



Scotland England Green Link 2 - English Onshore Scheme

Environmental Statement:
Volume 2

Chapter 4: Planning Policy Context

May 2022

For: National Grid Electricity Transmission

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4. Planning Policy Context

4.1 Introduction

This chapter provides a summary of national, regional and local planning policies of direct relevance to the English Onshore Scheme. Where particular policies are applicable to individual discipline assessments these have been referenced within the specific chapters (Chapters 7 to 16) of this Environmental Statement (ES).

An assessment of the English Onshore Scheme in accordance with development planning policy and other material considerations has been included in a Planning Statement, which forms part of the supplementary submission along with the planning application.

As detailed in **Chapter 1: Introduction** planning permission for the English Onshore Scheme is being sought from East Riding of Yorkshire Council (ERYC) and Selby District Council (SDC) under the Town and Country Planning Act 1990 (as amended) (Ref 4-1).

4.2 National Planning Policy Considerations

4.2.1 The Energy White Paper – Powering our Net Zero Future (2020)

The Energy White Paper – Powering our Net Zero Future (EWP) (Ref 4-2) was presented to Parliament in December 2020 and builds on the Prime Minister’s Ten Point Plan. At the core of the EWP is the commitment to achieve net zero and tackle climate change. The EWP seeks to put in place a strategy for the wider energy system that transforms energy, supports a green recovery, and creates a fair deal for consumers (page 4).

Chapter 2 of the EWP deals with ‘Power’ with the stated goal being to use electricity to enable the transition away from fossil fuels and decarbonise the economy cost-effectively by 2050. Figure 3.2 of the plan, ‘Electricity demand, Net Zero scenarios’ (page 42) highlights how electricity demand could double by 2050 as electricity replaces the use of petrol and diesel in transport and to some extent, gas for heating. This would require a four-fold increase in clean electricity generation with the decarbonisation of electricity being required to underpin the delivery of the net zero target. It is recognised that in order to maintain a resilient and reliable electricity network that can accommodate this increase in generation, further investment is needed in physical infrastructure, and that this investment is supported by the government (page 76)

The EWP commits to complete a review of the existing energy National Policy Statements (NPS), with the aim of designating updated NPS by Summer 2022 (see section 4.2.3).

4.2.2 National Planning Policy Framework (Updated 2021)

The National Planning Policy Framework (NPPF) (Ref 4-3), last updated July 2021, sets out a basis from which local plans are developed; and provides a starting point for the determination of applications and appeals.

The NPPF is a material consideration in the determination of applications for development but does not change the statutory status of the locally prepared plans as the starting point for decision making for Town and Country Planning Act applications.

Paragraph 11 states that “*at the heart of the NPPF is a presumption in favour of sustainable development*”, regarding decision making. It goes on to note that where a development plan is absent, silent or the relevant policies are out of date, the application should be determined in accordance with the presumption in favour of sustainable development unless otherwise specified (paragraph 11d).

Whilst the NPPF does not include policies specifically related to electricity transmission infrastructure, it does include policies pertinent to development management considerations, for example, conserving

and enhancing the natural environment. Such policies are relevant when developing the English Onshore Scheme and in assessing its environmental impacts.

The 2021 updates to Chapter 2, Achieving Sustainable Development, set out clearly that the environmental objective is now to protect and enhance the natural, built and historic environment, and to improve biodiversity. Paragraph 179 calls on local planning authorities (LPA) to protect and enhance biodiversity and geodiversity in determining planning applications by protecting nationally and internationally designated sites, and irreplaceable habitats from development which would have an adverse effect upon them and, in all locations, by refusing development which could result in significant harm to biodiversity, and which cannot be avoided or adequately mitigated or compensated. For such projects that may result in significant harm to biodiversity, the presumption in favour of sustainable development would not apply.

The English Onshore Scheme has been developed having regard to the guiding principles fundamental to achieving sustainable development as detailed throughout the NPPF.

