



XLINKS MOROCCO-UK POWER PROJECT

Preliminary Environmental Information Report

Volume 1, Chapter 2: Policy and Legislation



FOR ISSUE
April 2024

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Glossary

Term	Meaning
Applicant	Xlinks 1 Limited
Converter station	Part of an electrical transmission and distribution system. Converter stations convert electricity from Direct Current (DC) to Alternating Current (AC), or vice versa.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
English offshore waters	English waters beyond 12 nm from the English coast extending out to maritime borders or median line(s) with other countries and states.
Environmental Impact Assessment	The process of identifying and assessing the significant effects likely to arise from a project. This requires consideration of the likely changes to the environment, where these arise as a consequence of a project, through comparison with the existing and projected future baseline conditions.
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
European Protected Species	Species (such as bats, great crested newts, otters and dormice) which receive full protection under The Conservation of Species and Habitats Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017.
Habitats Regulations	The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).
Local Authority	A body empowered by law to exercise various statutory functions for a particular area of the United Kingdom. This includes County Councils, District Councils and County Borough Councils. The relevant Local Authorities for the Proposed Development are Devon County Council and Torridge District Council.
National Grid Electricity System Operator	National Grid Electricity System Operator (NGESO) operates the national electricity transmission network across Great Britain. NGESO does not distribute electricity to individual premises, but its role in the wholesale market is vital to ensure a reliable, secure and quality supply to all.
National Policy Statement(s)	The current national policy statements published by the Department for Energy Security and Net Zero in 2023.
Planning Inspectorate	The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008.
Preliminary Environmental Information Report	A report that provides preliminary environmental information in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This is information that enables consultees to understand the likely significant environmental effects of a project, and which helps to inform consultation responses.
Proposed Development	The element of the Xlinks Morocco-UK Power Project within the UK, which includes the offshore cables (from the UK Exclusive Economic Zone to landfall), landfall site, onshore Direct Current and Alternating Current cables, converter stations, road upgrade works and, based on current assumptions, the Alverdiscott Substation Connection Development.
Protected species	A species of animal or plant which it is forbidden by law to harm or destroy.
Special Areas of Conservation	A site designation specified in the Conservation of Habitats and Species Regulations 2017. Each site is designated for one or more of the habitats and species listed in the Regulations. The legislation requires a management plan to be prepared and implemented for each Special Area of Conservation to ensure the favourable conservation status of the habitats or species for which it was designated. In combination with Special Protection Areas and Ramsar sites, these sites contribute to the national site network.

Term	Meaning
Special Protection Areas	A site designation specified in the Conservation of Habitats and Species Regulations 2017, classified for rare and vulnerable birds, and for regularly occurring migratory species. Special Protection Areas contribute to the national site network.
The Secretary of State for Energy Security and Net Zero	The decision maker with regards to the application for development consent for the Proposed Development.
Xlinks Morocco-UK Power Project	The overall scheme from Morocco to the national grid, including all onshore and offshore elements of the transmission network and the generation site in Morocco (referred to as the 'Project').

Acronyms

Acronym	Meaning
CNP	Critical National Priority
DCO	Development Consent Order
Defra	Department for Environment, Food and Rural Affairs
DESNZ	Department for Energy Security and Net Zero
EEZ	Exclusive Economic Zone
EIA	Environmental Impact Assessment
ES	Environmental Statement
EU	European Union
ISAA	Information to Support the Appropriate Assessment
MCAA	Marine and Coastal Access Act
MCZ	Marine Conservation Zone
MMO	Marine Management Organisation
MPS	Marine Policy Statement
NIC	National Infrastructure Commission
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
SAC	Special Area of Conservation
SPA	Special Protection Area
UK	United Kingdom

Units

Units	Meaning
GW	Gigawatt
MW	Megawatt
%	Percent

2 POLICY AND LEGISLATION

2.1 Introduction

2.1.1 This chapter of the Preliminary Environmental Information Report (PEIR) provides a summary of the policy and legislative context for the United Kingdom (UK) elements of the Xlinks Morocco-UK Power Project (the 'Project'). For ease of reference, the UK elements of the Project are referred to as the 'Proposed Development', which is the focus of this Preliminary Environmental Impact Assessment.

