

# **Dogger Bank C/Sofia Onshore Works Application Planning Statement**



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# 1 Introduction

## 1.1 Purpose of the Report

This Planning Statement is submitted to support the planning application (the Application) made by Doggerbank Offshore Wind Farm Project 3 Projco Limited (the Projco) and Sofia Offshore Wind Farm Limited (SOWFL) (the Applicants), for consent pursuant to Section 62 of the Town and Country Planning Act 1990 as amended<sup>1</sup>.

The aim of the Planning Statement is to provide information to aid the determination of this Application by Redcar and Cleveland Borough Council (RCBC) and comprises of the following Sections:

- Introduction;
- The Development;
- Planning Policy Framework;
- Assessment of the Development Plan;
- Material Considerations; and
- Conclusion.

The Design and Access Statement has been attached as Appendix A and the Statement of Community Involvement as Appendix B.

## 1.2 The Development

The Application comprises the five areas of alternative or additional infrastructure to the consented 9 kilometres (km) of buried onshore grid connection spanning from the landfall for Dogger Bank Wind Farm C and Sofia Offshore Wind Farm to the National Grid at Lackenby Substation (the DCO Cable Route). The five areas of alternative or supplementary infrastructure to the DCO Cable Route are referred to as “the Development”.

## 1.3 The Site and its Surroundings

The Site, as shown in Figure 1.2 (a – c), is the area covering ‘the Development’ as defined above and in total comprises 20.60 hectares (ha).

This Statement is accompanied by the following appendices and figures:

- Figure 1.1 - Site Location;
- Figure 1.2 (a – c) - Site Layout;
- Figure 1.3 (a – c) – Types of Ancillary Works;
- Figure 5.1 - Retaining Works Indicative Layout;
- Figure 5.2– CC C Indicative Layout; and
- Figure 5.3 – CC H Indicative Layout.

<sup>1</sup> UK Government (1990) Town and Country Planning Act 1990 [Online] Available at: <http://www.legislation.gov.uk/ukpga/1990/8/contents> (Accessed on 11/05/2020)

## 1.4 Planning History

In March 2014, an application was submitted to the Planning Inspectorate under the Planning Act 2008, for the construction and operation of the Dogger Bank Wind Farm C (previously known as Dogger Bank Teesside A Offshore Wind Farm) and Sofia Offshore Wind Farm (previously known as Dogger Bank Teesside B Offshore Wind Farm) located in the North Sea between 125 km and 290 km off the UK North East coast.

Dogger Bank Teesside A&B Offshore Wind Farm C Development Consent Order (DCO) was granted by the Secretary of State for Energy and Climate Change on 5<sup>th</sup> August 2015. The 2015 DCO awards consent for all infrastructure required for delivering two independent offshore wind farms, including all offshore and onshore transmission infrastructure necessary to export the electricity generated into the existing Lackenby Substation. Both Dogger Bank Wind Farm C (DB-C) and Sofia Offshore Wind Farm are progressing towards construction following successful award of a Contract for Difference in the UK Government's 2019 auction.

Applications for non-material changes for both parts of DB-C have been made to increase generating capacity. The development of the Sofia Offshore Windfarm launched an application on 18<sup>th</sup> June 2018 to increase its generating capacity from 1.2 GW to 1.4 GW, gaining consent in March 2019. A similar non-material change application for Dogger Bank Teesside A Offshore Wind Farm was made on 27<sup>th</sup> November 2019.

In November 2015, an application for Outline Planning Permission was submitted to RCBC for the installation of underground sections of high voltage cables<sup>2</sup> associated with the Dogger Bank Teesside A and B Offshore Wind Farms. Although granted conditional outline planning permission on 26<sup>th</sup> April 2016, the permission has no implications for the current application.

## 2 Project Description

### 2.1 Overview

The Development consists of the installation of adjacent underground high voltage electrical cables and ancillary works to connect the Dogger Bank Wind Farm C and Sofia Offshore Wind Farms with the National Grid at Lackenby Substation within five areas, comprising (a) land south of Cat Flatt Lane, crossing A174 Road and east of Grewgrass Lane; (b) land south of Kirkleatham Memorial Park; (c) land south east of A174 and A1042 roundabout, crossing A174 and connecting with access to Wilton International; (d) land within Wilton International site, south of Wilton Southway and an area north west of Wilton Southway; and (e) land approximately south of Greystoke Road connecting with the Lackenby Substation. Formation of up to nine temporary construction compounds; up to five temporary access points; a temporary haul route for construction purposes; construction of a retaining wall and reprofiling of existing bund with surplus spoil.

## 3 Planning Policy Framework

### 3.1 Introduction

The Town and Country Planning Act 1990 Section 70(2) states that:

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<sup>2</sup> Local Planning Authority Reference R/2015/0678/OOM

*“In dealing with such an application the authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.”*

The Planning and Compulsory Purchase Act 2004 forms an amendment to the Town and Country Planning Act 1990. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

*“If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

The National Planning Policy Framework (2019) reinforces the statutory position that the development plan must be the starting point for decision taking, and where a proposal conflicts with an up to date plan, permission should usually not be granted. It follows that the process for determining a planning application can be defined as:

- Identification and consideration of the key provisions within the Development Plan;
- Clarification of whether the Development is in conformity with the Development Plan;
- Identification and consideration of relevant material considerations; and
- Conclusions on whether planning permission is justified.

The relevant policies in the Development Plan policies are described, and the proposed Development assessed against the overarching principle in Development Plan. The compliance with the Development Plan Policies by key topic is then set out within Section 4 of this Statement.

### 3.2 Redcar and Cleveland Local Development Plan – Adopted May 2018

The relevant Development Plan for the Site consists of the Redcar & Cleveland Borough Council Local Development Plan (RCBC LDP) (2018) and the Tees Valley Joint Minerals and Waste Development Plan Documents of the Minerals and Waste Core Strategy DPD (2011) Mineral and Waste policies and Sites DPD (2011) and supplementary planning documents ('SPD') including the Landscape Character SPD (2010).

The RCBC LDP was adopted in May 2018 and the Proposals Map shows that the Development is not within any designated areas (statutory and non-statutory). The RCBC LDP does not contain any policies specific to underground electricity cables or the location of the Development. However; there are a number of applicable policies and Table 1 below provides a guide to where the most relevant RCBC LDP Policies can be found in this Statement. Table 2 provides an assessment of the compliance of the Development with the Overarching Policies in the RCBC LDP. The full policy wording has not been repeated in this Statement. However it is available in the RCBC LDP which can be accessed online<sup>3</sup>.

**Table 1: Guide to Policy Considerations**

RCBC LDP Policy	Environmental Topic	Addressed in the Planning Statement
Policy SD 1: Sustainable Development	Environment; Landscape; Sustainability; Design	4.2, 4.3
Policy SD 3: Development Limits	Environment; Sustainability; Design;	4.2

<sup>3</sup> Redcar and Cleveland Local Plan adopted May 2018 <https://www.redcar-cleveland.gov.uk/resident/planning-and-building/strategic%20planning/Documents/Local%20Plan%20Adopted%20May%202018.pdf> (accessed on 23/06/2020)

RCBC LDP Policy	Environmental Topic	Addressed in the Planning Statement
Policy SD 4: General Development Principles	General Amenity; Historic Environment; Landscape; Biodiversity and Geodiversity; Sustainability; Noise; Light; Land Quality; Traffic and Transport; Tourism, Sustainability; Hydrology	4.2, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11
Policy SD 6: Renewable and Low Carbon Energy	Renewable Development; Environment; Landscape	4.2, 4.3, 4.6
Policy SD 7: Flood and Water Management	Hydrology	4.5
Policy LS 3: Rural Communities Spatial Strategy	Sustainability; Landscape; Environment	4.6, 4.12.1
Policy LS 4: South Tees Spatial Strategy	Land Quality	4.9
Policy ED 6: Promoting Economic Growth	Sustainability; Environment; Employment, Land Quality	4.2, 4.9
Policy N 1: Landscape	Landscape	4.2, 4.3, 4.6
Policy N 2: Green Infrastructure	General Amenity; Environment; green wedge	4.5, 4.6, 4.9
Policy N 4: Biodiversity and Geological Conservation	Biodiversity and Geodiversity	4.2, 4.3
Policy HE 2: Heritage Assets	Historic Environment	4.4, 4.6
Policy HE 3: Archaeological Sites and Monuments	Historic Environment	4.4
Policy TA 1: Transport and New Development	Traffic and Transport, Environment, Sustainability	4.10
Policy MWC 4: Safeguarding of Minerals Resources from Sterilisation	Mineral Resources	4.2, 4.12.2
Policy MWC 6: Waste Strategy	Waste Strategy	4.9

### 3.3 Overarching Principle

The overall aim is for the Tees Valley to become a high-value, low-carbon, diverse and inclusive economy<sup>4</sup>. The vision of the RCBC LDP is that:

*“the needs and aspirations of our communities will be met through the delivery of sustainable development across the Borough”.*

<sup>4</sup> Tees Valley Combined Authority – Tees Valley Strategic Economic Plan – The Industrial Strategy 2016 – 2026. <https://teesvalley-ca.gov.uk/wp-content/uploads/2016/12/TVCA207-SEP-Documents-Full-WEB.pdf> (Accessed 23/06/2020)



## 4 Assessment of the Development Plan

### 4.1 Introduction

This section of the Statement assesses the conformity of the Development with the relevant policies within the Development Plan.

An Environmental Appraisal accompanies the Application. Where appropriate, the results of these technical reports have considered against the provisions of the Development Plan to establish conformity.

In order to consider each of the policies of the Development Plan identified as relevant to the Development within Section 3 of this Statement and avoid repetition, the policies have been grouped and assessed by environmental topic area rather than individually assessing each policy.

### 4.2 Overarching Policies

The Development will facilitate the operation of the Projects, thereby contributing to carbon emission savings and other environmental benefits associated with the production of renewable energy. The Development accords with the Overarching Principle of the RCBC LDP as it contributes to minimising the impacts of climate change and promotes sustainable development through the use of existing infrastructure i.e. by connecting the Projects to the existing Lackenby Substation.

The Development also accords with Policy SD 1 through its contribution to sustainable development. As demonstrated throughout this Statement, the Development complies with the provisions and principles of the RCBC LDP vision and spatial strategy, all relevant RCBC LDP policies and associated SPD and non-statutory guidance. The Development is compatible with surrounding established uses as it will connect the Projects to the existing Lackenby Substation with minimal harm during the construction, operational and decommissioning phases.

The Development has been carefully sited (i.e. the optimum route to avoid environmental and technical constraints) and designed (i.e. underground) to ensure there are no unacceptable effects on the landscape character, natural and built heritage and no loss to prime agricultural land. Once the ground is reinstated following installation of the cables, there will be minimal residual landscape or other environmental effects and the Site will essentially revert to the existing use which is predominately agricultural land save for some parts inside the Wilton International industrial site.

Table 2 summarises the Development's compliance with the Overarching Policies of the RCBC LDP.

