



Dogger Bank C/Sofia Onshore Works Application

Appendix 5 - Land Use Assessment

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1 Introduction

1.1 Purpose of this Report

This Land Use Assessment accompanies the Environmental Appraisal which 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 amended¹.

A Development Consent Order (2015 DCO) was granted for 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) (the Applicants' Projects), including the onshore transmission works required to export electricity to the grid in August 2015.

The Application includes five areas of alternative and additional infrastructure to the consented 9 kilometres (km) buried onshore grid connection, spanning from the landfall for Dogger Bank Wind Farm C (DB-C) and Sofia Offshore Wind Farm (Sofia) to the National Grid at Lackenby Substation (the Works). Figures 1.2 (a - c) of the Environmental Appraisal show the location of the Works and the consented 2015 DCO.

This Report provides a focused appraisal of the potential land use effects of the Works, including comparison against the consented effects deemed as acceptable by the 2015 DCO. This assessment demonstrates that the Works do not give rise to additional likely significant effects on land use receptors other than those identified within the 2014 ES.

Although covered in a standalone chapter² in the 2014 ES, an assessment on the impact of the Works on recreational land use is included within this Report.

1.2 Development Context

For the ease of reference, the Works, as shown in Figure 1.2 (a – c) of the Environmental Appraisal, is split into areas as below:

- Area 1 – A174 Crossing;
- Area 2 – South of Kirkleatham Memorial Park;
- Area 3 - Wilton East;
- Area 4 - Main Welfare Hub south of Wilton; and
- Area 5 - HVAC Cable Corridor.

¹ 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)

² Forewind (2014) Environmental Statement: Chapter 23 Tourism and Recreation

1.3 Document Structure

This Report is structured as follows:

- Introduction;
- Methodology;
- Baseline for Assessment;
- Assessment of Potential Effects;
- Mitigation and Enhancement;
- Cumulative Effects; and
- Summary and Statement of Change/No Change.

This Report is accompanied by the following appendices and figures:

- Figure 2.1 –Environmental/Countryside Stewardship Agreements;
- Figure 4.1 – Key Land Uses within Direct Study Area;
- Figure 4.2 – Agricultural Land Classification (ALC);
- Figure 4.3 – Planning Policies; and
- Figure 4.4 – Public Rights of Way.

This Report should be read in conjunction with Chapter 26 of the 2014 Environmental Statement (2014 ES)³ which provides the assessment of Land Use and Agriculture.

2 Methodology

2.1 Introduction

This Section sets out a summary of the legislation and policies relevant to land use, and defines the scope of the baseline studies and assessment methods.

2.2 Effects Scoped Out

2.2.1 Operational Effects

The only activity considered with potential to impact land use during operation of the Works is the occasional routine cable system maintenance works. All other operational works relating to the physical presence of the OCS (e.g. monitoring and maintenance) are not applicable to the Works as consented under the 2015 DCO.

Whilst there will be no permanent land take associated with the buried cables, a permanent cable easement will be created, as per the 2014 ES. This will ensure the Applicants' have the right to maintain, repair, inspect and remove the buried cables. With the implementation of the mitigation measures, the magnitude of the effect on the restriction of land use practices will reduce and the residual impact is therefore considered negligible.

³ Forewind (2015) Chapter 26 – Land Use and Agriculture, Dogger Bank Tesside A & B ES

As operational effects are considered negligible in the 2014 ES and the same is applicable for land use receptors as a result of the Works, operational effects have been scoped out of further assessment.

2.2.2 Decommissioning Effects

Decommissioning effects on land use as a result of the 2014 ES were assessed as negligible

Decommissioning effects on land use have been scoped out as such works would be carried out in line with the decommissioning plan secured by the 2015 DCO Requirements, and land use effects from such activities are likely to be lesser than those during the construction phase (e.g. cables left in situ).

2.3 Policy and Guidance

There have been no significant changes to the relevant national policies and guidance associated with the onshore construction works presented in the 2014 DCO ES.

The national policy referred to in the 2014 ES included the Overarching National Policy Statement (NPS) for Energy (EN-1) (DECC 2011a)⁴, the NPS for Renewable Energy Infrastructure (EN-3) (DECC 2011b)⁵, and the NPS for Electricity Networks Infrastructure (EN-5) (DECC 2011c). The aforementioned policies are all still current. The Redcar & Cleveland Local Plan (Adopted May 2018) has been adopted since the 2014 ES.

Consistent with the 2014 ES, this assessment has been undertaken with due consideration of the following legislation (and amendments, where appropriate): the Environmental Stewardship (England) Regulations 2005⁶; Commons Act 2006⁷; and the Countryside and Rights of Way Act 2000⁸.

2.4 Scope of Assessment

This section summarises the scope of the assessment. A number of land use elements have been scoped out of this assessment, as they are either not relevant to the Application, or will not give rise to effects that require further assessment.

⁴ Department of Energy & Climate Change, UK Government (2011) Overarching National Policy Statement for Energy (EN-1) [Online] Available at: <https://www.gov.uk/government/publications/national-policy-statements-for-energy-infrastructure> (Accessed 12/06/2020)

⁵ Department of Energy & Climate Change, UK Government (2011) National Policy Statement for Renewable Energy Infrastructure (EN-3) [Online] Available at: <https://www.gov.uk/government/publications/national-policy-statements-for-energy-infrastructure> (Accessed 12/06/2020)

⁶ UK Government (2005) The Environmental Stewardship (England) Regulations 2005 [Online] Available at: <https://www.legislation.gov.uk/ukssi/2005/621/contents> (Accessed 12/06/2020)

⁷ UK Government (2006) Commons Act 2006 [Online] Available at: <http://www.legislation.gov.uk/ukpga/2006/26/contents> (Accessed 12/06/2020)

⁸ UK Government (2000) Countryside and Rights of Way Act 2000 [Online] Available at: <http://www.legislation.gov.uk/ukpga/2000/37/contents> (Accessed 12/06/2020)

2.4.1 Realistic Worst Case

This assessment considers the concurrent construction, operation and decommissioning of the Applicants' Projects as the realistic worst-case construction scenario as this will result in greatest restriction in land use practices. All other scenarios are scoped out of further assessment.

2.4.2 Study Area

A Direct Impact Study Area has been identified which is an area encompassing the footprint of the Works (i.e. the planning application boundary). The Direct Impact Study Area is considered to be the largest area over which direct land use impacts will be experienced as a result of the Works.

The 2014 ES included an indirect study area titled 'Redcar and Cleveland Borough Study Area'. This was selected as it is the spatial level at which local plan policy is made and development objectives are applicable. The Redcar and Cleveland Borough Study Area is scoped out of this assessment as the indirect effects of the Works will not produce any additional likely significant effects than those previously assessed in the 2014 ES.

2.4.3 Land Use Topics

Table 2.1 provides a justification as to the items within the 2014 ES which are scoped out of this assessment. This assessment will include land use, land use policies and designations, and ALC.

Table 2.1: Scope of the Assessment

Land Use Topic	Included in Assessment	Justification for Inclusion/Exclusion in Assessment
Land Use	Yes	As the Direct Study Area is different to the 2014 ES, direct effects on land use are considered within this Assessment. As per Section 2.2.2, it is not considered proportionate to assess the indirect study area titled Redcar and Cleveland Borough Study Area from the 2014 ES.
Land Use Policies and Designations	National - No Local - Yes	As national policy in relation to land use has not changed since the 2014 ES, this is scoped out of further assessment. Given the intervening time since the submission of the 2014 ES and the adoption of the RCBC Local Plan in 2018, it is pertinent to update the local policy section of this assessment.
Soil Type	No	Covered in Chapter 9 on the Environmental Appraisal and Technical Appendix 3 – Geology and Soils Assessment. This will cover the type, drainage, texture, fertility, moisture and expected land cover.
ALC	Yes	As the Direct Study Area is different to the 2014 ES, direct effects on land use are considered within this Assessment.

Agricultural Activities	No	South Teesside and the North East are used to describe the regional baseline for this assessment in the 2014 ES. As per the 2014 ES, this data was not available for the Redcar and Cleveland Borough Study Area. As the ALC does not vary from the 2014 ES, it is considered that the difference on the impact on agricultural activities on the wider study area (in this case South Teesside and the North East) will be imperceptible.
Environmental Stewardship Schemes	No.	Figure 4.7 contained within Chapter 26 of the 2014 ES showed Environmental Stewardship Schemes within its direct study area; however, these Environmental Stewardship Schemes are no longer active as per Natural England Open Data ⁹¹⁰ . There are no agreed Environmental Stewardship or Countryside Stewardship Schemes within the Direct Study Area for the Works, as shown on Figure 2.1. Therefore, impacts on Environmental Stewardship Schemes are not considered within this assessment.

2.5 Assessment Methodology

To allow a comparative assessment of the potential effects of the Works against the 2014 ES, a methodology similar to that used in the 2014 ES is used. The sensitivity of the receptor/asset to an effect reflects the level of importance assigned to it. The criteria used for defining sensitivity to effects on land use assets is set out in Table 2.2.

Table 2.2: Framework for Determining Sensitivity of Receptors

Sensitivity of Receptor	Definition
Very High	The asset has little or no capacity to absorb change without fundamentally altering its present character, is of very high land use value, or of UK importance (e.g. ALC Grade 1 land; highly valued or unique soils).
High	The asset has low capacity to absorb change without fundamentally altering its present character, is of high land use value, or of importance to England (e.g. ALC Grade 2 land; highly valued soils).
Medium	The asset has moderate capacity to absorb change without substantially altering its present character, has some land use value (e.g. ALC Grades 3a and 3b land), or is of regional importance (e.g. North Yorkshire).