4.2.3 National Policy Statements

The energy NPS were first designated in 2011; they set out the Government's policy for the delivery of energy infrastructure and provide the legal framework for planning decisions. The statements applicable to the English Onshore Scheme are the Overarching National Policy Statement for Energy (EN-1) (Ref 4-4) and Electricity Networks (EN-5) (Ref 4-5). As with the NPPF the NPS may be a material consideration in the determination of applications, but it does not change the primacy of locally prepared policy for determining applications under the Town and Country Planning Act. The NPS will therefore not be considered in further detail within each of the technical assessments (Chapters 7 to 16).

The Government announced a review of the current suite of energy NPS's in the Energy White Paper: Powering our Net Zero Future (Ref 4-2) in December 2020. The Energy White Paper establishes the goal of a decisive shift from fossil fuels to clean energy, in power, buildings and industry, while creating jobs and growing the economy and keeping energy bills affordable. It addresses how and why our energy system needs to evolve to deliver this goal whilst retaining a secure and operable energy system. Policies EN-1 to EN-5 are being amended to reflect the policies set out in the White Paper and support the investment required to build the infrastructure needed to transition to net zero.

NPS EN-1 and EN-5 are detailed below, including pertinent points from the new emerging drafts. While the review is undertaken, the current suite of NPS remain relevant government policy and EN-1 to 5 have effect for the purposes of the Planning Act 2008.

4.2.3.1 Overarching National Planning Statement for Energy (NPS EN-1)

The overarching National Policy Statement for Energy (EN-1) (Ref 4-4) recognises the importance and need for the development of new and reinforced electricity transmission assets to support the growing demand and development of new renewable and low carbon generating facilities. EN-1 sets out the Government's policy for delivery of major energy infrastructure. Part 2 of EN-1 sets out '*Government policy on energy and energy infrastructure development*'. It confirms the following:

- the Government's commitment to meet its (then) legally binding target to cut Greenhouse Gas (GHG) emissions by at least 80% by 2050 compared to 1990 levels;
- the need to affect a transition to a low carbon economy so as to reduce GHG emissions; and
- the importance of maintaining secure and reliable energy supplies as older fossil fuel generating plant close as a result of the European Union Emissions Trading System ('EU ETS') and the UK moves toward a low carbon economy.

Specifically, Paragraph 2.1.2 recognises that:

'energy is vital to economic prosperity and social well-being and so it is important to ensure that the UK has secure and affordable energy. Producing the energy the UK requires and getting it to where it is needed necessitates a significant amount of infrastructure, both large and small scale.'

Paragraph 2.20 of EN-1 notes that it is critical that the UK continues to have secure and reliable supplies of electricity when transitioning to a low carbon economy and notes that to manage the risks to achieving

security of supply there needs to be sufficient electricity capacity to meet demand at all times and that electricity demand must be simultaneously and continuously met by its supply.

Section 3.3 of Part 3 of EN-1 sets out why the Government believes that there is an urgent need for new electricity infrastructure, including:

- meeting energy security and carbon reduction objectives – all types of energy infrastructure covered by the NPS are needed to achieve energy security in the UK at the same time as reducing GHG emissions;
- the need to replace closing electricity generating capacity – at least 22 gigawatts (GW) of existing electricity generating capacity will need to be replaced in the coming years, as a result of ageing power stations and tightening environmental regulation. Additionally, 10 GW of nuclear generating capacity is expected to close over the next 20 years (from 2011);
- the need for more electricity capacity to support the increased supply from renewable sources – decarbonisation of electricity generation is reliant on a dramatic increase in the amount of renewable energy; however, many renewable sources (such as wind, solar and tidal) are intermittent and cannot be adjusted to meet demand. Furthermore, EN-1 recognises that there will still be a role for fossil fuel generation to provide a cost-effective means of ‘back up’ electricity generation at short notice to support renewable technologies; and
- future increases in electricity demand – the demand for electricity is expected to increase and total electricity consumption could double by 2050. Depending upon the choice of how electricity is supplied, total capacity may need to more than double to be sufficiently robust to all weather conditions.