**Table 2: Compliance with Overarching Policies**

RCBC LDP Policy	Policy Requirement	Development Accordance
SD 1 Sustainable Development	Proposals which accord with the Policies in the Plan and presumption in favour of	The Development conforms to the presumption in favour of sustainable development through assisting the

RCBC LDP Policy	Policy Requirement	Development Accordance
	sustainable development will be approved promptly unless there are other material considerations which indicate otherwise.	generation of renewable energy and also other relevant policies, as will be demonstrated throughout this Statement.
Policy SD3: Development Limits	Within development limits, development will be supported. Beyond these limits, development is restricted by a number of criteria to certain specified types.	The Application site lies, in part, outside Development limits. However, the selection of the route and robust mitigation measures followed by reinstatement of landscape features removed or altered during installation will ensure that the effects of the Development on landscape and other assets are minimised. The Development is therefore in conformity with the Policy.
Policy SD 4: General Development Principles	Proposals should not have a significant adverse effect on: the amenity of occupiers of nearby land and building, important open spaces, environmental or heritage assets, best quality agricultural land, human health or safety, flood risk, a Natura 2000 site and should have access to infrastructure, services and community facilities. All development should be designed to a high standard, with reference to a range of factors including making efficient use of land, the quality and character of a site's surroundings and landscape and sustainable in design and construction and minimise pollution in accordance with acceptable limits.	The Development complies with the provisions and principles of the vision and approach of the RCBC LDP all relevant LDP policies and associated supplementary guidance and non-statutory guidance. The Development is fully compatible with surrounding established uses and will have no unacceptable effects on the environmental quality of the area (as demonstrated throughout this Statement in the Environmental Appraisal ). There will be no loss of safeguarded areas of open space/green infrastructure or prime quality agricultural land as a result of the Development.
Policy SD 6: Renewable and Low Carbon Energy	Renewable and low carbon energy proposals are encouraged, especially within the South Tees and Wilton industrial areas, subject to consideration of a number of issues including effects on residential amenity; environment; landscape; heritage assets; recreation aeronautical and military infrastructure and cumulative effects. Proposals for the	The Development will help minimise the impacts of climate change and promotes sustainable development through the use of existing infrastructure. The Development will not lead to unacceptable effects on the listed issues or the operation of Teesside Airport including the airport radar. The Development is in conformity with the Policy.

RCBC LDP Policy	Policy Requirement	Development Accordance
	generation of renewable energy must not compromise the safe operation of airports, including Durham Tees Valley Airport. Development proposals within the 30km safeguarding zone of Durham Tees Valley Airport will not be granted if there would be any adverse effects on airport radar, unless mitigation is possible and a scheme for its provision is agreed with the airport affected.	
Policy ED6: Promoting Economic Growth	Land and buildings within industrial estates and business parks will continue to be developed and safeguarded for employment use. The Council also aims to support development from the target sectors of the enterprise zones.	The Development runs through part of the employment area Wilton International, ED6.1. The proposed route is tailored to avoid disruption to existing uses within the Wilton complex.  Land at Wilton International (164ha) has been designated as an enterprise zone for the renewable energy sector.  The Development is in conformity with the Policy.
Policy N1: Landscape	Development will not be permitted where it will lead to the loss of features important to the character of the landscape, its quality and distinctiveness, unless its benefits outweigh such considerations.	Potential effects of the proposed Development on landscape, including effects on the landscape resource and character within the study areas, and visual amenity for visual receptors, together with cumulative effects, have been assessed and found to be in conformity with Policy.
Policy N4: Biodiversity and Geological Conservation	Within 6km of the Teesmouth and Cleveland Coast SPA proposals that would result in a net increase in residential units or recreational disturbance should mitigate measures as identified in the Recreation Management Plan.	Through siting, design and proposed mitigation, the Development will have a minimal recreational disturbance on the wider environment and no notable effects on habitats.  The Development is in conformity with the Policy.
Policy MWC4: Safeguarding of Minerals Resources from Sterilisation	Non-minerals development will only be permitted when: <ul style="list-style-type: none"> <li>The development would not sterilize or prejudice the future extraction of the mineral resource;</li> <li>The mineral will be extracted prior to development; or</li> </ul>	The Works lie in areas of salt and gypsum safeguarding. The construction of the development is only expected to require a 1.2 m excavation depth and therefore should not affect the mineral areas or their future extraction.

RCBC LDP Policy	Policy Requirement	Development Accordance
	The need for the development is outweighed by the need for the resource	The Development is therefore in conformity with the Policy.

### 4.3 Ecology and Ornithology

The Application is supported by an Ecological Assessment (Environmental Appraisal, Appendix 4) carried out to identify and appraise the likely effects that the Development may have on ecological resources at the Site, and to recommend appropriate mitigation. Natural England has confirmed that it is satisfied with the survey approach which has been adopted (further information is provided in the Statement of Community Involvement).

The Environmental Statement which accompanied the DCO (the 2014 ES) considered the effects of the Development on hedgerows; roosting bats; wintering birds; badgers and otters; great crested newts; reptiles; brown hare; and water vole.

Since the 2014 ES, new European protected sites have been designated. Given the distance of the Development from the designated sites (1.5 km) the unsuitability of the arable fields for Annex 1 species and, the localised extents associated with the areas of the works, and precautionary mitigation measures, no likely significant effects are considered present as a result of the Development.

The Development is therefore considered to be acceptable in terms of effects on Ecology and Ornithology and complies with RCBC LDP Policies SD1, Policy SD 6, Policy N 1 and Policy H 4.

**Table 3: Compliance with Ecology and Ornithology Policies**

RCBC LDP Policy	Policy Requirement	Development Accordance
Policy SD 1: Sustainable Development	Proposals should always seek to improve the natural environment in the area.	Embedded mitigation has been applied throughout the design process. The Development is set to improve and benefit habitats and species in the local environment. The Development is in conformity with the Policy.
Policy SD 6: Renewable and Low Carbon Energy:	The Council will support proposals for all renewable energy developments provided they are not within, or where they are likely to have an adverse effect on, designated ecological sites or on priority species, unless they meet the exceptions criteria set out in Policy N4. Development proposals will be expected to respect or enhance the landscape, biodiversity, geological	The Development will support the operation of a consented renewable energy scheme which will contribute to a low carbon economy through sustainable development. The Development is not within any designated sites and the closest works to any designated sites are located within an existing arable field where there is regular disturbance. Therefore, the Development will not

RCBC LDP Policy	Policy Requirement	Development Accordance
	features, the historic environment and both designated and non-designated heritage designations.	give rise to effects greater than the 2014 ES. The Development will result in some improvement and benefit to habitats and species in the local environment through works such as the landscaping of the screening bunds around the Onshore Converter Stations (OCS). The Development is in conformity with the Policy.
Policy N1: Landscape	Restoration Landscape Areas should repair or reinstate the landscape structure as part of the development. Development will be given priority which supports local biodiversity priorities and the planting of new hedgerows, trees and woodlands.	The Development only enters part of the Restoration Landscape Areas along some of the route. Embedded mitigation will be applied and there will be no permanent adverse effect on the environment. The Development is in conformity with the Policy.
Policy N4: Biodiversity and Geological Conservation	Biodiversity and geodiversity should be considered at an early stage in the development process, with appropriate protection and enhancement measures incorporated into the design of development proposals, recognising wider ecosystem services and providing net gains wherever possible. Detrimental effects of development on biodiversity and geodiversity, whether individual or cumulative, should be avoided. Where this is not possible mitigation, or lastly compensation, must be provided as appropriate.	The Development will not have significant adverse effects on the natural environment at local or national level. No significant changes in the level of ecological effects from the construction and decommissioning of the Development greater than those identified within the 2014 ES will occur. Embedded mitigation will be applied. The Development is in conformity with the Policy.

## 4.4 Archaeology

The 2014 ES identified a number of designated and undesignated heritage assets within the limits of the DCO and surrounding area. The assessment carried out for the Development (Environmental Appraisal, Appendix 6) has not identified any additional above-ground assets, noting that some archaeological events have occurred since 2014, including an architectural survey of the Sir William Turner Hospital Site and an excavation at Kirkleatham Hall School and heritage assessments, archaeological recording and excavation at Kirkleatham Walled Garden. None of these interventions were within the DCO limits or the areas comprising the Development.

There are therefore no notable changes to baseline data from the 2014 ES which need to be taken into account.

There are no additional significant operational or construction effects on designated or non-designated heritage assets outside the construction footprint. Whilst there are no known new non-designated heritage assets within these areas, the Development has the potential to contain unknown archaeological assets relating to historic landscape features or archaeological remains. Therefore, additional mitigation for these areas should comprise a geophysical survey, which can be secured via condition. Consideration has been given to the suitability of such areas i.e. excluding areas where interpretable data cannot be connected because of the size, land use or proximity of more than disturbance, and also areas where data has already been collected.

**Table 4: Compliance with Archaeological Policies**

RCBC LDP Policy	Policy Requirement	Development Accordance
Policy SD 4: General Development Principles	Development will only be permitted where it will not result in an adverse effects on heritage assets that are important to the local environment. Proposals will be expected to respect or enhance the historic environment and both designated and non-designated heritage designations that contribute positively to the site and the surrounding area.	With mitigation proposed, the Development will not have any adverse effect on notable archaeological and historic assets, and the wider historic environment. The Development is in conformity with the Policy.
Policy HE 2: Heritage Assets:	Developments should not have an adverse effect on Designated Heritage Assets or the setting of Designated Heritage Assets. Where the case for preservation does not prevail the development shall be required to be minimise and mitigate the effects. Where a development will lead to substantial harm or total loss of an asset, permission will not be granted other than in exceptional circumstances.	There are no designated or non-designated heritage asset within the area of the proposed Development. The 2014 ES establishes that there would be no adverse effects on any such assets outside the construction footprint. The Development is therefore in conformity with the Policy.
Policy HE 3: Archaeological Sites and Monuments	Proposals should not have an adverse effect on archaeological sites, monuments or their setting. Archaeological resources should be preserved in situ wherever possible. Where the case for preservation is not possible the developer shall be required to make appropriate and satisfactory provision for	With mitigation proposed, which can be secured via condition, the Development will not have any adverse effect on archaeological sites and monuments. The Development is in conformity with the Policy.



RCBC LDP Policy	Policy Requirement	Development Accordance
	archaeological excavation, recording, analysis and publication in advance of the development.	

## 4.5 Hydrology

The application is supported by a Hydrology Assessment (Environmental Appraisal, Appendix 2). There are no Environment Agency (EA) designated 'Main Rivers' within the five areas comprising the Application. However, there are a number of 'ordinary' watercourses located within the areas of the works - Rogers Dike, Mains Dike and Kettle Beck, and a number of smaller un-named watercourses and drainage ditches.

The areas of the Development are not located within an EA Groundwater Source Protection Zone nor is there any known private or public water supply infrastructure within the area of the Development. A review of the current Strategic Flood Risk Assessment and EA online flood map indicates that the areas within the five areas within the Development remain within Flood Zone 1 and there are no changes in the baseline in comparison to the 2014 ES in terms of water resources and quality.

A range of activities was identified in the 2014 ES as being likely to impact water resources, water quality and flood risk during the construction phase of the Projects. However, any effects associated with the construction phase were found to be temporary in nature (limited to construction activities only) reversible and of low magnitude.

Construction activities also have the potential to affect hydrogeology due to, amongst other things, the excavation, disturbance of soil, drilling at depth; spills and leaks of contaminants; and piling and HDD activities which could affect the groundwater receptors. The 2014 ES concluded that the construction activities were likely to have a minor adverse effect on hydrogeology however these effects could be subject to mitigation.

In terms of water resources, the construction activities were stated to have the potential to cause effects including increased potential for surface water runoff and sediment discharges to watercourses; Horizontal Directional Drilling (HDD) techniques beneath watercourses could increase surface water pollution; and disturbance of soil, and drilling at depth potentially creating pathways for the transmission of contaminants.

The 2014 ES concluded that prior to any mitigation measures, the construction activities were likely to have a 'minor adverse' effect on hydrology, water resources and water quality. However, with mitigation measures in place, the residual effects during the construction and operation phases would be negligible.

Effects during decommissioning would be similar to those during construction and will be subject to a decommissioning plan and assessment at the relevant time.

The mitigation measures detailed in the 2014 ES would be applied equally to the Development. These will be detailed in the Code of Construction Practice (CoCP) and Construction Environmental Management Plans (CEMP). Therefore, no additional residual construction, operation and decommissioning impacts have been identified as a result of the Development.

A Flood Risk Assessment was completed as part of the 2014 ES. Much of the 2015 DCO site comprises greenfield agricultural land and there are no known records of historic flooding over the five areas of the Development. Flood Risk with respect to the areas of the Works relates to surface water runoff only. As runoff associated with each development is restricted to the greenfield runoff rate, with attenuation measures required, there would be no cumulative impacts in relation to flood risk. The mitigation can be secured via condition in substantially the same form as the corresponding requirements in the 2015 DCO.

