

Briefing Note: Application's Non-Compliance with Braunton Parish Neighbourhood Plan Natural Environment Policies

NE1 Locally Valued Sites of Biodiversity and Habitat

Section 2.i):

The route is dictated by the applicant's initial choice of grid connection point as outlined in the applicant's Chapter 4 Site Selection and Assessment of Alternatives with para 4.6 expanding on why Yelland was chosen. The applicant then identified a number of onshore routes from their preferred zone – details of which are tucked away in a Chapter 4 Appendices for the Long List and Short Lists of Landfall and routes.

Given the number of options available to the applicant we do not agree that "there are no other suitable sites" as stated in the policy.

Sections 2.ii) and iii)

The policy requires a minimum increase of 10% which needs to be evidenced by a specific Biodiversity Net Gain plan which has not been undertaken by the applicant. This should have been part of the application consenting process as advised by Natural England in their consultation response.

For example there will be a hedgerow biodiversity loss of 36.52% which will require the applicant to provide 46.52% hedgerow replacement – how / where will this be done as the policy requires it to be done "in close proximity to their original location"?

No LEMP has been submitted.

Section 2.iv)

The applicant has not addressed this section of the policy which is specifically in respect of biodiversity and geodiversity that is integral to habitat protection and enhancement. The chapter that the applicant refers to only comments on the visual impact on the wider landscape.

NE2 Protection of the Caen Valley Bats SSSI and the Parish Bat Population

Section 1) The applicant has not demonstrated consideration of the matters detailed in this policy.

Section 2) The proposal does not enhance the habitat or provide ecologically sensitive lighting

NE3 Protecting and Increasing the Parish's Biodiversity

Not compliant for the reasons given in NE1 above.

NE4 Protecting Devon Banks, Hedgerows and Trees

Section i) The applicant's Chapter 16 Onshore Ecology and Ornithology Appendix 16R indicates that there will be a significant number of trees and hedgerows removed along the proposed cable route. They have not demonstrated that this is the least damaging option

Section iv) The policy requires “replacement to an equivalent scale effect or massing” in respect of the proposed removal of mature trees and hedgerow. The proposed loss of mature trees in this sensitive landscape cannot be mitigated satisfactorily.

NE6 Protection of Landscape Character

The applicant’s Chapter 20 Table 20.25 summarises the potential impacts for Onshore Landscape and Visual Amenity stating there will be “major significant adverse” impacts and residual effects from Saunton Sands Beach all along the cable route to Broad Sands at Crow Point. The proposal cannot be described as responding positively to the landscape as required by this policy.

NE7 Protection of Parish’s Strategic Nature Areas

The proposal has a demonstrably adverse impact on this strategic nature area and as evidenced above in NE1 and NE3 and in NE8 below, the impact cannot be satisfactorily mitigated.

NE8 Water Courses and Drainage

This policy requires development to protect and improve water quality across the Parish catchment basin and states that development which degrades water quality will not be supported.

The Applicant’s Chapter 14 Water Resources and Flood Risk details the impacts of construction in respect of surface water, sediment, contaminants in ground water and surface water runoff in the areas of Braunton Burrows and Taw Estuary (Sir Arthur’s Pill Catchment area). For each aspect of construction impact the applicant has stated that there will be an adverse impact either major or moderate, and that the mitigation - which has yet to be determined/designed, will only reduce to or maintain at least a minor adverse impact.

There is no evidence of a detailed design which evidences a realistic approach to mitigation actions that would protect let alone improve water quality

e.g.

- Appendix 14B para 69 states:
Construction activities, especially those associated with the direct disturbance of surface water bodies (e.g. trenched crossings) could result in accidental release of lubricants, oils and runoff into nearby water bodies, impacting upon surface water quality. This could occur accidentally from construction machinery (e.g. fuels and lubricants) and construction materials (e.g. cement) located near water bodies. Vehicle and construction material storage areas could be an additional source of leaks and spills. Accidental spillages are considered unlikely because a Pollution Environmental Management Plan (or similar) and CEMP will be in place for the Onshore Project. This mitigation will minimise the likelihood of an accidental release and put in place procedures for an effective response to any pollution event.
- Appendix 14C Para 311 states that “a site-specific investigation will be carried out at detailed design stage, to identify the local ground and groundwater conditions, enable a site-specific risk assessment to be undertaken and to understand the potential impact of any works on flows along the watercourse and flood risk in the local area”.