⁹ Natural England (2020) Environmental Stewardship Scheme Agreements (England) [Online] Available at: <https://naturalengland-defra.opendata.arcgis.com/datasets/environmental-stewardship-scheme-agreements-england> (Accessed 12/06/2020)

¹⁰ Natural England (2017) Countryside Stewardship Scheme Agreement (England) [Online] Available at: <https://naturalengland-defra.opendata.arcgis.com/datasets/countryside-stewardship-scheme-agreements-england> (Accessed 12/06/2020)

Low	The asset is tolerant to change without detriment to its character, has low land use value (e.g. ALC Grade 4 land; arable or grassland), or is of local importance (e.g. Redcar and Cleveland Borough).
Negligible	The asset is resistant to change and is of little land use value (e.g. ALC Grade 5 land' non-agricultural and urban, non-arable or grassland).

In determining the magnitude of potential effect, the values of the asset affected are first defined. The criteria for assessing the magnitude of change is set out in Table 2.3.

Table 2.3: Framework for Determining Magnitude of Effect

Sensitivity of Receptor	Definition
Large	Total loss or major alteration (beneficial or adverse) of the land use assets/receptors.
Medium	Loss of, or alteration to (beneficial or adverse), one of more key elements of the land use asset.
Low	Slight alteration (beneficial or adverse) of the land use asset/receptors.
Negligible	Barely perceptible alteration (beneficial or adverse) of the land use asset/receptors.

Using professional judgement and interpretation, a qualitative assessment of the level of potential impact of the Works on land use resources will be determined using the aforementioned sensitivity of the receptor and the magnitude of effect scales.

The assessment of potential impact will allow a comparison with the statement of significance in the 2014 ES (i.e. whether the impact is different from the conclusion of the 2014 ES).

3 Baseline for Assessment

Table 3.1 summarises the key changes to the baseline from the 2014 ES to the baseline for the Application. It also includes commentary on the comparability of the baselines.

Table 3.1: Summary of Changes to Baseline

Element	2014 ES Baseline	The Application Baseline	Baseline Comparable	Commentary
Land Use	Beach and rough sand dunes; arable; and industrial.	Arable (44%); industrial (52%); and road (4%).	Yes.	2014 ES baseline includes more sensitive habitats (i.e. beach and rough sand dunes). The entirety of the Works is within arable and/or industrial land use,

Element	2014 ES Baseline	The Application Baseline	Baseline Comparable	Commentary
				which were considered in the 2014 ES.
Land Use Policies and Designations	RCBC Local Plan (2018) – <ul style="list-style-type: none"> • DP1 – Development Limits; • CS23 – Green Infrastructure (Green Wedges); • CS10 – Steel, Chemical and Port Related Industries; and • CS9 – Protecting Employment Areas. 	RCBC Local Plan (2018) – <ul style="list-style-type: none"> • SD 3 – Development Limits; • N2 – Green Wedge; • N2 – Strategic Landscape Areas; and • ED 6 – Protecting Employment Areas. 	Yes.	Very similar policies within the RCBC Local Plan 2018 to the Core Strategy and Development Policies (2007) and saved Local Plan policies (1999). As such, scoped out of further assessment.
ALC	<ul style="list-style-type: none"> • Grade 2 – 52%; • Grade 3 (undifferentiated) – 9%; and • Non-agricultural/urban – 39% 	<ul style="list-style-type: none"> • Grade 2¹¹ – 44%; and • Non-agricultural/urban – 56%. 	Yes.	The Application has a proportionately lower percentage of the Works proposed within agricultural land and within Grade 2 land compared to the 2015 DCO.
Public Rights of Way (PRoW)	The following PRoW intersected: <ul style="list-style-type: none"> • Public Byway (116/19/1); • Public footpath (129/29/1); • Public footpath (129/30/1); and • Public footpath (106/190/1). 	<ul style="list-style-type: none"> • One PRoW intersected (106/190/1); and • Two PRoW adjacent to the Works (129/29/1 and 129/30/1). 	Yes.	No new PRoW however, given the reduced scale of the Works, fewer PRoW are intersected than the 2015 DCO.

4 Assessment of Potential Effects

4.1 Summary of 2014 ES Effects

Table 4.1 provides a summary of 2014 ES construction effects on land use receptors.

¹¹ This includes arable land use only as some areas within Grade 2 ALC are covered by 'road' land use.

Table 4.1: 2014 ES Construction Effects on Land Use

Element	2014 ES Effect Summary
Land Use	<p>Approximately two thirds of the 2015 DCO are within areas associated with agriculture. Construction of the 2015 DCO would result in 18.3 ha of agricultural land taken out of use. Other land uses through which the 2015 DCO crosses include roads and associated verges, field boundaries and watercourses.</p> <p>During construction it is unavoidable that land within the 2015 DCO 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 low. Following reinstatement, the previous land use will continue as before on the majority of the land affected by the 2015 DCO. A minor adverse residual impact is predicted along the cable route associated with the construction of the 2015 DCO.</p>
ALC	<p>Approximately 52% of the arable land affected by the 2015 DCO will be Grade 2 and 9% Grade 3. The remaining land is classified as non-agricultural or urban (39%). The sensitivity of this receptor is considered to be high given the quality of the arable land, mainly the presence of Grade 2 land. The magnitude of effect is considered to be low, given that there is no permanent change to land use, with only temporary restriction to agricultural activities. A minor adverse residual impact is predicted along the cable route associated with the construction of the 2015 DCO.</p>
Recreational Land Use	<p>All PRoW listed in Table 3.1 are considered medium sensitivity and will be crossed by HDD, with the exception of public footpaths 129/29/1 and 129/30/1 which will be crossed by trenching.</p> <p>Public byway 116/19/1 and public footpath 106/190/1 are not anticipated to require temporary closure, but will be affected by temporary visual and noise disturbance from the HDD activities, for a maximum period of two months.</p> <p>Public footpaths 129/29/1 and 129/30/1 will be crossed using open trenching, and will require temporary closure or diversion and crossing control. The maximum length of closure of the footpaths is anticipated to be two weeks. Thereafter, users of the footpath will continue to be disturbed visually and by noise from the remaining trenching activities along this stretch (up to two months).</p> <p>The magnitude of this effect (mainly disruption and reduced amenity value to the local community and visitors who use public footpaths 129/29/1 and 129/30/1) is assessed as medium. Diversions, closures or crossing control requirements will be temporary and short term in nature.</p> <p>Following the implementation of the mitigation measures set out in Table 6.4 of Chapter 23 of the 2014 ES, the potential magnitude of the impact upon the PRoW is considered to be low and thus, an overall minor adverse impact is anticipated as a result of the construction of the 2015 DCO.</p>

4.2 Effect as a Result of the Works

4.2.1 Land Use

Table 4.2 shows the total construction land take area for the Works.

Table 4.2: Estimate of Land Take during Construction of the Works

Infrastructure/Ancillary Works	Land Take (ha)
Cable Corridor	9.8 ha
Construction Compounds	8.5 ha
Retaining Works and Reprofilng	0.4 ha
Temporary Haul Road	1.4 ha
Accesses	0.5 ha
TOTAL	20.6 ha

Approximately 9.1 ha (44%) of land within the construction footprint has been identified as arable which would be taken out of use during construction. Approximately 10.8 ha of the land within the Works is Industrial (52%) and 0.8 ha (4%) is roads/road verges.

Arable land is considered in Section 4.2.2 whereas the remainder of this section considers industrial and road land uses. No areas of road will be lost as a result of the Works as the cable will be HDD at these locations. Industrial areas as designated as within Wilton International however, are either greenfield or brownfield and as such, the Works will not require the temporary cessation of existing industrial land uses. Industrial and road land uses are considered a low sensitivity receptor (i.e. tolerant to change without detriment to its character, has low land use value).

During construction, it is unavoidable that land within the Works will temporarily be taken out of its existing land use. There is no permanent change to land use, with only temporary restrictions to current industrial activities. The magnitude of effects is considered low (i.e. a slight, temporary alteration of the land use asset/receptors). Following reinstatement, as there is no permanent above ground infrastructure, the current land use can resume for all of the land affected by the Works (with the exception of the retaining works which will be permanent).

Based on a low sensitivity of receptor and a low magnitude of effect, there will be a negligible effect on industrial land use during construction of the Works.

4.2.2 ALC

As shown in Figure 4.3, all arable land affected is considered Grade 2 (9.7 ha) which equates to 44% of the area within the planning application boundary. The remaining land is classified as non-agricultural or urban (10.9 ha, 56% of area within the planning application boundary).

The sensitivity of the receptor is considered to be high/medium given the quality of the arable land, mainly the presence of ALC Grade 2. Based on a high/medium sensitivity of receptor and a low magnitude of effect, there will be a minor adverse effect on arable land use during construction of the Works. With the application of

mitigation measures detailed in Section 5 of this Report and the 2014 ES, the residual effects are assessed as negligible.

4.2.3 Recreational Land Use

The Works run adjacent to the southern boundary of public footpaths 129/29/1 and 129/30/1. These footpaths will be affected by temporary visual and noise disturbance from the Works adjacent to the footpaths however, will not require temporary closure. Temporary disturbance is considered low magnitude on medium sensitivity receptor and therefore, a minor adverse effect is anticipated.

It is proposed that the Works will cross public footpath 106/190/1 at Mains Dyke by HDD. This footpath is not anticipated to require temporary closure, but will be affected by temporary visual and noise disturbance from the HDD activities, for a maximum period of two months. Temporary disturbance is considered low magnitude on medium sensitivity receptor and therefore, a minor adverse effect is anticipated.

The temporary disturbance to public footpaths 129/29/1, 129/30/1 and 106/190/1 (medium sensitivity) is considered negligible as a result of the Works.