2.2 Legislative Context

Net Zero: Opportunities for the Power Sector

- 2.2.1 In June 2019, the Government raised the UK's ambition of tackling climate change by legislating a net-zero greenhouse gas emissions target for the whole economy by 2050. Decarbonising the power sector is integral to achieving this goal. It requires major investment in proven technologies, such as solar, which are supported by planning policy at local and national levels.
- 2.2.2 The National Infrastructure Commission (NIC), the official advisor to the Government on infrastructure, subsequently produced the 'Net Zero: Opportunities for the Power Sector' report, in March 2020 (NIC, 2020), which sets out the infrastructure required to meet the 2050 target. Importantly, the NIC recommends the generation mix is up to around 90% renewables. The report recommends that across all scenarios, significant solar, onshore wind, and offshore wind, with between 129-237 GW of renewable capacity, be in operation by 2050.
- 2.2.3 The National Grid Electricity System Operator report, Future Energy Scenarios, published in July 2023, considers different scenarios for the future of the energy system up to 2050. It demonstrates that it is possible for the UK to reach net zero by 2050, however, it will be critical to deliver renewable technologies to effectively decarbonise the energy system.
- 2.2.4 These strategies culminated in the publication of the latest suite of Energy National Policy Statements (NPSs) (2023) by the Government (see below) which requires an increase in installed capacity of five times existing capacity, together with the identification of all renewable and low carbon technologies as Critical National Priority (CNP) infrastructure.
- 2.2.5 Although the above figures are high-level, they demonstrate the amount of new infrastructure required to meet the urgent need to decarbonise the energy sector in the UK. The scale of this need is such that it must be shared throughout the UK and in recognition that climate change is a national and global issue.

Net Zero Strategy: Build Back Greener

2.2.6 The Net Zero Strategy (HM Government, 2021a), published by the Government on 19 October 2021, builds on the Government's commitments made in the

Energy White Paper (2020) and sets out the long-term strategy, policy, and proposals to keep the UK on track for future carbon budgets and sets the vision for a decarbonised economy by 2050. Key policies in the strategy related to UK power generation include:

‘By 2035, the UK will be powered entirely by clean electricity, subject to security of supply; [...] 40 GW of offshore wind by 2030, with more onshore, solar and other renewables – with a new approach to onshore and offshore electricity networks to incorporate new local carbon generation and demand in the most efficient manner that takes account of the needs of local communities [...].’

2.3 Key Legislation

Planning Act 2008

- 2.3.1 The Planning Act 2008 provides the legislative basis for applications for a Development Consent Order (DCO). It also defines the application process under which a DCO is sought. The Planning Act 2008 states that projects meeting certain criteria are classified as Nationally Significant Infrastructure Projects (NSIPs). Developers wishing to construct, operate and maintain NSIPs must obtain a DCO from the relevant Secretary of State to authorise their project.
- 2.3.2 Section 14 of the Planning Act 2008 defines types of projects classified as NSIPs, subject to the criteria and thresholds set out in sections 15 to 30A for different types of infrastructure.
- 2.3.3 In addition, Section 35(1) of the Planning Act 2008 sets out that *‘the Secretary of State may give a direction for development to be treated as development for which development consent is required’* if certain criteria (including the type and location of the development) are met.
- 2.3.4 On 30 August 2023, the Applicant sought direction from the Secretary of State for Energy Security and Net Zero (the ‘Secretary of State’) under section 35(1) of the Planning Act to confirm that the two proposed UK converter stations for the overall Project should be treated as development for which development consent under the Planning Act 2008 is required.
- 2.3.5 A direction was duly made on 26 September 2023 confirming the Secretary of State’s conclusion that the Project is nationally significant and directed that development consent is required for the converter stations. Therefore, the Applicant is now pursuing a DCO for the Proposed Development, which comprises the UK elements of the Project. The annex of the Secretary of State direction explains that:

‘The Proposed Project is of national significance, taking into account that it forms part of a generation project which is comprised of 11.5GW of renewable power in Morocco, which is intended to deliver 3.6 Gigawatts (GW) of low carbon electricity to the UK’s grid and could improve the security and diversity of the UK’s electricity supply.’
- 2.3.6 Therefore, the Proposed Development is to be treated as development for which development consent is required.
- 2.3.7 The Proposed Development covers all offshore elements within the UK Exclusive Economic Zone (EEZ), as well as the onshore elements situated within the

administrative areas of Torridge District Council and Devon County Council. DCOs are examined by the Planning Inspectorate and determined by the Secretary of State.

