areas. To mitigate potential interference with vessel operations, the Project will implement Mitigation Measures to reduce the likelihood of the Project's contracted vessels impeding existing vessel routes. This will include distributing Notice to Mariners to inform other users of the Project's vessel movements, separate consultation with the operators of the existing

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
					<p>sites, a marine coordination centre, use of predetermined vessel transit routes and safety zones. The significance of effect for aggregate sites is therefore considered negligible.</p> <p>Compliant with policy.</p>
<p>SW-AGG-2</p>	<p>Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the proposal is compatible with aggregate extraction.</p>	<p>SW-AGG-2 safeguards marine aggregate Exploration and Option Agreement areas to enable the aggregate industry to explore defined areas in order to identify commercially viable aggregate resources. Proposals will only be supported if they are compatible with marine aggregate extraction. This enables the future supply of construction aggregates and</p>	<p>Screened out - the Project is not within an area subject to an Exploration and Option Agreement</p>	<p>N/A</p>	<p>Screened out</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		supports local and national objectives and economies.			
SW-AGG-3	<p>Proposals in areas of high potential aggregate resource that may have significant adverse impacts on future aggregate extraction should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- significant adverse impacts on future aggregate extraction so they are no longer significant.</p> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	SW-AGG-3 ensures that proposals consider areas of high potential aggregate resource, as defined by the British Geological Survey. It ensures that any impacts on access to commercially viable marine sand and gravel resources in the future are managed, enabling secure access to a sufficient supply of aggregate resources.	Screened out - the Project is not within an area of high potential aggregate resource.	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
SW-AQ-1	<p>Proposals within existing or potential strategic areas of sustainable aquaculture production must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals that may have significant adverse impacts on sustainable aquaculture production must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- adverse impacts on sustainable aquaculture production so they are no longer significant. If it is not possible to mitigate significant adverse</p>	<p>The policy recognises that aquaculture is an important industry with the potential to grow, contributing to food supply and security. SW-AQ-1 seeks to protect both existing aquaculture operations as well as potential future opportunities for aquaculture, within spatially defined strategic areas of sustainable aquaculture production. These strategic areas have been spatially defined for species of commercial</p>	<p>Screened out - the Project is not within an area of existing or potential strategic areas of sustainable aquaculture production.</p>	<p>N/A</p>	<p>Screened out</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	<p>impacts, proposals should state the case for proceeding.</p>	<p>importance by considering environmental factors, technical constraints, planning constraints and other users of the sea. The policy does not prevent non-aquaculture developments or activities; it supports sustainable aquaculture production by spatially defining areas where all proposals are required to demonstrate consideration of and compatibility with sustainable aquaculture. If this cannot be achieved, the policy stipulates proposals that may have significant adverse impacts on</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>sustainable aquaculture should follow the steps in the mitigation hierarchy through avoiding, minimising or mitigating these impacts, before being allowed to proceed if the regulator agrees with the proponent's overriding justification. While protecting opportunities for sustainable aquaculture production, the policy makes allowances for both non-significant adverse impacts on aquaculture, and significant adverse impacts that are outweighed by the benefits of the proposal.</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
SW-AQ-2	Proposals enabling the provision of infrastructure for sustainable aquaculture and related industries will be supported.	SW-AQ-2 aims to tackle barriers to aquaculture by encouraging the provision, maintenance and development of marine and land infrastructure to support sustainable aquaculture and related industries. This policy supports sustainable aquaculture projects by encouraging the direct development of infrastructure, as well as supporting connectivity between marine operations and land infrastructure, which will ensure that opportunities for aquaculture are realised. Due to the overlap between shoreside	Screened out - the Project does not propose to install infrastructure associated with sustainable aquaculture	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		aquaculture and fisheries infrastructure, SW-AQ-2 supports the integration of aquaculture with the fishing industry through the sharing of infrastructure and the diversification of fishers. This policy will also benefit employment and the development of skills in coastal communities.			
SW-CAB-1	Preference should be given to proposals for cable installation where the method of protection is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals	Subsea cabling is important to the growth and sustainability of telecommunication s, offshore wind farms and electricity transmission. SW-CAB-1 supports and encourages cable burial where possible to meet the needs of the sector while	Screened in	Chapter 5: Project Description	Inter-array cables will be comprised of dynamic sections and sections buried or laying on the seabed. The on-seabed section of inter-array cables will be buried where possible, typically to a depth of 1m, but may range from 0.5m - 3m, and can be buried via several techniques depending on the seabed conditions along the route. The depth will be determined by a Burial Assessment Study and a Cable Burial Risk

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	should state the case for proceeding without those measures.	enabling co-existence with other users of the south west marine plan areas.			<p>Assessment. The offshore export cable will be buried where possible to ensure that the cable is protected from damage by external factors. Typical burial depth is 1m but may range from 0.5m - 3m. The depth will be determined by a Burial Assessment Study and the Cable Burial Risk Assessment. The Offshore Export Cable will be buried for the majority of its length. However, there will be some areas where this is not possible due to seabed characteristics or where it is crossing existing subsea cables. In these locations external cable protection may be used. The cable will be buried at the exit of the trench.</p> <p>Compliant with policy.</p>
SW-CAB-2	Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is	Subsea cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity	Screened out - no existing landfall or known plans for landfall sites within vicinity of Project's	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	<p>not possible proposals will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- adverse impacts on existing and potential future landfall sites so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>transmission. Existing and potential future landfall sites for subsea cables are not currently protected from other proposals and uses, which may prevent these sites from being used as cable landfall locations. SW-CAB-2 seeks to avoid the loss of existing and potential future landfall sites and supports all proposals that consider the requirement for future cable landfall opportunities, ensuring that socially and economically vital cable activities can continue.</p>	<p>proposed landfall location. The landfall site has been chosen so that the connection with the National Grid is not at Alverdiscott, instead connecting at East Yelland to ensure that capacity is maintained at Alverdiscott for future projects.</p>		
SW-CAB-3	<p>Where seeking to locate close to existing subsea</p>	<p>SW-CAB-3 protects the ongoing function,</p>	<p>Screened in</p>	<p>Chapter 18: Infrastructure</p>	<p>There are several active offshore cables which intersect the study area for</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities relating to the cable.	maintenance and decommissioning of subsea cables, up to the point of landfall.		and Other Users	Chapter 18; three of which are located within the Project boundary. There is also one decommissioned cable. Communication with the disused cable owner will be required prior to any crossing of the existing cables present in the study area. As embedded Mitigation Measures, where the Project's inter-array cross an existing cable, a cable crossing methodology will be developed and agreed with the asset owner. 49. If it becomes necessary to replace or repair some part of the existing subsea cables (either that owned by the Applicant or another operator), maintenance activities would be carried out in line with standard industry methods and good practice, and in line with any relevant commercial agreement such that no effect on existing subsea cables and pipelines would occur. The resultant significance of effect is considered minor adverse.

