



White Cross Offshore Windfarm ES Addendum

Appendix X: Planning Policy Clarifications



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Glossary of Acronyms

Acronym	Definition
EIA	Environmental Impact Assessment
ES	Environmental Statement
MMO	Marine Management Organisation
NDC	North Devon Council
NPS	National Policy Statement
PA2008	Planning Act 2008
TCPA	Town and Country Planning Act (1990)

Glossary of Terminology

Defined Term	Description
Environmental Impact Assessment (EIA)	Assessment of the potential impact of the proposed Project on the physical, biological and human environment during construction, operation and decommissioning.
the Offshore Project	The Offshore Project for the offshore Section 36 and Marine Licence application includes all elements 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).
the Onshore Project	The Onshore Project for the onshore TCPA application includes all elements onshore of MLWS. This includes the infrastructure associated with the offshore export cable (from MLWS), landfall, onshore export cable and associated infrastructure and new onshore substation (if required).
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.
White Cross Offshore Windfarm	100MW capacity offshore windfarm including associated onshore and offshore infrastructure
White Cross Offshore Windfarm Limited	White Cross Offshore Windfarm Ltd (WCOWL) is a joint venture between Cobra Instalaciones Servicios, S.A., and Flotation Energy Ltd
White Cross Onshore Substation	A new substation built specifically for the White Cross project. It is required to ensure electrical power produced by the offshore windfarm is compliant with NG electrical requirements at the grid connection point at East Yelland.

1.1 Introduction

1. The purpose of this document is to address consultee comments received on planning policy matters during the consultation stage of the White Cross Offshore Windfarm Project (the Onshore Project).
2. The Onshore Project is assessed in depth against policy in the submitted **Planning and Sustainability Statement**. This document provides clarification and signposting in response to consultee comments received by Braunton Parish Council and Love Braunton during the statutory consultation period, with the aim of providing assurance that the Onshore Project has been comprehensively assessed against relevant policy. This statement does not set out any new or additional assessment against policy.
3. This document focuses upon the following areas of planning policy:
 - Braunton Neighbourhood Plan;
 - North Devon and Torridge Local Plan;
 - Devon Waste Plan;
 - North Devon Biosphere; and
 - National Planning Policy.

1.2 Braunton Neighbourhood Plan

4. Braunton Neighbourhood Plan was voted in favour at the referendum held in Braunton Parish on 7th September 2023, therefore forming part of the development plan for Braunton Parish. On 4th October 2023, the Braunton Neighbourhood Plan was formally “made” by North Devon Council and therefore now forms part of the development plan for North Devon.
5. At the point of submission of the White Cross onshore planning application (18th August 2023), the Braunton Neighbourhood Plan had not been subject to referendum or formally “made” and was therefore not formally part of the development plan for Braunton Parish or North Devon. Nonetheless, White Cross Offshore Windfarm Ltd (WCOWL) acknowledged that the draft Braunton Neighbourhood Plan was at an advanced stage of the examination process an formed and important planning policy document for Braunton Parish. As such, the draft Braunton Neighbourhood Plan has been treated as a material consideration in the assessment of the proposed development. This approach aligns with the requirements of paragraph 47 of the National Planning Policy Framework (September 2023) states: “*Planning law requires that applications for planning*

permission be determined in accordance with the development plan, unless material considerations indicate otherwise".

6. Relevant policies of the Braunton Neighbourhood Plan have been considered in **Section 4.4 of the Planning and Sustainability Statement** and **Chapter 3 of the Environmental Statement** (with specific reference to **Appendix 3B: Braunton Parish Neighbourhood Plan Review**). It is noted that there is some concern amongst the consultation responses of Braunton Parish Council and Love Braunton that policies of the Braunton Neighbourhood Plan have not been fully assessed. **Table 1** of this document identifies the policies of the Braunton Neighbourhood Plan where concern has been raised by Braunton Parish Council and Love Braunton and provides clarification and signposting on their assessment within the application.

1.3 North Devon and Torridge Local Plan

7. The consultation responses received from Braunton Parish Council and Love Braunton further consider the proposed development to be incompliant with the following policies of the North Devon and Torridge Local Plan: ST09 (Coast and Estuary Strategy), Policy ST14 (Enhancing Environmental Assets), and Policy ST15 (Conserving Heritage Assets). **Table 2** of this document provides clarification on the assessment against these policies within the application.

1.4 Devon Waste Plan

8. The consultation response received from Devon County Council makes specific reference to compliance with Policy W4 of the Devon Waste Plan. **Table 3** of this document provides clarification on compliance with this policy.

1.5 The North Devon Biosphere

9. Following engagement with members of the community in North Devon during the consultation events held in May 2024, it was noted that there is some concern regarding the potential impact of the scheme on the North Devon Biosphere Reserve and the consequential implications this may have from a planning perspective.
10. Unlike other environmental designations, Biosphere Reserves are not protected under the Wildlife and Countryside Act 1981 or The Conservation of Habitats and Species Regulations 2017. Instead, Biosphere Reserves are designated by the Man and the Biosphere (MAB) Programme of UNESCO and are governed by "soft law". Member States of UNESCO commit to apply the Statutory Framework for Biosphere

Reserves and undertake a ten-yearly periodic review process for each biosphere reserve.