5 Mitigation and Enhancement

The construction footprint will be minimised where possible and land reinstated to its former condition as soon as reasonably possible following the Works, dependent on weather conditions. During the site selection and assessment of alternatives process a number of design decisions were made that will inherently reduce the impact on land use and agriculture, including:

- Burial of cables at a depth to allow current land uses to continue;
- HDD or trenchless methods to be utilised at road and waterway crossings where feasible to maintain access; and
- Underground inspection pits located at field boundaries to avoid restricting current land use practices.

No additional enhancement/mitigation measures are proposed, above and beyond the 2014 ES, as a result of the Works.

6 Cumulative Effects

The potential for cumulative impacts was assessed as part of the 2014 ES. 31 relevant projects were identified and considered for the assessment of cumulative impacts on land use, of which three were considered to have the potential to result in cumulative land use impacts. The greatest impact in terms of land taken out of existing use will occur where the York Potash Project crosses the 2015 DCO limits. This impact will be experienced by a single landowner. This is currently used for arable production and likely that at least one field will not be available at all during the construction period.

Following implementation of mitigation measures detailed in Table 10.3 of Chapter 26 of the 2014 ES, the cumulative impact will be no greater than the impact for each individual project with the exception of localised

soil degradation which is scoped out from assessment within this assessment. The cumulative effects can be described as negligible as they have already been incorporated into the assessment.

There has been no change in the effects on land use associated with the Works and as such, there has been no change to the negligible cumulative impact identified in the 2014 ES.

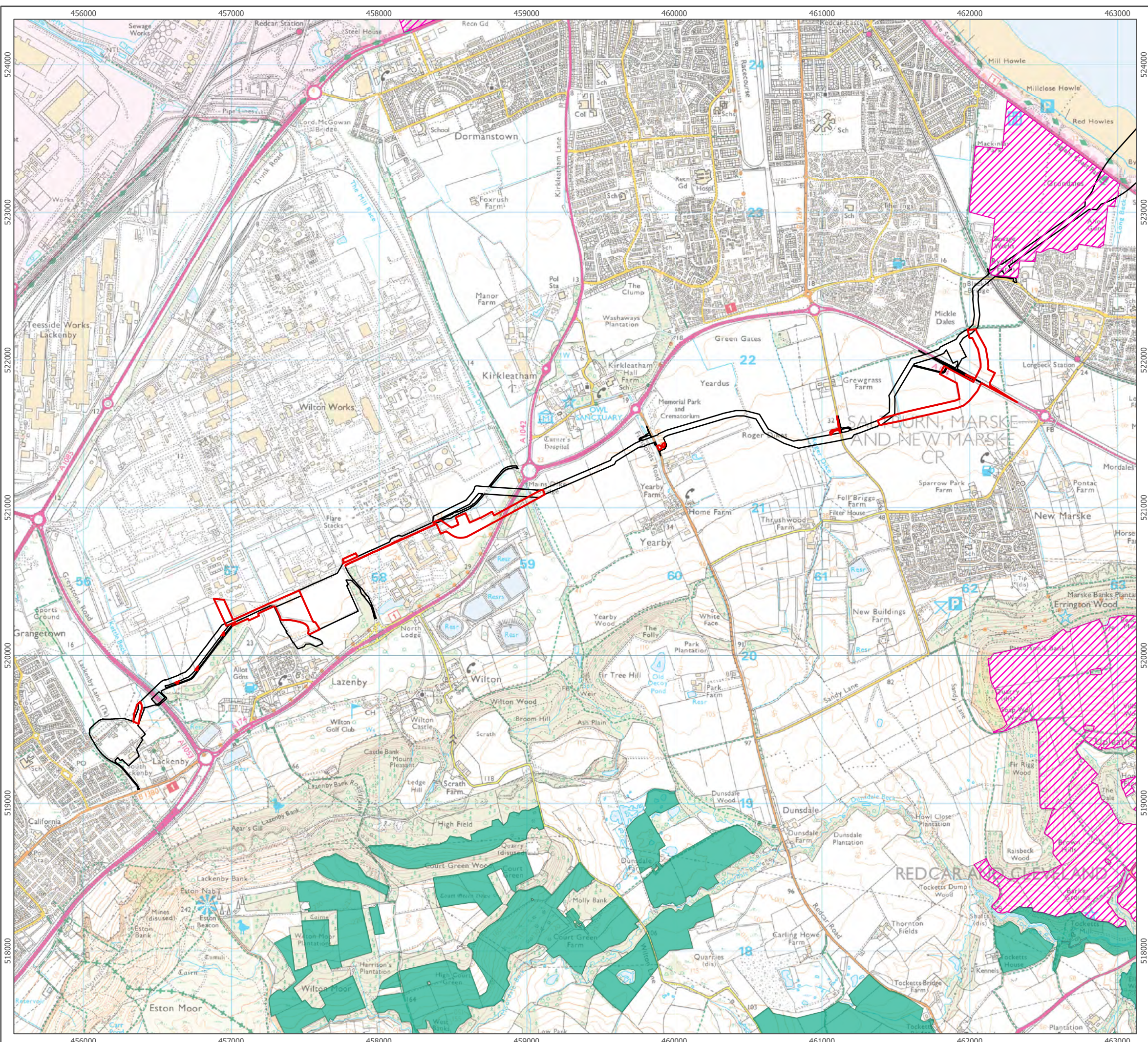
7 Summary and Statement of Change/No Change

Table 7.1 provides a comparison of the 2014 ES effects and the effects as a result of the Works. This assessment demonstrates that the Works do not give rise to additional likely significant effects than those identified within the 2014 ES.

Table 7.1: Summary and Statement of Change/No Change

Stage/Receptor	2014 ES	Effects as Result of the Works	Change/No Change to 2014 ES Conclusion
Construction – Land Use	Minor Adverse	Negligible	No Change
Construction – ALC	Minor Adverse	Negligible	No Change
Construction - PRoW	Minor Adverse	Negligible	No Change
Cumulative - All	Negligible	Negligible	No Change