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
					<p>Access to the existing telecommunications cables for repair or reburial will remain uncompromised during operation and maintenance. Should operators wish to install subsea cables or pipelines in the future that cross or are in close proximity to the operational Project it is expected that the Applicant and any such developer would enter into discussions and be steered by advice from relevant authorities.</p> <p>Compliant with policy.</p>
SW-DD-1	<p>In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.</p>	<p>Dredge areas, and the area surrounding these that are required for dredge activity to take place, may be adversely impacted by new proposals such as those that negatively impact the ability to access or egress from these sites. SW-DD-1 ensures</p>	Screened in	Chapter 18: Infrastructure and Other Users	<p>Owners and operators of infrastructure (i.e., dredging companies) have been and will continue to be consulted by the Applicant, and commercial and technical agreements will be put in place where required ahead of construction. The Project has the potential to interact with existing disposal via vessel operations although there is no overlap with existing areas. To mitigate potential interference with</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		continued safe access by vessels to ports and harbours over the lifetime of the South West Marine Plan. This policy discourages proposals that would cause significant adverse impacts on dredge activities, such as the need for related vessels to navigate to and from authorised dredge areas.			<p>vessel operations of existing marine disposal sites, the Project will implement Mitigation Measures to reduce the likelihood of the Project's contracted vessels impeding existing vessel routes. This will include distributing Notice to Mariners to inform other users of the Project's vessel movements, separate consultation with the operators of the existing marine disposal sites, a marine coordination centre, use of predetermined vessel transit routes and safety zones. The significance of effect for marine disposal is therefore considered negligible.</p> <p>Compliant with policy.</p>
SW-DD-2	Proposals that cause significant adverse impacts on licensed disposal sites should not be supported. Proposals that may have significant adverse impacts on licensed disposal sites must demonstrate that they will, in order of preference:	Disposal sites, and the surrounding areas that are required for the disposal activity to take place, may be adversely impacted by new proposals that negatively	Screened in	<p>Chapter 18: Infrastructure and Other Users</p> <p>Chapter 4: Site Selection and Assessment of Alternatives</p>	<p>The Windfarm Site boundary was established through site selection associated with The Crown Estate Test and Demonstration opportunity. Commercial constraints were analysed by taking into consideration many factors (as described above), notably</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding.	impact the ability to access or egress from these sites. SW-DD-2 ensures that disposal sites are not compromised, reducing the need to designate new disposal sites that are not intended for alternative use, and so reducing environmental impacts. This policy discourages proposals that would cause significant adverse impacts on disposal activities, such as the need for vessels to navigate safely to and from disposal sites. Preserving licensed disposal sites, including where sites are being used for alternative use, will enable and facilitate the growth of ports			consideration of other marine users. Compliant with policy.

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		and harbours within the south west inshore marine plan area. Over the 20-year life span of the Plan, this may become more prevalent in the developing economic climate.			
SW-DD-3	Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, including alternative use sites, proposals should be supported if they conform to best practice and guidance.	As a result of dredging activity, disposal of dredge material is often required, whether this is direct disposal as a last resort in the waste hierarchy or deposit of material for alternative uses. This policy ensures that proposals have considered all steps within the waste hierarchy prior to the disposal of dredge material as a last resort. The establishment of new disposal sites	Screened out - the Project does not include disposal of dredged material	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>which are for alternative use should be supported. The establishment of new dredge disposal sites as a last resort in the waste hierarchy should only be explored after previous levels within the waste hierarchy have been considered, and the potential to utilise open, disused, or closed sites has been fully investigated and discounted. In some cases, designated disposals sites cannot be used, for example, where sediment size does not match or there are particular constraints. SW-DD-3 then provides a source of best practice</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		and guidance for the designation of new dredge disposal sites. This is required as the demand increases for new disposal sites and encourages early consideration of impacts to avoid conflicts during the proposal process.			
SW-OG-1	Proposals in areas where a licence for oil and gas has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity.	The potential to extract oil and gas is important to the UK's energy supply. However, oil and gas exploration and production (within existing licence areas) may require access to the same area of seabed as other sector proposals. This policy protects the supply of oil and gas by safeguarding areas where there are existing licences. However, this does	Screened out - no oil and gas pipelines or platforms in proximity to the Project.	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>not sterilise areas for other activities as proposals that demonstrate compatibility with oil and gas activities may be supported.</p> <p>The policy gives clarity on dealing with potential future conflicts with other users who may want to use the same space as oil and gas extraction activities by supporting co-existence opportunities for different users of the south west marine plan areas.</p> <p>This supports the UK in meeting its energy and security objectives, as activities that may impact or sterilise areas that may be used for potential</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		oil and gas extraction would hinder the fulfilment of the objectives of the UK Marine Policy Statement and the UK's energy objectives.			
SW-OG-2	Proposals within areas of geological oil and gas extraction potential demonstrating compatibility with future extraction activity will be supported.	"Maximising the economic recovery of oil and gas resources may require access to discoveries of deposits that have not yet been developed. However, other proposals may require access to the same area of seabed as these resources and, therefore, to future potential oil and gas production. This policy safeguards areas identified as having geological potential for future oil and gas extraction by	Screened out - no oil and gas pipelines or platforms in proximity to the Project	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>ensuring that proposals have regard to future oil and gas activity prior to gaining support.</p> <p>The policy gives clarity on dealing with potential future conflicts with other users who may want to use the same space as oil and gas extraction activities by supporting co-existence opportunities for different users of the south west marine plan areas.</p> <p>This supports the UK in meeting its energy and security objectives, as activities that may impact or sterilise areas that may be used for potential oil and gas extraction would</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		hinder the fulfilment of the objectives of the UK Marine Policy Statement and the UK's energy objectives."			
SW-PS-1	In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported. Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised	Ports and harbours are essential to realising economic and social benefits for the south west marine plan areas and the UK. SW-PS-1 makes sure that proposals do not restrict current port and harbour activity or future growth, enabling long-term strategic decisions, and supporting competitive and efficient port and shipping operations. SW-PS-1 provides clarity	Screened out - the Project is not within a statutory harbour authority limit and therefore does not have the potential to detrimentally or materially affect safety of navigation.	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	<p>unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>on how the economic interests and statutory duties of ports and harbours should be protected and makes sure new development does not restrict current activities, future growth, or compliance with the Port Marine Safety Code. This policy protects the efficiency and resilience of continuing port operations and further port development (UK Marine Policy Statement, Section 3.4.7). The sustainable development of ports (increase in shipping activity) is supported by the UK Marine Policy Statement (Section 3.4.10). This</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>policy also complements and supports the National Policy Statement for Ports, setting provisions for port growth in the context of the management and development of other activities. Policy SW-PS-1 supports the government policy for ports (National Policy Statement for Ports). It is recognised that although not all ports are able or wish to grow physically, there will remain a need to be commercially viable through adaptation, change, and diversification. Also recognised is the need to ensure safe navigation both within and in</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>the approaches to ports, at present and in the future. Harbour masters are recognised experts in navigational safety within their jurisdictional areas. Accordingly, the policy recognises that their views regarding how proposals affect safety of navigation, the Open Port Duty, and compliance with the Port Marine Safety Code should be sought and given significant weight. SW-PS-1 confirms that proposals that compromise these important duties should not be authorised unless there are exceptional circumstances.</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>Authorisation of proposals that impact upon compliance with these core duties are expected to be exceedingly rare. This policy supports continued port maintenance and repairs, diversification and other sustainable port development that contribute to long-term economic growth and prosperity.</p>			
SW-PS-2	<p>Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within or encroaching upon International Maritime Organization routeing systems unless there are exceptional circumstances.</p>	<p>Within the south west marine plan areas there are International Maritime Organization routeing systems that are essential for shipping activity, freedom of navigation, and navigational safety. SW-PS-2 confirms that proposals that</p>	<p>Screened out - the Project will not require static sea surface infrastructure or that significantly reduce under-keel clearance</p>	<p>N/A</p>	<p>Screened out</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>compromise these important navigation routes should not be authorised. SW-PS-2 enables and supports safe, profitable and efficient marine businesses. SW-PS-2 specifies that developments should not be authorised where the use of International Maritime Organization routing systems may be compromised. Authorisation of proposals that impact on the use of International Maritime Organization routing systems are very rare.</p>			
SW-PS-3	Proposals that require static sea surface infrastructure or that significantly reduce under-	The south west marine plan areas are very busy with respect to high-	Screened out - the Project will not require static	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	<p>keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.</p>	<p>density navigation routes, strategically important navigation routes, and passenger services. SW-PS-3 confirms that proposals that pose a risk to safe navigation or the viability of these routes and services should not be authorised. SW-PS-3 aims to protect these routes and services by enabling and promoting safe, profitable and efficient marine businesses. SW-PS-3 focuses on minimising negative impacts on shipping activity, protecting the economic interests of ports, harbours, shipping and the UK economy overall, and affording</p>	<p>sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services.</p>		

