

Hornsea Project Three
Offshore Wind Farm



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Appendix 21 to Deadline I submission – Revised National
Planning Policy Framework

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Orsted

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Front cover picture: Kite surfer near a UK offshore wind farm © Ørsted Hornsea Project Three (UK) Ltd., 2018.

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1. Introduction

- 1.1 This document has been prepared in response to Examining Authority Written Question 1.15.1 which requested summary tables for all Environmental Statement chapters showing the relevant National Planning Policy Framework (NPPF) 2018 policies and any revised Planning Policy Guidance extracts that the assessments have relied upon.
- 1.2 Table 2.1 sets out the NPPF and Planning Policy Guidance used in the Environmental Statement, the update to policies from the 2018 NPPF and confirms if the updates have any bearing upon the assessments presented in the Environmental Statement.

2. Summary of revised NPPF 2018 policies and revised Planning Policy Guidance

Table 2.1: Environmental Statement chapter summaries.

Policy/Extract	Update	Notes
Volume 3, Chapter 1: Geology and Ground Conditions of the Environmental Statement [APP-073]		
National Planning Policy Framework		
Paragraph 121 of section 11 states that planning policies and decisions should ensure that sites are suitable for any proposed new use and that account is taken of ground conditions and land stability including natural hazards, former activities and appropriate mitigation including remediation. After remediation, land must not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 and adequate site investigation information prepared by a competent person must be presented.	Similarly, paragraph 178 of section 15 of the NPPF 2018 states: <i>“Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990...”</i>	The update has no bearing on the assessment.
Paragraph 143 of the NPPF states that local planning authorities should define Mineral Safeguarding Areas and that local plans should <i>“set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place”</i> .	Similarly, paragraph 204 of section 17 of the NPPF 2018 states: <i>“Planning policies should: ... d) set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place...”</i>	The update has no bearing on the assessment.
Planning Policy Guidance		
Land Affected by Contamination (updated March 2014) considers where contamination is most likely to occur and the role of planning in addressing contamination issues.	‘Land Affected by Contamination’ guidance has not been updated since the submission of the Environmental Statement in May 2018.	The Applicant would clarify that <i>“updated March 2014”</i> should be amended to <i>“updated June 2014”</i> in Table 1.3 of Volume 3, Chapter 1: Geology and Ground Conditions of the Environmental Statement [APP-073]. This correction would have no bearing on the assessment.

Policy/Extract	Update	Notes
Guidance on the Natural Environment (updated in January 2016) includes the need to protect geodiversity.	Guidance on the 'Natural Environment' policies have not been updated since the submission of the Environmental Statement in May 2018.	No bearing on the assessment.
Volume 3, Chapter 2: Hydrology and Flood Risk of the Environmental Statement [APP-074]		
National Planning Policy Framework		
A site specific FRA is required for all proposals for new development in Flood Zones 2 and 3, and for any proposed development covering an area of 1 ha or greater in Flood Zone 1 (paragraph 99 to 108 of the NPPF).	Similarly, paragraphs 155 to 165 of section 14 of the NPPF 2018 refer to managing flood risk and also clarifies the circumstances which require a FRA.	The update has no bearing on the assessment.
Planning Policy Guidance		
PPG provides planning guidance on a range of topics including flood risk. PPG ID7 (March 2014) for Flood Risk and Coastal Change provides additional guidance in the implementation of the NPPF in relation to development and flood risk.	'Flood risk and coastal change' guidance has not been updated since the submission of the Environmental Statement in May 2018.	No bearing on the assessment.
Volume 3, Chapter 3: Ecology and Nature Conservation of the Environmental Statement [APP-075]		
National Planning Policy Framework		
The NPPF sets out the national planning policies for England and the Government's desire to enable sustainable development. One of the overall aims of the NPPF is that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Principal relevant statements are included at paragraph 18 of the NPPF.	One of the overall aims of the NPPF 2018 is still that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. See paragraph 170, section 15: " <i>Planning policies and decisions should contribute to and enhance the natural and local environment by: ...</i> <i>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...</i> "	The update has no bearing on the assessment. The Applicant would clarify that " <i>at paragraph 18</i> " should be amended to " <i>at section 11</i> " in Table 1.3 of Volume 3, Chapter 3: Ecology and Nature Conservation of the Environmental Statement [APP-075]. This correction would have no bearing on the assessment.