**Table 5: Compliance with Hydrology Policies**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy SD 4: General Development Principles	Proposals should limit the impacts of climate change and promote sustainable development by minimising the possibility to increase flood risk either on site or downstream of the development.	The Development will not have significant effects on hydrology resources. The Site within Flood Zone 1 and the Development will not exacerbate flood risk, subject to mitigation which can be secured via condition.  The Development is in conformity with the Policy.
Policy SD 7: Flood and Water Management	Development proposals are expected to mitigate and adapt to climate change, taking account of flood risk by: ensuring flood mitigation is taken elsewhere; prioritising sustainable drainage systems; separating foul and surface water flows; and using the Redcar and Cleveland Strategic Flood Risk Assessment. Development in areas at risk of flooding will only be granted where: Proposals meet the sequential and exception tests; the flood risk will not increase; and new site drainage systems exceed the normal design standard. A site specific flood risk assessment must be carried out to confirm the development is not at risk from flooding and that it does not increase flood risk elsewhere.	As the Development crosses and is close to existing water bodies, design solutions have been implemented to maintain water quality and ensure that there will be no detrimental effect on flood risk or water resources in the area. A range of mitigation measures have been identified that will ensure that the Development remains in conformity with the requirements of the Policy during the construction, operational and construction phases.



RCBC LDP Policy	Policy Requirement	Development Compliance
Policy N 2: Green Infrastructure	The Council will aim to protect and enhance the green infrastructure network and seek opportunities to improve the water environment.	The Development would not result in deterioration in the quality of the water environment. The Development is in conformity with the Policy.

## 4.6 Landscape

There would be no permanent landscape and visual effects arising during the operational phase of the proposed Development because all permanent infrastructure will be underground. However, the temporary short term and medium-term landscape and visual effects of the proposed Development during construction and decommissioning stages and any cumulative effects have been assessed (Landscape and Visual Assessment, Environmental Appraisal, Appendix 1).

The assessment has compared the Development with that as assessed in the 2014 ES and the Landscape effects in the following landscape character units (LCUs) have been considered:

- Redcar Flats: Lowland Farmland south of Redcar and Marske (LCU R2) both North and South of the A174.
- Urbanised Farmland (East of Wilton) (LCU R1).
- Wilton Complex (LCU W1) – within the Complex, the creation of the retaining wall and reprofiling of a bund will give rise to permanent effects; west of the A1053 such effects will be temporary.

Overall, the assessment has found that no notable direct or indirect landscape character effects will be experienced as a result of the Development, when compared with the 2014 ES. The visual effects have been assessed with particular regard to those which will be experienced at residential properties and settlements; views from main transportation routes; and views from Public Right of Way (PRoW).

In the case of residential properties and settlements, there would be some minor, temporary visual effects for those closest to the route. In the case of main transport routes including the A174 Road near Marske and Wilton and the A1053 road east of Lackenby Sub-station some moderate, temporary visual effects will occur for road users. There will also be negligible temporary visual effects for user of the PRoW in the vicinity including Cat Flatt Lane, the path east of the A174 near Wilton and National Cycle Route No. 1 alongside the A174.

The predicted visual effects of the Development have been assessed and compared with the baseline of the 2014 ES. A total of 22 Viewpoints (VPs) were considered, 10 of which were assessed as Moderate, reducing to negligible post construction; nine Minor, reducing to negligible post construction; and three Negligible.

The only notable change to these findings as a result of the Development would be in relation to VP 12 – Junction of A174 and Tunstall Gardens - where there would be a reduction in the level of effect to minor/temporary owing to the relocation of works away from the high and medium sensitivity receptors in this location.

The 2015 DCO includes a range of mitigation measures including the use of temporary hoardings during construction (where appropriate); the timing of most construction works during daylight to minimise the use of task lighting; the forming of naturalistic and sympathetic bund profiling and grading; and cultivating of areas of

disturbed earth with appropriate grasses and wild flora and native tree species. These mitigation measures can be secured by condition and will be substantially in the same form as the 2015 DCO.

An assessment has also been made of the visual effects of the Development at the Converter Station at the seven viewpoint locations in the 2014 ES. Of these locations, only VP1- Lazenby northern edge was assessed as resulting in a Moderate level of effect, the remaining six experiencing a Minor or Negligible level of effect. In the case of the Development, the change would be negligible or no effect in all cases.

The potential for additional cumulative effects, over and above those predicted in the 2014 ES has been assessed, including a biomass power station, the York Potash Project, housing development and agricultural buildings. Moderate cumulative effects with the York Potash Project would occur if both developments proceed simultaneously. These visual effects would reduce to negligible post construction.

**Table 6: Compliance with Landscape Policies**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy SD 4: General Development Principles	Proposals should ensure that the development improves the character and quality of the surrounding area, and establish a strong sense of place with the local character and history of the area. Proposals should also respect, protect and/or enhance the region's landscape character, scenic qualities and features.	Careful route selection and mitigation measures and reinstatement of landscape features removed or altered during installation will ensure that the effects on landscape and visual resources are minimised. It is therefore considered that the Development protects the region's landscape at all levels. The Development is in conformity with the Policy.
Policy SD 6: Renewable and Low Carbon Energy	The Council will consider the sensitivity and capacity of the landscape as detailed in the Renewable and Low Carbon Study. Developments should also consider the impact on residential amenity.	No unacceptable effects on landscape character are anticipated as a result of the works and proposed mitigation. The Development is in conformity with the Policy.
Policy LS 3: Rural Communities Spatial Strategy	Proposals should protect the setting of settlements, including the special character of the landscape in the rural area, in particular the periphery of the North York Moors National Park.	As above. The Development is in conformity with the Policy.
Policy N 1: Landscape	Consideration of features such as: the character of the landscape, its quality and distinctiveness, setting, scenic beauty, and special qualities of	Careful route selection and mitigation measures followed by reinstatement of landscape features will ensure that the effects of the Development on landscape and visual resources are minimised.

RCBC LDP Policy	Policy Requirement	Development Compliance
	<p>the North York Moors National Park are considered highly important and must not be harmed.</p> <p>Developments that lead to the loss of important features to the landscape will no longer be permitted.</p> <p>Restoration Landscape Areas should repair or reinstate the landscape structure as part of the development.</p> <p>This policy requires all developments to enhance, restore or create special features of the landscape, and to mitigate impacts if they arise.</p> <p>Priority will be given to the creation of habitats to support the local biodiversity; the planting of new hedgerows, trees and woodlands.</p>	<p>The Development will respect the landscape character with minimal visual impact.</p> <p>Mitigation measures relating primarily to the installation phase of the Development will be implemented to minimise the effects of the Development on landscape resources.</p> <p>Part of the development falls within the Restoration Landscape Area. The proposed mitigation will return the landscape to its original structure once construction is complete. This mitigation can be secured via condition.</p> <p>The Development is in conformity with the Policy.</p>
Policy N2: Green Infrastructure	<p>The policy identifies areas of strategic gaps that should maintain their separate identity and landscape character to prevent their coalescence.</p> <p>The Council will protect and support the green wedges between Marske and Redcar, with development only allowed where:</p> <ul style="list-style-type: none"> <li>the physical or visual coalescence of built up areas will not occur;</li> <li>there is no adverse impact on local character;</li> <li>there is no adverse impact on recreational opportunities; and</li> <li>it would adversely impact on biodiversity.</li> </ul>	<p>The DCO consent passes through the same strategic gap areas, however, the Development will have a minimal effect on the landscape post construction due to sympathetic restoration which can be secured via condition.</p> <p>The Development also falls within the green wedges between Marske and Redcar, however, there are to be no effects on landscape character, identity, biodiversity or visual coalescence once reinstatement is complete.</p> <p>The Development is in conformity with the Policy.</p>

RCBC LDP Policy	Policy Requirement	Development Compliance
	Strategic landscape areas will remain important in defining settlements.	
Policy HE 2: Heritage Assets	Development will not be permitted where historically important hard and soft landscaping, including trees, hedges, walls, fences and surfaces impact on the quality of the local environment.	The Development will not have any adverse effects on historically important landscaping and therefore is in conformity with the Policy.

## 4.7 Air Quality

An Air Quality Impact Assessment has been undertaken (Appendix 9 of the Environmental Appraisal) and considers the impact of construction dust in line with Institute of Air Quality Management (IAQM) guidance and the impact of construction traffic on nearby sensitive receptors using the Design Manual for Roads and Bridges (DMRB) screening method whilst considering the 2014 ES.

The DEFRA background maps indicate that existing background concentrations are well below the Air Quality Objectives (AQOs) in the vicinity of the Site.

The IAQM guidance is clear that with appropriate mitigation in place the potential effect of construction phase dust emissions will normally not give rise to materially harmful effects and constitutes no change from the findings of the 2014 ES.

Overall, the Development is predicted to have a negligible effect on air quality on existing residential receptors. This represents no change from the findings of the 2014 ES with regards to traffic emissions from the Development. Appropriate mitigation measures can be included in the CEMP and secured via condition. The Development is therefore in accordance with RCBC LDP Policy SD 4.

**Table 7: Compliance with Air Quality Policies**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy SD 4: General Development Principles	Proposals will be expected to minimise pollution and to meet or exceed acceptable limits. The Council will ensure new development will not result in unacceptable impacts such as odour and pollution on those living or working nearby	The effects on air quality will be associated with the construction of the Development only. The effect of air quality is expected to be negligible and have no significant effect on existing residential receptors. The Development is in conformity with the Policy.

## 4.8 Land Quality

The application is supported by a Land Quality Assessment (Environmental Appraisal, Appendix 3). The geology directly underlying the footprint of the Development is considered a receptor of negligible sensitivity due to its lack of designations, and composition. However, excavation activities have the potential to result in direct low magnitude effects as there will be very minor disturbance of the surface soils. With adherence to mitigation as set out in CEMP(s) and best practices, any residual effect will be negligible.

Potentially contaminated sites within the Site are infrequent and it is not expected that soils will be highly contaminated. However, some risk remains that there could be areas of unsuspected contamination. However, in general the likelihood of contact with contamination is low, and any adverse effects are likely to be temporary, therefore the magnitude of these effects prior to mitigation is generally low.

The 2014 ES provides a discussion of the mitigation measures which may be required to reduce the impacts to underlying geology from general trenching, piling, drilling and construction activities including spills and leakages to geological features. These include:

- The implementation of properly designed shoring systems to avoid unstable excavations;
- The removal of superficial deposits to be minimised wherever possible;
- Storage of oils and fuel within designated areas in impervious storage bunds with a minimum of 110% capacity to contain any leakages of spillages;
- Limiting of refuelling activities to designated, impermeably surfaced areas and use drip traps where possible;
- Checking and maintain equipment regularly to ensure that leakages do not occur;
- Spill kits to be available on site at all times; and
- Site inductions to be completed for all staff including contractors and sub-contractors.

With adherence to these mitigation measures it is considered that there will be negligible residual effects on this receptor. Details of mitigation measures will be included in the CEMP(s) and this can be secured via planning condition.

The potential risks associated with the excavation of potentially contaminative soil or waste inhalation of gas risks will be assessed and mitigated for all construction workers including sub-contractors. Whenever there is a requirement to enter confined spaces as part of the construction works, this will be managed through the Construction Phase Health and Safety Plan. This, together with the CEMP, can be secured via condition.

**Table 8: Compliance with Land Quality Policies**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy SD 4: General Development Principles	Development will not result in loss of, or significant adverse impacts on, environmental assets or put the environment, human health or safety at unacceptable risk. Applicants proposing development near contaminated land should demonstrate that such risks	The Development will have no additional effects on geological assets compared the 2014 ES. Potential ground contamination can be mitigated via appropriate risk assessment, and construction practices contained in the Construction Phase Health and Safety Plan and CEMPs.  The Development is in conformity with the Policy.

RCBC LDP Policy	Policy Requirement	Development Compliance
	will be addressed and if necessary, remediation undertaken.	