2.3.8 Alongside local planning policy, in accordance with Section 104(2) of the Planning Act 2008, in determining applications for consent, the Secretary of State may have regard to:

- any NPS which has effect in relation to development of the description to which the application relates;
- the appropriate marine policy documents;
- any local impact report;
- any matters prescribed in relation to development of the description to which the application relates; and
- any other matters which the Secretary of State thinks are both important and relevant to its decision.

2.3.9 Section 104(3) highlights the importance of NPSs in relation to decision making, requiring applications to be decided in accordance with any relevant NPS, except where any of the following apply:

- the decision would lead to breaching of international obligations or statutory duty;
- the decision would be unlawful by virtue of any enactment;
- the adverse impact of the development is considered to outweigh its benefits; or
- a condition prescribed for deciding an application otherwise than in accordance with a national policy statement would be met.

2.3.10 The PEIR has been prepared in support of the requirement for pre-application consultation under the Planning Act 2008. It will form the basis for the Environmental Statement (ES) which will support the application for development consent.

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

2.3.11 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) govern the EIA process relevant to NSIPs. Schedule 1 of the EIA Regulations lists those projects for which an EIA is required, and Schedule 2 lists projects which may be considered an EIA development, based on the selection criteria provided in Schedule 3 on characteristics of the development, its location and the types and characteristics of the potential impacts.

2.3.12 None of the components which make up the Proposed Development are explicitly identified under Schedule 1 or Schedule 2 of the EIA Regulations. However, the Applicant proposes to undertake an EIA, having considered the criteria in Schedule 3 regarding the characteristics of the development (size of the development and cumulation with other existing and/or approved development) and its location (environmental sensitivity of geographical areas likely to be affected by the development) as such the Applicant will be submitting an ES with

the DCO application, which will render the Project as EIA development under Regulation 6 of the EIA Regulations.

- 2.3.13 Part 5 of the EIA regulations sets out the EIA process. Regulation 5(2) states that the EIA:

‘must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development’.

- 2.3.14 It states that the EIA must undertake the above in relation to several factors, including the following:

- Biodiversity;
- Land and Soils;
- Water;
- Climate Change;
- Cultural Heritage; and
- Landscape and Visual.

Marine and Coastal Access Act 2009

- 2.3.15 A spatial planning system for the management of the marine environment was introduced by the Marine and Coastal Access Act (MCCA) 2009. This introduced a requirement to obtain Marine Licences for works at sea.
- 2.3.16 The Marine Management Organisation (MMO) is responsible, under Part 4 of the Marine and Coastal Access Act (MCAA), for administering marine licensing of activities related to the construction or removal of any substance or object in UK territorial waters and also for regulating activities where they are undertaken outside of the UK territorial waters, e.g., within the UK EEZ. They do so by issuing a Marine Licence.
- 2.3.17 The Planning Act 2008 enables applicants for a DCO to apply for a ‘Deemed Marine Licence’ as part of the DCO process by Section 149A of the Planning Act 2008, which was inserted by the MCAA 2009.
- 2.3.18 In addition, Section 126 of the MCAA 2009 sets out that where a public authority has the function of determining an application that is capable of affecting (other than insignificantly) the protected features of a Marine Conservation Zone (MCZ) or the processes on which those features depend, then they have a duty to consider MCZs during their decision making.

Environment Act 2021

- 2.3.19 The Environment Act 2021 sets out targets, plans and policies for environmental protection in England.
- 2.3.20 Schedule 15 of the Environment Act 2021 sets out provisions for biodiversity net gain and amends the Planning Act 2008. The current consultation on implementation of Schedule 15 indicates that a single ‘core’ biodiversity net gain statement may be developed, with a view to incorporating the requirements into updated NPSs (Department for Environment, Food and Rural Affairs (Defra),

2022). The stated intention is for the requirements of the Environment Act 2021 in relation to biodiversity to be implemented no later than 2025 for DCO applications.

