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5. Legislative Context and Planning Policy Framework

5.1 Introduction

5.1.1 This chapter provides an overview of the legislation and current and emerging policies relevant to the Project.

5.2 Legislative Context

5.2.1 As stated in **Chapter 1: Introduction**, the Proposed Development is a ‘Nationally Significant Infrastructure Project’ (NSIP) under Section 14(1)(a) and 15(2) of the Planning Act 2008 (2008 Act) (Ref 5-1), as the Project would generate energy with an installed capacity of more than 50 MWe. The Application for development consent will be prepared in accordance with Section 37 of the 2008 Act.

5.2.2 Before an NSIP can proceed, a Development Consent Order (DCO) must be granted for that project. Under the Localism Act 2011 (Ref 5-2), the Planning Inspectorate is responsible for examining an application and making a recommendation to the Secretary of State for the Department for Business, Energy and Industrial Strategy (BEIS). A DCO removes the need to apply separately for a number of consents, in some cases subject to the prior agreement of the relevant consenting body.

5.2.3 The 2008 Act requires decisions on NSIP applications to be made in accordance with the relevant National Policy Statement (NPS), except to the extent that to do so would, as stated in paragraph 1.1.2, NPS EN-1:

- *“lead to the UK being in breach of its international obligations;*
- *be in breach of any statutory duty that applies;*
- *be unlawful;*
- *result in adverse impacts from the development outweighing the benefits; or*
- *be contrary to regulations about how decisions are to be taken.”*

5.2.4 Section 104 of the 2008 Act states that the decision maker must also have regard to any local impact reports submitted within the prescribed deadline and any other matters that are considered both important and relevant to their decision.

5.2.5 The Secretary of State must take into consideration any relevant NPS(s) and must decide applications in accordance with them. Both the potential benefits and adverse impacts should be taken into account.

5.2.6 In terms of Environmental Impact Assessment (EIA) regulations, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) came into force on 16 May 2017 (Ref 5-3), replacing the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the 2009 EIA Regulations) (Ref 5-4). The 2009 EIA Regulations however continue to

apply to certain projects, pursuant to the transitional arrangements set out in Regulation 37 of the 2017 EIA Regulations. This provides that (amongst other circumstances) where a request has been made to the Secretary of State for a Scoping Opinion, prior to the date of the commencement of the 2017 EIA Regulations, then the 2009 EIA Regulations 'continue to apply to any application for an order granting development consent'.

5.2.7 The Applicant submitted a request for a Scoping Opinion (Appendix 1A in ES Volume II Application Document Ref. 5.2) and it was received by the Secretary of State on 28 April 2017 (i.e. before commencement of the 2017 EIA Regulations on 16 May 2017). Therefore, the 2009 EIA Regulations are those that apply to this Application. The Proposed Development falls within Schedule 2(3(a)) of the 2009 EIA Regulation; as such, it constitutes 'EIA development' and the topic specific chapters (**Chapters 6-16**) of this ES summarise the results of the EIA work undertaken.

5.2.8 Furthermore, an environmental permit is required under the Environmental Permitting (England and Wales) Regulations 2016 (EPR Regulations 2016) (Ref 5-5). This regulatory regime requires operators of certain facilities to obtain an environmental permit from the Environment Agency. EDF Energy will be submitting an application under the EPR Regulations 2016 for a Substantial Variation to West Burton B's Environmental Permit (reference EPR/CP3035MK) to cover the addition of a new Open Cycle Gas Turbine (OCGT) power plant (West Burton C), as a peaking plant, and associated infrastructure.

5.3 Planning Policy Context

5.3.1 This section briefly details the overarching planning policy context for the Project, with technical planning policy detailed in the relevant topic chapters (**Chapters 6-16**).

National Planning Policy

National Policy Statements (EN-1 and EN-2)

5.3.2 National policy for NSIPs is set out in a number of NPSs. Two NPSs are relevant to the Proposed Development:

- the Overarching National Policy Statement for Energy (EN-1) (Ref 5-6); and
- the National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2) (Ref 5-7).

5.3.3 Given the level and urgency of need, EN-1 advises the decision maker to '*start with a presumption in favour of granting consent to applications for energy NSIPs*'. The following sections summarise the key paragraphs of the NPSs which are relevant for the consideration of this Project.

Overarching National Policy Statement for Energy (NPS EN-1)

- 5.3.4 NPS EN-1 contains the UK Government's general policy for developing and consenting of NSIPs within the energy sector. Paragraph 3.1.3 states that the decision maker should:

“assess all 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 in this Part.”

