

CONTENTS

7.0	LEGISLATIVE CONTEXT AND PLANNING POLICY FRAMEWORK.....	2
7.1	Introduction	2
7.2	Legislative Context.....	2
7.3	Planning Policy Framework.....	3
7.4	Summary	11
7.5	References	11

7.0 LEGISLATIVE CONTEXT AND PLANNING POLICY FRAMEWORK

7.1 Introduction

7.1.1 This chapter provides an overview of the legislative context for the Proposed Development and the planning policy framework against which it will be considered.

7.2 Legislative Context

7.2.1 The Planning Act 2008 (the 'Act') introduced a new system for consulting on, examining and determining 'nationally significant infrastructure projects' ('NSIPs') as defined by section 14 of the Act.

7.2.2 The main legislative and procedural requirements relating to NSIPs are set out within the following:

- The Act;
- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations'); and
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the 'EIA Regulations').

7.2.3 The Proposed Development falls within the definition of a NSIP under sections 14(1)(a) and 15(1) and (2) of the Act, being an onshore electricity generating station in England with a capacity exceeding 50 megawatts ('MW'). It also falls under Schedule 1 of the EIA Regulations, under the category of 'Thermal power stations and other combustion installations with a heat output of 300 megawatts or more'. As such, an Environmental Impact Assessment ('EIA') is required for the Proposed Development and an Environmental Statement ('ES') must be prepared in accordance with the EIA Regulations.

7.2.4 Before a NSIP can proceed, an application for a Development Consent Order ('DCO') must be submitted to The Planning Inspectorate ('PINS') pursuant to section 37 of the Act. PINS act on behalf of the relevant Secretary of State ('SoS'); in this case the SoS for Business, Energy and Industrial Strategy ('BEIS'). The PINS is responsible for examining the application and making a recommendation to the SoS who then makes the decision as to whether a DCO should be made authorising the construction and operation of the development in question. A DCO can provide for or remove the need to obtain a number of authorisations and consents (e.g. planning permission), meaning applicants do not need to make multiple consent applications. It can also provide powers of compulsory acquisition, enabling the acquisition of land or rights in land required to deliver the development.

7.2.5 In advance of an application for a DCO being submitted, the Act and related regulations require the applicant to consult widely. This includes consulting the local community - those living in the vicinity of the land to which the development relates; certain prescribed persons and bodies (including relevant technical consultees and statutory undertakers); relevant local authorities; and affected or potentially affected landownership interests and persons. The applicant must demonstrate how it has had regard to the responses received to the consultation in deciding the final form of development sought within the application for a DCO. This must be documented in a consultation report that is required to form part of the application under section 37 of the Act.

7.3 Planning Policy Framework

National Policy Statements

7.3.1 The Act grants the SoS power to designate statements as National Policy Statements ('NPSs') setting out policy relevant to the examination and determination of different types of NSIPs. Notably, where a NPS has effect in relation to a type of NSIP development (such as energy generation), section 104 of the Act requires the SoS to determine applications for NSIPs in accordance with the relevant NPSs, unless this would:

- lead to the UK being in breach of its international obligations;
- be in breach of any statutory duty that applies to the SoS;
- be unlawful;
- the adverse impacts of the development outweigh its benefits; or
- be contrary to any regulations that may be made prescribing other relevant conditions.

7.3.2 NPSs which have effect are therefore the primary (but not only) matter against which applications for NSIPs are judged. In taking decisions on applications for NSIPs, section 104 of the Act states that the SoS must also (in addition to the NPSs) have regard to appropriate marine policy documents, local impact reports (these are submitted by local authorities during the examination of DCO applications) and any other matters that the SoS considers to be both 'important and relevant' to their decision. Such matters can include local development plan documents.

7.3.3 In July 2011 the SoS for BEIS (then Energy and Climate Change) designated a number of statements as NPSs for energy infrastructure. These included an overarching NPS setting out general policies and assessment principles for energy infrastructure and a number of technology specific NPSs. Those NPS considered of most relevance to the Proposed Development are considered to be:

- the Overarching NPS for Energy (EN-1) ('EN-1') (Department for Energy and Climate Change (DECC), 2011a);
- the NPS for Fossil Fuel Electricity Generating Infrastructure (EN-2) ('EN-2') (DECC, 2011b);
- the NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) ('EN-4') (DECC, 2011c); and
- the NPS for Electricity Networks Infrastructure (EN-5) ('EN-5') (DECC, 2011d).