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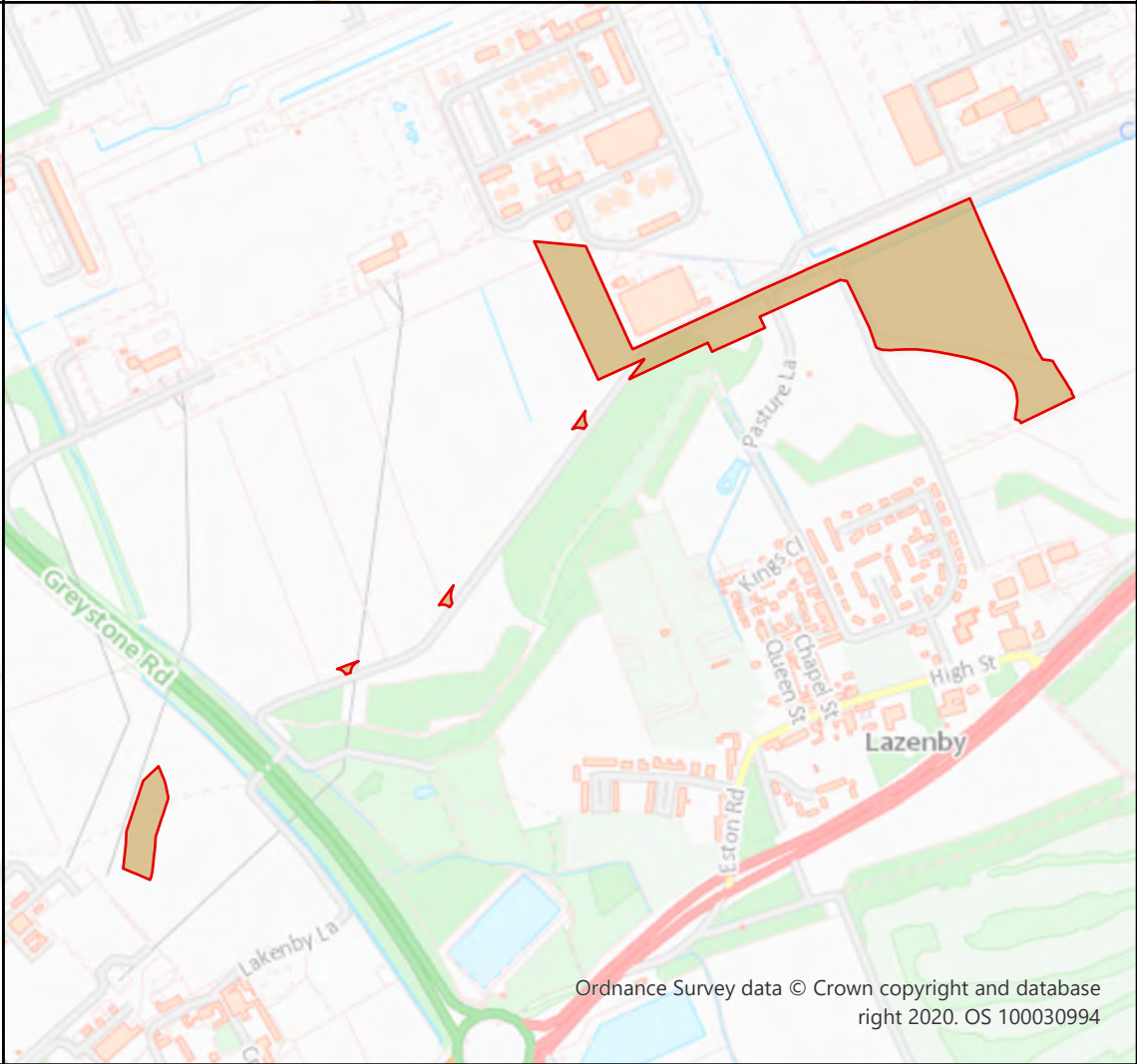
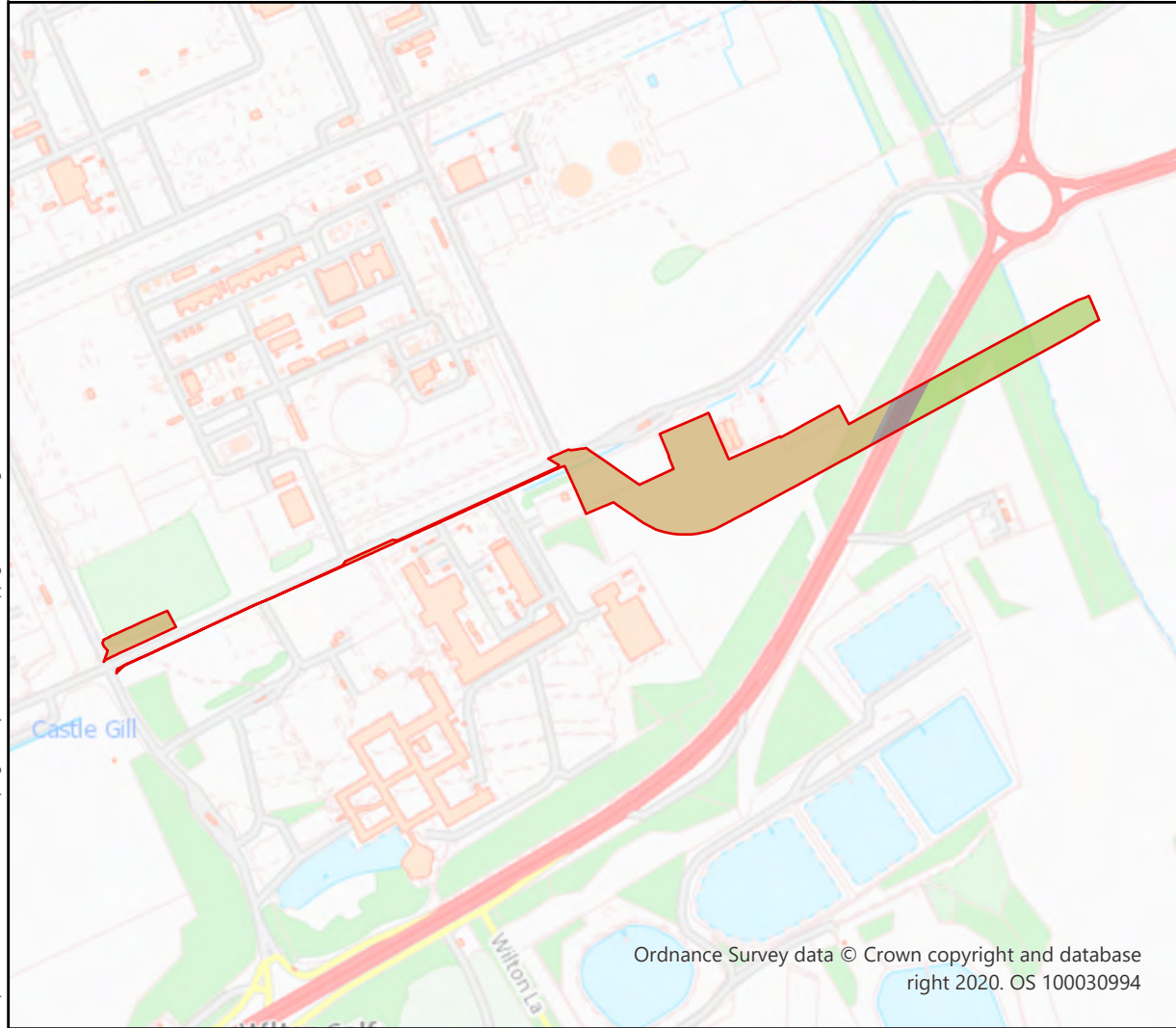
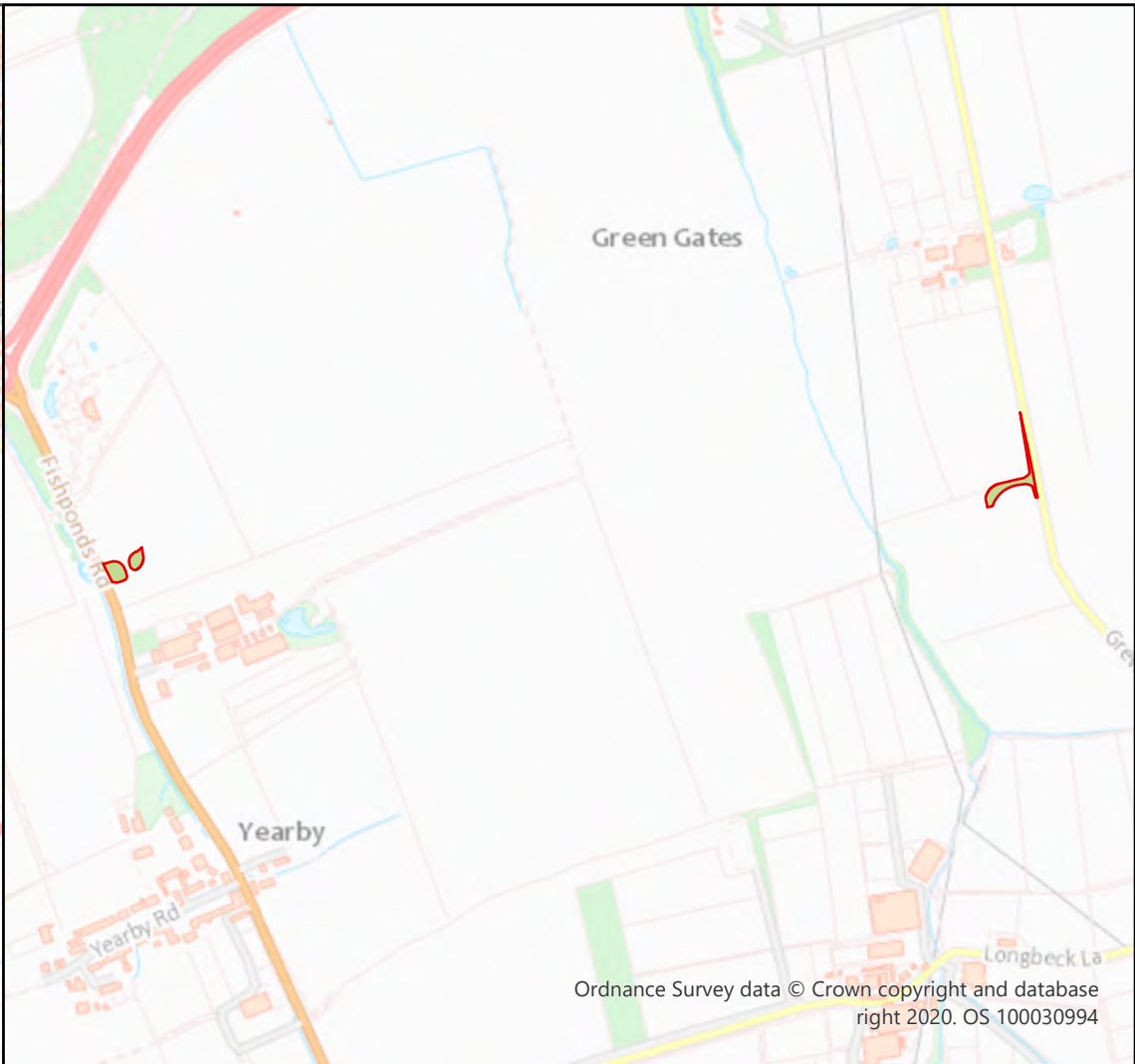
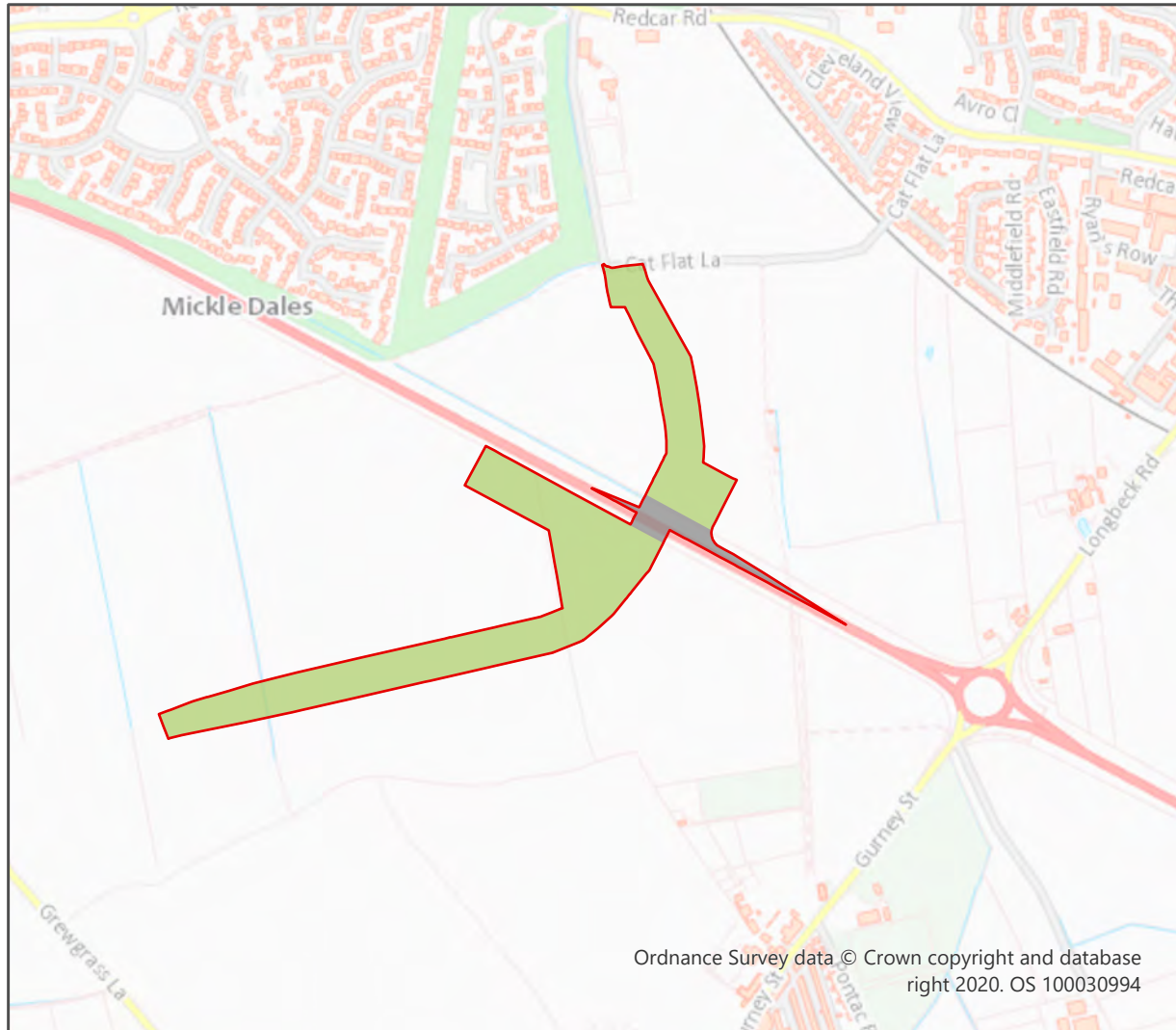
- Planning Application Boundary
- DCO Boundary
- Environmental Stewardship Scheme Agreements
- Countryside Stewardship Scheme Management Areas