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>protection to the areas used by high intensities of traffic (UK Marine Policy Statement, Section 3.4.2). It also gives effect to provisions in the National Planning Policy Framework (Section 37), which aims to encourage sustainable transport.</p>			
SW-PS-4	<p>Proposals promoting or facilitating sustainable coastal and/or short sea shipping as an alternative to road, rail or air transport will be supported where appropriate.</p>	<p>Short sea shipping provides a sustainable alternative for the transport of goods. SW-PS-4 aims to support sustainable coastal or short sea shipping where appropriate as an alternative to road, rail or air methods lowering carbon dioxide emissions and reducing road congestion. Bulk volumes are moved quickly with a reduction in</p>	<p>Screened out - the Project is not associated with shipping or transport</p>	<p>N/A</p>	<p>Screened out</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>administrative burden and increased efficiency through economies of scale.</p> <p>Short sea routes also allow the transshipment of cargo from large vessels landing into major European ports to the UK (and through direct movements of smaller bulk materials), reducing costs, improving reliability, and allowing smaller ports to expand through the establishment of increased numbers of short sea shipping routes where suitable.</p> <p>Policy SW-PS-4 supports the government policy for ports (National Policy Statement for Ports,</p>			

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		Section 3.1.4, Section 3.3.5 and Section 3.4.14). The short sea shipping market is expected to grow over the lifetime of the marine plan, providing a flexible and specialised service.			
SW-REN-1	Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.	Supply chains play an important role in developing technology, reducing the associated costs of infrastructure, and realising the economic and social benefits of renewable energy to the UK economy. SW-REN-1 recognises the importance of the supply chain within the lifecycle of renewable energy projects. SW-REN-1 enables public	Screened in	Chapter 23: Socio-Economics (including Tourism and Recreation)	Engagement with supply chain businesses will in part depend on the choice of a port location for construction and operation and maintenance, which has not been made yet. However, being one of the earliest projects in the Celtic Sea, the Project could support the clustering of windfarm developments in this area. This will have implications for supply chain businesses, with opportunities to expand economic activity and support employment. Compliant with policy.

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>authorities to support proposals that will reduce costs, ensuring that businesses are operating competitively and with a long-term strategy. Developing a strong supply chain will not only support the domestic installation of offshore wind but could contribute to establishing a successful export market, particularly in relation to the emerging floating offshore wind industry. The Offshore Wind Sector Deal outlines a commitment to increase UK supply chain content to 60% by 2030. This policy supports proposals that</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		indicate how they will draw on and develop the UK supply chain as part of their development.			
SW-REN-2	Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project.	Renewable energy technologies contribute to the diversification and decarbonisation of the electricity grid. SW-REN-2 protects areas identified for energy developments from other activities that could affect the sites' ability to generate energy. It enables the development of safe, profitable and efficient marine businesses.	Screened out - project is a renewable energy generation project	N/A	Screened out
SW-REN-3	Proposals for the installation of infrastructure to generate offshore renewable energy, inside areas of identified potential and subject to relevant assessments, will be	Offshore wind is the current favoured offshore renewable energy generating technology in the UK. The 'offshore wind high potential	Screened in	All Environmental Statement documents	The Project has been brought forward through The Crown Estate's Test and Demonstration leasing opportunity which is designed to support the development and commercialisation of innovative energy