11. Article 3 of the Statutory Framework for Biosphere Reserves sets out the three functions of the biosphere reserve, which should be combined to support conservation and sustainable development on a regional scale:
 - **Conservation:** Contribute to the conservation of landscapes, ecosystems, species, and genetic variation;
 - **Development:** Foster economic and human development which is socio-culturally and ecologically sustainable; and
 - **Logistic Support:** Support for demonstration projects, environmental education and training, research and monitoring related to local, regional, national and global issues of conservation and sustainable development.
12. Whilst the three functions set out above are not considered to be “tests” for the consenting of new development, WCOWL consider that the Project fosters sustainable development through the provision of renewable energy development and proposing mitigation measures where needed to secure the conservation of the natural environment. Particular attention should be drawn to the support of demonstration projects in the functioning of the Biosphere Reserve.
13. Whilst there are no policies in the North Devon and Torridge Local Plan specifically directed to the North Devon Biosphere Reserve, Policy ST14 (Enhancing Environmental Assets) is referenced on the Local Plan Policy Map as the key policy related to the North Devon Biosphere Reserve. This policy has been assessed as part of the **Planning and Sustainability Statement**. Further clarification on how this policy has been addressed is set out in **Table 2** of this document.
14. Further to Policy ST14, The North Devon and Torridge Local Plan provides some explanatory commentary on the purpose and the vision for The North Devon Biosphere. The vision sets out that the purpose of the Biosphere Reserve is to provide a catalyst for achieving innovative and exemplar sustainable development. More specifically, the Local Plan sets out that harnessing appropriate opportunities for renewable energy complements the Biosphere Reserve’s objective of utilising ecosystem services to deliver sustainable development.
15. It should also be noted that Biosphere Reserves are classified into three key zones, which for the North Devon Biosphere Reserve correspond to the following (as set out by the North Devon Biosphere Reserve):

- **The Core Area:** Braunton Burrows SAC and SSSI. The vision for this area is to manage and conserve the dynamic coastal habitat features.
- **The Buffer Zone:** Taw Torridge Estuary as far as Barnstaple and Bideford. The vision for this area is careful management of natural and cultural resources.
- **The Transition Zone:** The catchment area of the rivers and streams that drain to the North Coast of Devon, extending to Lundy Island. The vision for this area is to promote sustainable lifestyles and the promotion and enhancement of the environment.

16. The Core Area comprises the same extent as the Braunton Burrows SAC and SSSI designation and as such the most highly protected area of the North Devon Biosphere Reserve has been considered in the context of planning policy, with particular reference to Policy ST14 of the North Devon and Torridge Local Plan. The remainder of the project is located within the Buffer Zone, whereby careful management of the environment is secured through compliance and assessment against relevant policies contained within the Local Plan (see **Planning and Sustainability Statement**).

1.6 National Planning Legislation

National Policy Statements

17. The consultation responses incorrectly state that National Planning Policy Statements (NPS) only relate to applications consented under the Planning Act 2008 (PA2008) and consequentially all references to these policies should be discounted.
18. Paragraph 5 of the NPPF sets out that NPS form part of the framework for national planning policy and may comprise a material consideration in the determination of planning applications.
19. Furthermore, EN-1 states that *"In England, this NPS, in combination with any relevant technology specific NPSs, may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended). Whether the policies in this NPS are material and to what extent, will be judged on a case-by-case basis and will depend upon the extent to which the matters are already covered by applicable planning policy."*
20. Whilst NPs are most commonly used as the key planning policy documents for the determination of nationally significant infrastructure projects consented under the PA2008, they carry material weight in the determination of planning applications

consented under the Town and Country Planning Act (TCPA) (1990) and as such form a relevant material consideration in the assessment of the Onshore Project.

21. Reference to the relevant NPSs was considered useful throughout the assessment of the Onshore Project given their clearly defined guidance related to the specific components of energy infrastructure development, detail of which is not contained within the NDC Local Plan.
22. A full explanation of the use of NPSs in the assessment of the application is set out in **Section 4 of the Planning and Sustainability Statement**.

Rochdale Envelope

23. The consultation responses raise concern regarding the use of the Rochdale Envelope for the design of the White Cross Onshore Substation.
24. Where appropriate, the Rochdale Envelope can be applied to applications falling under the TCPA or PA2008 regimes. It is common practice for the design of electrical infrastructure development to be submitted in “outline” form (i.e. with limited design details) to accommodate the flexibility required for their operational requirements. Design detail will be submitted to NDC for approval prior to construction, to ensure that the design detail complies with the relevant policies of the development plan. To allow for an in-principle assessment of the White Cross Onshore Substation at this stage, a **Design and Access Statement** and **Design Code** has been prepared and submitted for approval by NDC. The **Design Code** set out maximum parameters for the White Cross Onshore Substation, which cannot be exceeded or deviated from in the final detailed design.
25. The use of the Rochdale Envelope for the proposed development was agreed with NDC during pre-application engagement.
26. A full justification of the use of the Rochdale Envelope is set out in **Section 5 of the Planning and Sustainability Statement** and **Section 1.3 of the Design and Access Statement**.

Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017

27. The Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 (the Regulations) requires ES’s to provide a full factual description of the development, with the emphasis on the “main” or “significant” environmental effects to which a development is likely to give rise. Whilst WCOWL note that consultee comments suggest that the ES is too lengthy for public consultation, the

length and detail of the submitted ES and ES Addendum are considered to be proportionate to the in-depth assessment considered necessary to fully assess the potential environmental impacts of the Onshore Project. As per the requirements of the Regulations, a **Non-Technical Summary** has been submitted as part of the Environmental Statement, setting out in clear terms an overview of the Onshore Project and its likely impacts.

28. Whilst the Offshore Project is consented under a separate Marine Licence application (determined by the MMO), the offshore Environmental Statement chapters have been included as part of the onshore ES to allow Natural England, the statutory consultee for the terrestrial environment, to comprehensively assess environmental impact in the intertidal area. The intertidal area falls under the jurisdiction of both Natural England and the MMO. Similarly, details of the onshore Environmental Statement have been provided to the MMO as part of the offshore ES. This approach was agreed with NDC and the MMO prior to submission.

Table 1: Braunton Neighbourhood Plan policies identified in consultation responses

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
<p>Policy NE1 Locally Valued Sites of Biodiversity and Habitat</p>	<p>Section 4.4 Planning Statement. ES Chapter 3: Policy and Legislative Context ES Chapter 4: Site Selection and Assessment of Alternatives Appendix 5a: Taw Estuary and Braunton Burrows Crossing Method Statement Appendix 5B: Outline Construction Environmental Management Plan Appendix 16A: Biodiversity Net Gain Assessment ES Chapter 20: Onshore Landscape and Visual Amenity ES Addendum Appendix T: Onshore Ground Investigation Interpretative Report Updated Outline Construction Environmental Management Plan including Annex 3 Outline Bentonite Management Plan</p>	<p>Concerns raised regarding the use of bentonite and the potential pollution risk to both land and water, particularly in relation to the nearby SSSI designations.</p>	<p>An assessment of the risk of bentonite breakout associated with the trenchless crossings is provided with the Taw Estuary and Braunton Burrows Crossing Method Statement submitted with the application (Appendix 5A of the Onshore ES). Following the completion of the onshore site investigation works this assessment has been updated, taking account of the new information from the site investigation. The Onshore Ground Investigation Interpretative Report, submitted as Appendix T to this ES Addendum, confirms the original assessment that there is no significant risk of a break out across the bore profiles, and that any risks where the profiles being to rise can be managed with general working methodologies.</p> <p>A revised Outline Construction Environmental Management Plan (OCEMP) has been prepared and will be submitted as a standalone document as part of the package of further environmental information. The OCEMP sets out overarching environmental management practices during the construction phase. A detailed Construction Environmental Management Plan (CEMP) will be secured by planning condition, for submission and approval prior to commencement of construction.</p> <p>An Outline Bentonite Management Plan detailing the management practices should a bentonite breakout occur has been prepared as an Annex 3 to the revised OCEMP..</p> <p>These management plans are common practice for offshore windfarms.</p>
<p>Policy NE2 Protection of the Caen Valley Bats SSSI and the Parish Bat Population</p>	<p>Section 5 Planning Statement ES Chapter 4: Site Selection and Assessment of Alternatives ES Chapter 16: Onshore Ecology and Ornithology Appendix 20D: Lighting Impact Assessment ES Addendum Appendix A Annex 4: High Tide Roost Locations ES Addendum Appendix H: Supplementary Bat Activity Survey Report (Saunton Road) ES Addendum Appendix I: Approach to Bat Mitigation ES Addendum Appendix O: Lighting Impact Assessment</p>	<p>It is considered that the bat surveys undertaken do not illustrate the disturbance threat to the bat population, or take into account the potential cumulative impact of the project. The potential light pollution from construction activity does not appear to have been considered.</p>	<p>An assessment of the impact on bat populations and more specifically, impact on Caen Valley Bats SSSI is included in ES Chapter 16: Onshore Ecology and Ornithology. Potential cumulative effects are considered in Section 16.8 of ES Chapter 16. A summary of the approach to bat mitigation, including the results of additional bat surveys undertaken in April and May 2024, is set out in ES Addendum Appendix H: Supplementary Bat Activity Survey Report (Saunton Road) and ES Addendum Appendix I: Approach to Bat Mitigation.</p> <p>A qualitative lighting impact assessment covering impacts to onshore landscape and visual amenity from the operation of the White Cross Onshore Substation was submitted as part of the application (Appendix 20D). A quantitative lighting impact assessment is included as part of the ES Addendum submission (ES Addendum Appendix O). Appendix O sets out detailed lighting calculations and modelling of the proposed lighting levels and sets out recommendations in relation to proposed lighting levels and warmth of lighting in relation to bat populations, in accordance with relevant bat guidance.</p>