## 4.9 Land Use

An assessment has been made of the land uses potentially affected by the Development, taking account of the findings of the 2014 ES and any additional effects (Land Use Assessment, Environmental Appraisal Appendix 5). The land uses for the DCO areas essentially fall within the following broad areas:

- Outside the Wilton Complex' – HVDC Cable Corridor from the landfall up to the point it enters the Wilton Complex; and
- 'Within the Wilton Complex' – HVDC Cable Corridor from the point it enters the Wilton Complex, OCS, HVAC Cable Corridor and National Grid Substation at Lackenby.

The area outside the Wilton Complex is primarily in agricultural use, whilst other uses include areas where the route will cross the A174 and A1053 trunk roads, and other minor roads. In some areas the route crosses other existing and proposed utilities, such as water, electricity and communications.

Within the Wilton Complex, there are a number of greenfield and brownfield sites and roads and other infrastructure.

The effects of the Development on agricultural land has been assessed, taking the 2014 ES as the baseline. Overall, the Development will affect a proportionately lower percentage of Grade Two agricultural land than those Works assessed in the 2014 ES.

The construction activities associated with the Development will disrupt existing land use and agricultural activities along the length of the cable route. Due to health, safety and technical requirements during construction, work areas will be fenced off and not accessible to landowners, occupiers or the public for the duration of the construction period. There is also the potential for areas of land to become isolated or inaccessible during construction. Due to the nature of the Site, and since construction will be undertaken in a phased manner, not all parts will be fenced off at the same time.

During construction it is unavoidable that land along the cable route will temporarily be taken out of its existing land use. The implementation of the mitigation will reduce the duration of the effect; however, the magnitude will remain the same as in the 2014 ES (low). Following reinstatement, the previous land use will continue as before on the majority of the land affected, and a minor adverse residual effect is predicted along the cable route.

The cable system will be buried at a depth which allows the continuation of current agricultural practices. The only surface features of the cable system will be markers for the jointing pits. Where possible these will be located at field boundaries and verges and therefore, the effect of the cable system on existing land use is assessed as negligible.



Whilst there will be no permanent land take associated with the buried cables, a permanent cable easement will be created. This will ensure that the future developers and operators of the Development have the right to maintain, repair, inspect and remove the buried cables. This may restrict certain activities being undertaken within these areas. With the implementation of the mitigation measures, the magnitude of the effect on the restriction of land use practices will reduce and the residual effect from the Development is therefore considered negligible.

At the time of decommissioning, it will be evaluated whether the buried cable systems could be used for another purpose. If this is not feasible, it will be isolated and left in place unless otherwise specified by RCBC. As such, the decommissioning effect on land use is negligible.

The cumulative effects of the Development with other projects has also been assessed. The greatest impact in terms of land taken out of existing use will occur where the York Potash Project crosses the DCO Cable Route. These effects will be experienced by a single landowner. The land is currently used for agricultural production and likely that at least one field will not be available at all during the construction period. Following implementation of mitigation measures, the cumulative impact will be no greater than for each individual project other than some localised soil degradation. The mitigation can be secured via planning conditions in substantially the same form as the corresponding requirements in the 2015 DCO.

A number of PRoW are located adjacent to the areas of the Development and in some cases will be crossed over<sup>5</sup>. Any diversions, closures or crossing control requirements will be temporary and short term in nature and will be well publicised to minimise any inconvenience caused to users. Where a diversion is not practical, for example where the cable route extends for several hundred metres either side of where the PRoW is crossed, then a temporary closure may be required.

Mitigation measures for the Development will reflect the measures set out in the 2014 ES and can be secured by planning condition (as appropriate) for the Development. The construction footprint will be minimised where possible and land reinstated to its former condition as soon as reasonably possible following cable installation, dependent on weather conditions. Cables will be set at a depth to allow current land uses to continue; HDD will be utilised at road crossings to maintain access; underground Inspection pits located at field boundaries to avoid restricting current land use practices; and appropriate compensation will be provided for affected landowners for disruption.

**Table 9: Compliance with Land Quality Policies**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy SD 4: General Development Principles	Proposals will be expected to minimise the loss of Best and Most Versatile Agricultural Land.	The Development has been configured to achieve the objective of the policy and is in conformity with the Policy.
Policy ED 6: Promoting Economic Growth	Land and buildings within the existing industrial estates and business Parks will continue to be developed and	The Development has been configured to avoid areas which will prejudice the economic development of the Wilton International site.  The Development is in conformity with the Policy.

<sup>5</sup> Public Footpath 129/29/1 and 129/30/1

RCBC LDP Policy	Policy Requirement	Development Compliance
	safeguarded for employment uses, including the Wilton International site.	
Policy LS4 – South Tees Spatial Strategy	Deliver economic growth and job opportunities via the South Tees Development Corporation.	As above. The Development is in conformity with the Policy.
Policy N 2 – Green Infrastructure	Aims to protect and enhance the green infrastructure network, including public rights of way.	Any disruption to the footpath network will be short term and kept to the minimum. Where diversions or temporary closures are required these will be agreed with the Rights of Way Officer prior to construction.
Policy MWC 6: Waste Strategy	Development will require to follow the principles of the Waste Hierarchy.	The Development is not waste producing so will be limited to construction waste only. Where possible soils will be reused or reinstated on Site and the surrounding area to keep local soil in the area and lower the environmental effect of the Development. The Development is in conformity with the Policy.

#### 4.10 Transport and Traffic

A Transport Assessment has been prepared to assess the related transport effects on the works relative to the conclusions of the 2014 ES and the suitability of the access proposed (Appendix 7, Environmental Appraisal).

Access to the wider Strategic Road Network is predominantly via the A66 and A19 dual carriageways, which link to the A1 (M). The proposed construction compounds are located away from residential areas and close to the main A174 and A1053 roads. In contrast to locating the compound sites at a town centre or city-based office, this option would result in fewer effects on residential streets and on congested roads.

Workers will sign in and out at one of the two compounds before traveling to the appropriate work front. A variety of sustainable transport options can be taken to their work front including walking, cycling and taking the bus or train.

Using the worst-case scenario, the overall volume of traffic predicted to be generated during the construction of the Development has reduced at the two receptors considered from that assessed in the 2014 ES.

The effect of the changes to the approved cable alignment and associated work on the highway network is assessed as negligible, and neutral in the 2014 ES. For this reason, the mitigation works proposed as part of the 2015 DCO remain appropriate. This includes a Construction Routing and Traffic Management Plan and Construction Travel Plan to be accepted by the RCBC, which can be secured by planning condition for the Development.



**Table 10: Compliance with Traffic and Transport Policies**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy SD 4: General Development Principles	Proposals will be expected to support local facilities and transport networks that provides suitable and safe vehicular access and parking suitable for its use and location.	The Development will facilitate the DCO grid connection to the existing Lackenby Substation at no detriment to the built environment. The Development is considered to have a negligible effect on the highway network within residential areas. The Development is in conformity with the Policy.
Policy TA 1: Transport and New Development	Proposals should avoid or mitigate any adverse impact on the transport network. Proposals that contribute positively towards environmental and safety issues will be supported.	The Development is not traffic generating during the operational phase. Compounds will be situated close to main roads and away from residential areas to reduce the effect on residential streets and congestion. Sustainable travel from the compound sites to the work fronts include walking or cycling. No significant adverse effects on transport are expected to occur. The Development is in conformity with the Policy.

## 4.11 Noise and Amenity

An assessment of construction noise has been carried out using the same methodology as presented in the 2014 ES, focussing on the noisiest operations that have the greatest potential to result in impacts at nearby receptors (Environmental Appraisal - Appendix 8). A receptor minimum buffer distance was calculated to identify where noise from construction activities could be higher than the adopted 65 dB LAeq noise limit. The minimum separation distance between the nearest receptors and the proposed amendments to the Development has been considered.

The worst-case construction activities of cable system installation and the converter station construction have been used to identify whether nearby residential receptors are within the buffer distance (i.e. would potentially experience construction noise levels of 65 dB LAeq or above). A number of receptors were determined to potentially experience either low (65-69 dB LAeq) or medium (70-74 dB LAeq) magnitude of effects under the worst-case assumption that the Projects were constructed concurrently.

Where the magnitude of the effect was low, minor issues were predicted without mitigation, and where the magnitude of the effect was greater than low, mitigation was developed to reduce the residual effect to low or minor.

An assessment of the predicted increase in road traffic noise associated with construction traffic on the local road network was also undertaken. It was found that, even if Dogger Bank Teesside A & B were constructed concurrently, as a worst case, a negligible effect was predicted at roadside receptors over the duration of the related activities.

There is only one receptor location where the potential magnitude of effect is greater than negligible, that being property along Fishponds Road. In that case a low magnitude is predicted as the separation distance is less

than the worst-case buffer distance of 120 m. However, noise levels associated with the preparation and operation of the construction compound are likely to be below 65 dB LAeq. The preparation of the construction compound would be of short duration (less than one month) and would be noisier than during its use, and therefore the overall effect has been determined to be negligible.

The only change to the proposal that results in construction activities occurring notably closer to residential properties is the proposed construction compound for the OCS which is located to the north-east of Lazenby. The minimum separation distance between the properties on Grange Estate, Lazenby, and the nearest part of the construction compound is 120 m, although most of the compound is much more distant and shielded by an earth bund. As construction activities are at distances of more than 120 m, the overall noise impact is determined to be negligible.

There are other areas within the Site that take the cable corridor either further than the cable system installation noise buffer distance or further from the nearest noise sensitive receptors thus reducing the level of effect over that presented in the 2014 ES.

**Table 11: Compliance with Noise and Amenity Policies**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy SD 4: General Development Principles	Proposals will be expected to minimise noise and vibration levels to meet or exceed acceptable limits.	Noise effects will be associated with the construction of the Development only. There are a limited number of residential receptors within 120m of the Site and no adverse effects are predicted. Mitigation will be provided as part of the CoCP and CEMP which can be secured by planning conditions. The Development is in conformity with the Policy.

## 4.12 Additional Considerations

There are a number of considerations outlined in RCBC LDPs which were scoped out of detailed technical assessment due to the lack of effects on each particular resource. The following Sections consider environmental aspects which are not anticipated to experience adverse effects as a result of the Development, but are a consideration within the RCBC LDP.

### 4.12.1 Rural Policy

**Table 12: Compliance with Rural Communities Strategy Policy**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy LS 3: Rural Communities Strategy	Amongst other things, enhance the role of Guisborough and conserve the heritage coast, recognise the special character of the landscape in the rural areas. Listed settlement covered by	The potential residual landscape and visual impacts of the Development will be negligible with the ground reinstated following construction of the underground cable. Therefore, the Development, although falling partly within the rural area, will not cause harm to the special character of the landscape in the rural areas and will not conflict with the aims of the policy.

RCBC LDP Policy	Policy Requirement	Development Compliance
	the policy includes Wilton, the policy seeks to protect setting.	

#### 4.12.2 Minerals

The areas included within the Development are subject to safeguarding policies in the Tees Valley Joint Minerals and Waste Development Plan Document (the Core Strategy DPD) adopted September 2011. Policy MWC4 aims to ensure that within identified Mineral Safeguarding Areas development will not sterilize or prejudice the future extraction of mineral resources. A number of exceptions are identified including that there is evidence that resources occur at depths and can be extracted in an alternative way or there is evidence that the resources have been sufficiently depleted by previous extraction. The minerals noted under the policy are Gypsum and Salt.

**Table 13: Compliance with Mineral Policy**

RCBC LDP Policy	Policy Requirement	Development Compliance
Policy MCW4: safeguarding of minerals resources from sterilisation.	Are also the safeguarding areas should be identified in development plan documents such to avoid sterilisation of resources. And if there	The areas covered in the 2014 ES are covered by the same safeguarding policy, as a consequence the provision of the Development would not be in conflict with the Policy.