- 5.3.5 Additionally, paragraph 3.1.4 states the decision maker should:

“give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the Planning Act 2008.”

- 5.3.6 EN-1 makes it clear that there is significant need for new energy infrastructure in the UK that is secure, diverse, sustainable and affordable (Section 3.3). Paragraph 3.3.1 refers to the urgent need for new electricity capacity, stating:

“Electricity meets a significant proportion of our overall energy needs and our reliance on it is likely to increase as we move towards our 2050 goals.”

- 5.3.7 Paragraph 3.3.11 recognises that flexible electricity generation facilities powered by fossil fuels are required to provide back-up for intermittent renewable energy. Furthermore, paragraph 3.3.12 refers to the need for back-up generation. It states that the Government believes these types of technologies are likely to be increasingly relied upon in the future as renewables play a progressively important role in a low carbon electricity system.

- 5.3.8 EN-1 states:

“Gas will continue to play an important role in the electricity sector providing vital flexibility to support an increasing amount of low-carbon generation and to maintain security of supply.”

- 5.3.9 Additionally: *“This ability to source fuel from alternative suppliers helps to give stability to the UK's generating capacity. In addition, unlike some renewable energy sources such as wind power, fossil fuels may be stockpiled in anticipation of future energy demands.”*

- 5.3.10 Section 3.8 highlights the need for national significant gas infrastructure, stating:

“Although our reliance on fossil fuels will fall, the transition will take some time, and gas will continue to play an important part in the UK's fuel mix for many years to come.”

- 5.3.11 Paragraph 3.8.5 states that gas supply infrastructure must be sufficient to meet 'peak' demand. Additionally, paragraph 3.8.15 emphasises how important gas

supply capacity is and that providing ‘back-up’ generation can create a ‘high degree of security supply’.

5.3.12 Paragraph 3.8.19 emphasises the importance of gas in the power generation sector:

“Gas is the cleanest and most reliable fossil fuel... in the power generation sector, as a reliable source of flexible power generating capacity, to back-up intermittent renewables, so underpinning security of supply and price stability in the electrical market.”

5.3.13 Additionally: *“gas demand for power generation could increase substantially due to the greater use of electricity for heat and transport”.*

5.3.14 In terms of climate change, paragraph 4.8.6 states:

“The [decision maker] should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures.”

5.3.15 Paragraph 4.8.8 emphasises the importance of making sure the features of the design of new infrastructure are not:

“seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking into account of the latest credible scientific evidence on, for example, sea level rise”.

5.3.16 The relevant topic specific chapters of this ES (i.e. **Chapters 6-16**) provide details of how the Proposed Development should be considered against the technical policies of this NPS and NPS EN-2 (see **Table 5.1** below).

National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (NPS EN-2)

5.3.17 NPS EN-2, taken together with NPS EN-1, sets out the main policy for decision making on applications submitted for nationally significant fossil fuel electricity generating stations. EN-2 applies in England and Wales to applications for fossil fuel generating stations with over 50 megawatts (MW) generating capacity.

5.3.18 EN-2 highlights the criteria that must be met before consent for a new fossil fuel generating station can be given. Applicants are required to either include CHP as part of the scheme or to present evidence that the opportunities for Combined Heat and Power (CHP) have been fully explored (paragraph 2.3.2). A CHP Assessment is submitted as part of the Application (**Application Document Ref. 7.2**).

5.3.19 EN-2 (and NPS EN-1 Section 4.7) sets out the criteria for Carbon Capture Readiness (CCR). New combustion generating stations with a generating capacity

at or over 300MW are required to show that the proposed generating station will be ‘Carbon Capture Ready’ before consent may be given. Notably, Carbon Capture Readiness (CCR) is not applicable for the Proposed Development, as the generating capacity is under 300MW.

5.3.20 In terms of site selection, Section 2.2 of EN-2 outlines factors influencing site selection for fossil fuel power stations. These include: land use and size of site; transport infrastructure for the delivery and removal of construction materials, fuel, waste and equipment; water resources (for example, some power stations have very high water demands for cooling); and grid connection. However, in outlining such factors, paragraph 2.2.1 states:

“...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.”

5.3.21 Paragraph 2.3.13 emphasises the importance of climate change adaptation, advising applicants to:

“set out how the proposal would be resilient to:

- *coastal changes and increased risk from storm surge;*
- *effects of higher temperatures, including higher temperatures of cooling water; and*
- *increased risk of drought leading to a lack of available cooling water.”*

5.3.22 This NPS also sets out a number of specific impacts that could arise from fossil fuel generating NSIPs and criteria by which they should be assessed (EN-2 Section 2.4). These specific topics include air quality and emissions, landscape and visual, release of dust, residue management, and water quality and resources. Additionally, applicants should demonstrate good design.