Policy/Extract	Update	Notes
Planning Policy Guidance		
The guidance states that the planning system should protect, enhance and conserve the natural and local environment (paragraph 109, section 11 of the NPPG).	'Natural environment' guidance has not been updated since the submission of the Environmental Statement in May 2018.	No bearing on the assessment.
Volume 3, Chapter 5: Historic Environment of the Environmental Statement [APP-077]		
National Planning Policy Framework		
Paragraph 128 notes that in determining applications local planning authorities should require an applicant to provide a description of the significance of any heritage assets affected and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset.	Similarly, paragraph 189 of section 16 of the NPPF 2018 states: <i>"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance"</i>	The update has no bearing on the assessment.
A heritage asset is defined in the NPPF at page 52 as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing).	A heritage asset is defined in the NPPF 2018 at page 67 in the same way.	The update has no bearing on the assessment.
Paragraph 132 notes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.	Similarly, paragraph 193 of section 16 of the NPPF 2018 states: <i>"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)."</i>	The update has no bearing on the assessment.

Policy/Extract	Update	Notes
<p>Paragraph 135 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement would be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>Similarly, paragraph 197 of section 16 of the NPPF 2018 states: <i>“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”</i></p>	<p>The update has no bearing on the assessment.</p>
<p>Planning Policy Guidance</p>		
<p>On 6 March 2014 DCLG launched the National Planning Practice Guidance as a web-based resource. The guidance includes ‘Conserving and enhancing the historic environment’ (April 2014) which provides advice on several areas of historic environment practice, including on the assessment of the settings of heritage assets.</p>	<p>‘Conserving and enhancing the historic environment’ guidance was last updated 22 February 2018. The updates relate to when planning permission required to carry out works to a listed building.</p>	<p>The update has no bearing on the assessment.</p>
<p>Volume 3, Chapter 6: Land Use and Recreation of the Environmental Statement [APP-078]</p>		
<p>National Planning Policy Framework</p>		
<p><i>“Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”</i> (paragraph 112 NPPF). The NPPF defines high quality “best and most versatile” agricultural land to comprise Grades 1, 2 and 3a as defined within the Agricultural Land Classification (ALC) system.</p>	<p>Similarly, footnote 53 in paragraph 171 of section 15 of the NPPF 2018 states: <i>“Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality”</i> At page 65 of the NPPF 2018 “best and most versatile” agricultural land is defined to comprise Grades 1, 2 and 3a.</p>	<p>The update has no bearing on the assessment.</p>
<p>The NPPF highlights the importance of access to high quality open spaces and opportunities for sport and recreation to the health and well-being of communities (paragraph 73), and states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless certain criteria are met (paragraph 74).</p>	<p>Similarly, paragraphs 96 and 97 of section 8 of the NPPF 2018 state: <i>“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities”</i> and <i>“existing open space, sports and recreational buildings and land, including playing fields, should not be built on”</i> unless specific criteria are met.</p>	<p>The update has no bearing on the assessment.</p>

Policy/Extract	Update	Notes
<p>The NPPF states that “<i>Local Authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails</i>” (paragraph 75).</p>	<p>Similarly, paragraph 98 of section 8 of the NPPF 2018 states: “<i>Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</i>”</p>	<p>The update has no bearing on the assessment.</p>
<p>Planning Policy Guidance</p>		
<p>The NPPG includes the need to protect and enhance valued soils and to take into account the economic and other benefits of the “best and most versatile” agricultural land. Guidance in relation to recreational resources is provided under the headings of ‘Open space, sports and recreation facilities’ and ‘Public rights of way and National Trails’, which reiterates that PRoWs form an important component of sustainable transport links and should be protected or enhanced.</p>	<p>‘Natural environment’ guidance, which covers best and most versatile agricultural land, has not been updated since the submission of the Environmental Statement in May 2018. ‘Open space, sports and recreation facilities, public rights of way and local green space’ policies have not been updated since the submission of the Environmental Statement in May 2018.</p>	<p>No bearing on the assessment.</p>

Policy/Extract	Update	Notes
Volume 3, Chapter 7: Traffic and Transport of the Environmental Statement [APP-079]		
National Planning Policy Framework		
<p>With regard to traffic and transport, the NPPF states that “All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:</p> <ul style="list-style-type: none"> the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” <p>(paragraph 32).</p>	<p>Similarly, paragraph 111 of section 9 of the NPPF 2018 states: “All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed”.</p> <p>Paragraphs 108 to 109 states that in assessing development applications:</p> <p>“a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;</p> <p>b) safe and suitable access to the site can be achieved for all users; and</p> <p>c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree” and “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.</p>	<p>The update has no bearing on the assessment.</p>

Policy/Extract	Update	Notes
<i>Planning Policy Guidance: Travel Plans, TAs and Statements</i>		
<p>The guidance provides a concise report on the use and importance of TAs / Statements and Travel Plans. It considers that TAs / Statements and Travel Plans should be proportionate to the size and scope of the proposed development, be tailored to particular local circumstances and be established at the earliest practicable possible stage of a development proposal.</p> <p>It sets out that: <i>“the scope and level of detail in a Transport Assessment or Statement will vary from site to site and then lists a host of elements that should be considered.”</i></p>	<p>‘Travel Plans, Transport Assessments and Statements’ guidance has not been updated since the submission of the Environmental Statement in May 2018.</p>	<p>No bearing on the assessment.</p>