#### 4.13 Summary of Development Plan Assessments

The Development is in conformity with all relevant policies in the RCBC LDP including: SD1: Sustainable Development; SD3: Development Limits; SD4: General Development Principles; SD6: Renewable and Low Carbon Energy; SD7: Flood and Water Management; LS3: Rural Communities Spatial Strategy; LS 4: South Tees Spatial Strategy; ED6: Promoting Economic Growth; N1: Landscape; N2: Green Infrastructure; N4: Biodiversity and Geological Conservation; HE2: Heritage Assets; HE3 Archaeological Sites and Monuments; TA1: Transport and New Development; and MWC 4: Safeguarding of Minerals Resources from Sterilisation and MWC 6: Waste Strategy.

There is a clear presumption in favour of the implementation of renewable energy developments, as clearly stated within RCBC LDP Policy SD6: Renewable and Low Carbon Energy, provided environmental effects are suitably addressed. The Development will facilitate the construction of the 2015 DCO which, once operational, will contribute significantly towards national energy targets and carbon reduction.

Implementation of the mitigation measures set out in the Environmental Appraisal, which can be secured by planning condition where appropriate and the nature of the Development ensure that the Development fully accords with the provisions of the RCBC LDP.

## 5 Material Considerations

### 5.1 National Planning Policy Framework (February 2019) (NPPF)

The NPPF was first published in March 2012 and has since been revised on two occasions, most recently February 2019. It sets out Central Government's planning policies for England and how these are to be applied. The NPPF reiterates that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF also identifies that national planning policy is a material consideration when making decisions on planning applications. The most relevant aspects of national planning policy contained within the NPPF are as follows:

#### **Presumption in Favour of Sustainable Development**

The NPPF sets out the economic, environmental and social planning policies for England. Central to these main themes is a presumption in favour of sustainable development, and that development should be planned positively. In achieving sustainable development, three overarching objectives are identified for the planning system; economic, social and environmental. The environmental objective includes "mitigating and adapting to climate change including moving to a low carbon economy".

#### **Renewable Energy**

The NPPF is clear that planning has a key role in supporting renewable energy and associated infrastructure. Whilst there is no specific policy for grid connection development to support wind energy contained in the NPPF, Paragraph 148 proposes that the planning system should support the transition to a low carbon future in a changing climate:

*"The planning system should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure."*

In order to increase the supply of renewable and low carbon energy, Paragraph 151 states that plans should provide a positive strategy for renewable energy development and consider identifying suitable areas for renewable and low carbon energy.

The NPPF is also clear that local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions (Paragraph 154). Applications for renewable and low carbon development should be approved if the impacts are (or can be made) acceptable.

#### **Guidance on Environmental Issues**

The NPPF contains policies on a number of environmental issues in achieving sustainable development. The approach to encouraging sustainable transport and managing impacts on transport networks is set out in Paragraphs 108 to 111. Paragraphs 170 to 202 emphasise the importance of preservation and enhancement of the built and natural environment and set out detailed requirements for the assessment of the effects of development on the landscape value, biodiversity and habitats, and the historic environment. These requirements have been considered throughout the technical assessments contained within the appendices to the Environmental Appraisal and have been addressed, to demonstrate compliance of the Development in Section 4 Assessment of the Development Plan.

## 5.2 Planning Practice Guidance (PPG) (first published March 2014)

The Government's PPG website contains guidance on the planning system and provides advice across a variety of planning matters which is continuously updated. The web-based guidance should be read alongside the NPPF and is a material consideration in the consideration of planning applications.

Renewable and Low Carbon Energy is one of the chapters in the NPPG which was most recently updated in June 2015. The Guidance states that the proximity of grid connection infrastructure is an important consideration in determining the location of wind turbines. The proposed development would make use of existing infrastructure connecting to the Lackenby Substation only 9 km from the coast.

In terms of the visual impact of the proposed development, the PPG goes on to advise:  
*"protecting local amenity is an important consideration which should be given proper weight in planning decisions."*

The Development is designed to ensure that any disturbance arising during the installation of the Development is suitably restored, ensuring that any impacts on the visual landscape are minimised.

## 5.3 Overarching National Policy Statement for Energy (EN-1) (July 2011)

EN-1 was published in July 2011 to set out national policy for energy infrastructure in the UK. Its primary purpose is to be applied to decisions for Nationally Significant Infrastructure Projects (NSIPs) but it is confirmed this document can be a material consideration in the determination of planning applications.

Paragraph 3.4.1 sets out the UK's commitments to sourcing 15% of energy from renewable sources by 2020. To hit this target, and to largely decarbonise the power sector by 2030, EN-1 states that:

*"It is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable energy electricity generation projects is therefore urgent."*

The National Policy Statement sets out how the energy sector can help deliver the Government's climate change objectives by clearly setting out the need for new low carbon energy infrastructure to contribute to climate change mitigation.

The Development provides essential infrastructure for the delivery of renewable electricity to the Grid and is therefore fully in conformity with the NPS.

## 5.4 National Policy Statement for Renewable Energy Infrastructure (EN-3) (July 2011)

EN-3 was also published in July 2011 and sets out the national policy for renewable energy projects. EN-3 should be read in conjunction with EN-1.

Similar to EN-1, EN-3 sets out the importance of renewable energy in achieving the Government's ambitious targets for renewable energy generation, highlighting that a "significant increase in generation from large-scale renewable energy infrastructure is necessary to meet the 15% renewable energy target".

The Development is an essential component for the delivery of renewable energy, thus helping to achieve ongoing targets for carbon emission reduction, and is therefore fully in conformity with the NPS.



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

The NPS was published in July 2011 and should also be read in conjunction with EN-1. The NPS covers above-ground electricity lines with a voltage of 132 KV or above, or in England where it constitutes associated development for which consent is sought along with an NSIP, such as a generating station or relevant overhead line. The NPS advocates that proposals should demonstrate good design in their approach to mitigating potential adverse effects, and acknowledges that there will be instances where the potential adverse landscape and visual effects of a proposed overhead line will support a case of for an underground solution.

Through the careful selection of the route and approach to mitigation, the Development is fully compliant with the principles of good design promoted in the NPS.

## 5.6 UK Renewable Energy Roadmap

The UK Renewable Energy Roadmap (2011) ('the Roadmap') sets out the UK Government's commitment to increasing the use of renewable energy. The Roadmap outlines that the UK has the potential to meet its 2020 target of 15% of UK energy consumption from renewable resources, and deliver an operational capacity of 29 gigawatts ('GW') of renewable energy by that same year.

The Roadmap identifies the National Policy Statement as a potential means of improving the delivery of renewable energy development through their advice on need, mitigation and delivery in a sustainable manner. The UK Renewable Energy Roadmap Update (2013) ('the Roadmap Update') reports on the progress that has been made in the renewable energy sector since the publication of the Roadmap. The Roadmap Update reiterates Central Government's commitment to renewable energy (paragraph 1):

*"The Government strongly supports renewable energy as part of a diverse, low carbon and secure energy mix. Alongside gas, low-carbon transport fuels, nuclear power and carbon capture and storage, renewable energy offers the UK a wide range of benefits from economic growth, energy security and climate change perspective".*

The Roadmap Update recognises that a number of barriers continue to present challenges, including pre-consent delays.

The Roadmap Update also identifies that the UK has the best offshore wind resources in Europe, it is the global leader in offshore wind energy with 1.3GW of operational capacity and is expected to reach 40 GW by 2030, however, this depends on developing cost-effective grid connection investments to meet the demand.

By its nature, the Development will facilitate the delivery of the Projects and contribute towards legally binding targets. The Development will support contributions towards achieving these ambitious targets, by helping to secure an energy supply from two consented offshore wind farms to the wider network.

## 5.7 Net Zero – The UK's Contribution to Stopping Global Warming

In May 2019 the Committee on Climate Change published Net Zero – The UK's Contribution to Stopping Global Warming. This report responds to a request from the Governments of the UK, Wales and Scotland, asking the Committee to reassess the UK's long-term emissions targets. The report recommends a new emissions target for the UK: net zero gases by 2050. The falling cost of key renewable technologies including offshore wind energy and grid connections is noted, while bringing significant co-benefits such as reduced air pollution.

On 27 June 2019, the Climate Change Act 2008 was amended to introduce a target for at least a 100% reduction in greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This 'net zero' target is likely to drive future Government renewable and low carbon energy targets and create further impetus towards a positive policy environment for offshore wind and grid connections.

The Development will assist the delivery of two consented offshore wind farm, which will make an important contribution to meeting the UK's commitment achieve Net Zero by 2050.

## **5.8 Reducing UK Emissions – 2020 Committee on Climate Change Report to Parliament**

The 2020 Committee on Climate Change Report to Parliament was published in July 2020 and provides a review of Government efforts over the previous 12 months with regards to Climate Change. Whilst reductions in UK emissions have been dominated by progress in the power sector, the UK is not on course to meet the 2050 Net Zero commitment or the legally binding fifth carbon budget and the policy gap has widened further as an increase in the projection of future emissions has outweighed the impact of new policies.

As noted above, the Development is an important component of the delivery of the Projects and will help the UK to meet the 2050 Net Zero target.

## **5.9 UK Clean Growth Strategy: Leading the Way to a Low Carbon Future**

The UK Clean Growth Strategy (2017) builds on the UK's carbon emissions reduction progress. The report conveys the Government's objective of achieving clean growth, whilst ensuring an affordable energy supply for businesses and consumers. The strategy is in-line with the 2015 Paris Agreement where 195 countries agreed to stretch national targets to keep the global temperature rise below 2C degrees. Therefore, further actions and investment will be needed to ensure the shift to clean growth in the coming years, where the clean growth plays a central role in the UK's Industrial Strategy.

To meet the fourth and fifth carbon budgets (2023-2027, and 2028-2032), there will be a need for a significant acceleration in the pace of decarbonisation, while ensuring energy security supply at minimum cost to both industry and domestic consumers. The Development will assist in this speeding up of the drive to reduce carbon emissions.

## **5.10 The UK's Draft Integrated National Energy and Climate Plan (NECP)**

Under the Clean Energy Package negotiated in 2018, EU Member States are required to produce a National Energy and Climate Plan ('NECP'). The UK NECP was produced in January 2019 and sets out the UK Government's climate and energy objectives, targets, policies and measures covering the five dimensions of the Energy Union. The NECP highlights the role of grid connection cables for transporting offshore wind energy in the delivery of cost efficient, clean and sure supplies of electricity.

For the reasons already stated, the Development will support the delivery of the NECP.

## 5.11 Supplementary Guidance and Local Studies

### ***Redcar & Cleveland Local Development Framework: Landscape Character Supplementary Planning Document<sup>6</sup>***

The Landscape Character Supplementary Planning Document ('SPD') was adopted in March 2010. The SPD sets out the Council's approach to guide the design of the development with the landscape to create new landscape features and to expand upon the Development Plan and provide detailed guidance. The SPD acknowledges the importance of sustainable development and one of the four themes encourages 'a high quality and sustainable living environment' alongside enhancing the natural and historic environment.

The SPD contains guidelines on how applications can address a variety of issues and effects, including:

- Landscape Assessment
- Biodiversity guidelines
- Species Selection
- Size and Scale
- Location
- Colour
- Design Detailing

### ***Renewable and Low Carbon Study for the Borough of Redcar and Cleveland<sup>7</sup>***

The Renewable and Low Carbon Study was completed in July 2015. The study aimed to underpin planning policies for the now adopted local plan relating to renewable and low carbon energy development and recognises the significance of renewable energy development in order to reduce harmful emissions and to curb climate change. The report mentions there is a need for additional grid infrastructure and connection work throughout the area. When renewable energy development is proposed the following issues should be considered:

- Noise
- Electricity Generation Capacity;
- Landscape and Visual Impacts;
- Heritage Assets;
- Biodiversity;
- Agricultural Land Classification;
- Flood Risk; and
- Community support

<sup>6</sup> Redcar and Cleveland Borough Council. Landscape Character SPD (2010) [Online]. Available at: <https://www.redcar-cleveland.gov.uk/resident/planning-and-building/strategic%20planning/Documents/Landscape%20Character%20SPD.pdf> (Accessed 07/05/2020)

<sup>7</sup> Redcar and Cleveland Borough Council. Renewable and Low Carbon Study for the Borough of Redcar and Cleveland (2015) [Online]. Available at: <https://www.redcar-cleveland.gov.uk/resident/planning-and-building/local-plan/Local%20Plan%20Documents/Renewable%20and%20Low%20Carbon%20Study/Renewable%20and%20Low%20Carbon%20Study.pdf> (Accessed 07/05/2020)



## 5.12 Summary of Material Considerations

The Development will support the operation of two consented NSIPs which will contribute to a low carbon economy through sustainable development. It is considered that NPPF, PPG, the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Renewable Energy Infrastructure (EN-3) fully support the Development.