7.3.4 Key policy in each of these is described below. Each technical topic chapter (Chapters 8 to 20 of this ES) considers policy relevant to that topic, including that in the NPS.

The Overarching NPS for Energy (EN-1)

7.3.5 NPS EN-1 (DECC, 2011a), in conjunction with related technology specific NPSs, provides the primary basis for decisions by the SoS in relation to nationally significant energy infrastructure.

7.3.6 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 legally binding target to cut greenhouse gas 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 greenhouse gas emissions; and
- the importance of maintaining secure and reliable energy supplies as older fossil fuel generating plant closes as a result of the European Union Emissions Trading System ('EU ETS') and the UK moves toward a low carbon economy.

7.3.7 Part 3 of EN-1 defines and sets out the need that exists for nationally significant energy infrastructure. Paragraph 3.1.1 states that the UK needs all the types of energy infrastructure covered by the NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions. Paragraph 3.1.2 goes on to state that it is for industry to propose new energy infrastructure and that the Government does not consider it appropriate for planning policy to set targets for or limits on different technologies.

7.3.8 Notably, paragraph 3.1.3 of EN-1 stresses that the Secretary of State should assess applications for development consent for the types of infrastructure covered by the energy NPSs “...on the basis that the Government has demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need...” is as described for each of them. Paragraph 3.1.4 continues that the SoS should give substantial weight to the contribution that all projects would make toward satisfying this need when considering applications under the Act. As such, EN-1 is clear that the need that exists for new energy infrastructure is not open to debate or interpretation.

7.3.9 The urgency of the need for new electricity generating capacity is underlined by projections within EN-1 that indicate up to 22 gigawatts ('GW') of existing capacity will close over the period to 2020 in part due to the Industrial Emissions Direction but also as a result of some power station reaching the end of their operational lives (paragraph 3.3.7). In response to this, EN-1 identifies a minimum need for 59 GW of new generating capacity over the period to 2025 (paragraph 3.3.23).

7.3.10 Part 4 of EN-1 sets out a number of 'assessment principles' that must be taken into account by applicants, PINS and the SoS in (respectively) preparing, examining and determining applications for nationally significant energy infrastructure. General points include (paragraph 4.1.2), given the level and urgency of need for the infrastructure covered by the energy NPSs, the requirement for the SoS to start with a presumption in favour of granting consent for applications for energy NSIPs. This presumption applies unless any more specific and relevant policies set out in the relevant NPS clearly indicate that consent should be refused or any of the considerations referred to in Section 104 of the Act (noted above) apply.

7.3.11 Paragraph 4.1.3 goes on to state that in considering any application, and in particular, when weighing its adverse impacts against its benefits, the SoS should take into account:

- 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, as well as any measures to avoid, reduce or compensate for any adverse impacts.

7.3.12 Paragraph 4.1.4 continues by stating that within this context the SoS should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels.

- 7.3.13 Other assessment principles include the matters to be covered within the ES produced for the application; the Conservation of Habitats and Species Regulations 2010; the consideration of alternatives; criteria for ‘good design’; consideration of the feasibility of combined heat and power; consideration of the requirements of the carbon capture readiness regulation; grid connection; climate change adaptation; pollution control and environmental regulatory regimes; safety; hazardous substances; health; common law and statutory nuisance and security, amongst others.
- 7.3.14 Part 5 of EN-1 lists a number of ‘generic impacts’ that relate to most types of energy infrastructure, which both applicants and the SoS should take into account when preparing and considering applications. These include land use; socio-economics; air quality and emissions; noise and vibration; dust, odour, artificial light, steam and smoke; traffic and transport; civil and military aviation; biodiversity and geological conservation; historic environment; landscape and visual; water quality and resources; flood risk and waste, amongst others. 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. In relation to each of the generic impacts listed within Part 5 of EN-1, guidance is provided on how the applicant should assess these within their application and also the considerations that the SoS should take into account in decision-making.
- 7.3.15 In addition to a number of the assessment principles and generic impacts covered by EN-1, NPS EN-2, EN-4 and EN-5 set out the factors (e.g. those influencing site selection) and ‘assessment and technology specific’ considerations to be taken into account in the preparation and assessment of applications for fossil fuel generating stations, gas pipelines and electricity network infrastructure, including relevant environmental matters. These are considered briefly below.