Paragraph 3.3.15 states the urgency at which new energy infrastructure should be brought forward as soon as possible and certainly within the next 10-15 years (from 2011).

Paragraph 3.7.2 of EN-1 states that both demand and supply of electricity will increase in the coming decades and that existing transmission networks will have to evolve and adapt to handle increases in demand.

Paragraph 3.7.4 states that new electricity infrastructure projects will add to the reliability of the national energy supply provide crucial national benefits which are shared by all users of the system. Paragraph 3.7.10 develops this point noting that there is an ‘*urgent need for new electricity transmission and distribution infrastructure to be provided*’.

Part 4 of EN-1 sets out a number of ‘assessment principles’ that must be taken into account by applicants and determining authorities in preparing and determining applications.

Part 5 of EN-1 deals with the ‘Generic Impacts’ of energy infrastructure. These include impacts that occur in relation to all or most types of energy infrastructure in addition to others that may only be relevant to certain technologies. Paragraph 5.1.2 stresses that the list of impacts is not exhaustive and that applicants should identify the impacts of their projects in the ES in terms of both those covered by the NPSs and others that may be relevant.

4.2.3.2 Draft Overarching National Planning Statement for Energy (EN-1)

In its revised overarching policy statement (Ref 4-6), the government acknowledged that much of its plans to decarbonise the UK’s economy involves electrification, such as in the areas of transport, heat and industry, and that this in itself would likely result in more than half of the UK’s energy demand being met by electricity by 2050, up from just 17% in 2019. The draft policy also states the need to ensure that there is security of energy supply in the UK and that the cost of energy is affordable for end-users. It states the need for new energy infrastructure in this regard is “urgent” and has proposed that the UK’s energy infrastructure be made up of a mix of energy sources, including renewables, nuclear, low carbon hydrogen, residual use of unabated natural gas and crude oil fuels for heat, electricity, transport, and industrial applications.

The draft EN-1 also acknowledges that different types of electricity infrastructure will be needed and includes an explanation of the need for new generation, network, storage and interconnection infrastructure, alongside energy efficiency and demand-side response measures.

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

Infrastructure covered by NPS EN-5 (Ref 4-5) includes transmission systems through 400 kV lines, and associated infrastructure (substations and converter stations) and is therefore of relevance to the EOS. This NPS, taken together with EN-1, is a material consideration in decision making on relevant applications that fall under the Town and Country Planning Act 1990 (as amended). NPS EN-5 recognises the need to ensure a 'robust' electricity network to support a more complex system of supply and demand in moving toward a low carbon economy.

Part 2 of EN-5 outlines the assessment and technology-specific information relating to grid connection infrastructure. This includes factors influencing site selection, general assessment principles for electricity networks, climate change adaptation and consideration of good design. Part 2 also identifies a number of potential impacts for consideration, including biodiversity and geological conservation, landscape and visual, noise and vibration and electric and magnetic fields.

EN-5 paragraph 2.2 states that *'The general location of electricity network projects is often determined by the location, or anticipated location, of a particular generating station and the existing network infrastructure taking electricity to centres of energy use. This gives a locationally specific beginning and end to a line.'* It goes on to state that it is *'not necessarily the case that the connection between the beginning and end points should be via the most direct route (indeed this may be practically impossible), as the applicant will need to take a number of factors, including engineering and environmental aspects, into account'*.