1:25,000 Scale @ A3
0 460 920 m
NORTH

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Environmental and Countryside Stewardship Schemes
Figure 2.1

Dogger Bank C and Sofia Onshore Works Application Land Use Technical Appendix



- Planning Application Boundary
- Land Uses
- Arable
 - Industrial Area
 - Road & Road Verge

1:10,000 Scale @ A3

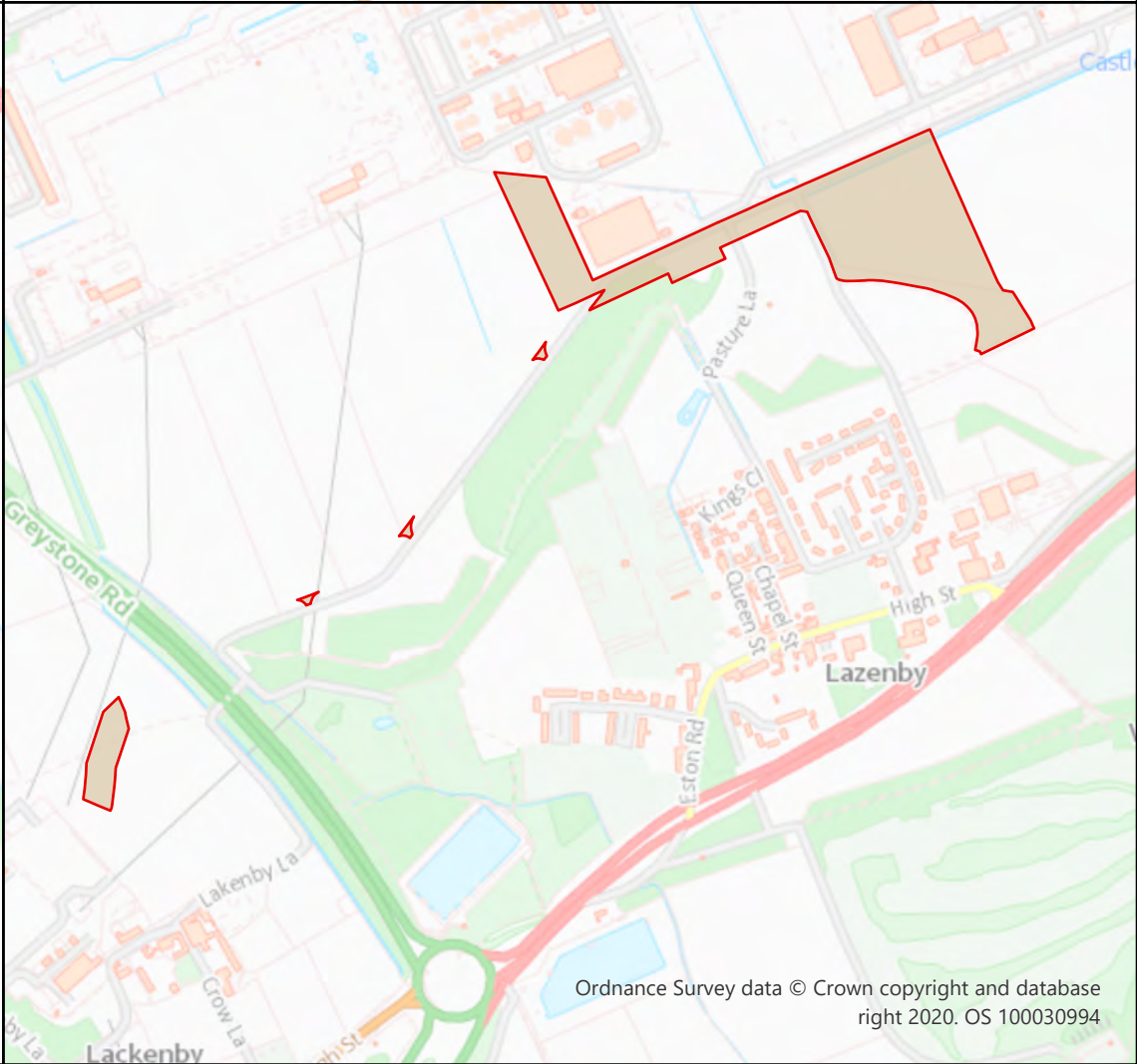
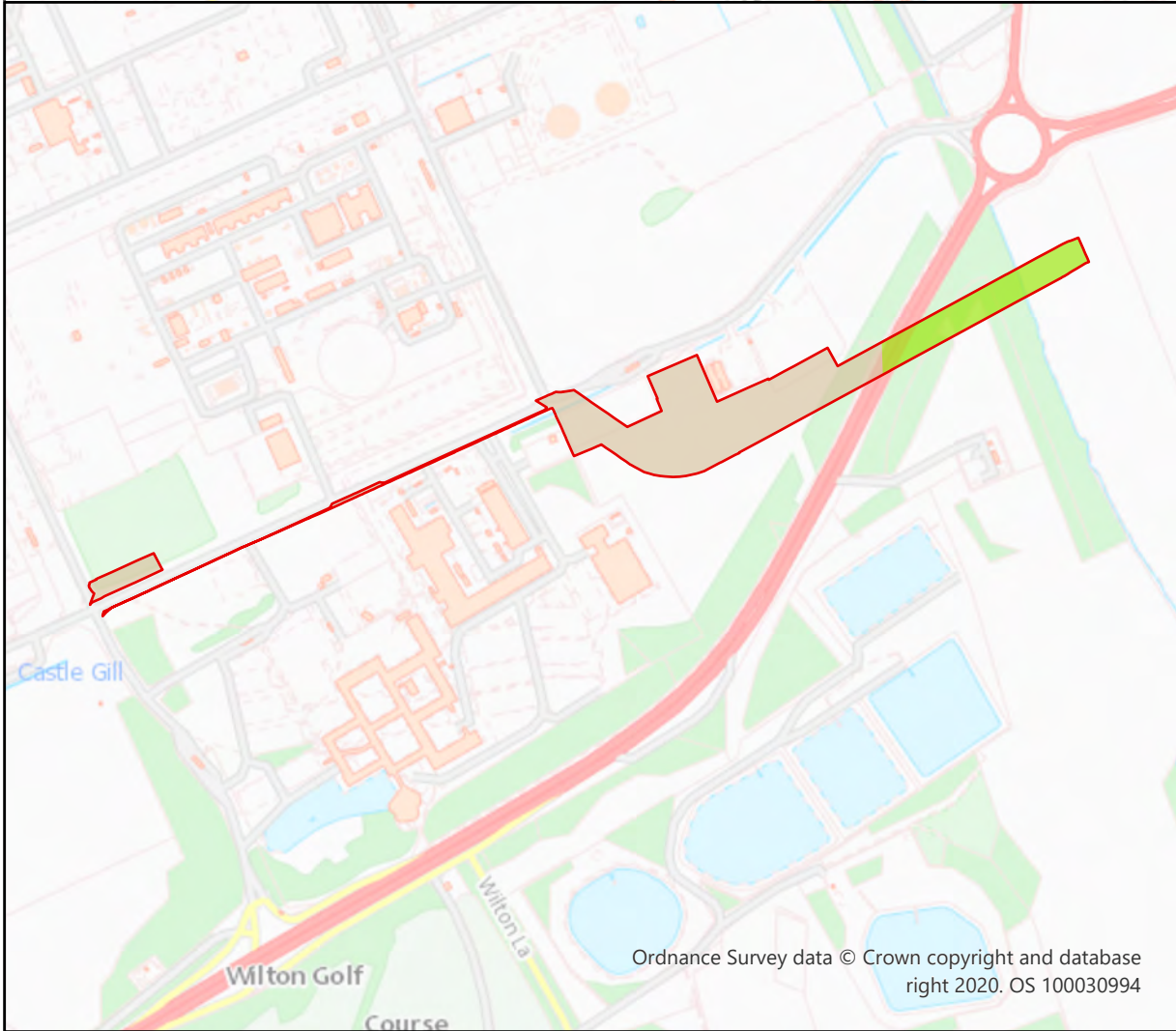
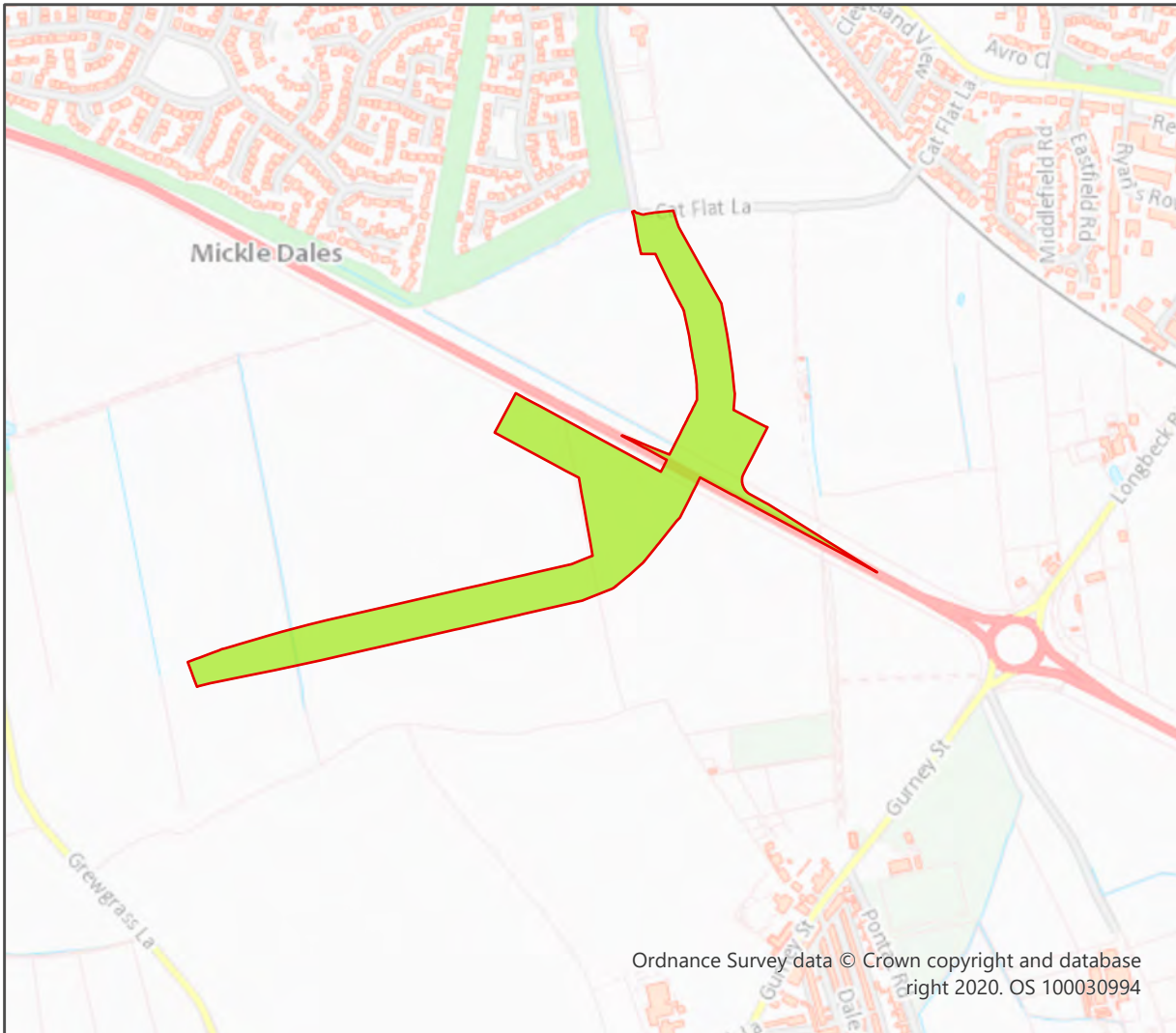
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**Land Uses within
Direct Study Area**
Figure 4.1