The NPS for Fossil Fuel Electricity Generating Infrastructure (EN-2)

- 7.3.16 Taken together with NPS EN-1 (DECC, 2011a), EN-2 (DECC, 2011b) provides the primary basis for decisions on applications for fossil fuels electricity generating stations, including gas-fired power stations (such as the ‘Proposed Power Plant’). The document provides additional policy guidance against which to assess such proposals.
- 7.3.17 Section 2.2 outlines the factors influencing site selection for fossil fuel power stations. These include land use and size of site; transport infrastructure for the delivery and removal or construction materials, fuel, waste and equipment; and water resources, for example, some power station have very high water demands for cooling; and grid connection. However, in outlining such factors, paragraph 2.2.1 makes clear that “...it is for energy companies to decide what application to bring forward and the Government does not seek to direct applicants to particular sites for fossil fuel generating stations.”
- 7.3.18 Technology specific considerations to be taken into account in the assessment of fossil fuel power stations (in addition to the assessment principles and generic impact set out in EN-1) include air emissions; landscape and visual; noise and vibration; release of dust (in respect of coal-fired stations); residue management (again in respect of coal stations); and water quality and resources.

The NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)

- 7.3.19 Section 2.19 of EN-4 (DECC, 2011c) provides guidance on the assessment of applications for new gas pipelines. The Proposed Development includes a new gas pipeline connection (the 'Proposed Gas Pipeline') between the Proposed Power Plant and the National Transmission System for gas. The pipeline does not represent a NSIP in its own right but it is included within the development for which development consent is sought as 'associated development' to the Proposed Power Plant.
- 7.3.20 Key technology specific considerations for gas pipelines include proximity to sensitive land uses (e.g. residential development and schools) when planning routes; pipeline safety; noise and vibration; biodiversity; landscape and visual; water quality and resources; and soils and geology.

The NPS for Electricity Networks Infrastructure (EN-5)

- 7.3.21 EN-5 (DECC, 2011d) outlines principles on which the SoS will apply to applications for new electricity transmission lines as well as associated infrastructure, such as substations. It should be noted that the Proposed Development will involve relatively small scale electricity grid connection works to the existing National Grid substation on site.
- 7.3.22 Technology specific considerations to be taken into account for such works include biodiversity and geological conservation, landscape and visual, noise and vibration and the impacts of electric and magnetic fields.

Marine Policy

- 7.3.23 As noted above, section 104 of the Act requires the SoS to have regard to "*...the appropriate marine policy documents...*" relevant to the NSIP. Whilst the Proposed Development is an onshore generating station, the Proposed Gas Connection route crosses under the tidal section of the River Aire and works are proposed to the water discharge point also within the tidal River.
- 7.3.24 The appropriate marine policy documents are defined at section 59 of the Marine and Coastal Access Act 2009. These include any marine policy statement which is in effect and to the extent that a decision relates to a marine plan area, any marine plan which is in effect for that area (section 59(3) and (5)).
- 7.3.25 The UK Marine Policy Statement ('MPS'), adopted in March 2011 (HM Government, 2011), provides the policy framework for preparing marine plans and taking decisions affecting the marine environment. It is intended to sit alongside terrestrial consenting regimes, including the NSIP regime provided by the Planning Act 2008.
- 7.3.26 Chapter 2 outlines the vision for the UK marine area, the high level approach to marine planning and general principles for decision making covering economic, social and environmental considerations.
- 7.3.27 Chapter 3 sets out the policy objectives for key activities that take place in the marine environment. Section 3.3 deals specifically with 'Energy production and infrastructure development'. Paragraph 3.3.1 notes that a secure, sustainable and affordable supply of energy is of central importance to the economic and social well-being of the UK. Paragraph

3.3.4 sets out issues for consideration for all energy infrastructure and states that decision makers should take into account a range of matters, including the national level of need for energy infrastructure set out in EN-1.