When considering impacts for electricity networks infrastructure, all of the generic impacts covered in EN-1 are likely to be relevant, even if they only apply during one particular phase of the development (such as construction). NPS EN-5 sets out additional technology-specific considerations on the generic impacts considered in EN-1 for biodiversity and geological conservation, landscape and visual, and noise and vibration, which are detailed in **Chapter 7: Ecology and Nature Conservation**, **Chapter 10 Geology and Hydrogeology**, **Chapter 8: Landscape and Visual Amenity**, and **Chapter 13 Noise and Vibration**, respectively.

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

NPS EN-5 has been updated (Ref 4-7) to reflect the importance of building electricity network infrastructure that not only connects new generation with centres of demand, but also guarantees system robustness and security of supply even as the energy system grows increasingly complex. It has also been revised to reflect the current policy and regulatory landscape. A new section has been added specifically dealing with the question of rights and interests in land, which encourages developers to pursue permanent land rights wherever possible, rather than relying on wayleaves, to provide a more stable and secure footing, as well as ensuring better value for electricity billpayers in the long run. Guidance has also been clarified around developers pursuing the compulsory acquisition of rights in land for the purposes not only of the construction itself, but also for any necessary mitigation and/or biodiversity net gain schemes.

Bringing the document in line with updates to relevant environmental regulations, requirements have been added on developers to safeguard the soil quality of the land they use, and to take measures to reduce or eliminate the fugitive emission of sulphur hexafluoride (SF₆) from network assets into the atmosphere. The document also contains guidance on the types of biodiversity net gain scheme best suited to the linear nature of electricity networks infrastructure, such as reconnecting habitats via green corridors.

4.2.4 National Planning Practice Guidance

The Ministry of Housing, Communities and Local Government (MHCLG) (now the Department for Levelling up, Housing and Communities) has published and updates a series of Planning Practice Guidance (PPG) documents. These PPG cover a wide range of topics, some of which are pertinent to the proposed English Onshore Scheme. Guidance outlined in the PPG has been considered in the development of the English Onshore Scheme and is referenced in Chapters 7 – 16, where relevant.

4.3 Other National Papers and Legislation

4.3.1 Ten Point Plan for a Green Industrial Revolution (November 2020)

The Government set out a 10-point plan to lay the foundations to meet its legal obligation to reach net zero greenhouse emissions by 2050 and encourage a Green Industrial Revolution (Ref 4-8). The Ten Point Plan recognises that in order to integrate clean technologies like offshore wind, we must transform our energy system, building more network infrastructure.

4.3.2 Net Zero Strategy: Build Back Greener October 2021

The Net Zero Strategy Policy Paper (Ref 4-9) sits alongside the EWP and sets out the governments vision of using the necessary action to tackle climate change as an economic opportunity to create prosperity. It builds on the Ten Point Plan for a Green Industrial Revolution, setting out four key principles to achieve net zero:

- “1. We will work with the grain of consumer choice: no one will be required to rip out their existing boiler or scrap their current car*
- 2. We will ensure the biggest polluters pay the most for the transition through fair carbon pricing*
- 3. We will ensure that the most vulnerable are protected through Government support in the form of energy bill discounts, energy efficiency upgrades, and more*
- 4. We will work with businesses to continue delivering deep cost reductions in low carbon tech through support for the latest state of the art kit to bring down costs for consumers and deliver benefits for businesses.”*

Part 3i (Power) makes a number of key commitments to deliver a decarbonised power system by 2035, including:

- Subject to supply, all electricity will come from low carbon sources by 2035;
- Deliver 40GW of offshore wind by 2030;
- Investing in supply chains, infrastructure and early-coordination of offshore transmission networks for the offshore wind sector;
- Ensure the planning system can support the deployment of low carbon energy infrastructure.

suited to the linear nature of electricity networks infrastructure, such as reconnecting habitats via green corridors.

4.3.3 Environment Act 2021

The Environment Act 2021 (Ref 4-10) will set clear statutory targets for the recovery of the natural world in four priority areas: air quality, biodiversity, water and waste, and includes an important new target to reverse the decline in species abundance by the end of 2030. The Act has been enshrined into law however it is not anticipated to come into full effect until the end of 2023 (2025 for NSIPS).