**Dogger Bank C and Sofia
Onshore Works Application
Land Use Technical Appendix**



- Planning Application Boundary
- Agricultural Land Classification
- Grade 2
 - Urban

1:10,000 Scale @ A3

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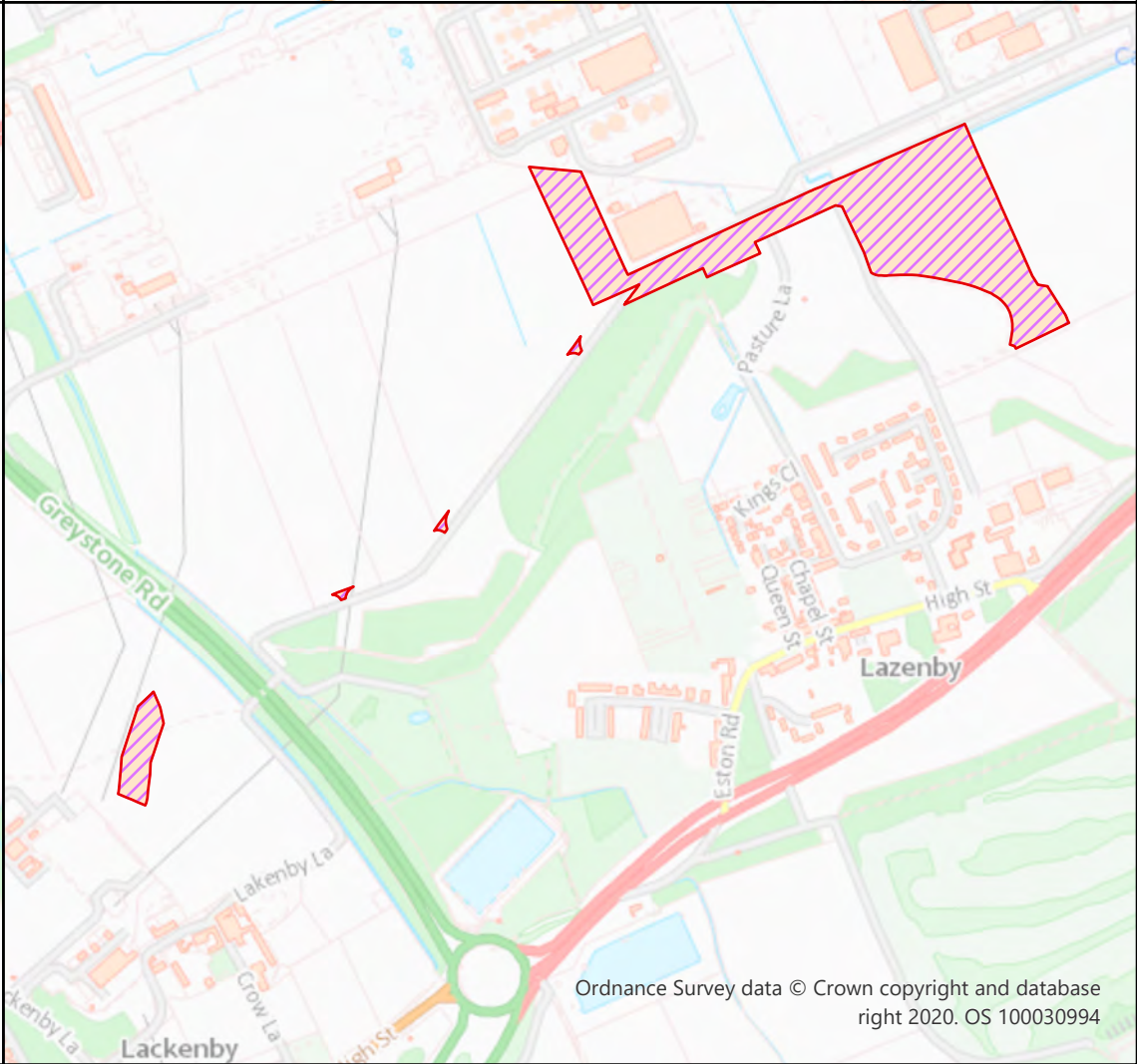