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
Policy NE3 Protecting and Increasing the Parish's Biodiversity	Section 4.4 Planning Statement Section 5 Planning Statement Appendix 16A: Biodiversity Net Gain Assessment ES Addendum Appendix A Annex 3: Notable Plant Species (including Petalwort Locations) ES Addendum Appendix L: Petalwort Desk-Based Assessment and Survey Report	Concern regarding the potential unacceptable biodiversity loss across three habitat modules. It is considered that the proposed mitigation strategy is unlikely to increase the BNG by the required minimum of 10% BNG. It is noted that the proposed S106 has not been submitted with the application and the strategy for 10% BNG has not yet been written.	As per the requirements of Policy NE3, a 10% biodiversity net gain will be provided on-site or off-site if it can't be provided on-site, subject to legal agreements with a third-party landowner. Details are provided in the Biodiversity Net Gain Assessment submitted as Appendix 16.A to the Onshore ES. As per the requirements of the NDC Validation Checklist, a draft S106 Heads of Terms was provided to NDC upon submission of the application. It is standard practice that draft S106 agreements are not published on the public planning register. Throughout the determination period, the S106 requirements (including biodiversity net gain provision) will be negotiated with NDC. The S106 agreement will commit the developer to submitting a Biodiversity Gain Plan for approval prior to the delivery of the proposed development.
Policy NE4 Protecting Devon Banks, Hedgerows and Trees	Section 4.4 Planning Statement Section 5 Planning Statement ES Chapter 3: Policy and Legislative Context ES Chapter 16: Onshore Ecology and Ornithology Appendix 16A: Biodiversity Net Gain Assessment Appendix 16R: Arboricultural Impact Assessment Chapter 20: Onshore Landscape and Visual Amenity ES Addendum Appendix N: Outline Landscape and Ecological Management Plan	Concern that the proposed development will result in a hedgerow loss of -36.52%.	An Arboricultural Impact Assessment (Appendix 16.R) has been submitted as part of the Onshore ES, which identifies arboricultural removals and pruning required to facilitate construction. The assessment concludes that subject to the implementation of tree protection measures, there will be no foreseeable construction impacts. Where possible, removed trees and hedgerows will be reinstated. In accordance with the policy requirements, the project has committed to 10% biodiversity net gain. Section 4.2 and Appendix 16.A Biodiversity Net Gain Assessment of ES Chapter 16: Onshore Ecology and Ornithology sets out that a provision of +37.85% hedgerow units will be required in order to secure 10% biodiversity net gain, equating to 16 additional hedgerow units on top of the hedgerows already proposed for reinstatement. An Outline Landscape and Ecological Management Plan (OLEMP) outlining the relevant mitigation and maintenance requirements for replacement tree and hedgerow planting is provided in Appendix N to the ES Addendum .
Policy NE6 Protection of Landscape Character	Section 4.4 Planning Statement Section 5 Planning Statement ES Chapter 3: Policy and Legislative Context ES Chapter 20: Onshore Landscape and Visual Amenity	Considered that the proposed development and associated construction works will have a negative impact upon the landscape and in particular landscapes 2, 3 and 7 as detailed in the Neighbourhood Plan (Parish Character Assessment).	ES Chapter 20: Onshore Landscape and Visual Amenity sets out an extensive landscape visual assessment against several visual receptors. Visualisation models have also been submitted, which illustrate the White Cross Onshore Substation within the existing context and within the context of matured mitigation planting. The assessment concludes that whilst there will be some significant visual effects during the construction and initial stages of the operational phase, there will be no residual significant effect once mitigation planting has matured. The consultee response from North Devon AONB confirms that whilst the proposed development will result in major to moderate adverse visual impact during the construction phase, these impacts will reduce to moderate-minor adverse during the operational phase and are therefore not