- 2.3.21 It is noted that the requirement would not initially apply to elements of projects which are located in the marine environment (such as those taking place entirely below the low water mark) (Defra, 2022).

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

- 2.3.22 These regulations set out objectives for surface and groundwater bodies, including water quality with the aim of improving the water environment. Objectives are set for waterbodies in terms of their status (see Volume 2, Chapter 4: Geology, Hydrogeology and Ground Conditions, of the PEIR).

Flood and Water Management Act 2010

- 2.3.23 This Act came into effect in April 2010, with an aim to create a simplified and more effective means of managing flood risk and coastal erosion, as well as improving the sustainability of water resources.
- 2.3.24 Schedule 3 of the Act was introduced to establish an approving body for sustainable drainage at the county and unitary level, ensuring its delivery is mandatory. This Schedule was not enacted with the rest of the Act. However, in July 2022, it was announced that Schedule 3 would be enacted.

Environmental Permitting (England and Wales) Regulations 2016

- 2.3.25 The Environmental Permitting Regulations aim to ensure that authorised activities and their discharges do not endanger the environment or human health.

Related Assessments

- 2.3.26 In addition to the EIA, the Proposed Development will be assessed in accordance with the other regulatory regimes where they apply. These include the Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (hereafter ‘the Habitats Regulations’) and the Conservation of Offshore Marine Habitats and Species Regulations 2017.

Habitats Regulations

- 2.3.27 The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) (collectively known as the ‘Habitats Regulations’) require the assessment of significant effects on internationally important nature conservation sites, including the following:
- Special Areas of Conservation (SACs) or candidate SACs;
 - Special Protection Areas (SPAs) or potential SPAs;

- Sites of Community Importance; and
 - Ramsar sites.
- 2.3.28 These have been traditionally referred to as European Sites or Natura 2000 sites. Following the UK's departure from the European Union (EU), and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, such sites in the UK are now referred to as the National Site Network. The assessment required under the Habitats Regulations is to be undertaken by the 'competent authority', which in the case of the Proposed Development is the Secretary of State for Energy Security and Net Zero.
- 2.3.29 In order to carry out the assessment required, the competent authority requires a report to be submitted alongside the application for development consent. A draft Information to Support the Appropriate Assessment (ISAA) report is provided alongside this PEIR. A refined ISAA will be provided alongside the ES with the application for development consent.
- 2.3.30 The Habitats Regulations also provide protection for certain species of plants and animals, referred to as European Protected Species. These Regulations set out those species that are protected and the activities that are prohibited, such as deliberate disturbance or creating damage to a breeding place.
- 2.3.31 The Habitat Regulations also provide for licences to be granted for certain operations, such as proposed developments that may affect protected species, subject to:
- there being no satisfactory alternative; and
 - the action authorised not being detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 2.3.32 With respect to the Proposed Development, the species present have been identified and the likely effects assessed. Where possible, effects on protected species have been avoided or minimised. Where such effects cannot be avoided, then an application for a European Protected Species licence will be made.

2.4 National Planning Policy

- 2.4.1 This section sets out the national planning policy context for the Proposed Development.

National Policy Statements

- 2.4.2 The following adopted NPSs are relevant to the Proposed Development:
- Overarching NPS for Energy (EN-1) (Department for Energy Security and Net Zero (DESNZ), 2023a);
 - NPS for Renewable Energy Infrastructure (EN-3) (DESNZ, 2023b); and
 - NPS for Electricity Networks Infrastructure (EN-5) (DESNZ, 2023c).
- 2.4.3 **Table 2.1** sets out the key aspects from the NPSs noted above that are relevant to the Proposed Development and the need for and approach to consenting such infrastructure.