Policy/Extract	Update	Notes
Volume 3, Chapter 8: Noise and Vibration of the Environmental Statement [APP-080]		
National Planning Policy Framework		
<p>The NPPF states that: “<i>This Framework does not contain specific policies for nationally significant infrastructure projects for which particular considerations apply. These are determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant national policy statements for major infrastructure, as well as any other matters that are considered both important and relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and are a material consideration in decisions on planning applications.</i>” (paragraph 3)</p>	<p>Similarly, paragraph 2 of section 1 of the NPPF 2018 states that framework does not contain policies specific to nationally significant infrastructure projects.</p>	<p>The update has no bearing on the assessment.</p>
<p>The NPPF guidance relating directly to noise impacts states: “<i>Planning policies and decisions should aim to:</i></p> <ul style="list-style-type: none"> • <i>avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;</i> • <i>mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;</i> • <i>recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and</i> • <i>identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.</i> <p>See Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs). Subject to the provisions of the Environmental Protection Act 1990 and other relevant law.” (paragraph 123)</p>	<p>Similarly, paragraph 180 of section 15 of the NPPF 2018 states: “<i>Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</i></p> <ul style="list-style-type: none"> a) <i>mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;</i> b) <i>identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason...</i>” <p>Paragraph 182 of section 15 of the NPPF 2018 states: “<i>Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established</i>”</p>	<p>The update has no bearing on the assessment.</p>

Policy/Extract	Update	Notes
Volume 3, Chapter 9: Air Quality of the Environmental Statement [APP-081]		
National Planning Policy Framework		
<p><i>"[T]he planning system should contribute to and enhance the natural and local environment by ... preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution."</i> (paragraph 109).</p>	<p>Similarly, paragraph 170 of section 15 of the NPPF 2018 states: <i>"Planning policies and decisions should contribute to and enhance the natural and local environment by: ...</i></p> <p><i>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; ..."</i></p>	<p>The update has no bearing on the assessment.</p>
<p><i>"Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan"</i> (paragraph 124).</p>	<p>Similarly, paragraph 181 of section 15 of the NPPF 2018 states: <i>"Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan."</i></p>	<p>The update has no bearing on the assessment.</p>

Policy/Extract	Update	Notes
<p><i>“To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account” (paragraph 120).</i></p>	<p>Similarly, paragraph 180 of section 15 of the NPPF 2018 states: <i>“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development...”</i></p>	<p>The update has no bearing on the assessment.</p>
<p>Planning Policy Guidance</p>		
<p>The NPPG states that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would:</p> <ul style="list-style-type: none"> • <i>“Introduce new point sources of air pollution. This could include furnaces which require prior notification to local authorities; or extraction systems (including chimneys) which require approval under pollution control legislation or biomass boilers or biomass-fuelled CHP plant; centralised boilers or CHP plant burning other fuels within or close to an air quality management area or introduce relevant combustion within a Smoke Control Area;</i> • <i>Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor air quality.</i> • <i>Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.</i> • <i>Affect biodiversity. In particular, is it likely to result in deposition or concentration of pollutants that significantly affect a European-designated wildlife site, and is not directly connected with or necessary to the management of the site, or does it otherwise affect biodiversity, particularly designated wildlife sites.”</i> 	<p>‘Air quality’ guidance has not been updated since the submission of the Environmental Statement in May 2018.</p>	<p>No bearing on the assessment.</p>

Policy/Extract	Update	Notes
<p>NPPG advises that “[a]ssessments should be proportionate to the nature and scale of development proposed and the level of concern about air quality, and because of this are likely to be locationally specific.”</p>		
<p>The NPPG provides advice on how air quality impacts can be mitigated and notes “Mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met. Examples of mitigation include... controlling dust and emissions from construction, operation and demolition...”</p>		

Policy/Extract	Update	Notes
Volume 3, Chapter 10: Socio-economics of the Environmental Statement [APP-082]		
National Planning Policy Framework		
<p>While the NPPF does not contain specific policy statements for nationally significant infrastructure projects, it outlines the dimensions for sustainable development which are a relevant consideration. These are economic, social and environmental. This chapter is concerned with both the economic and social dimensions of sustainable development which are defined in the NPPF as follows:</p> <ul style="list-style-type: none"> • An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure; and • A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. 	<p>Similarly, paragraph 180 of section 15 of the NPPF 2018 states: <i>“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</i></p> <p><i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></p> <p><i>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;...”</i></p>	<p>The update has no bearing on the assessment.</p>