4.3.4 Climate Change Act 2008

The Climate Change Act 2008 (Ref 4-11) introduced a legally binding climate change mitigation target for the UK to reduce its greenhouse gas emissions by 80% by 2050, compared to 1990 levels. This was amended to a legally binding target of 100% by 2050 through The Climate Change Act 2008 (2050 Target Amendment) Order 2019. The Committee on Climate Change's (the CCC) sixth carbon budget (running from 2033-2037), which will require a 78% reduction in emissions from 1990 to 2035, was introduced in April 2021.

The Climate Change Act 2008 also requires the government:

- To assess regularly the risks to the UK of the current and predicted impact of climate change;

- To set out its climate change adaptation objectives; and
- To set out its proposals and policies for meeting these objectives.

4.3.5 Planning and Compulsory Purchase Act 2004

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 (Ref 4-12) requires local planning authorities to include in their Local Plans “policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”. This will be a consideration when a Local Plan is examined.

4.4 The EIA Regulations

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (Ref 4-13) (hereafter referred to as the ‘EIA Regulations’), set out the procedures of EIA, including the approach and responsibilities associated with Assessment for project proponents and determining authorities. Schedule 4 of the EIA Regulations sets out what information must be included within an ES to support a planning application for ‘EIA Development’. These information requirements, alongside where they can be found in this ES, are detailed in **Chapter 5: Approach to Environmental Assessment**.

4.5 Local Planning Policy Considerations

National Grid has been in early dialogue with LPAs affected by the English Onshore Scheme and has sought to develop the Scheme’s emerging design with regard to local planning policies, together with local land use planning designations detailed in relevant development plans.

The English Onshore Scheme extends across both ERYC and SDC administrative boundaries, both of which have adopted plans and are currently in the process of reviewing these and/or preparing updated plans. Additionally, Selby District is located within North Yorkshire County Council (NYCC) which includes separate plans covering minerals and waste. It is recognised that SDC and NYCC are in the process for reorganising into an unitary authority, following proposals and consultation through 2021. The current programme has the unitary authority taking on responsibilities from the 1st April 2023, when the predecessor councils would be abolished.

The below sub-sections outline the current and emerging planning policy for each local authority.

4.5.1 East Riding of Yorkshire Council

4.5.1.1 Adopted East Riding Local Plan 2012-2029, Adopted 2016

ERYC adopted the East Riding Local Plan 2012-2029 (**Ref 4-14**) in 2016. The Strategy Document outlines the policies to guide development and decision-making for proposals and is supported by a number of other documents including an Allocations Document and Policies Map. The Allocations Document sets out the allocated sites for potential future development, and the Policies Map outlines the locations of the land allocations and spatial policies included within the Strategy Document.

The East Riding Local Plan Vision states that *“New development will have minimised the risk from climate change, particularly flooding, coastal erosion and sea level rise. High standards of design will reinforce local identities across the East Riding and the distinctiveness of the area’s settlements and landscapes, whilst also ensuring efficient use of energy. The opportunities presented by the renewable and low carbon energy sector will have been embraced and maximised, creating employment opportunities, helping to reduce carbon emissions and increasing fuel security.”*

The policies outlined within this Plan have been considered as part of the technical assessment for specific disciplines where necessary within the ES. Those that are of greatest pertinence to the Project are further outlined below.

Policy S1: Presumption in favour of sustainable development

Policy S1 sets out that East Riding, as per the NPPF, will take a positive approach in presumption in favour of sustainable development, noting that:

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the East Riding of Yorkshire.