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
			considered to be significant. North Devon AONB also acknowledges that any harmful effects on the AONB will need to be balanced against the longer term benefits of the scheme in terms of climate change mitigation.
Policy NE7 Protection of Parish's Strategic Nature Areas	Section 4.4 Planning Statement Section 5 Planning Statement ES Chapter 3: Policy and Legislative Context ES Chapter 16: Onshore Ecology and Ornithology ES Addendum Appendix A Annex 3: Notable Plant Species (including Petalwort Locations) ES Addendum Appendix A Annex 4: High Tide Roost Locations ES Addendum Appendix A Annex 6: Onshore Designated Sites and Main Environmental Constraints ES Addendum Appendix A Annex 7: National Vegetation Classification at Saunton Sands ES Addendum Appendix H: Supplementary Bat Activity Survey Report (Saunton Road) ES Addendum Appendix I: Approach to Bat Mitigation ES Addendum Appendix J: Wintering Bird Survey Report (Braunton Marsh and River Taw) ES Addendum Appendix K: Approach to Lapwing Mitigation ES Addendum Appendix L: Petalwort Desk-Based Assessment and Survey Report	Concern regarding impact on Parish Strategic Nature Areas, which are identified in the Neighbourhood Plan. Link with concern regarding lack of compliance with Policies NE3 and NE4, as detailed above.	Extensive assessment of the potential impact on ecological receptors (including designated sites and the Parish's Strategic Nature Areas) that could be affected as a result of direct and indirect impacts during the construction and operational phases of the development are contained within ES Chapter 16: Onshore Ecology and Ornithology . The residual impact following implementation of the proposed mitigation measures is assessed to be neutral, negligible or minor adverse. The submitted ES Addendum includes a range of appendices providing further assessment of a number of topics identified by Natural England in their statutory consultation response. It is considered that the additional assessment undertaken by WCOWL demonstrates further compliance with Policy NE7.
Policy NE8 Water Courses and Drainage	Section 4.4 Planning Statement Section 5 Planning Statement ES Chapter 3: Policy and Legislative Context ES Chapter 14: Water Resources and Flood Risk Appendix 5D: Outline Drainage Strategy ES Addendum Appendix A Annex 2: Hydrogeology Technical Note ES Addendum Appendix C: Response to Environment Agency ES Addendum Appendix D: Flood Risk Assessment ES Addendum Appendix E: Outline Drainage Strategy ES Addendum Appendix G: Hydrogeological Risk Assessment Updated Outline Construction Environmental Management Plan	Concern regarding the potential impacts that construction work could have on the water courses and drainage along the proposed route and the lack of specific mitigation details.	It is noted that the key concern raised in the responses in relation to Policy NE8 surrounds lack of detail on proposed mitigation measures. ES Chapter 14 Table 14.9 outlines the embedded mitigation measures, which have been informed by IEMA guidance on primary and tertiary mitigation. Embedded mitigation measures have further been informed by relevant Environment Agency guidance, which is referenced in Table 14.9. Further mitigation measures are set out in Section 14.5 and Section 14.6 of ES Chapter 14 , which have been informed by IEMA guidance on secondary legislation. An Outline Drainage Strategy and an Outline Construction Environmental Management Plan were submitted with the original application, outlining the approach to drainage and construction management respectively. Detailed versions of these documents will be secured by condition and submitted prior to the construction of the proposed development. Submission of construction and environmental management control documents in outline form is common practice. An updated Outline Drainage Strategy has been submitted with the ES Addendum (ES Addendum Appendix E). An updated Outline Construction Environmental Management Plan (OCEMP) has been prepared and will be submitted as a standalone document as part of the package of further environmental information WCOWL have engaged with the Environment Agency following receipt of their statutory consultation response, which has resulted in an updated flood risk assessment (ES

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
Policy BE4 Adoption of Appropriately Scaled Renewable Energy	Section 4.4 Planning Statement Section 5 Planning Statement ES Chapter 3: Policy and Legislative Context ES Chapter 4: Site Selection and Assessment of Alternatives Appendix 15A: Outline Public Rights of Way Strategy ES Chapter 16: Onshore Ecology and Ornithology ES Chapter 18: Noise and Vibration ES Chapter 20: Onshore Landscape and Visual Amenity Cable Specification and Installation Plan (CSIP) including Outline Cable Landfall Plan	The responses raise concern in relation to Policy BE4 regarding the potential impact of the development on: local amenity, access to public rights of way and temporary loss of car parking spaces at Saunton car park during the construction period. These are topic areas identified in the policy text of Policy BE4.	<p>Addendum Appendix D) (also see ES Addendum Appendix C: Response to Environment Agency).</p> <p>As per the policy text, local amenity is defined as including noise, visual amenity, vibration, electromagnetic interference and reflection. The consultee response from the Environmental Health Officer (EHO) raises no objection in relation to vibration and electromagnetic interference.</p> <p><u>Noise</u> The EHO considers that the White Cross Onshore Substation noise emissions will likely be acceptable subject to further substation design, noise mitigation and noise assessment works secured by planning conditions, however the EHO has requested further consideration of the live planning application (NDC application ref. 77453) adjacent to the site. WCOWL is working to include consideration of this application in the noise assessment.</p> <p><u>Visual amenity</u> With regards to visual amenity, ES Chapter 20: Onshore Landscape and Visual Amenity concludes that the White Cross Onshore Substation will result in no residual significant effect once the proposed mitigation planting has matured. Furthermore, the consultee response from North Devon AONB determines that whilst the Onshore Project will result in major to moderate adverse visual impact during the construction phase, these impacts will reduce to moderate-minor adverse during the operational phase and are therefore not considered to be significant. North Devon AONB also acknowledges that any harmful effects on the AONB will need to be balanced against the longer term benefits of the scheme in terms of climate change mitigation.</p> <p><u>Reflection</u> Local amenity impacts regarding reflection are not considered relevant to the proposed development.</p> <p><u>Recreational routes</u> There will be some disruption to recreational routes during the construction phase, including some temporary closures, an Outline Public Rights of Way Strategy was submitted with the planning application (ES Appendix 15A). This will be further developed as part of the detailed design and it is expected that there will be a planning condition requiring approval of this updated document prior to the commencement of construction. After the completion of the construction works, all recreational routes would be reinstated to their original condition therefore resulting in no permanent impact.</p> <p><u>Temporary loss of car parking</u> With regards to the temporary loss of car parking, the proposed development will utilise an area of Saunton car park to host the construction compound during the construction phase. Saunton Car Park will not be closed, or access to the beach restricted, at any point during the</p>