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	supported.	<p>future development areas' layer highlights areas of least constraint for fixed foundation offshore wind energy generation and indicates potential future areas for leasing. This dataset reflects the latest understanding of areas with high potential, incorporating the original technical constraints analysis (see the "Resource and Constraints Assessment Methodology Report" available on the Marine Data Exchange). SW-REN-3 supports the identification of future leasing rounds and provides a level of certainty for other activities as to</p>			<p>technologies that will be vital to the UK's future energy system and net zero transition. The Project will test new foundation and mooring technologies, using new designs, materials and construction approaches. It also aims to play an important role in supporting the development and momentum of the Southwest and regional supply chain, helping support new jobs, skills and economic growth.</p> <p>Compliant with policy.</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>where future development may occur. Figure 13 identifies the portion of the plan areas that has a high potential for the future development of offshore wind. SW-REN-3 is in place to facilitate the identification of sites for future marine renewable energy development. Spatial areas for all technology types will be updated as required, based on improved understanding of constraints and technical advancements in new technology. Proponents and decision-makers should refer to Explore Marine Plans for the most</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		up-to-date data.			
SW-HER-1	<p>Proposals that demonstrate they will conserve and enhance the significance of heritage assets will be supported. Where proposals may cause harm to the significance of heritage assets, proponents must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- any harm to the significance of heritage assets.</p> <p>If it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.</p>	<p>This policy aims to conserve and enhance marine and coastal heritage assets by considering the potential for harm to their significance. This consideration will not be limited to designated assets and extends to those non-designated assets that are, or have the potential to become, significant. The policy will ensure that assets are considered in the decision-making process and will make provisions for those assets that are discovered during developments.</p>	Screened in	Chapter 16: Marine Archaeology and Cultural Heritage	<p>A characterisation of the existing environment for Marine Archaeology and Cultural Heritage based on both existing public data and site-specific survey data has been provided. This established that there will be, at worst, minor adverse residual impacts with archaeological Mitigation Measures on heritage assets during the construction, operation and maintenance, and decommissioning phases of the Project.</p> <p>Compliant with policy.</p>
SW-SCP-1	Proposals should ensure they are compatible with	The aim of the policy is to manage	Screened in	Chapter 19: Offshore	The potential impacts on the character and visual resource

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	<p>their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area. The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape. Proposals that may have a significant adverse impact on the seascape and landscape of the area should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- adverse impacts so they are no longer significant. If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area.</p>	<p>significant adverse impacts on the seascape and landscape of the south west inshore and offshore marine plan areas. It will make sure that an area's value, quality, and its capacity to accommodate change is considered and that the scale and design of a proposal is compatible with its surroundings. The policy's primary aim is to make provisions for those areas of seascape without statutory designation. The policy also supports those areas with existing statutory designation, such as National Parks, Areas of Outstanding Natural Beauty and</p>		<p>Seascape, Landscape and Visual Amenity</p>	<p>of the seascape and landscape of the area have been assessed which concluded that significant adverse effects have been avoided, albeit some impacts are moderate-minor adverse, long-term but reversible.</p> <p>Viewpoints assessed along the South West Coast Path were: Stack Rocks, Pembrokeshire, Hartland Point, Vicarage Cliff, west of Morwenstow, Compass Point Storm Tower, south of Bude, Penhalt Cliff, Lundy Island, Old Light, Rosslare to Cherbourg Ferry, Tintagel, Pentire Head on South West Coast Path and Embury Beacon.</p> <p>Three sections of the Pembrokeshire Coast Path were assessed: Section 12 – Angle to Freshwater West, Section 13 – Freshwater West to Broad Haven South and Section 14 – Broad Haven South to Skrinkle Haven.</p>

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	Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.	World Heritage Sites. Defined Heritage Coasts are also supported, although they do not hold statutory designation.			<p>The following Marine Character Areas were also assessed: Marine Character Area 18: West Pembrokeshire Coastal Waters and Islands, 19: West Pembrokeshire Islands, Bars and Inshore Waters, Marine Character Area 20: Irish Sea Open Waters, MCA 21: Milford Haven, Marine Character Area 22: South Pembrokeshire Coastal and Inshore Waters, Marine Character Area 23: South Pembrokeshire Open Waters, Marine Character Area 28: Bristol Channel (Wales).</p> <p>Landscape Character Effects were assessed at Lundy Island as well as three Areas of Outstanding Natural Beauty: North Devon Coast, Cornwall and Pembrokeshire Coast.</p> <p>Compliant with policy.</p>
SW-FISH-1	Proposals that support a sustainable fishing industry, including the industry's diversification,	Commercial fisheries can be affected by changes to fish	Screened in	N/A	Engagement with the fishing industry will be an integral part of the construction and operational and maintenance

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	should be supported.	abundance, growth, distribution or behaviour. SW-FISH-1 supports long-term strategic proposals that enable the fishing industry to diversify or build in resilience to manage climate change risks and maximise opportunities for sustainable use of marine resources.			of the Project. Engagement with the fishing industry as the Project progresses will be undertaken alongside further development of the draft Fisheries Liaison and Coexistence Plan included in the application. The aim will be to work with the fishing industry to identify ways in which the Project could support sustainable fishing practices, diversification of the industry and for the Project to coexist with fishing activity. Compliant with policy
SW-FISH-2	Proposals that enhance access for fishing activities should be supported. Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	A sustainable fishing industry provides benefits to coastal communities and contributes to UK food security. Fisheries activities are restricted in where and when they can operate, making the access to these activities vulnerable. SW-FISH-2 supports	Screened in	Chapter 14: Commercial Fisheries Appendix 14.C: Fisheries Liaison and Coexistence Plan	Due to location and small size of the Project relative to the locations and extent of fishing grounds, it has been assessed that, at national fleet level, none of the potential impacts would be at levels of significance that would require direct Mitigation Measures. At the local level however, it is considered that a limited number of local vessels whose static gears would require relocation from the Offshore Export Cable

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	<p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>enhanced access for sustainable fishing activities and seeks to limit significant adverse impacts from other marine activities on access for fishing activities, enabling continued sustainable marine resource use and generating prosperous, resilient and cohesive coastal communities. This policy covers not only fishing activity, but also the transit routes to and from sites and any berthing/beaching or landing/loading points.</p>			<p>Corridor during the installation phases of the export cable would require direct Mitigation Measures. In the case of these vessels, the appropriate evidence-based cooperation agreements, in line with Fishing Liaison with Offshore Wind and Wet Renewables Group Guidance would be sought with the relevant vessels owners in order to appropriately mitigate the potential impact.</p> <p>Compliant with policy.</p>
SW-FISH-3	<p>Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, should be supported.</p>	<p>Sustainable fish populations rely upon specific habitats throughout their life. SW-FISH-3 recognises that the</p>	Screened in	Chapter 11: Fish and Shellfish Ecology	<p>Some regions of the Project have the potential to act as spawning and nursery grounds for a range of species across receptor groups; however, no significant effects on fish and</p>