Policy S2: Addressing climate change

Policy S2 notes that the Local Plan will support the reduction in GHG emissions and climate change adaptation, which is achieved by developments being tested against various policies set out in the plan. This policy also sets out the framework for the basis of the policy, referring to the National Strategy for Climate and Energy and the recommendations therein for organisations and authorities (such as LPAs) to contribute to reducing GHG emissions. The National Strategy for Climate and Energy also identified the key role of the planning system and the requirements (as transposed within the NPPF) of LPAs to:

- Adopt proactive strategies to mitigate and adapt to climate change;
- Plan for new development in locations and ways which reduce greenhouse gas emissions;
- Actively support energy efficiency improvements;
- Have a positive strategy to promote energy from renewable and low carbon sources; and
- Plan to avoid locating development in areas vulnerable to the impacts arising from climate change.

Policy EC5: Supporting the energy sector

Policy EC5 notes that developments within the energy sector “*will be supported where any significant adverse impacts are addressed satisfactorily and the residual harm is outweighed by the wider benefits of the proposal.*” Whilst the policy references predominantly power generating stations it recognises that generating stations require connections to the appropriate transmission or distribution system. The policy supporting statement also references the 2007 White Paper: Meeting the Energy Challenge and the four key policy goals that were set within it, which were:

- To put the UK on a path to cut carbon dioxide emissions by 60% by 2050, with real progress by 2020;
- To maintain reliable energy supplies;
- To promote competitive markets in the UK and beyond, helping to raise the rate of sustainable economic growth and to improve productivity; and
- To ensure that every home is adequately and affordably heated.

This is therefore regarded as applicable for the Project as a key facilitator for each of the four goals above. The supporting statement of the policy also recognises the NPS as a material consideration to some applications.

Other Relevant Policies

There are a number of other policies that are relevant to one or more specialist assessments included within this ES. These policies are identified in the relevant assessment chapter (Chapters 7-16) and the Project’s compliance with these policies further outlined within the Planning Statement provided as part of the planning application. These other relevant policies are:

- Policy EC6: Protecting mineral resources;
- Policy ENV1: Integrating high quality design;
- Policy ENV2: Promoting a high quality landscape;
- Policy ENV3: Valuing our heritage;
- Policy ENV4: Conserving and enhancing biodiversity and geodiversity;
- Policy ENV5: Strengthening green infrastructure; and
- Policy ENV6: Managing environmental hazards.

4.5.1.2 East Riding Local Plan 2012-2029; Local Plan Review – Options Document

ERYC are currently in the process of reviewing and updating the Local Plan 2012-2029 (Ref 4-15). ERYC presented an Options Document (November 2018) to present as part of open consultation and a “call for sites” to receive submissions for land for future land allocations in the region. The responses from the call for sites have been reviewed, and the Draft Local Plan published August 2021.

It is expected that the final updated Local Plan will be submitted in Autumn 2022 and adopted shortly after. This is after any future planning application for the English Onshore Scheme, and therefore the Local Plan will have limited weight as a material consideration in determining the planning application but has been considered by the Project through the continued development of the English Onshore Scheme.

4.5.2 Selby District Council

4.5.2.1 Planning Policy Overview

Planning policy in Selby District Council comprises two adopted Local Plans: the Selby District Core Strategy Local Plan (2013) (Ref 4-16), and the saved policies within the Selby District Local Plan (2005) (Ref 4-17). Key policies relevant to the Project and specifically the English Onshore Scheme are described further in respective sub-sections that follow.

These policies are further supported by a number of other documents that form the Development Plan, including adopted Neighbourhood Plan, Community Infrastructure Levy, East Inshore and Offshore Marine Plan, saved policies within the Minerals Local Plan, saved policies within the Waste Local Plan and Policy E8 of the North Yorkshire Structure Plan.

4.5.2.2 Selby District Core Strategy Local Plan, Adopted 2013

The Selby District Core Strategy Local Plan was adopted in 2013. The Core Strategy sets out the long-term vision of future development and growth within the Selby District. Key policies included within the Core Strategy are outlined below.