There are no material considerations which override the presumption in favour of a determination in accordance with the terms of the Development Plan.

The Development is assessed in relation to each of the relevant material considerations in the table below:

**Table 14: Summary of Material Considerations**

Material Consideration	Role of Development
National Planning Policy Framework (NPPF)	The Development will be in conformity with the Presumption in Favour of Sustainable Development and other key policy aspects of the NPPF including the support for renewable energy and avoidance of adverse effects on biodiversity, the landscape and flood risk.
Planning Practice Guidance (PPG)	The Development will facilitate the essential landward connection between an existing substation and two consented offshore windfarms. The development will not result in the loss of visual amenity in the area.
Overarching National Policy Statement for Energy (EN-1) (July 2011)	The Development contributes to meeting the urgent need for new renewable energy generation projects which is set out in the NPS.
National Policy Statement for Electricity Networks Infrastructure (EN-5)	The Development will facilitate part of the underground connection between the Projects and National Grid and will comply with the approach to good design advocated in the NPS.
RCBC Landscape Character Supplementary Planning Document	The Development contributes to providing sustainable development in the area and has considered its design as set out in the SPD in relation to the landscape and environmental impacts, as assessed in Section 5 above.
UK Renewable Energy Roadmap	The Roadmap and Roadmap Update (2013) supports the principle of grid connections given the overall need for renewable energy and the high potential for future offshore development.
Net Zero – The UK's Contribution to Stopping Global Warming	The Development will contribute to the aim of a 100% reduction in greenhouse gas emissions in the UK by 2050, as set out in the 2008 Climate Change Act (amended in 2019).
Reducing UK Emissions – 2020 Committee on Climate Change Report to Parliament	Grid connection developments such as this proposal are essential for meeting UK commitments to reduce carbon emissions, and to address the gap between the targets and progress to date, as identified in the Report.

Material Consideration	Role of Development
UK Clean Growth Strategy: Leading the Way to a Low Carbon Future	The Development is part of the significant acceleration in the pace of decarbonisation of energy, while contributing to a secure energy supply at minimum cost to consumers, in accordance with the Strategy.
The UK's Draft Integrated National Energy and Climate Plan (NECP)	The Development will make a significant contribution to the supply of low carbon electricity, helping to meet the UK Government's climate and energy objectives.

## 6 Conclusion

The identification of the five areas comprising the Development has involved consideration of a number of environmental, engineering and technical parameters. The over-riding key criteria were the desire to minimise effects of the Development whilst optimising the route. Considerable care has been taken in the design of the Development to avoid unacceptable environmental effects whilst ensuring that the Projects can make a contribution to the UK's requirement for renewable energy generation. It is considered that the wider benefits of the Development outweigh the localised and temporary effects, which do not differ materially the conclusions of the 2014 ES.

The Development will comprise alternative or supplementary infrastructure for the consented 2015 DCO that provides an optimum solution from a design and engineering perspective without creating unacceptable effects on environmental receptors. During the construction stage appropriate measures will be put in place to mitigate the very limited adverse effects on the local community and environment, which can be subject to planning conditions.

Following construction, there will be little discernible change to the existing baseline environment which will be able to accommodate the Development and with the mitigation proposed (to be secured through planning conditions in substantially the same form as the corresponding requirements in the 2015 DCO) the Development will not give rise to any significant adverse effects. Therefore, the anticipated operational effects of the Development are not considered to give rise to likely adverse significant effects within the areas subject to the works.

The Development also ensures that there will be minimal disruption to existing land uses and importantly that future development allocations for housing and employment uses are not compromised.

There are no statutory or non-statutory designations covering the Site which would be directly or indirectly affected to a notable extent.

As summarised in Section 4, the Development is in conformity with all relevant policies in the RCBC LDP including: SD1: Sustainable Development; SD3: Development Limits; SD4: General Development Principles; SD6: Renewable and Low Carbon Energy; SD7: Flood and Water Management; LS3: Rural Communities Spatial Strategy; and ED6: Promoting Economic Growth, and there are no other material considerations which militate against the granting of planning permission.

RCBC is therefore invited to approve the Application.

## **Appendix A – Design and Access Statement**

# 1 Introduction

## 1.1 Purpose of the Report

As required for a major planning application, the Applicant has produced this Design & Access Statement (DAS) explaining: the design principles and concepts that have been applied; and how issues relating to access to the Development have been addressed.

The main aim of this DAS is to inform the planning decision-making process. The DAS outlines that the Development is based on a carefully considered design process and a sustainable approach to access. The DAS includes an explanation and justification of the Development and aims to guide those assessing the application (including elected members and communities) to understand the design rationale that underpins them.

This DAS has been prepared in accordance with Article 9 of the Town and Country Planning Act (Development Management Procedure) (England) Order 2015<sup>8</sup> ('the DMPO') which sets out the detailed requirements of the content of a DAS in relation to a planning application. A DAS is required in this case as the Development would constitute 'major development', with a combined site area exceeding 1 hectare.

The requirements under Article 9 of the DMPO cover both design and access, allowing applicants to demonstrate an integrated approach that will deliver inclusive design, and address a full range of access requirements throughout the design process.

The DAS forms part of the planning application submission, which also comprises a Planning Statement and supporting technical appendices; planning drawings; planning application form/ownership certificate details; and the requisite planning fee.

The role and purpose of the DAS, in accordance with Article 9 of the DMPO, is to:

- Explain the design principles and rationale that have been applied to the Development;
- Demonstrate the steps taken to appraise the context of the Development, and how the design of the Development takes that context into account;
- Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- State what, if any, consultation has been undertaken on issues relating to access to the Development and what account has been taken of the outcome of any such consultation; and
- Explain how any specific issues which might affect access to the Development has been addressed.

The DAS has also been prepared in accordance with guidance in the National Planning Practice Guidance ('the PPG') section 'Making an application' paragraph 31 'What should be included in a Design and Access Statement accompanying a planning application?'<sup>9</sup>

The DAS is structured as follows:

- The Design Statement, which sets out the design principles and rationale, the context, and how the design has taken account of the context;
- The access Statement which sets out how access policies have been complied with, associated consultation, and how specific access issues have been addressed; and
- Summary and Conclusions

<sup>8</sup> Statutory Instrument 2015 No. 595 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (online) Available at: <http://www.legislation.gov.uk/uksi/2015/595/article/9/made> (Accessed 20/08/2019)

<sup>9</sup> Ministry of Housing, Communities & Local Government (2016) National Planning Practice Guidance (NPPG) [Online] Available at: <http://planningguidance.planningportal.gov.uk/> (Accessed 28/05/2019)

## 2 The Design Statement

### 2.1 Design Route

Detailed site investigations undertaken post DCO consent has enabled design optimisations to be embedded within the engineering requirements of the export cable routing. This has required route refinements which are the basis for this application.

The identification of the works has involved consideration of a number of environmental, engineering and technical parameters. The over-riding key criteria at the commencement of the route selection have been the need to minimise environmental effects and minimise disruption to land uses along and adjacent to the route.

The Development has been limited to a width of 52m at its maximum and largely avoids sensitive environmental constraints. Technical Appraisals have been undertaken which has allowed environmental sensitivities across the Site to be recorded in detail and mitigation has been suggested where appropriate. These measures can be secured by condition and will be substantially the same as the corresponding requirements in the 2015 DCO.

In addition to providing a viable route to an available grid connection, the design of the Development has achieved the following design objectives:

- Minimised landscape effects;
- Avoided sensitive habitats;
- Ensured no unacceptable construction effects on water sources or wider habitats;
- Exploiting screening provided by trees and hedges;
- Avoiding any known or unknown cultural heritage features

Additional site-specific factors are:

- Avoid new housing land allocated in the RCBC LDP;
- Avoid future development proposals within Wilton International;
- Reduce the number of sharp bends in the 2015 DCO to optimise engineering design;
- Facilitate earthworks and retaining works along a narrow section of the HVAC route to ensure long term stability of an existing landscape and screening berm;
- Relocate temporary construction compounds to support construction works; and
- Utilise additional vehicular access points on private land to reduce the distance travelled by construction vehicles.

Following consideration of the above factors, the selected design was identified as providing an optimum solution with minimal environmental impacts.

Any effects on visual amenity or living conditions will be of short duration and predominantly very limited due to construction works being similar in nature to roadworks or agricultural activity. Civil works on the HVDC and HVAC corridors are programmed to take place in 2022/23 and cable installation in 2023/24. These timeframes are indicative and subject to revision

Specific environmental factors considered in the final design parameters of the Development have been set out in the technical assessments that accompany the planning application, with their influence on the design discussed. This is achieved through detailed assessments of the environmental effects and consideration of the identified spatial constraints, combined with consideration of the appearance of the Development from sensitive viewpoints to take account of landscape and visual considerations and heritage considerations.

### 2.2 The Site Context

The underground cables will export electricity (HVDC) to the onshore converter stations from where they will transmit electricity (HVAC) to the connection points at the nearby existing substation at Lackenby.

The installation will be made through a range of topographies including rural and industrial landscapes. The land generally comprises agricultural land to the east, and more developed areas such as Wilton International occur closer to the substation to the west. The fields are generally rectilinear in shape with irregular fields

created where the A174 curves towards to Marske and Redcar. Field sizes are medium to large in scale and divided by native hedgerows with the occasional mature native hedgerow tree.

## 2.3 Surrounding Land Use

The Development is in a rural location comprising large agricultural fields to the south and coastal towns and villages to the north and east.

The nearest settlements to the Application Site include Eston to the west, Redcar to the north, New Marske to the south and Marske-by-the-Sea to the east.

Lazenby Bank Nature Reserve and Wilton Castle are located to the south of the Development. However, it is expected there will be a minimal impact to the landscape and the local biodiversity.

There are several ditches, watercourses and a collection of reservoirs within the surrounding area. There is a pond south-west of Wilton International which should not affect the Development. The Development will cross Roger Dike and numerous field drains of varying widths and depths both named and un-named to connect to the substation at Lackenby.

## 2.4 How the Design has taken account of the Context

### *Use*

The design rationale for the use relates to statutory requirements and the Applicants' aspirations to combat climate change and reduce carbon emissions. The use of the site will be for the installation of alternative or supplementary infrastructure to the consented 2015 DCO to export renewable energy and provide power to the grid.

All cables will be buried and are based upon:

- a) An open trench installation of cables at a depth of approximately 1.2 m. The cables will be mainly laid in open cut trenches in ducts. Trenches will be backfilled with suitable material
- b) A trenchless installation method, (likely to be HDD), will be used as the standard method used for obstacle crossing. This method will be used where appropriate in order to minimise disturbance to woodland, watercourses, buried infrastructure, road and rail infrastructure along the route.

The HVDC cables will likely be single core, unarmoured, aluminium or copper conductor cables, suitable for underground installation. The HVAC cables will likely be XLPE insulated, single core, unarmoured, aluminium or copper conductor cables suitable for underground installation.

### *Landscaping*

Surplus spoil arising from the excavation of the cable trenches will be used to create naturalistic and sympathetically designed bund profiles close to the onshore converter stations. Subsoil scraped from the construction area will be used for the core of the bunds, and topped with appropriately stored topsoil removed from the construction area, and from the footprint of the bunds, prior to the commencement of this work. Topsoil depths will reflect those in the surrounding area. The slopes of the existing bunds are gentle, with concave tie-ins and this will be reflected in the grading of the bunds and in the process of top-soiling. All areas of disturbed earth will be cultivated and seeded with appropriate grasses and wild flora and planted with a mix of native tree species (to be agreed with the local planning authority).