- 7.3.28 Paragraph 3.3.6 notes that the construction, operation or decommissioning of power stations may have impacts on the local marine environment through the construction of plants and associated development. There may also be impacts from abstraction and discharge of cooling water during operation. It refers to more detail on the impacts and specific measures and actions to avoid or minimise adverse impacts, including those on marine ecology, being contained within the NPSs, including EN-2 in respect of fossil fuel generating stations.
- 7.3.29 Marine plans are intended to set out detailed policy and spatial guidance for a particular area. The UK is divided into a number of marine planning regions with associated plan authorities that are responsible for preparing marine plans. In England the Marine Management Organisation is the plan authority.
- 7.3.30 The Proposed Development lies within the ‘East Inshore Marine Plan Area’. The ‘East Inshore and East Offshore Marine Plans’ was published in April 2014 (HM Government, 2014). Paragraph 19 confirms that the Plan includes the area of sea stretching (north to south) from Flamborough Head to Felixstowe and extends out to the seaward limit of the territorial sea (approximately 12 nautical miles). It also includes:
- any area submerged at mean high water spring tide; and
 - the waters of any estuary, river or channel, so far as the tide flows at mean high water spring tide.
- 7.3.31 The East Inshore Marine Plan therefore encompasses the tidal River Aire, within which works are proposed as part of the Proposed Development as noted above.
- 7.3.32 Chapter 3 sets out the Plan policies. There are no specific policies relating to fossil fuel generating stations, however, the policies set out relating to economic, social and cultural, environmental and climate change considerations are of some relevance. These are consistent with policy set out in the relevant NPSs, notably EN-1 and EN-2.

Other Matters that may be ‘Important and Relevant’

- 7.3.33 As noted above, in making decisions on applications for NSIPs, section 104 of the Act states that the SoS must also (in addition to the NPSs) have regard to any other matters that they consider to be both ‘important and relevant’ to their decision. Paragraph 4.1.5 of EN-1 provides some clarification on such matters, stating that these may include development plan documents or other documents in the local development framework.
- 7.3.34 EN-1 is clear (reflecting the terms of the Act), however, that in the event of any conflict between a NPS and development plan documents, the NPS prevails for the purposes of SoS decision-making given the national significance of the infrastructure concerned.

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

- 7.3.35 The National Planning Policy Framework (‘NPPF’) was adopted in March 2012 (Department for Communities and Local Government (DCLG), 2012) and replaced the majority of Planning Policy Statements and Planning Policy Guidance Notes. The policies contained within the NPPF

are expanded upon and supported by the 'Planning Practice Guidance', which was published in March 2014.

- 7.3.36 The NPPF sets out the Government's planning policies for England and how these are to be applied. It is a material consideration in planning decisions. Paragraph 3 of the NPPF makes it clear that the document does not contain specific policies for NSIPs and that applications in relation to NSIPs are to be determined in accordance with the decision making framework set out in the Act and relevant NPSs, as well as any other matters that are considered both important and relevant. However, paragraph 3 goes on to confirm that the NPPF may be considered to be a matter that is both important and relevant for the purposes of assessing DCO applications. The EIA undertaken for the Proposed Development will therefore have regard to the relevant policies of the NPPF as part of the overall framework of national policy.
- 7.3.37 Paragraph 6 of the NPPF is clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that the policies that are set out in the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice. Paragraph 7 goes on to identify three dimensions to sustainable development: economic, social and environmental. It states that these dimensions give rise to the need for the planning system to perform a number of key roles as follows:
- **an economic role** - contributing to 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, including the provision of infrastructure;
 - **a social role** - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generation and by creating a high quality built environment, with accessible local services that reflect communities needs and support their health, social and cultural well-being; and
 - **an environmental role** - contributing to protecting and enhancing our natural, built and historic environment, and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change, including moving to a low carbon economy.
- 7.3.38 Paragraph 8 emphasises that these roles should not be undertaken in isolation, because they are mutually dependent. For example, economic growth can secure higher social and environmental standards, while well designed buildings and places can improve the lives of people and communities.
- 7.3.39 Central to the NPPF is 'a presumption in favour of sustainable development'. This is highlighted at Paragraph 14. For decision-making, this means approving applications that accord with the development plan without delay.
- 7.3.40 Paragraph 17 sets out a number of core land-use planning principles that should underpin decision making. Those of particular relevance to the Proposed Development include to:
- proactively drive and support sustainable economic development to deliver the infrastructure that the country needs;
 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