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	<p>Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- adverse impacts so they are no longer significant.</p>	<p>protection of habitats and the services they provide can enhance fish populations, supporting the long-term existence of the fisheries and contributing to Good Environmental Status, as detailed in the Marine Strategy Part One: UK updated assessment and Good Environmental Status. SW-FISH-3 encourages and supports proposals that deliver biodiversity gain for essential fish habitats. SW-FISH-3 enables sustainable use of marine resources within environmental limits, alongside</p>			<p>shellfish ecology were identified, with all effects assessed as of negligible residual impact.</p>

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		productive fisheries, by requiring proposals to avoid impacts on essential fish habitats or, if avoidance of impacts is not possible, to manage impacts on essential fish habitats.			
SW-EMP-1	Proposals that result in a net increase in marine-related employment will be supported, particularly where they meet one or more of the following: 1) are aligned with local skills strategies and support the skills available 2) create a diversity of opportunities 3) create employment in locations identified as the most deprived 4) implement new technologies - in, and adjacent to, the south west marine plan areas.	The creation and maintenance of quality jobs is a key component to delivering sustainable economic growth, and for ensuring that everyone is able to access its associated opportunities (Employment and Skills Strategies in England, United Kingdom). SW-EMP-1 supports existing national policies and strategies (e.g.	Screened in	Chapter 23: Socio-Economics (including Tourism and Recreation)	The socioeconomic assessment assumed that the primary construction and operation and maintenance ports will be located within the UK but not within the Local Area. The assessment has quantified the value of employment and gross value added that would be supported around these port locations. This found that the Primary Construction port could support up to 350 jobs during the construction phase and the operation and maintenance port could support 20 jobs during the operational lifetime of the Project. This results in a net

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		the UK Marine Policy Statement and the UK's Industrial Strategy: building a Britain fit for the future) by encouraging decision-makers and proponents to deliver additional employment benefits from proposals, particularly those benefits associated with the listed policy criteria. SW-EMP-1 seeks to maximise sustainable economic activity, prosperity and opportunities for all, both now and into the future.			increase in marine-related employment. Compliant with policy.
SW-CC-1	Proposals that conserve, restore or enhance habitats that provide flood defence or carbon sequestration will be supported. Proposals that may have significant adverse impacts	Proposals that conserve, restore or enhance habitats that provide flood defence or carbon sequestration will be supported.	Screened out - the Project does not have the potential to impact on any coastal habitats or	N/A	Screened out

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	<p>on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated.</p>	<p>Habitats that provide flood defence and carbon sequestration contribute to natural resilience for coastal communities that are vulnerable to coastal erosion and change. SW-CC-1 requires proposals to manage impacts, enabling these important habitats to continue to provide this valuable service. Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for significant adverse impacts, will not be supported.</p>	<p>provide relevant conservation/restoration or enhancement . This is due to the use of horizontal directional drilling and subsequent lack of interaction with the intertidal area.</p>		
SW-CC-2	<p>Proposals in the south west marine plan areas should demonstrate for the lifetime of the project that</p>	<p>The effects of climate change are wide-ranging and can include sea</p>	<p>Screened in</p>	<p>Chapter 25: Climate Change</p>	<p>The effects of climate change on the Project were determined to be not significant in the Climate</p>

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	they are resilient to the impacts of climate change and coastal change.	level rise, coastal flooding and rising sea temperatures. SW-CC-2 adds provision to enable enhanced resilience of developments, activities and ecosystems within the south west marine plan areas to the effects of climate change and coastal change.			Change Resilience Assessment. Compliant with policy.
SW-CC-3	Proposals in the south west marine plan areas, and adjacent marine plan areas, that are likely to have significant adverse impacts on coastal change, or on climate change adaptation measures inside and outside of the proposed project areas, should only be supported if they can demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate	Large areas of the south west inshore marine plan area coastline are subject to or vulnerable to change. SW-CC-3 ensures proposals do not exacerbate coastal change, enabling communities to be more resilient and better able to adapt to coastal erosion and flood risk where identified. SW-CC-3	Screened out - the Project does not have the potential to impact on any coastal habitats or provide relevant conservation/ restoration or enhancement . This is due to the use of trenchless techniques and	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
	- adverse impacts so they are no longer significant.	also supports proposals that do not compromise existing adaptation measures, which will enable an improvement in the resilience of coastal communities to coastal erosion and flood risk. Proposals that cannot avoid, minimise and mitigate significant adverse impacts will not be supported.	subsequent lack of interaction with the intertidal area.		
SW-AIR-1	Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases. Proposals that are likely to result in increased air pollution or increased emissions of greenhouse gases must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate	Clean air is essential for life, health, the environment and the economy. Air pollution and greenhouse gas emissions must be reduced to protect health, habitats and species and reduce the impacts of climate change. SW-AIR-1 ensures that proposals	Screened in	Chapter 25: Climate Change 25 Climate Change Appendix 25.A: Greenhouse Gas Assessment Methodology	The Greenhouse Gas Assessment for the Project concluded that it will have a beneficial effect, and would contribute towards the UK meeting its emission reduction targets set out in the Carbon Budgets and Climate Change Act 2008. Compliant with policy.

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	- air pollution and/or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements.	consider and address where they may cause direct or indirect air pollution or greenhouse gas emissions and manage these accordingly. Proposals that cannot avoid, minimise or mitigate air pollution and/or greenhouse gas emissions in line with current national or local air quality objectives and legal requirements must not be supported.			
SW-ML-1	Public authorities must make adequate provision for the prevention, re-use, recycling and disposal of waste to reduce and prevent marine litter. Public authorities should aspire to undertake measures to remove marine litter within their jurisdiction.	Litter at sea often originates on land. Increase in development, access, recreation and tourism in the south west marine plan areas may result in increased litter, and an adverse impact on	Screened out - no pathways by which the Project could cause increases in marine litter	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>the environment on which these activities rely.</p> <p>Preventing marine litter through effective waste management is vital. Addressing marine litter along the coastline is also an important step towards dealing with this problem.</p>			
SW-ML-2	<p>Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported.</p> <p>Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- waste entering the marine environment.</p>	<p>The natural landscapes, wildlife and recreational opportunities on offer in the marine plan areas attract visitors to the area. An increase in visitors and in coastal and marine development could lead to an increase in litter.</p> <p>SW-ML-2 makes sure proposals avoid, minimise or mitigate waste entering the</p>	Screened out - no pathways by which the Project could cause increases in marine litter	N/A	Screened out