## 3 The Access Statement

### 3.1 Policy Context

#### ***The Redcar & Cleveland Local Plan (2018)***

The Redcar & Cleveland Local Plan (RCBC LP) was adopted in May 2018. The Local Plan sets out the strategic policies for the wider area.

The following policy is of relevance to the Development with regards to access:

Policy TA 1 – Transport and New Development: This policy states that new developments will take into account the projected effects it will have on the transport network and seek to minimise environmental impacts where possible. In addition, all new developments will demonstrate they are served by sustainable transport modes including public transport, footpaths, and cycle routes.

#### ***Local Policy – Redcar and Cleveland, Local Transport Plan, 2011 -2021, March 2011***

The Redcar and Cleveland third Local Transport Plan (LTP3) was adopted by RCBC in March 2011 and builds upon the Core Strategy and the Local Economic Partnership (LEP) Statement of Ambition. Amongst other things, the LTP aims to manage the demand for travel, make the best use of the highway network, manage freight transport and improve road safety.

The Application proposes embedded mitigation and will be subject to a Transport Management Plan, and is considered to be fully in conformity with the RCBC LP and LTP3.

Other policies of relevance to the Development are covered in the main body of the Planning Statement.

### 3.2 Access

The Development will not generate any long-term traffic associated with operation. No public access will be required.

Temporary access roads will be constructed as part of the Development, designed to accommodate heavily loaded vehicles and heavy plant. Generally, this will be the access road installed alongside the trench for the majority of the route, and including watercourse crossings via temporary vehicle bridges or similar. The affected land will be reinstated following the installation phase. Construction materials and equipment will be brought to the Site on standard haulage vehicles and will not be abnormal loads.

The Application includes five temporary accesses as follows:

- Work No 10C (2) - A174 Access
- Work No 10E (2) - Grewgrass Lane – and
- Work No 10J (2), No 10J (3) and No 10J (4).

For compounds located adjacent to the public highway, the access arrangements into the site will be designed by a highways engineer to ensure appropriate sight lines, turning radii, including swept path analysis where necessary. Highways engineers will also provide for adequate signage, lighting and traffic management.

The proposed Development will pass through industrial areas with large areas of hard standing, buildings (including offices, warehouses and industrial units) and areas of bare ground. These areas such as Wilton International are expected to contain complex networks of pipelines and cables already installed and well established. Therefore, by aligning the export cables to the edge of vacant plots for the construction of the cables it is expected to minimise the impact on the industry users along the route. This will positively contribute to creating a low carbon economy through the growth of sustainable development that will build upon the industrial nature of Redcar and Cleveland.

Recognising the need to manage the traffic effects of the Development following mitigation measures are promoted within the strategy and have been applied to the traffic forecasts contained in the Traffic and Access Assessment:

- Access to the Works primarily from A or B roads, thereby minimising the impacts upon local communities and utilising the most suitable roads;
- Access routes located close to the main A and B roads to reduce the impact upon local communities;
- The use of a remote haul route to reduce trips upon the highway network to distribute materials as well as reducing the number of points of access on to the highway network;
- The use of a haul route from the Wilton International under the A1053 (via an underpass) to the existing NGET substation at Lackenby to reduce traffic movements upon the B1380 where possible;
- The two primary compounds (CC C and CC H) are located away from sensitive receptors to reduce the traffic impact upon local communities;
- The use of Horizontal Directional Drilling (HDD) for all (public highway) road and rail crossings to reduce the disruption to traffic from more conventional cut and cover techniques;
- The linear nature of the project will allow for the even distribution of activities and associated daily HGV demand; and
- The implementation of car-sharing amongst construction staff at a minimum ratio of 2.5 employees to a vehicle to reduce LCV traffic.

The Traffic and Access Strategy seeks to manage the traffic impact through 'embedded mitigation' which will be implemented through a Construction Traffic Management Plan and a Construction Travel Plan post planning determination.

### 3.3 Consultation

The Application has been subject to discussions with appropriate technical agencies prior to submission. A community newsletter has also been issued. These consultations are detailed further in the Statement of Community Involvement – Appendix B.

## 4 Conclusion

This DAS has been prepared in accordance with requirements of Article 9 of the DMPO and the PPG.

The DAS has established:

- The design principles and rationale that have been applied to the Development, including the various relevant environmental and technical criteria;
- The steps taken to appraise the context of the Site, and how the design of the Development takes that context into account, in respect of design iteration, the various relevant environmental and technical criteria, and each design component;
- The relevant planning policies in respect of access, and how these policies have been taken into account and are addressed; and
- That all relevant issues which might affect access to the Development have been addressed.

The DAS has thus established that the Applicants can ably demonstrate an integrated approach that will deliver inclusive design, and address the full range of access requirements throughout the design process.



## **Appendix B – Statement of Community Involvement**

# **1 Introduction**

## **1.1 Purpose of the Report**

Under the Town and Country Planning (Development Management Procedure) England Order 2015, the Development constitutes 'Major' development. The Redcar and Cleveland Borough Council's (RCBC) Statement of Community Involvement 2014 encourages developers to carry out genuine and meaningful consultation with local residents, interest groups and statutory consultees at an early stage.

This Statement of Community Involvement (SCI) details the steps which have been taken to ensure that appropriate consultation has been carried out ahead of submission of the Application.

# **2 Consultations**

## **2.1 Consultation with Technical Bodies**

Prior to the submission of the Application it was agreed with RCBC that Applicant would prepare an Environmental Appraisal to accompany the planning application that provides an appropriate level of information to allow the application to be determined.

To inform the scope of that report, the Applicants have carried out pre-application consultation with appropriate statutory and/or technical consultees, covering the following topics:

- Hydrology;
- Traffic;
- Cultural Heritage;
- Noise;
- Air Quality;
- Ecology;
- Landscape;
- Land Quality; and
- Land Use.

## **2.2 Public Consultation**

The Applicants have been limited in their ability to carry out wider consultation with the local community by way, for example, of face to face meetings or presentations due to the Covid-19 restrictions that have been in place during the preparation of the Application and currently remain in place at the time of submission of the Application. Therefore, the Applicants have publicised the proposal in newsletter which was sent to households with 1 km of the Development. A copy of the newsletter is attached as Appendix 1 to this SCI. Following submission of the Application, supporting information on the Development will also be available on the Projects' websites. Documents relating to a recently submitted joint non-material change application to BEIS have been made available for consultation in this way.

In addition, on 3 July 2020 an advert was placed in the Teesside Evening Gazette. A copy of the advert is attached as Appendix 2 to this SCI.

## **2.3 Summary of Discussions with Technical Bodies**

The below section provides a summary of consultation with relevant technical bodies.

### **2.3.1 Hydrology**

Pre-application consultation was undertaken with the Environment Agency and the Lead Local Flood Authority (LLFA) (RCBC) to clarify and confirm:

- Although not part of the Development, the proposed greenfield discharge rate for the converter station site; and
- If 'Land Drainage Consent' is required for crossing ordinary watercourses not bypassed by Horizontal Directional Drilling (HDD).

Further email correspondence and consultation with the Environment Agency and the LLFA has taken place.

### **2.3.2 Traffic**

SCP consulted RCBC and Highways England on 20<sup>th</sup> March 2020 to agree requirements for supporting documentation. This included proposed methodology which set out the parameters/approved baseline and the proposed changes/approach to assessing the alternative or supplementary infrastructure to the DCO Cable Route.

Following discussions, RCBC Strategic Transport Team confirmed they were satisfied with the approach to the Transport Assessment.

### **2.3.3 Ecology**

A meeting was held in January 2020 between Arcus and Natural England. Subsequent emails were exchanged confirming the validity of and requirement for ecological surveys in relation to the Application.

Natural England welcomed habitat enhancement and biodiversity net gain opportunities being considered as part of the Development.

Further correspondence was received in late January regarding the extension to the Teesmouth & Cleveland Coast Special Protection Area (SPA) and Ramsar site, and the creation of the Teesmouth & Cleveland Coast Site of Special Scientific Interest (SSSI).

The correspondence also confirms that Natural England are satisfied that the survey methodology would meet their requirements and welcomed the commitment to undertake breeding and wintering bird surveys to update those previously undertaken and have no comments in relation to the proposed protected species surveys.

## **3 Conclusion**

In accordance with the RCBC's requirement for a SCI, this report documents that, in light of the current circumstances a proportionate consultation exercise has been carried out prior to the submission of the Application.

Where appropriate, comments raised through consultation have assisted in the finalisation of the project design undertaken for the Development.

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Appendices:



1 July 2020

Dear Occupier

### Re: Notification of joint planning application to Redcar and Cleveland Borough Council - Sofia Offshore Wind Farm and Dogger Bank C Offshore Wind Farm

Following the letter you should have received last month, this letter is to notify you of a planning application being submitted jointly by the Sofia and Dogger Bank C offshore wind farms. The planning application proposes some changes to the consented onshore infrastructure, including to the routing of the onshore cables and to the number and location of temporary construction compounds.

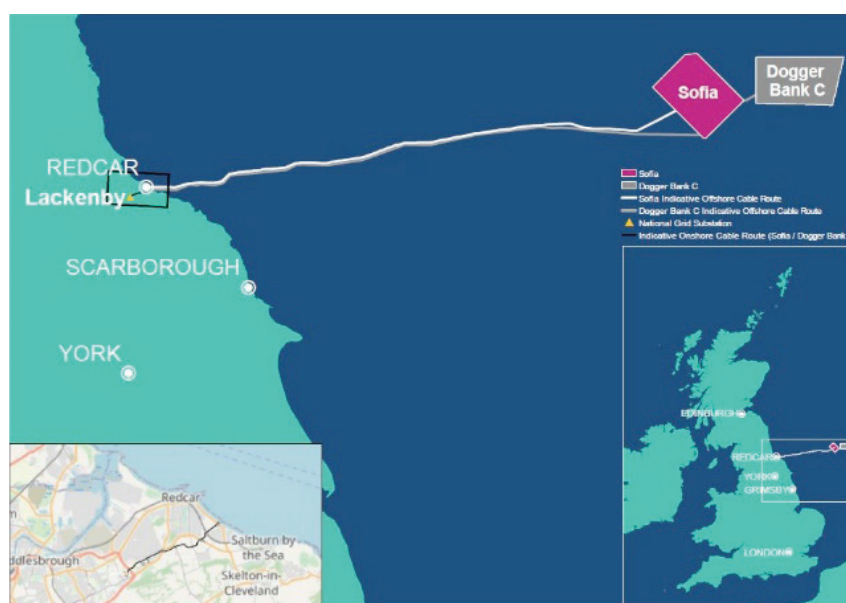
#### About the wind farms

The two wind farms are sited on Dogger Bank, in the centre of the North Sea, and will have their cable landfall at a site between Redcar and Marske-by-the-Sea. Originally developed by the Forewind consortium, they were granted a single Development Consent Order in 2015.

Forewind no longer exists and the projects are being progressed by different owners. Sofia is 100% owned by RWE, while Dogger Bank C is owned by Dogger Bank Wind Farm, a 50/50 joint venture between SSE Renewables and Equinor.

Sofia and Dogger Bank C will each generate power that will be brought to shore by export cables. Each export cable will connect to an onshore buried cable that will run 7 kilometres to a new converter station – one for each project - to be constructed to the north east of Lazenby.

Each project will have further buried cables to transport power 2 kilometres to the existing substation at Lackenby, where it will feed into the national grid.



#### Rationale for the planning application

As they are owned by different companies, the two projects will have different construction approaches and programmes. However the developers aim to work jointly and cooperatively wherever it is feasible. One area where the two projects are working jointly is on the detailed design and delivery of the onshore export cables, with their corridor between the landfall at the coast and the National Grid Lackenby Substation.