- support the transition to a low carbon future in a changing climate, taking full account of flood risk and encouraging the reuse of existing resources and the use of renewable energy sources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

7.3.41 NPPF policies of particular relevance include promoting sustainable transport; requiring good design; promoting healthy communities; conserving and enhancing the natural and historic environment; and meeting the challenge of climate change and mitigating its effects.

The Statutory Development Plan

7.3.42 The Proposed Development lies entirely within the administrative areas of Selby District Council ('SDC') and North Yorkshire County Council ('NYCC').

7.3.43 The statutory development plan for the area currently comprises the following development plan documents:

- the Selby District Core Strategy Local Plan - adopted October 2013 (SDC, 2013);
- the 'saved' policies of the Selby District Local Plan - adopted February 2005 (SDC, 2005);
- the 'saved' policies of the North Yorkshire Waste Local Plan - adopted 2006 (NYCC, 2006); and
- the 'saved' policies of the North Yorkshire Minerals Local Plan - adopted 1997 (NYCC, 1997).

7.3.44 While the Core Strategy Proposals Map shows the land to which the Proposed Development relates (including the existing Eggborough Power Station site) as lying within the 'open countryside' and outside the defined 'development limits' of Selby District, both the Core Strategy and Local Plan are broadly supportive of development that is connected with power generation and related uses.

7.3.45 Paragraph 6.61 of the Local Plan states that the local planning authority will continue to support the existing power generation industries within the District where there is no insurmountable conflict with established planning policies. Policy EM10 goes on to states that additional industrial and business development may be permitted at or close to the existing Power Station site provided that it is directly related to the process of generating electricity, either by making use of by-products from the Power Station or utilising a direct source of electricity; would be suitably linked to the highway and rail networks; would not affect residential amenity; create environmental problems; would be well screened; and would not harm nature conservation interests or archaeology.

7.3.46 The Core Strategy states, at paragraph 6.32, that the energy sector will continue to be important to the economy of the district, and identifies Eggborough Power Station as a major employer, which contributes to national energy infrastructure as well as the local economy. It also highlights the potential of the existing power stations in the district for the future development. It goes on to note that there is a need for further investment in energy

infrastructure in line with national policy and that supporting the energy sector will assist in reinvigorating, expanding, and modernising the district's economy.

7.3.47 Both the Local Plan and the Core Strategy contain a number of other policies that would be of relevance to the examination and determination of the DCO application for the Proposed Development. These include:

- Local Plan (2005):
 - ENV 1 'Control of Development';
 - ENV 2 'Environmental Pollution and Contamination';
 - ENV 3 'Light Pollution';
 - ENV 4 'Hazardous Substances';
 - ENV 9 'Sites of Importance for Nature Conservation Importance';
 - ENV27 'Scheduled Monuments and Important Archaeological Sites';
 - ENV28 'Other Archaeological Sites';
 - EMP10 'Additional Industrial Development at Drax and Eggborough Power Stations';
 - Policy RT1 'Recreation Open Space';
 - T 1 'Development in Relation to the Highway Network';
 - T2 'Access to Roads'; and
 - T8 'Public Rights of Way'.
- Core Strategy (2013):
 - SP 1 'Presumption in Favour of Sustainable Development';
 - SP2 'Spatial Development Strategy';
 - SP13 'Scale and Distribution of Economic Growth';
 - SP12 'Access to Services, Community Facilities and Infrastructure';
 - SP 15 'Sustainable Development and Climate Change';
 - SP 16 'Improving Resource Efficiency';
 - SP17 'Low-Carbon and Renewable Energy';
 - SP 18 'Protecting and Enhancing the Environment'; and
 - SP 19 'Design Quality';