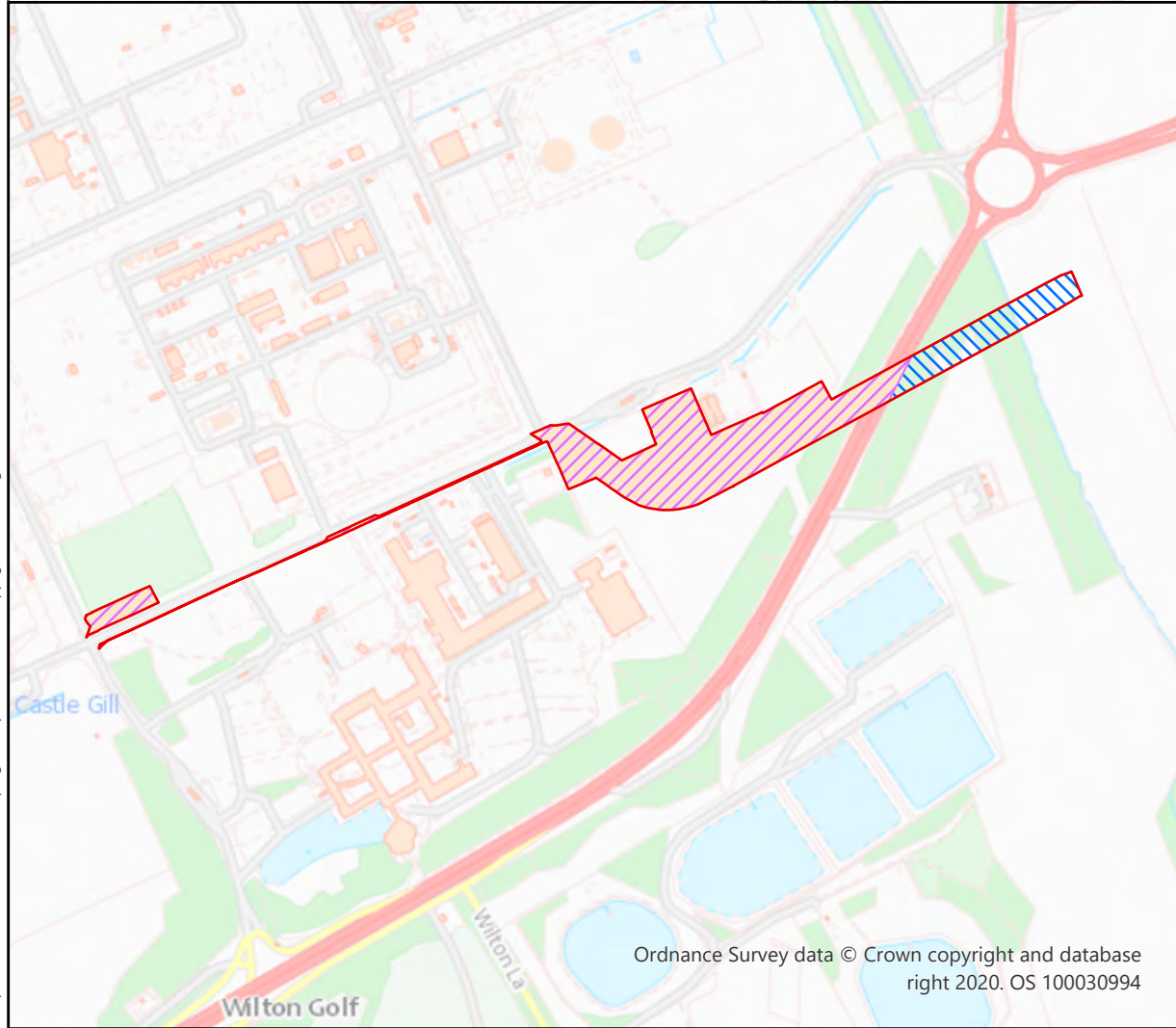
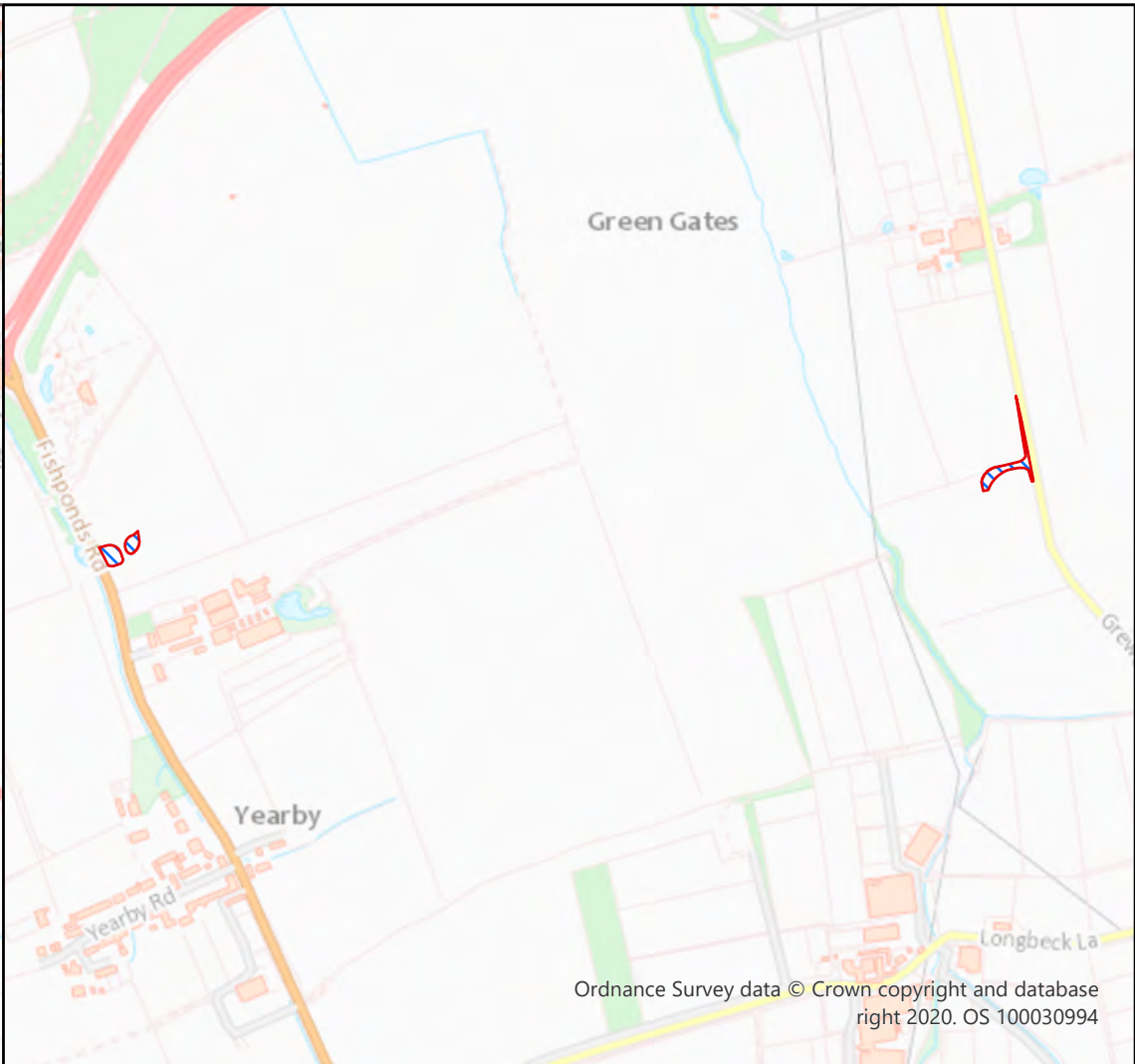
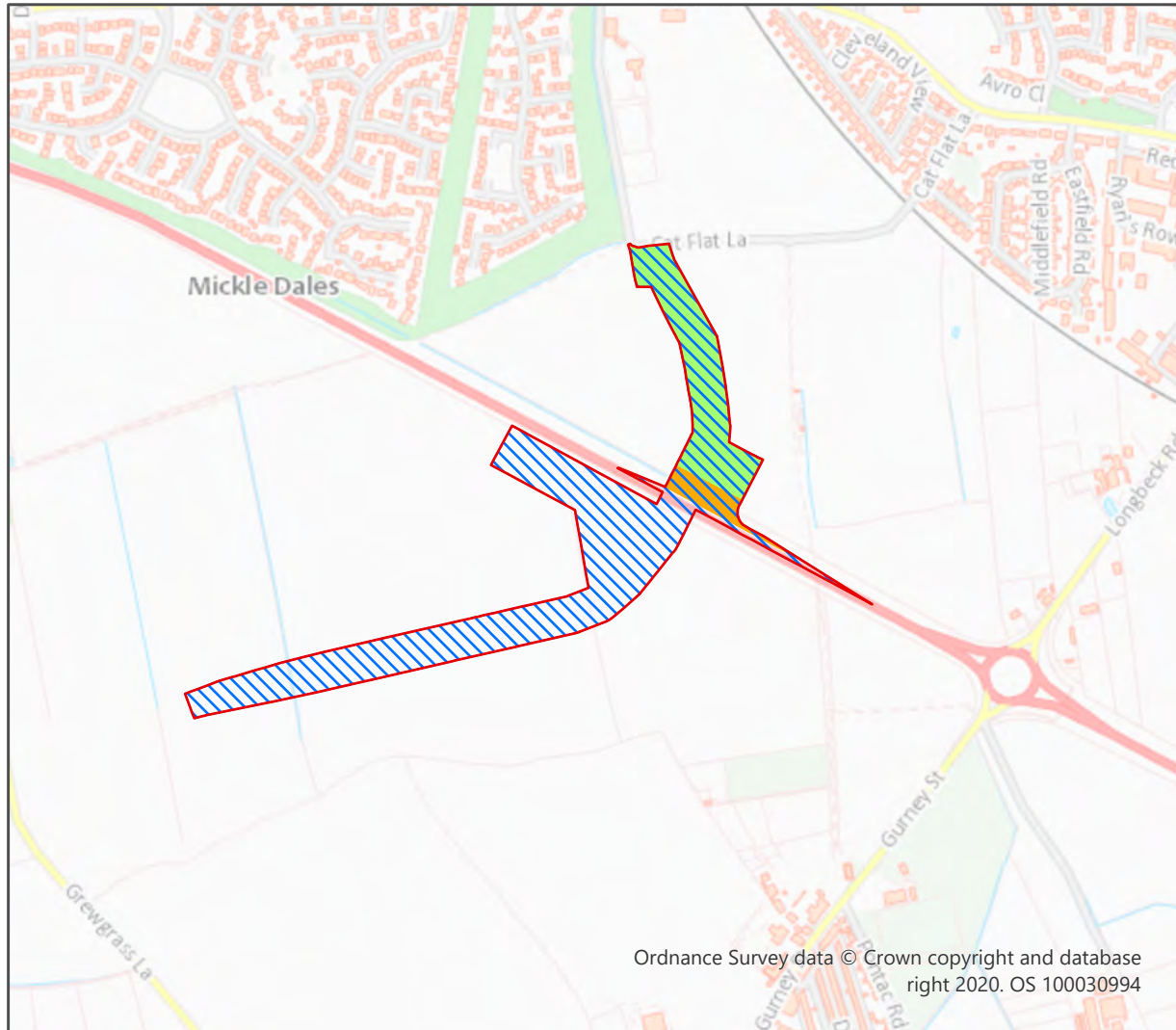
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Agricultural Land Classification
Figure 4.2