Sofia Offshore Wind Farm Limited  
Registered Office · Windmill Hill Business Park  
Whitehill Way · Swindon · Wiltshire · SN5 6PB  
Registered in England and Wales no. 07791964

Doggerbank Offshore Wind Farm Project 3 Projco Limited  
Registered Office · 1 Forbury Place · 43 Forbury Road  
Reading · RG1 3JH  
Registered in England and Wales no. 07791977

In preparation for the construction of the onshore export cables, the project teams have worked together to improve the design and layout, taking into account recent changes to plans for housing developments.

To optimise the onshore export cable routes for both Sofia and Dogger Bank C, we are seeking some alternatives to the consented corridor. These alternatives comprise some minor re-routing of the cable route, changes to some of the temporary construction compounds and associated temporary access points.

The proposed alternatives require planning approval. We therefore intend to submit a planning application to Redcar and Cleveland Borough Council (RCBC) around early July (2020).

## **Overview of planning application**

The planning application relates to five areas of the onshore cable route and ancillary works to connect the offshore wind farms with the Lackenby Substation. It includes nine associated temporary construction compounds, a haul road, five temporary site accesses, construction of a retaining wall and reprofiling of an existing bund with surplus spoil.

This letter aims to both inform you about the application and direct you to the related documentation. Due to COVID-19 restrictions, the application documents will only be available online. They will be published on the Council website as well as on both project websites at the time of submission (website details can be found on Page 3 of this letter).

To give an overview, the five areas identified for design alternatives are:

### **Area 1. A174 crossing and location of temporary construction compounds**

Horizontal direction drilling (HDD) will be used to install the cable under the A174 so as to not impact traffic. Temporary compounds and access points have been relocated to facilitate this change to the cable route.

### **Area 2. South of Kirkleatham Memorial Park**

A new point has been identified for access to the western end of an HDD crossing of Grewgrass Lane. Infill of an already consented temporary construction compound is also being requested.

### **Area 3. Wilton International East**

Proposed changes in this area have been designed in consultation with Sembcorp (the owner of Wilton International complex) and align with their longer term landholding plans.

### **Area 4. Temporary compounds south of Wilton International**

Temporary construction compounds are required to facilitate the construction of the onshore converter stations for both projects as well as the cables from the converter stations to Lackenby Substation.

### **Area 5. High voltage alternative current (HVAC) cable corridor**

This minor alteration is to adjust the design of the cable corridor routing.

An indicative plan showing the five areas and the proposed alternatives can be found on the back page of this letter. The planning application boundaries may be slightly refined as the submission is completed. For the final version of the plans, please refer to the application documents online.



You will be able to view the planning application documents on the RCBC website ([www.redcar-cleveland.gov.uk/](http://www.redcar-cleveland.gov.uk/)) and they will also be published on the Sofia website ([www.sofiawindfarm.com](http://www.sofiawindfarm.com)) and Dogger Bank C website (<https://doggerbank.com/>).

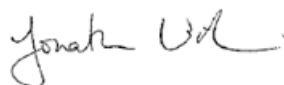
If you would like a copy of the documentation sent on memory stick or in hard version, please email us your name, address details and preferred format using the contact details below.

The first project-related construction activity in your area is likely to take place in the Spring of 2021. However we will provide further communications in advance of any activity to ensure you are aware of the works that are planned.

Yours faithfully,  
on behalf of both projects



**Kim Gauld-Clark**  
Senior Consents Manager  
Sofia Offshore Wind Farm  
innogy



**Jonathan Wilson**  
Lead Consent Manager  
Dogger Bank Offshore Wind Farm  
SSE Renewables

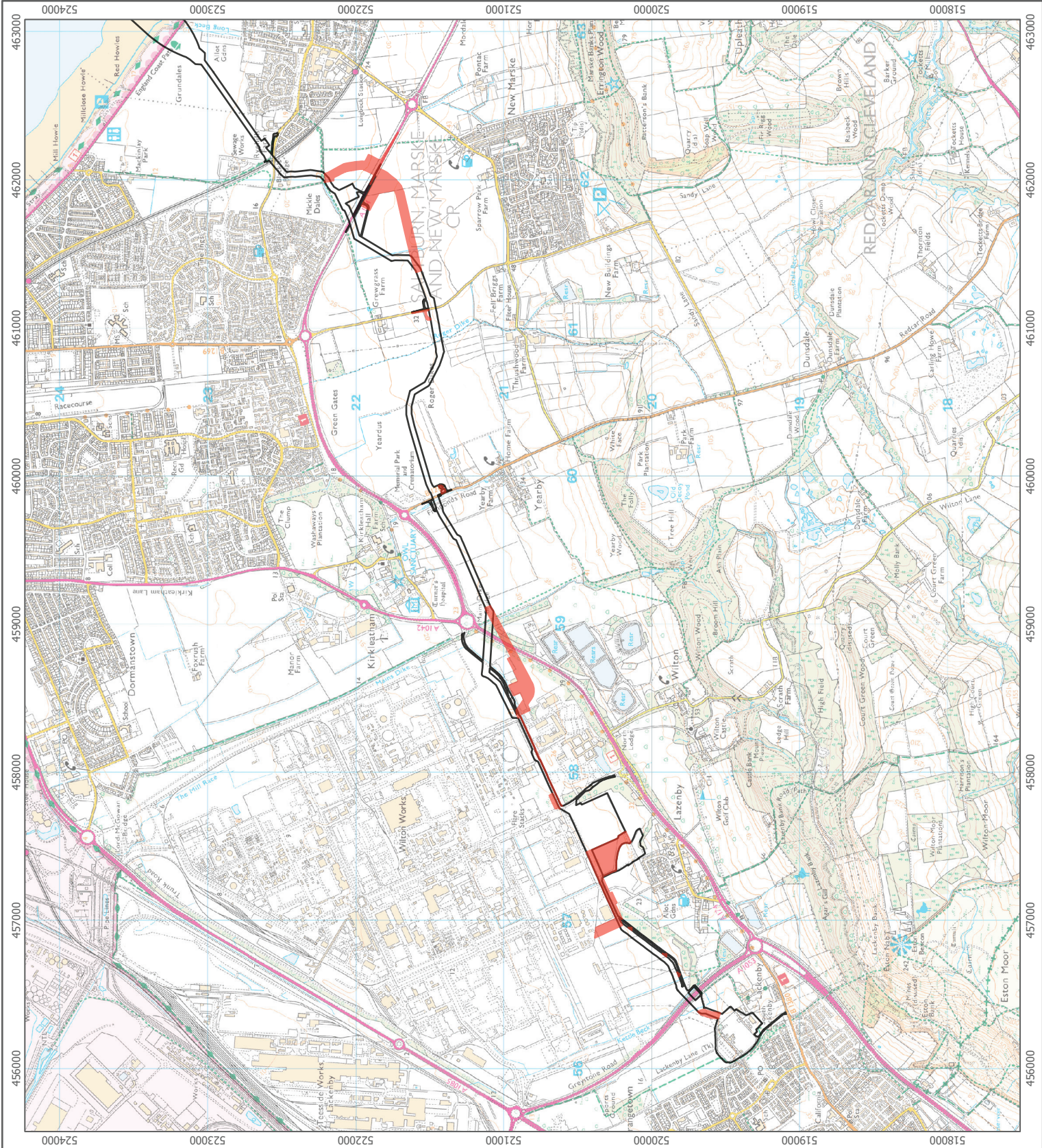
**For more information and to contact us:**

Sofia Offshore Wind Farm  
Email: [comms\\_sofia@innogy.com](mailto:comms_sofia@innogy.com)  
Phone: +44 330 122 9670 (24/7)

Dogger Bank Wind Farm  
Email: [DBCconsents@doggerbankwindfarms.com](mailto:DBCconsents@doggerbankwindfarms.com)  
Phone: 0141 224 7305 (Office hours)

*Overleaf: Indicative plan of proposed alterations to the cable corridor for Sofia and Dogger Bank C.*





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Planning Application Boundary

The Dogger Bank Teesside A & B  
Offshore Wind Farm Order 2015  
(Existing Consent)



Produced By: FC Ref: 3802-PUB-004

Checked By: AG Date: 23/06/2020

**Proposed Planning Application  
Redcar and Cleveland Borough Council**

**Dogger Bank C and Sofia  
Alternative Cable Route Application**



Services

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Public Notices

Public Notices

**THE COUNCIL OF THE BOROUGH OF MIDDLESBROUGH (FIFE STREET)**  
**TEMPORARY TRAFFIC REGULATION ORDER 2020**  
The Council of the Borough of Middlesbrough gives notice that it proposes the make an Order under section 14(1) of the Road Traffic Regulation Act 1984 and any other enabling powers over an area of the highway being a temporary road closure of Fife Street as detailed below, to enable signage works to an adjacent business. An alternative highway will be available for use while the Order is in force being Grange Road and Somerset Street.  
The roads will be closed from the scheduled date of 20/07/20 for three days. The Order may be extended with the approval of the Secretary of State for Transport.  
Access will be maintained for pedestrians, any person being an owner, lessee, tenant or occupier of those premises adjoining the said length(s) of road, any vehicle to be used for the purpose of delivering or collecting postal packages as defined in Section 87 of the Post Office Act 1953, the emergency services, any vehicle, if it cannot conveniently be used for such a purpose in any other road, to be used in connection with any of the following operations: building, industrial or demolition operation, removal of any obstruction to traffic, the maintenance, improvement or re-construction of the said sides of road or lengths of road, the laying, erection, alteration or repair in or in land adjacent to the said sides of road or lengths of road, of any sewer or main pipe or apparatus and the supply of gas, water or electricity or of any telegraphic apparatus as defined in Schedule 2 of the Telecommunications Act 1984, in the service of a local authority or a water authority pursuant of statutory powers or duties.  
A copy of the draft Order and Plan may be viewed on the Council's website www.middlesbrough.gov.uk.  
For further information please contact Steve Rigg (Principal Traffic Engineer) on 01642 728189.  
Dated 3rd July 2020.  
Charlotte Benjamin  
Director of Legal and Governance Services  
Town Hall, Middlesbrough, TS1 9FX

Road	Description	Prog. dates
Fife Street	Temporary road closure from its junction with the western kerb line of Marton Road for a distance of approx. 26m in a westerly direction.	20/07/20 - 23/07/20

**Town and Country Planning (Development Management procedure) (England) Order 2015 NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING PERMISSION**  
Proposed Development at: Land south of Cat Flat Lane, crossing A174 Road and east of Grewgrass Lane; (b) land south of Kirkleatham Memorial Park; (c) land south east of A174 and A1042 roundabout, crossing A174 and connecting with access to Wilton International; (d) land within Wilton International site, south of Wilton Southway and an area north west of Wilton Southway; and (e) land approximately south of Greystoke Road connecting with the Lackenby Substation.  
Take notice that application is being made by: Applicant 1, Doggerbank Offshore Wind Farm Project 3 Projco Limited and Applicant 2, Sofia Offshore Wind Farm Limited.  
For Planning Permission to: Installation of adjacent underground high voltage electrical cables and ancillary works to connect the Dogger Bank C and Sofia Offshore Wind Farms with the National Grid at Lackenby Substation within the five above named areas and formation of up to nine temporary construction compounds; up to five temporary access points; a temporary haul route for construction purposes; construction of a retaining wall and reprofiling of existing bund with surplus spoil.  
Local Planning Authority to whom the application is being submitted: Redcar and Cleveland Borough Council.  
Local Planning Authority address: Redcar and Cleveland House, Kirkleatham Street, Redcar, Yorkshire, TS10 1RT.  
Any owner of the land or tenant who wishes to make representations about this application, should write to the council within 21 days of the date of this notice.  
Signatory: Applicant 1, Ms Victoria Ridyard, 1 July 2020 and Applicant 2, Ms Kim Gauld-Clark, 1 July 2020.  
Statement of owners' rights: The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or lease.  
Statement of agricultural tenants' rights: The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.  
'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years.  
'Tenant' means a tenant of an agricultural holding any part of which is comprised in the land.

Legal Notices

**WILLIAM ALAN CLIFFE (Deceased)**  
Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of 4 Constantine Court Middlesbrough TS1 3GA, who died on 14/06/2020, are required to send written particulars thereof to the undersigned on or before 04/09/2020, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.  
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