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
			<p>construction phase. Use of the car park for this purpose would only be restricted to the construction phase and would result in no permanent loss of car parking spaces during the operational phase.</p> <p>Further detail of the phasing of the proposed works at landfall, including how the works in the car park will be undertaken in order to minimise the temporary loss of parking spaces, is provided in an Outline Cable Landfall Plan (OCLP) which forms part of the Cable Specification and Instillation Plan (CSIP) which has been submitted as a standalone document alongside this ES Addendum in response to the request for further environmental information</p> <p>WCOWL are aware of the high level of usage at Saunton car park and are currently investigating further mitigation measures.</p>
Policy BE9 Vehicle Movement Assessments	ES Chapter 3: Policy and Legislative Context (Screened out) ES Chapter 19: Traffic and Transport Appendix 19A: Transport Assessment Appendix 19B: Outline Construction Traffic Management Plan	<p>Concern regarding the transport assessment against the requirements of Policy BE9.</p> <p>Concern regarding the impact of additional traffic on the safety of pedestrians and other road users within the community.</p>	<p>Policy BE9 is only applicable to “major housing, employment and retail developments and the expansion of existing employment and retail premises” and is therefore not applicable to the proposed development.</p> <p>Nonetheless, the applicant has prepared a Transport Assessment forming part of ES Chapter 19: Traffic and Transport which comprehensively assesses the potential traffic and transport impacts during the construction phase of the development. An Outline Construction Traffic Management Plan (Appendix 19B) has been prepared to secure appropriate traffic management measures during the construction phase in order to reduce adverse impact on the local road network.</p> <p>Devon County Council’s statutory consultee response confirms that the submitted transport assessment is considered to be acceptable, and requests the inclusion of a condition securing a detailed Construction Traffic Management Plan prior to the commencement of the development.</p>
Policy BE10 Improving Transport Accessibility and Connectivity	Section 4.4 Planning Statement Section 5 Planning Statement ES Chapter 3: Policy and Legislative Context ES Chapter 19: Traffic and Transport Appendix 19A: Transport Assessment Appendix 19B: Outline Construction Traffic Management Plan	<p>Concern regarding the impact of construction traffic on the local road network, particularly the junction of A361/ Caen Street and the approach road and access road for Saunton Beach.</p>	<p>It is acknowledged that the responses raise significant concerns regarding the potential construction traffic impacts in Braunton, particularly at the junction of A361/ Caen Street and at the access of Saunton Beach/ car park.</p> <p>Traffic and transport impacts have been assessed in ES Chapter 19: Traffic and Transport and a range of mitigation measures have been proposed following consultation with Devon County Council Highways. It is proposed that all traffic and road safety impacts will be mitigated through the submission of an Outline Construction Traffic Management Plan (ES Appendix 19B), including measures such as: sensitive management of the construction phase to avoid traffic impacts during the busiest times of the year, timings of deliveries to avoid the sensitive times of day, and the creation of a temporary access from the B2331 to avoid HGVs travelling along narrow local road. Further detail</p>

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
			<p>on these measures are set out in Appendix 19B: Outline Construction Traffic Management Plan.</p> <p>Devon County Council's statutory consultee response confirms that the submitted transport assessment is considered to be acceptable, and requests the inclusion of a condition securing a detailed Construction Traffic Management Plan prior to the commencement of the development.</p> <p>It is acknowledged that there is some concern regarding the level of detail included in the Outline Construction Traffic Management Plan. A detailed Construction Traffic Management Plan will be required by planning condition and submitted to NDC for approval prior to the commencement of construction. This approach is common practice for many development types.</p>
Policy BE11 Protecting Existing Car Parking Capacity for Public Use	ES Chapter 3: Policy and Legislative Context ES Chapter 21: Socio-Economics (including Tourism and Recreation)	It is considered that there have been no mitigations for the loss of parking, which will potentially cause increased congestion along the B3231.	<p>Policy BE11 applies only to the car parks listed in the policy text and identified in Map S of the Neighbourhood Plan. The proposed development will not impact any of these car parks by virtue of its location, and therefore Policy BE11 is not considered applicable.</p> <p>Nonetheless, it is acknowledged that the proposed development will result in some temporary impact at Saunton car park during the construction phase. Whilst not a requirement of Policy BE11, Chapter 21: Socio-Economics (including Tourism and Recreation) considers the temporary impacts to users of Saunton car park. WCOWL are aware of the high level of usage at Saunton car park and are currently investigating further mitigation measures.</p>
Policy BE12 Protection and Improvement of Air Quality	Section 5 Planning Statement ES Chapter 13: Air Quality ES Chapter 22: Human Health	Considered that the applicant should carry out an air quality survey in respect of PM2.5 and PM10 levels across the proposed cable corridor and construction traffic routes, paying particular regard to Braunton's AQMA.	The consultee response from the Environmental Health Officer accepts the findings and recommendations of the ES in terms of air quality impacts and has recommended that further mitigation measures are secured through submission of a CEMP.
Policy BE13 Protect and Promote Dark Skies	Design and Access Statement Design Code ES Chapter 5: Project Description ES Chapter 20: Onshore Landscape and Visual Amenity ES Addendum Appendix O: Lighting Impact Assessment	The responses raise specific concern regarding the submitted Lighting Impact Assessment, identifying that the report only assesses the substation element of the scheme and that further consideration should be made for the illumination of the construction compounds during the construction phase.	<p>Any construction phase impacts will be of a temporary nature and restricted to the construction phase of the development.</p> <p>A quantitative lighting impact assessment has been prepared (ES Addendum Appendix O), which sets out calculations and modelling of the proposed operational and construction lighting levels at a worst-case scenario. The lighting impact assessment further sets out recommendations for how lighting levels can be further minimised. A detailed lighting impact assessment will be secured by planning condition.</p>