**Dogger Bank C and Sofia
Onshore Works Application
Land Use Technical Appendix**



- Planning Application Boundary
- RCBC Planning Policies
- Development Limits (SD 3)
 - Restoration Landscape Areas (N1)
 - Green Wedges (N2)
 - Protecting Employment Areas (ED 6)
 - Strategic Landscape Areas (N2)

1:10,000 Scale @ A3

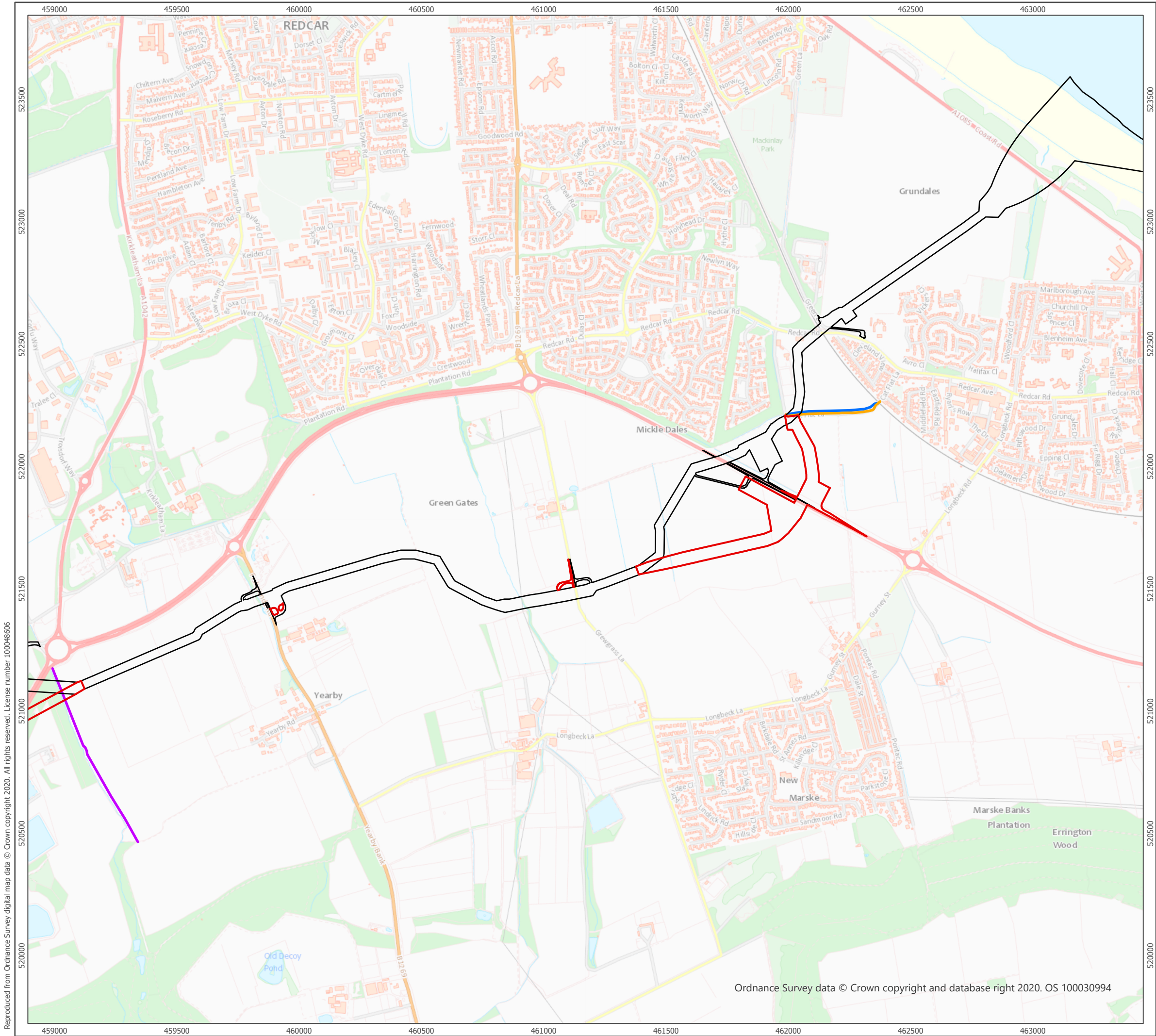
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Planning Policies
Figure 4.3

Dogger Bank C and Sofia
Onshore Works Application
Land Use Technical Appendix



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DOGGER BANK
WIND FARM

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SOFIA
OFFSHORE
WIND FARM

Planning Application Boundary

DCO Limits

Public Rights of Way

106/190/1

129/29/1

129/30/1

1:15,000 Scale @ A3

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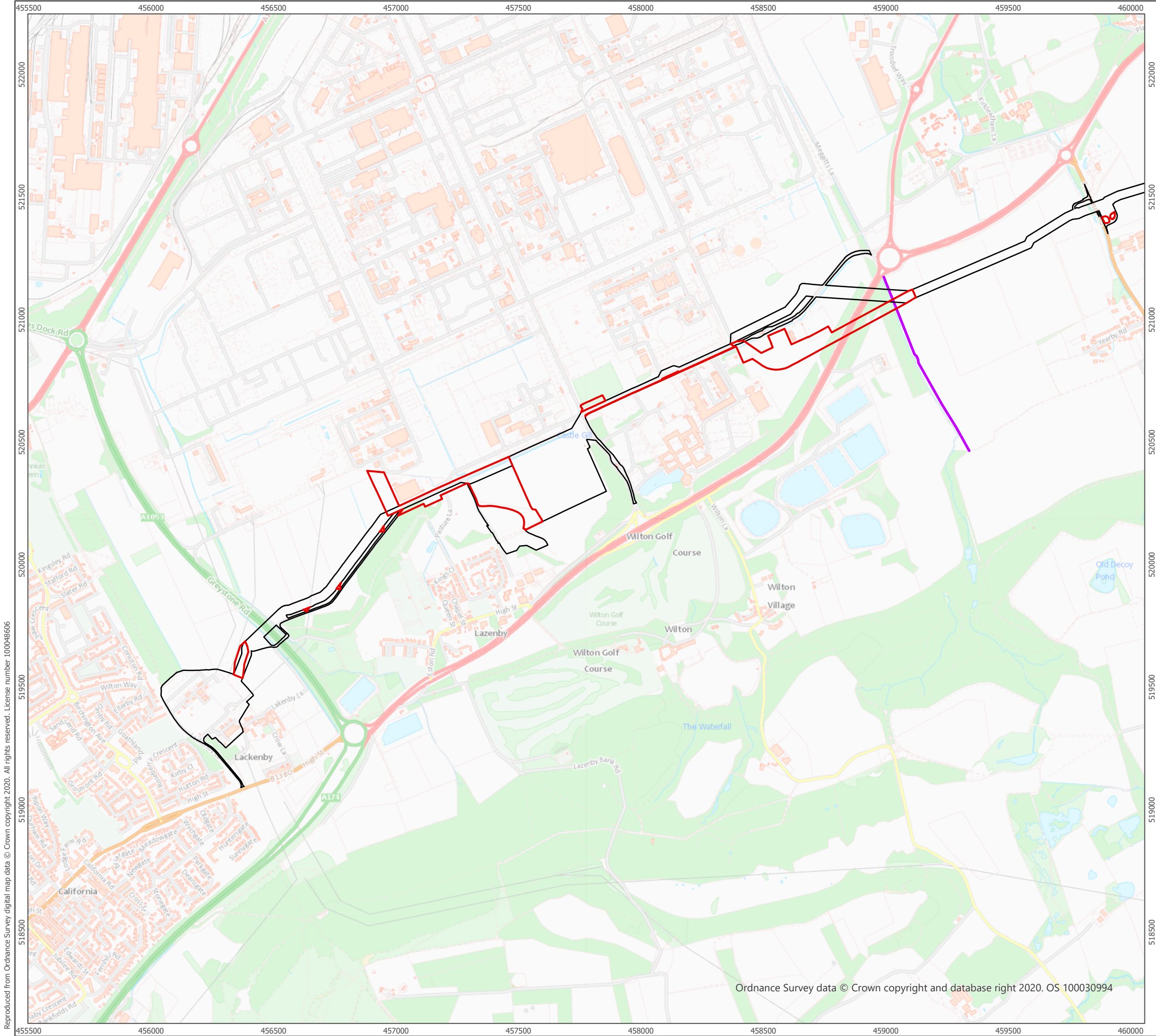
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Date: 02/07/2020

PRoW within the Works
Figure 4.4a

**Dogger Bank C and Sofia
Onshore Works Application
Land Use Technical Appendix**



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DOGGER BANK
WIND FARM



- Planning Application Boundary
- DCO Limits
- Public Rights of Way
- 106/190/1

1:15,000 Scale @ A3
0 250 500 m



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PRoW within the Works
Figure 4.4b

**Dogger Bank C and Sofia
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Land Use Technical Appendix**

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