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		marine environment and encourages support for improvements in waste management and removal of marine litter, during construction and over the lifetime of the development. Proposals that cannot avoid, minimise or mitigate waste entering the marine environment will not be supported.			
SW-WQ-1	Proposals that protect, enhance and restore water quality will be supported. Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate	Much of the economic and cultural prosperity of the south west marine plan areas is reliant on water quality. Activities can place stress on water bodies such that, in parts of the south west marine plan areas, water quality requires	Screened in	Chapter 9: Marine Water and Sediment Quality Appendix 9.A: Water Environment Regulations Compliance Assessment"	A Water Environment Regulations Compliance Assessment has been carried out for the Project which assessed all of the project's activities with the potential to impact water body receptors. None of the identified activities have the potential to cause non-temporary effects (i.e. effects that are not permanent, but could last for the duration or beyond the

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	<p>- deterioration of water quality in the marine environment.</p>	<p>improvement. SW-WQ-1 supports activities with a primary objective to protect, enhance and restore water quality.</p> <p>SW-WQ-1 also manages activities that may cause deterioration of water quality by ensuring that adverse impacts from proposals must be avoided, minimised and mitigated. With the exception of the derogations identified in Sections 17 and 19 of The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, there should be no residual adverse impacts on inshore water bodies. From</p>			<p>current River Basin Planning Cycle) to the status of any of the assessed water bodies. All phases of the Project will also not prevent water body status objectives being achieved in the future. The Project is therefore considered to be compliant with Water Environment Regulations requirements.</p> <p>Compliant with policy.</p>

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		one nautical mile out to the outer limit of the UK Exclusive Economic Zone, there should be no adverse impacts on water quality, in line with The Marine Strategy Regulations 2010.			
SW-ACC-1	Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported. Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	The provision of appropriate public access is essential for realising the economic, environmental, and social benefits associated with the growth of sustainable tourism and recreation within the south west marine plan areas. SW-ACC-1 supports proposals for appropriate enhanced and inclusive public access to, and within, the marine area, including those providing	Screened in	Chapter 23: Socio-Economics (including Tourism and Recreation)	All phases of the project have the potential to interact with tourism and recreation access (i.e. surfing and yachting). However, this interaction is very limited and therefore unlikely to have an effect on either activity and the significance of effects have been assessed as minor adverse, minor negative or negligible. Compliant with policy.

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		<p>services for tourism and recreation activities. SW-ACC-1 also provides clarity on how public access should be protected, and ensures that proposals do not have a significant adverse impact on existing public access. Where proposals cannot avoid, minimise or mitigate significant adverse impacts to public access, they should not be supported.</p> <p>While SW-ACC-1 supports and protects public access to the marine area, in some circumstances, access restrictions may be required. Where they are incompatible with</p>			

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		existing or proposed access restrictions, proposals for the provision of new public access should not be supported.			
SW-TR-1	Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Tourism and recreation are widely recognised as very important sectors within the south west marine plan areas, providing numerous economic and social benefits to coastal communities and visitors to the region. SW-TR-1 supports these growth industries through the promotion of sustainable tourism and recreation at appropriate locations. It also encourages	Screened in	Chapter 23: Socio-Economics (including Tourism and Recreation)	All phases of the Project have the potential to interact with tourism and recreation in the local community (i.e. surfing and yachting). However, this interaction is very limited and therefore unlikely to have an effect on either activity and the significance of effects have been assessed as minor adverse. Compliant with policy.

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		<p>diversification of activities – for example, through the extension of operating seasons or development of alternative uses for facilities – to create additional employment opportunities, while reducing adverse impacts on natural resources and heritage assets.</p> <p>To minimise stakeholder conflict, this policy also addresses the potential impact of proposals on existing tourism and recreation use, or future potential activities; those proposals that cannot avoid, minimise and mitigate significant adverse impacts on tourism and recreation activities</p>			

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		are unlikely to be supported.			
SW-SOC-1	Those bringing forward proposals should consider and demonstrate how their development shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.	SW-SOC-1 seeks to increase the general knowledge, understanding, appreciation and enjoyment by people of the many values provided by the marine environment through encouraging proposals that incorporate these factors.	Screened in	Chapter 23: Socio-Economics (including Tourism and Recreation)	Through consultation with community groups, the Project will enhance knowledge of the marine environment and how it can be used sustainably to transition to a green economy. Compliant with policy.
SW-DEF-1	Proposals in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence.	There are a high number of defence activities and estates in the south west marine plan areas. Marine infrastructure can affect their continuity or future use. SW-DEF-1 aims to avoid conflict between defence activities and new proposals within the south west	Screened in	Chapter 18: Infrastructure and Other Users Chapter 17: Civil and Military Aviation	All phases of the Project have the potential to interact with MoD activities at Braunton Burrows Practice and Exercise Area and civil and military aviation. However, with embedded Mitigation Measures, such as consultation with the MoD, adherence to exclusion zones and lighting and marking of the array, the significance of all effects are minor adverse or negligible. Compliant with policy.

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		marine plan areas. This policy will ensure defence interests are not hindered.			
SW-MPA-1	Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate adverse impacts - adverse impacts, with due regard given to statutory advice on an ecologically coherent network.	Marine protected areas in the south west marine plan areas make a significant contribution towards the UK's network of ecologically coherent marine protected areas. SW-MPA-1 encourages and supports proposals for activities that further the conservation objectives of marine protected areas. SW-MPA-1 also ensures proposals take account of adverse impacts on individual sites and the overall network, protecting important habitats,	Screened in	Appendix 6.A: Habitats Regulations Assessment: Report to Inform Appropriate Assessment Appendix 10.A: Marine Conservation Zone Assessment Report	All sites of the National Site Network with connectivity to the Project have been assessed against their conservation objectives. This assessment concluded that for all sites the Project will not cause an adverse effect on site integrity or risk hindering the achievement of site conservation objectives. Compliant with policy.