7.3.48 In undertaking the EIA for the Proposed Development, the applicant will have regard to the above policies.

7.3.49 None of the saved policies contained in the North Yorkshire Minerals Local Plan (NYCC, 1997) are considered to be of direct relevance to the Proposed Development. Policy 3/7 'Mineral Sterilisation' is considered to be of some limited relevance given the deep coal deposits within the surrounding area and the proximity of the recently closed Kellingley colliery and its mined seams. The Policy states that in considering applications for non-mineral development, mineral resources will be protected from sterilisation unless there is an overriding need for the development and that prior extraction of minerals that would otherwise be sterilised by the development will be permitted, provide this is practicable and environmentally acceptable.

7.3.50 The majority of the saved policies of the North Yorkshire Waste Local Plan (NYCC, 2006) relate to waste management facilities and are of limited relevance, with the exception of Policy 5/1 'Waste Minimisation', which covers waste arisings from major new development proposals.

7.3.51 SDC is currently preparing a 'Sites and Policies Local Plan' to deliver the strategic vision outlined in the Core Strategy, which is intended to supersede the remaining saved policies in

the Local Plan. However, the document is at any early stage of preparation and is yet to be published for consultation.

- 7.3.52 NYCC (along with the City of York and the North York Moors National Park Authority) is preparing a Minerals and Waste Joint Plan. The Plan is at a relatively advanced stage with a Publication Draft having been published. Much of the Proposed Development Site lies within an area identified for minerals safeguarding on the Policies Map (Area 8) of the Minerals and Waste Joint Plan subject to Policy S02 'Development within Minerals Safeguarding Areas'. In addition, the existing rail head at the Eggborough coal-fired Power Station site is safeguarded under Policy S04 'Transport infrastructure safeguarding'.
- 7.3.53 The Minerals and Waste Joint Plan (paragraph 8.2) confirms that the purpose of safeguarding is not to prevent other forms of development on or near to a safeguarded resource or infrastructure, but primarily to ensure that the presence of the resource or infrastructure is taken into account when other development proposals are under consideration. Furthermore, paragraph 8.47 lists types of development that are exempt from the safeguarding policies of the Plan. Such 'exempt development' includes the redevelopment of previously developed land that would not increase the footprint of the former development.

7.4 Summary

- 7.4.1 The NPSs form the primary basis for decisions by the SoS on applications for NSIPs. In addition to setting out the strong need for new energy infrastructure, they provide detailed guidance on the matters to take into account when both preparing and assessing applications for NSIPs. They also confirm that the SoS must have regard to any other matters that he/she considers are both 'important and relevant', which can include the NPPF and local development plan policy. Both the NPS and NPPF are clear, however, that in the event of any conflict between a NPS and another document, the NPS prevails.
- 7.4.2 The DCO application includes a detailed assessment of the Proposed Development, taking account of the findings of the EIA as reported within this ES, against the relevant NPSs and other relevant policy documents such as the NPPF and development plan documents – see the Planning Statement (Application Document Ref. No. 5.5).

7.5 References

Department for Communities and Local Government (2012) *National Planning Policy Framework*.

Department for Energy and Climate Change (2011a) *Overarching National Policy Statement (NPS) for Energy: EN-1*.

Department for Energy and Climate Change (2011b) *National Policy Statement for Fossil Fuel Generating Infrastructure: EN-2*.

Department for Energy and Climate Change (2011c) *National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines: EN-4*.

Department for Energy and Climate Change (2011d) *National Policy Statement for Electricity Networks: EN-5*.

HM Government (2011) *The UK Marine Policy Statement*

HM Government (2014) *The East Inshore and East Offshore Marine Plans*

North Yorkshire County Council (1997) *North Yorkshire Minerals Local Plan*

North Yorkshire County Council (2006) *North Yorkshire Waste Local Plan*

Selby District Council (2005) *Selby District Local Plan*

Selby District Council (2013) *Selby District Core Strategy Local Plan, adopted October 2013*