Policy SP1 – Presumption in Favour of Sustainable Development

Policy SP1 sets out that Selby District, as per the NPPF, will work proactively with applicants to develop solutions for sustainable development and adopt a positive approach in presumption in favour of sustainable development.

This decision-making is dependent on the developments accordance with the other policies within the Core Strategy with a need to consider “*any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.*”

Policy SP15 – Sustainable Development and Climate Change

Policy SP15 sets out the recognition that Core Strategies can seek to influence the reduction of GHG emissions as a necessary progression towards tackling climate change. This may be achieved either by influencing policy on energy efficiency or energy security. It is noted that “*the planning system can address the causes and potential impacts of climate change by promoting policies which reduce energy use, promote energy efficiency, reduce emissions (including CO₂), and promote renewable and low carbon energy use.*”

This policy provides an over-arching framework which is intended to ensure development is sustainably located and that the design and layout of development reflects sustainable development principles, in a way which will minimise and mitigate the potential impacts of climate change.

Policy SP17 – Low-Carbon and Renewable Energy

This policy sets out Selby’s support for renewable and low-carbon energy developments. It is recognised in the policy context that the NPPF and supporting government strategies (UK Renewable Energy Strategy (2009) and the UK Low Carbon Transition Plan (2009)) require the planning system “*to support carbon reduction, and secure energy generation from renewable sources.*”

Part C of the policy notes that renewable and low-carbon energy generation proposals, and supporting infrastructure, “*must meet the following criteria:*”

- i. are designed and located to protect the environment and local amenity or*
- ii. can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity, and*
- iii. impacts on local communities are minimised.”*

Other Relevant Core Strategy Policies

There are a number of other policies set out within the Core Strategy that are relevant to one or more specialist assessments included within this ES. These policies are identified in the relevant assessment chapter (Chapters 7-16) and the Project’s compliance with these policies further outlined within the Planning Statement provided as part of the planning application. These other relevant policies are:

- Policy SP12 – Access to Services, Community Facilities and Infrastructure;
- Policy SP18 – Protecting and Enhancing the Environment; and
- Policy SP19 – Design Quality.

The policies outlined within this Plan have been considered as part of the technical assessment for specific disciplines where necessary within the ES.

4.5.2.3 Selby District Local Plan (2005) – Saved Policies

The Selby District Local Plan (SDLP) was formally adopted in February 2005. A number of policies in the SDLP expired in 2008, and a number of other policies within the SDLP were 'saved' and continue to be used in making planning decisions. Policies outlined in the Selby District Core Strategy Local Plan replace a further number of those 'saved' policies.

The ‘saved’ SDLP policies that remain relevant to the English Onshore Scheme are predominantly these that protect the heritage and the natural environment and are outlined below. Where relevant to the specialist assessments reported within this ES, these policies will be identified and considered within the respective assessment chapter (Chapters 7-16). Key policies include:

- ENV1 Proposals for development will be permitted provided a good quality of development would be achieved. In considering proposals the District Council will take account of:
 - 1) The effect upon the character of the area or the amenity of adjoining occupiers;
 - 2) The relationship of the proposal to the highway network, the proposed means of access, the need for road/junction improvements in the vicinity of the site, and the arrangements to be made for car parking;
 - 3) The capacity of local services and infrastructure to serve the proposal, or the arrangements to be made for upgrading, or providing services and infrastructure;
 - 4) The standard of layout, design and materials in relation to the site and its surroundings and associated landscaping;
 - 5) The potential loss, or adverse effect upon, significant buildings, related spaces, trees, wildlife habitats, archaeological or other features important to the character of the area;
 - 6) The extent to which the needs of disabled and other inconvenienced persons have been taken into account;
 - 7) The need to maximise opportunities for energy conservation through design, orientation and construction; and
 - 8) Any other material considerations.
- ENV2 Environmental Pollution and Contaminated Land:
 - A) Proposals for development which would give rise to, or would be affected by, unacceptable levels of noise, nuisance, contamination or other environmental pollution including groundwater pollution will not be permitted unless satisfactory remedial or

preventative measures are incorporated as an integral element in the scheme. Such measures should be carried out before the use of the site commences.