Table 2: North Devon and Torridge Local Plan policies identified in consultation responses

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
Policy ST09 Coast and Estuary Strategy	<p>Section 5 Planning Statement</p> <p>Design Code</p> <p>ES Chapter 4: Site Selection and Assessment of Alternatives</p> <p>ES Chapter 14: Water Resources and Flood Risk</p> <p>Appendix 14C: Flood Risk Assessment</p> <p>ES Chapter 15: Land Use</p> <p>ES Chapter 21: Socio-Economics (including Tourism and Recreation)</p> <p>Appendix 15A: Outline Public Rights of Way Strategy</p> <p>ES Chapter 16: Onshore Ecology and Ornithology</p> <p>Appendix 6A: Report to Inform Appropriate Assessment</p> <p>ES Chapter 20: Onshore Landscape and Visual Amenity</p> <p>Offshore ES Chapter 5: Project Description</p>	<p>Planning permission in the AONB and protected areas should be refused for major development other than in exceptional circumstances and is deemed inappropriate for the Heritage Coast. Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to planning issues.</p> <p>The undeveloped parts of this coastal zone are a finite resource, and their unspoilt character, appearance and tranquillity will be protected against development not related to the coast or not providing benefits for the local community.</p> <p>Planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.</p> <p>In addition, the Local Plan states that onshore facilities and operations required to maintain and service large-scale offshore renewable energy proposals will be supported within an existing port, where the port's existing operations and responsibilities are not compromised</p>	<p><u>AONB</u></p> <p>ES Chapter 20: Onshore Landscape and Visual Amenity has undertaken a robust assessment of the potential impact of the Onshore Project on the AONB and the surrounding landscape. The assessment concludes that during the construction phase of the development, the LVIA found major moderate significant adverse landscape character effects within a highly localised area. During the operational and maintenance phase of the development, effects within the same localised area would reduce to moderate significant adverse.</p> <p>It is considered that these localised effects would not result in overall adverse impact on the special qualities of the North Devon Coast AONB. No significant effects are found on the Special Qualities of the North Devon Coast AONB, or the North Devon Heritage Coast, as a result of construction of the Onshore Export Cable.</p> <p>A Design Code has been submitted outlining design principles for the detailed design of the White Cross Onshore Substation, with a view to reduce the visual impact scheme. The North Devon AONB consultee response sets out that whilst there will be harmful effects from the development on the AONB and its setting, the immediate effects need to be balanced against the longer term benefits of the scheme, through the provision of renewable energy.</p> <p><u>Development in the coastal zone</u></p> <p>Policy ST09 sets out that development located within the undeveloped coast and estuary will be supported where it does not detract from the unspoilt character, appearance and tranquillity of the area, and cannot be reasonably located outside of this area. Section 5 of the Planning Statement sets out that due to the nature of the scheme, it is essential for the Onshore Project to be located within the Coastal and Estuarine Zone to allow for the offshore export cables to come ashore and connect into the distribution network at the existing East Yelland substation. It is also essential for the proposed White Cross Onshore Substation to be constructed in close proximity to the East Yelland substation as part of the electrical export system for the Project and to minimise the length of underground export cable required. It is therefore considered that the Onshore Project cannot be reasonably located outside of this area.</p> <p>A Design Code has been submitted outlining design principles for the detailed design of the White Cross Onshore Substation, with a view to reduce the visual impact of the scheme.</p> <p><u>Cumulative effects</u></p> <p>The environmental impact of the Onshore Project has been assessed on a topic-by-topic basis in each chapter of the ES. Each ES Chapter includes a section on the cumulative impact of the project. ES Chapter 25 Inter-relationships assesses the inter-relationships between each receptor or receptor group identified in the technical chapters contained within the ES. It is therefore considered that the Onshore Project has been appropriately assessed in terms of its potential cumulative impact.</p> <p><u>Use of existing ports and jetties</u></p> <p>Policy ST09 sets out that onshore facilities for operational servicing of offshore renewable energy proposals will be facilitated by existing ports where they do not harm environmental and heritage assets, and do not prejudice the current operational effectiveness of the port.</p> <p>Details relating to the port / harbour to be used to service the offshore windfarm forms part of the offshore planning application Chapter 5 Project Description of the Offshore ES, however at the time of submission no decision had been made over which port / harbour to use for the operational servicing. In addition, it will be responsibility of the port / harbour operator to identify and secure any consents or planning permissions required, although</p>