Table 2.1: Summary of relevant NPS policy

NPS	Key Aspects
<p>NPS EN-1</p>	<p>Overarching energy NPS, setting out broad basis for considering applications for consent. Sets out the Government's policy for the delivery of major energy infrastructure.</p>
	<p>States that the Secretary of State should assess all applications covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent (paragraph 3.2.6) and that substantial weight should be given to this need (paragraph 3.2.7). Specifically, states that there is an urgent need for new electricity network infrastructure to meet our energy objectives (paragraph 3.3.59).</p>
	<p>Highlights that the <i>'Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure.'</i> (paragraph 3.3.62)</p>
	<p>Paragraph 4.1.5 of the NPS EN-1 states that in considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the Examining Authority should take into account the following:</p> <ul style="list-style-type: none"> • Its potential benefits, including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and • Its potential adverse impacts, including any long-term and cumulative adverse impacts, and any measures to avoid, reduce or compensate for any adverse impacts.
	<p>Sets out general assessment principles in relation to Environmental Impact Assessment (EIA) and key environmental topic areas. Some key principles include the following:</p> <ul style="list-style-type: none"> • <i>'To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.'</i> (paragraph 4.3.4). • <i>'For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation and decommissioning of the project.'</i> (paragraph 4.3.5).
	<p>Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licences alongside their DCO application' (paragraph 4.5.7)</p>
	<p>Applicants for a DCO must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent (paragraph 4.4.8).</p>
	<p>Applicants are encouraged to refer to Marine Plans at an early stage, such as in preapplication, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints (paragraph 4.4.9).</p>
<p>NPS EN-3</p>	<p>NPS for renewable energy infrastructure. Recognises the urgent need for new electricity generating capacity to help meet energy targets, such as net zero by 2050.</p>
	<p>This NPS will apply to offshore transmission infrastructure projects in English waters which are directed into the NSIP regime under section 35 of the Planning Act 2008. This could include interconnectors, Multi-Purpose Interconnectors (MPIs) or 'bootstraps' to support the onshore network which are routed offshore (paragraph 2.6.3).</p>
	<p>Highlights the use of the 'Rochdale Envelope' method (referred to as the 'maximum design scenario' in this Environmental Statement), which allows for the maximum adverse and positive scenario to be assessed in the EIA process, with DCO granted on this basis (section 2.6).</p>
	<p>Sets out considerations for assessment at paragraphs 3.8.302-3.8.307, with reference to EN-5 for onshore elements.</p>

NPS	Key Aspects
NPS EN-5	<p>NPS for electricity networks (including grid connections for wind farms). The infrastructure covered by the NPS for electricity networks includes transmission systems, distribution systems, and associated infrastructure (e.g., substations, converter stations, etc.).</p> <p>States that the security and reliability of the UK’s energy supply, both currently and in the future, is heavily dependent on an electricity network that will allow for generation, storage, and interconnection infrastructure to meet the required rapid increase in electricity demand for the transition to net zero (paragraph 1.1.1).</p> <p>In the assessments of their designs, applicants should demonstrate how environmental, community and other impacts have been considered and how adverse impacts have followed the mitigation hierarchy and how enhancements to the environment post construction will be achieved including biodiversity net gain and wider environmental improvements in line with the Environmental Improvement Plan and environmental targets (paragraph 2.14.2).</p> <p>Sets out assessment principles in relation assessment for electricity networks (sections 2.9-2.12).</p>

2.4.4 Topic chapters within the PEIR have taken into account the designated NPSs.

Other Relevant National Planning Policy

2.4.5 In addition to the policy set out in the NPSs, the following planning policy and guidance is considered relevant.

National Planning Policy Framework

2.4.6 The National Planning Policy Framework (NPPF) was published in 2012 and updated in 2018, 2019, 2021 and 2023 (Department for Levelling Up, Housing & Communities, 2023). The NPPF sets out the Government’s planning policies for England and how these are to be applied in relation to the determination of planning applications made under the Town and Country Planning Act 1990 (as amended).

2.4.7 The NPPF states that planning law requires planning applications to be determined in accordance with the Development Plan for the relevant area unless material considerations indicate otherwise. Paragraph 2 states the NPPF:

‘... is a material consideration in planning decisions’.

2.4.8 Paragraph 5 states that the NPPF does not contain specific policies for applications for development consent under the Planning Act 2008. These are to be determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant NPSs for nationally significant infrastructure, as well as any other matters that are considered both important and relevant (which may include the NPPF).