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		species and geological features, and enabling the successful and continued management of these sites. Proposals that cannot avoid, minimise or mitigate adverse impacts should not be supported.			
SW-MPA-2	Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of the marine protected area network, will be supported. Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change, and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference: a) avoid b) minimise	The effects of climate change on habitats and species poses a challenge to designated marine protected area sites in the south west marine plan areas. SW-MPA-2 ensures proposals account for adverse impacts on each impacted individual marine protected area's ability to adapt to climate change, improving resilience and	Screened in	N/A	The Project's potential for enhancing an marine protected area's ability to adapt to climate change hasn't been assessed as such. However, the Project will help to deliver the UK Government's commitment to net zero by 2050 and North Devon District Council's 'Devon Climate Declaration' which commits to developing and implementing a plan to achieve a 45% reduction in carbon emissions by 2030 and by 100% by 2050. Therefore, it will have long-term beneficial impacts that will enhance the resilience of

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	c) mitigate - adverse impacts.	working towards a well- managed marine protected area network. Proposals that cannot avoid, minimise or mitigate adverse impacts should not be supported.			the marine protected area network. Compliant with policy.
SW-MPA-3	Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.	Anthropogenic activities such as the burning of fossil fuels, deforestation, farming, and methane release from animal farming have serious adverse impacts on the climate. These impacts include, but are not limited to, increased ocean acidity, temperature shifts, and increased storm activity. Climate change may result in marine protected	Screened out - the Project does not have the potential to interact with MPAs whose boundaries under review as a result of feature range changes in relation to climate change. Furthermore, this policy appears more relevant to regulatory bodies.	N/A	Screened out

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		<p>area feature migration and/or feature displacement due to shifts in ranges of habitats and species. SW-MPA-3 ensures flexibility by supporting boundary changes to improve the resilience of the marine protected area network. SW-MPA-3 enables adaptive management to help mitigate the loss of features within sites, and support adaptation to climate change.</p>			

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SW-MPA-4	Proposals that may have significant adverse impacts on designated geodiversity must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Geodiversity in the south west marine plan areas has formed over billions of years. With natural change happening slowly over a long timescale, geodiversity is particularly vulnerable to human impacts. SW-MPA-4 makes sure proposals account for significant adverse impacts on designated geodiversity, protecting important geological and geomorphological features that underlie and determine the character of our landscape and seascape.	Screened in	Chapter 8: Marine Geology, Oceanography and Physical Processes	Impacts on marine geology, oceanography and physical processes has been assessed, namely changes to the form and function of coastal sediments, the wave regime and habitats around Lundy Island and the sensitive Devon coast. All impacts have been assessed as either negligible to no effect, negligible or no effect. Compliant with policy.

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		Proposals that cannot avoid, minimise or mitigate significant adverse impacts should not be supported.			
SW-BIO-1	Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated.	Maintaining the distribution of priority habitats and priority species in the south west marine plan areas is important as it reduces habitat fragmentation, species isolation and supports strong, biodiverse communities which in turn provide ecosystem services. SW-BIO-1 encourages and supports proposals that enhance the distribution of priority habitats and priority species. SW-BIO-1 seeks to maintain the distribution of priority habitats	Screened in	Chapter 10 Benthic and Intertidal Ecology Chapter 20: Onshore Ecology and Ornithology	The Project does not have the potential to significantly impact any species or habitat, native or otherwise since all marine and coastal impacts have been assessed as minor adverse or negligible adverse. This is due to the use of horizontal directional drilling and subsequent lack of interaction with the intertidal area and that benthic habitat impacts are limited, and of a short term nature. Compliant with policy.

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
		and priority species through the management of significant adverse impacts. Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for significant adverse impacts, will not be supported.			
SW-BIO-2	<p>Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported.</p> <p>Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate <p>- adverse impacts so they are no longer significant</p>	<p>Competition for space, increased levels of development, and the predicted effects of climate change can affect the connectivity, adaptive ability and migration of habitats and species in the south west marine plan areas. SW-BIO-2 supports and encourages proposals that enhance or facilitate native species or habitat</p>	Screened in	<p>Chapter 10 Benthic and Intertidal Ecology</p> <p>Chapter 20: Onshore Ecology and Ornithology</p>	<p>The Project does not have the potential to significantly impact any species or habitat, native or otherwise since all marine and coastal impacts have been assessed as minor adverse or negligible adverse. This is due to the use of trenchless techniques and subsequent lack of interaction with the intertidal area, and that benthic habitat impacts are limited, and of a short-term nature.</p> <p>Compliant with policy.</p>

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	d) compensate for significant adverse impacts that cannot be mitigated.	adaptation or connectivity, or native species migration. SW-BIO-2 requires proposals to manage negative effects which may significantly adversely impact the functioning of healthy, resilient and adaptable marine ecosystems. Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for significant adverse impacts, will not be supported.			
SW-BIO-3	Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, will be supported. Proposals must take account of the space	In the south west inshore marine plan area, there are numerous important coastal habitats. Increased competition for space in and around these	Screened in -	Chapter 5: Project Description	The Project is not likely to have the potential to impact on any coastal habitats or provide relevant conservation/restoration or enhancement. This is due to the planned use of trenchless techniques and subsequent lack of interaction with the

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	<p>required for coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate d) compensate for- net habitat loss. 	<p>coastal habitats in the southwest inshore marine plan area has resulted in coastal squeeze, a process where habitats have decreasing space between rigid coastal structures and rising sea level or coastal erosion. SW-BIO-3 encourages and supports proposals that deliver biodiversity gain by conserving, enhancing or restoring coastal habitats. SW-BIO-3 also requires proposals to manage net habitat loss as a result of coastal squeeze to support the functioning of healthy and resilient coastal and intertidal ecosystems.</p>			<p>intertidal area. If open-cut trenching is required within the intertidal area the impacts will be short term and reversible. Above Mean High Water Springs coastal dunes will be avoided by trenchless techniques.</p> <p>Furthermore, the Project will ensure delivery of biodiversity net gain as part of its terrestrial consent obligations regardless of whether any habitat loss has the potential to occur within the Marine Plan areas.</p> <p>Compliant with policy.</p>

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		Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for net habitat loss, will not be supported.			
SW-HAB-1	Proposals that incorporate measures to conserve deep sea habitats will be supported. Proposals that may have direct adverse impacts on deep sea habitats must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - direct adverse impacts on deep sea habitats.	Deep sea habitats in the south west offshore marine plan area are the only example of deep sea habitats in English waters. These habitats are vulnerable to change due to their slow rate of growth and recovery following disturbance and damage. SW-HAB-1 supports and encourages proposals that incorporate measures to conserve deep sea habitats. SW-HAB-1 requires proposals to manage their	Screened out - the Project does not have the potential to impact on any deep sea habitats.	N/A	Screened out