			WCOWL are actively engaging with existing ports in northern Devon to identify any that are suitable for use for the operational servicing of the windfarm and further will work with the operator to secure the necessary permissions and to ensure they are fully compliant with planning policy. This approach is common practice for applications for offshore windfarms where the decision over which port / harbour to use will not be made until later in the design process.
Policy ST14 Enhancing Environmental Assets	<p>Section 5 Planning Statement</p> <p>ES Chapter 4: Site Selection and Assessment of Alternatives</p> <p>ES Chapter 15 Land Use</p> <p>ES Chapter 16: Onshore Ecology and Ornithology</p> <p>Appendix 6A: Report to Inform Appropriate Assessment</p> <p>Appendix 16A: Biodiversity Net Gain Assessment</p> <p>ES Chapter 20: Onshore Landscape and Visual Amenity</p> <p>ES Addendum Appendix A Annex 3: Notable Plant Species (including Petalwort Locations)</p> <p>ES Addendum Appendix A Annex 4: High Tide Roost Locations</p> <p>ES Addendum Appendix A Annex 6: Onshore Designated Sites and Main Environmental Constraints</p> <p>ES Addendum Appendix A Annex 7: National Vegetation Classification at Saunton Sands</p> <p>ES Addendum Appendix H: Supplementary Bat Activity Survey Report (Saunton Road)</p> <p>ES Addendum Appendix I: Approach to Bat Mitigation</p> <p>ES Addendum Appendix J: Wintering Bird Survey Report (Braunton Marsh and River Taw)</p> <p>ES Addendum Appendix K: Approach to Lapwing Mitigation</p> <p>ES Addendum Appendix L: Petalwort Desk-Based Assessment and Survey Report</p>	<p>Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.</p>	<p>ES Chapter 4 Site Selection and Assessment of Alternatives sets out the methodology for cable routing optioneering and the avoidance of routing the cable through the SSSI designations.</p> <p>ES Chapter 16 Onshore Ecology and Ornithology establishes the onshore ecological receptors that could be affected (with and without mitigation) as a result of direct and indirect impacts during the construction, operational and decommissioning phases of the development. Temporary disturbance to birds using the Taw/ Torridge SSSI are anticipated, however this is concluded to be on minor residual impact. The likelihood of an effect on the Braunton Burrows SAC/SSSI is considered to be very low; in the unlikely event that an impact occurred through frac-out, the effect is anticipated to be very localised.</p> <p>The submitted ES Addendum includes a range of appendices providing further assessment of a number of topics identified by Natural England in their statutory consultation response.</p>
Policy ST15 Conserving Heritage Assets	<p>Section 5 Planning Statement</p> <p>ES Chapter 17: Cultural Heritage</p> <p>ES Addendum Appendix M: Archaeological Trial Trenching Report</p>	<p>Exact concern regarding policy compliance unclear, but assumed all aspects of the policy and potential for cumulative impact.</p>	<p><u>Assessment of potential impacts</u></p> <p>ES Chapter 17 Cultural Heritage concludes that some potential impacts on onshore archaeology and cultural heritage have been identified, however following the implementation of additional mitigation measures, it is not anticipated that there will be predicted residual effects on the heritage significance of the heritage assets greater than a minor adverse significant effect.</p> <p>Following consultation with Devon County Council (DCC), WCOWL an Archaeological Trial Trenching Report will be submitted as Appendix M to the ES Addendum. This report will be used to inform the final scope of archaeological work. Subject to the submission of this report, DCC recommend that the submission of a Written Scheme of Investigation is secured by condition and submitted for approval prior to the commencement of development.</p> <p><u>Cumulative impacts</u></p> <p>The assessment of potential impacts on heritage assets includes the assessment of cumulative impacts, which are detailed in Section 17.9 of ES Chapter 17 Cultural Heritage.</p>

Table 3: Devon Waste Plan policies identified in consultation responses

Policy	Relevant application documents	Concern raised in consultation comment	Clarification
Policy W4: Waste Prevention	ES Chapter 5 Appendix 5B: Outline CEMP (including Waste Audit Statement) Waste Audit Statement Outline Construction Environment Management Plan (Outline CEMP) (WHX001-FLO-CON-ENV-PLN-0010) Annex 1 Waste Audit Statement	Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement. This ensures that waste generated by the development during both its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance.	Outline Construction Environment Management Plan (Outline CEMP) (WHX001-FLO-CON-ENV-PLN-0010) provided as part of the Further Environmental Information submission includes an updated version of the submitted Waste Audit Statement (Annex 1), which provides additional information in regards to the management of waste on site during construction.
Policy W10: Protection of Waste Management Capacity	ES Chapter 5 Appendix 5B: Outline CEMP (including Waste Audit Statement) Waste Audit Statement Outline Construction Environment Management Plan (Outline CEMP) (WHX001-FLO-CON-ENV-PLN-0010) Annex 1 Waste Audit Statement	Reference made to the requirement to assess the scheme against policies contained within the Devon Waste Plan.	The White Cross Onshore Substation site is located directly adjacent to the former Yelland Quay Waste Transfer site, which is designated as an "existing and permitted waste site" under Policy W10 of the Devon Waste Plan. Policy W10 states that planning applications for non-waste development adjacent or close to a waste management should not prevent or restrict the operation of the existing or permitted waste management facility. The site on which the former Yelland Quay Waste Transfer site is located is subject to an approved planning permission for mixed used development (application ref. 60823) thus changing the use of the land and confirming that the site will no longer be used as a waste transfer facility. It is therefore considered that Policy W10 is no longer relevant.