2.4.9 Where relevant, the NPPF is considered within the topic chapters of this PEIR.

Marine Policy

UK Marine Policy Statement 2011

2.4.10 The UK-wide Marine Policy Statement (MPS) was published in March 2011 under the Marine and Coastal Access Act 2009 to provide a framework for marine

spatial planning, specifically for preparing Marine Plans and taking decisions that affect the marine environment (Defra, 2020). The MMO has taken a regional approach to developing marine plans in English waters.

- 2.4.11 The Marine and Coastal Access Act 2009 requires all public authorities to take authorisation or enforcement decisions that affect or might affect the UK marine area in accordance with the MPS and the relevant Marine Plans.
- 2.4.12 The MPS provides that the following issues should be considered by decision-makers when examining and determining applications for energy infrastructure.
- The national level of need for energy infrastructure, as set out in NPS EN-1.
 - The positive wider environmental, societal, and economic benefits of low-carbon electricity generation and carbon capture and storage as key technologies for reducing carbon dioxide emissions.
 - The potential impact of inward investment in offshore wind, wave, tidal stream and tidal range energy-related manufacturing and deployment activity, as well as the impact of associated employment opportunities on the regeneration of local and national economies. These activities support the objective of developing the UK's low-carbon manufacturing capability (MPS, paragraph 3.3.4).

South West Inshore and South West Offshore Marine Plan 2021

- 2.4.13 The Proposed Development is located within English offshore and inshore waters, covered by the South West Inshore and South West Offshore Marine Plan (HM Government, 2021b). The Plan introduces a strategic approach to marine planning within the marine plan area. It is intended to inform decision-making by marine users and regulators on where, when, or how activities may take place within the marine plan area.
- 2.4.14 The South West Inshore and South West Offshore Marine Plan sets out a number of economic, social, and environmental objectives to achieve a sustainable marine economy, whilst respecting local communities within and adjacent to marine plan areas.
- 2.4.15 The policy provisions within the South West Marine Plan relevant to each environmental topic are presented and addressed in the individual topic chapters of this PEIR.

2.5 Local Planning Policy

- 2.5.1 The Local Development Plans do not carry the same weight under the Planning Act 2008 regarding decision-making on developments that require development consent as they do when determining planning applications under the Town and Country Planning Act 1990. The NPSs are the primary consideration for nationally significant applications. Nevertheless, the Development Plan is still a matter which can be considered important for the consideration of a development that requires development consent, although in the event of any conflict, the NPS prevails.
- 2.5.2 The local planning policies will be considered through the EIA process where relevant.

- 2.5.3 In addition, relevant supplementary planning documents will also be considered where appropriate. Where study areas for individual topics extend beyond the Torridge District Council administrative area, planning documents relevant to additional administrative areas within the study areas will be taken into account.

North Devon and Torridge District Council Adopted Local Plan (2018)

- 2.5.4 The North Devon and Torridge District Council Local Plan was adopted in October 2018 and sets out the vision, objectives, spatial strategy, and policies for development in the area of North Devon and Torridge up to 2031.
- 2.5.5 Policy ST02 Mitigating Climate Change notes that *‘Development will be expected to make a positive contribution towards the social, economic, and environmental sustainability of northern Devon and its communities while minimising its environmental footprint by...promoting opportunities for renewable and low-carbon energy generation whilst conserving and enhancing the natural and built environment’*.
- 2.5.6 The local plan demonstrates that as a region, it is identified as the UK’s first Marine Energy Park to speed up the progress of marine technology development. Paragraph 4.49 states:

‘Onshore facilities and operations required to maintain and service large-scale offshore renewable energy proposals will be supported within an existing port, where the port’s existing operations and responsibilities are not compromised [...]. Impact and proposed mitigation on environmental and heritage assets from landfall for cables from offshore renewable energy generation will need to be balanced against potential social, environmental, and economic benefits, recognising the national and/or international importance of some environmental assets’.

- 2.5.7 Each topic chapter of this PEIR provides further details of the local plans and policies relevant to their environmental topic and their study area. Relevant supplementary planning documents have also been considered where they are relevant and important. Where study areas for individual topics extend beyond the above administrative area, planning documents relevant to additional administrative areas within the study areas have been taken into account.

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