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		impacts on these habitats to support the functioning of healthy and resilient deep sea habitats. Proposals that cannot avoid, minimise and mitigate for adverse impacts will not be supported.			
SW-INNS-1	<p>Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported.</p> <p>Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species, particularly when: 1) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another</p>	The south west marine plan areas are particularly busy and, as a result, there is a high risk of introducing or spreading invasive non-native species which may damage the marine area and harm populations of native flora and fauna. SW-INNS-1 aims to avoid or minimise damage to the marine area from the introduction or transport of	Screened in	N/A	<p>The Project will commit to developing and implementing an Invasive Non Native Species Management Plan to be agreed with relevant Statutory Nature Conservation Bodies. Additional Mitigation Measures during intertidal works includes:</p> <ul style="list-style-type: none"> • Good site practice measures for managing the spread of invasive species • Good site practice measures for managing the spread of invasive species during works at watercourses • A requirement for an Ecological Clerk of Works and details of their responsibilities

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	2) introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area.	invasive non-native species. Proposals that do not put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species will not be supported. SW-INNS-1 also aims to support those projects that attempt to reduce the risk and/or introduction of invasive non-native species, such as eradication projects.			with respect to non-native invasive species. ⁷ Compliant with policy.
SW-INNS-2	Public authorities with functions to manage activities that could potentially introduce, transport or spread invasive non-native species should implement adequate biosecurity measures to avoid or	SW-INNS-2 aims to avoid or minimise the introduction and spread of marine invasive non- native species by encouraging public authorities with relevant	Screened in	N/A	The Project will commit to developing and implementing an Invasive Non Native Species Management Plan to be agreed with relevant Statutory Nature Conservation Bodies. Compliant with policy.

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	minimise the risk of introducing, transporting or spreading invasive non-native species.	functions throughout the south west to implement adequate biosecurity measures, increase awareness of invasive non-native species and provide suitable guidance to help reduce their adverse impacts on the marine environment, which could include the eradication of existing invasive species.			
SW-DIST-1	Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Disturbance and displacement from activities, including those that do not require authorisation such as tourism and recreation, can cause declines in some highly mobile species. SW-DIST-1 reduces the effects of disturbance and	Screened in	Chapter 13 Offshore Ornithology Chapter 12 Marine Mammal and Marine Turtle Ecology and all appendices Chapter 11 Fish and Shellfish	The Project's construction, operation and maintenance and decommissioning has the potential to disturb or displace seabirds, marine mammals and fish through a variety of effect pathways. Excluding underwater noise, which is discussed below, effects that have the potential to cause disturbance include physical disturbance (undertaking of construction/operation and

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		displacement by requiring proposals to manage impacts, highlighting good practice and encouraging strategic management of unauthorised activities. SW-DIST-1 enables people to appreciate marine biodiversity and act responsibly to protect and recover populations of rare, vulnerable and valued species. Proposals that cannot avoid, minimise and mitigate significant adverse impacts will not be supported.			<p>maintenance/decommissioning activities), vessel presence and presence of wind turbine generators. Numerical modelling has been undertaken to understand the significance of these impacts. For seabirds, all effects have been assessed as negligible or minor (both not significant), for marine mammals and fish all effects have been assessed as negligible, minor adverse, negligible to minor adverse or found to have no effect at all.</p> <p>Compliant with policy.</p>
SW-UWN-1	Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed	Impulsive sounds can have an adverse effect on marine life and human enjoyment of marine areas.	Screened in	N/A	<p>The Project will contribute data to the UK Marine Noise Registry.</p> <p>Compliant with policy.</p>

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	<p>requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11.</p>	<p>SW-UWN-1 supports the established noise registry to determine baselines, levels of impulsive sound and management options through the recording and assessment of the distribution and timing of impulsive sound sources in the marine environment. This will enable effective marine management and protection of biodiversity or viable populations of species.</p>			

Policy Code	Policy Text	Policy Aim	Screened In	Relevant Documents	Marine Plans Policy Assessment Result
SW-UWN-2	<p>Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate - adverse impacts on highly mobile species so they are no longer significant. <p>If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>Underwater noise levels have increased with marine space use. Noise can affect highly mobile species, including causing chronic stress and death at higher intensities. SW-UWN-2 supports management of underwater noise, requiring proposals to take appropriate noise reduction actions. SW-UWN-2 enables clear and proportionate regulation to make sure marine activity respects environmental limits and protects biodiversity.</p>	Screened in	<p>Chapter 12 Marine Mammal and Marine Turtle Ecology and all appendices</p> <p>Chapter 11 Fish and Shellfish</p>	<p>Underwater noise has the potential to impact marine mammals, turtles and fish. Underwater noise modelling has been undertaken to understand these impacts. Due to appropriate project marine mammal specific Mitigation Measures (Marine Mammal Mitigation Protocol) and a Site Integrity Plan for sites designated for marine mammals, all impacts (including disturbance related and injurious) have been assessed as negligible, minor adverse, negligible to minor adverse or found to have no effect at all. By default, marine mammal Mitigation Measures provide appropriate Mitigation Measures for fish sensitive to underwater noise.</p> <p>Compliant with policy.</p>

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SW-CE-1	Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse cumulative and/or in-combination effects so they are no longer significant.	While cumulative effects are considered in relevant assessments and decision-making, the increasing use of the marine area reinforces the need to consider and address cumulative effects of both terrestrial and maritime projects, in line with the aims set out in the UK Marine Policy Statement. In conjunction with and in support of other relevant south west plan policies, this policy is intended to ensure relevant effects, including those that may seem less significant in their own right, are taken account of and addressed. In doing so, the policy	Screened in	All chapters of both the Offshore ES and the Onshore ES	All chapters have addressed relevant transboundary impacts, where appropriate. Compliant with policy.

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		will help to ensure that the cumulative effect on the wider environment of the south west marine area and other relevant receptors are effectively managed.			
SW-CBC-1	<p>Proposals must consider cross-border impacts throughout the lifetime of the proposed activity.</p> <p>Proposals that impact upon one or more marine plan areas or terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.</p>	SW-CBC-1 requires a considered approach to enhance cross-border co-operation between the terrestrial and marine planning systems in the south west marine plan areas, the bordering English south marine plan areas, and the neighbouring jurisdictions of	Screened in	All chapters of both the Offshore ES and the Onshore ES	<p>All chapters have addressed relevant transboundary impacts, where appropriate.</p> <p>Compliant with policy.</p>

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		Wales, France, Ireland and the Bailiwick of Guernsey.			

1.2 References

Department for Environment, Food and Rural Affairs (Defra), South West Inshore and Offshore Marine Plans. June 2021.