B) Where there is a suspicion that the site might be contaminated, planning permission may be granted subject to conditions to prevent the commencement of development until a site investigation and assessment has been carried out and development has incorporated all measures shown in the assessment to be necessary.

- ENV3 Proposals involving outdoor lighting will only be permitted where lighting schemes:
 - 1) Represent the minimum level required for security and/or operational purposes;
 - 2) Are designed to minimise glare and spillage;
 - 3) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and
 - 4) Would not detract significantly from the character of a rural area.

Proposals for development involving outdoor lighting should incorporate details of lighting schemes as part of applications for development.

- ENV9 Proposals for development which would harm a local nature reserve, a site of local importance for nature conservation or a regionally important geological/geomorphological site, will not be permitted unless there are no reasonable alternative means of meeting the development need and it can be demonstrated that there are reasons for the proposal which outweigh the need to safeguard the intrinsic local nature conservation value of the site or feature;
- ENV12 Proposals for development likely to harm the natural features of or access to river, stream and canal corridors will not be permitted unless the importance of the development outweighs these interests, and adequate compensatory measures are provided;
- ENV13 Proposals for development which would harm the landscape, townscape, historical or wildlife value of a pond will not be permitted unless:
 - 1) The need for a particular development outweighs the particular value of the pond;
 - 2) An equivalent habitat can be created on site or elsewhere in the locality which will provide the same landscape, townscape or wildlife value of the existing pond; and
 - 3) Appropriate management measures are incorporated in the scheme.

4.5.2.4 Selby District Council Local Plan Consultation 2021

SDC have recently closed a series of consultations on documents to support the production of an updated Selby District Local Plan. This included:

- 3rd September to 15th October 2021 – Consultation on four Evidence Base documents to support the Selby District Local Plan, including the Green Belt Review 2021 and Greenspace Audit 2021;
- 2nd August to 13th September 2021 – Consultation on the Additional Sites Document (Ref 4-18). The Preferred Options consultation was also the last opportunity for landowners to submit land for consideration for development in the Local Plan. 44 additional or amended sites were received during the consultation, which have now been assessed by the Council and are presented in this document. None of these are within the near vicinity of the English Onshore Scheme; and
- 29th January 2021 to 12th March 2021 - Consultation on the Preferred Options Local Plan 2021 (Ref 4-19), which sets out draft policies as well as setting out the preferred locations of future land allocations.

The Local Development Scheme document 2022-2024 (Ref 4-20) outlines the timescales for the preparation of the updated Local Plan. It is expected that the Publication Version of the Local Plan will be available in 2022, and the formal submission to the Secretary of State in 2023. Adoption of the new Local Plan is expected in 2024.

Given the early stages of development of the emerging Selby Local Plan, the draft policies currently available and available in the near future will have limited weight as a material consideration in

determining the planning application but will be considered by the Project through continued development of the English Onshore Scheme.

4.5.3 North Yorkshire Council

4.5.3.1 Minerals and Waste Joint Plan (2022)

In an effort to work collaboratively between local authorities on areas of common interest, a new joint minerals and waste plan has been developed between NYCC, City of York Council and North York Moors National Park Authority. The Minerals and Waste Joint Plan (Ref 4-21) supersedes the saved policies from the NYCC Minerals Local Plan and Waste Local Plan and sets out the framework for determining new minerals and waste developments through all three areas up to the end of 2030.

The Minerals and Waste Joint Plan was adopted by NYCC in February 2022.

Whilst the English Onshore Scheme does not directly relate to either of these types of development, regard has been given to the relevant saved policies and allocations in the Minerals and Waste Local Plan.

4.6 References

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