5.3.23 The relevant topic specific chapters of this (i.e. **Chapters 6-16**) ES provide details of how the Proposed Development should be considered against the technical policies of this NPS and NPS EN-1, as set out in **Table 5.1** below:

Table 5.1: Summary of Technical Policies of EN-1 and EN-2

Topic	NPS	Topic Specific Chapter
Air Quality and Emissions	Both	Chapter 6: Air Quality
Biodiversity and Geological Conservation	EN-1	Chapter 9: Ecology; Chapter 11: Ground Conditions and Hydrogeology; and Chapter 14: Cultural Heritage
Civil and Military Aviation and Defence Interests	EN-1	Chapter 2: Assessment Methodology (addresses why the potential for impacts on aviation have been

		scoped out of this assessment)
Dust, odour, artificial light, smoke, steam and insect infestation	EN-1	Chapter 4: The Proposed Development; Chapter 6: Air Quality; and Chapter 7: Traffic and Transport
Flood Risk	Both	Chapter 12: Flood Risk, Hydrogeology and Water Resources
Historic Environment	EN-1	Chapter 14: Cultural Heritage
Landscape and Visual	Both	Chapter 10: Landscape and Visual Amenity
Land use including open space, green infrastructure and Green Belt	EN-1	Chapter 10: Landscape and Visual Amenity
Noise and Vibration	Both	Chapter 8: Noise and Vibration
Socio-Economics	EN-1	Chapter 13: Socio-Economics
Traffic and Transport	Both	Chapter 7: Traffic and Transport
Waste Management	Both	Chapter 2: Assessment Methodology; Chapter 4: The Proposed Development and Chapter 15: Sustainability, Waste and Climate Change
Water Quality and Resources	Both	Chapter 12: Flood Risk, Hydrogeology and Water Resources

National Planning Policy Framework (NPPF)

- 5.3.24 The updated National Planning Policy Framework (NPPF) was published in February 2019 (Ref 5-8). It replaces the previous NPPF published in March 2012 and revised in July 2018. The NPPF is supported by the National Planning Practice Guidance (PPG) (Ref 5-9), which was first published in March 2014 (as amended), to reflect and support the NPPF.
- 5.3.25 The NPPF (2019) sets out the Government’s planning policies for England and how these should be applied in both plan-making and decision-taking. Paragraph 5 of the NPPF (2019) makes clear that the document does not contain specific policies for NSIPs, which are to be determined in accordance with the decision-making framework in the 2008 Act and relevant NPSs, as well as any other matters that are ‘relevant (which may include the National Planning Policy Framework)’.
- 5.3.26 NPPF chapters of particular relevance to the scope of the EIA include: promoting healthy and safe communities; promoting sustainable transport; achieving well-designed places; meeting the challenge of climate change, flooding and coastal change; and conserving and enhancing the natural and historic environments. The

proposed development is considered against these policies in the relevant topic specific chapters.

Local Planning Policy

- 5.3.27 The 2008 Act states that applications for development consent should normally to be determined in accordance with relevant NPSs, but states that it is for the decision maker to have regard to other matters which may both '*important and relevant*'. It is commonly recognised that this can include local planning policies, including local policy designations.
- 5.3.28 The Site lies within the administrative area of Bassetlaw District Council (BDC), within the neighbourhood of Sturton. The adopted development plan comprises the Bassetlaw District Council Core Strategy and Development Management Policies Development Plan Document (DPD) (adopted December 2011 and updated July 2012) (Ref 5-10) and the Sturton Ward Neighbourhood Plan 2015-2030 (made in December 2015) (Ref 5-11). The relevant policies of each are considered in **Table 5.2**.
- 5.3.29 BDC is currently in the early stages of preparing a new Local Plan for the District. In October 2016, the Council consulted on a new spatial strategy for the District through the 'Initial Draft Bassetlaw Plan: Setting the Direction for Bassetlaw's Future' document. More recently, BDC consulted on a Draft Bassetlaw Local Plan (Ref 5-12) between 14 January and 10 March 2019 (Regulation 18 stage). The draft Local Plan makes specific reference to the existing West Burton Power Station in that Paragraph 2.15 states '*Bassetlaw's landscape is dominated by the coal-fired and gas turbine power stations at Cottam and West Burton. The important contribution made by these to Bassetlaw's economy is reflected in the 1000 people employed by the utilities sector.*'
- 5.3.30 The new Local Plan is anticipated to be adopted in February 2021 and, once adopted, will replace the adopted Core Strategy and Development Management Policies DPD (2011). At this early stage, limited weight should be afforded to the emerging Local Plan policies in the decision-making process (NPPF, Paragraph 48).
- 5.3.31 Due to the site's location within Nottinghamshire County Council (NCC), the policies of the Nottinghamshire Local Transport Plan: Strategy 2011-2026 (Ref 5-13) also apply. The proposals are assessed against these in **Chapter 7: Traffic and Transport**.
- 5.3.32 In addition, the Site lies adjacent to the administrative area of Lincolnshire County Council and West Lindsey District Council, where the following are relevant for particular topics:
- Central Lincolnshire Local Plan (2017) (Ref 5-14), as referred to in **Chapter 6: Air Quality**, **Chapter 8: Noise and Vibration** and **Chapter 14: Cultural Heritage**; and

- Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) Local Enterprise Partnership (LEP) Strategic Economic Plan (2013) (Ref 5-15) and Consultation Draft Strategic Economic Plan (2018) (Ref 5-16), as referred to in **Chapter 13: Socio-Economics**.

Bassetlaw District Core Strategy and Development Policies DPD (December 2011)

- 5.3.33 This section considers the relevant policies of the Core Strategy and Development Policies document.
- 5.3.34 It is relevant that the site is not designated for any particular use, and falls outside of the defined settlement boundaries. A Local Wildlife site lies to the south east, east and north of the site and covers part of the northern area of the site. The site lies within flood zone 1 (low risk). Beyond the site's boundaries, land to the east, north and north-west lies within flood zones 2 and 3. A Scheduled Ancient Monument lies to the south of the site, beyond River Road. The existing power station to the south west is a non-designated heritage asset.
- 5.3.35 The policies of relevance to the site and proposals are set out in **Table 5.2** below. The proposed development is considered against these policies in the relevant topic specific chapters, which are detailed in the final column of the table.

Table 5.2: Relevant Local Planning Policies

Policy Reference	Policy Wording	Topic Specific Chapter
DM3: General Development in the Countryside	<p>Part B states:</p> <p><i>“Proposals for the re-use of previously developed land outside Development Boundaries will be supported ... where they result in: (v) development that will not create significant or exacerbate existing environmental or highway safety problems.</i></p> <p><i>Where the redevelopment of a site for the existing permitted use is clearly no longer appropriate, consideration will be given to other uses in line with the approach set out in the Spatial Strategy policies and where explicit community support is demonstrated.”</i></p>	<p>All topic specific chapters; and Chapter 7: Traffic and Transport</p>
DM4: Design & Character	<p>Part A states that:</p> <p><i>“All major development proposals will need to demonstrate that they:</i></p> <ul style="list-style-type: none"> <i>i. make clear functional and physical links with the existing settlement and surrounding area and not to be designed as ‘standalone’ additions;</i> <i>ii. complement and enhance the character of the built, historic and natural environment;</i> <i>iii. are of a scale appropriate to the existing settlement and surrounding area;</i> <i>iv. provide a qualitative improvement to the existing range of houses, services, facilities, open space and economic development opportunities.”</i> <p>Part B sets out general design principles, stating that <i>‘individual development proposals... will only be accepted where they are of a high quality design’</i> that address local character and distinctiveness, architectural quality, public realm, accessibility, amenity and carbon reduction.</p> 	<p>Chapter 4: The Proposed Development; and Chapter 10: Landscape and Visual Amenity</p>
DM7: Securing Economic Development	<p>Part A states:</p> <p><i>“particular support will be given to economic development proposals that are able to:</i></p> <ul style="list-style-type: none"> <i>... ii. guarantee employment programmes for local residents that provide opportunities for training and development and will contribute to raised workforce skills levels within the District; and/or</i> <i>... iv. bring significant, good quality inward investment opportunities to the District.”</i> 	<p>Chapter 13: Socio Economics</p>

Policy Reference	Policy Wording	Topic Specific Chapter
DM8: The Historic Environment	<p><i>“Support will be given to development proposals... that protect and enhance the historic environment and secure its long-term future.”</i></p> <p>Part B sets out the criteria against which proposals will be assessed stating <i>‘Development proposals within the setting of heritage assets will be expected to consider: scale, design, materials, siting and views away from and towards the heritage asset’</i>.</p>	Chapter 14: Cultural Heritage
DM9 Green Infrastructure; Biodiversity and Geodiversity; Landscape; Open Space and Sports Facilities	<p><i>“Development proposals will be expected to support the Council’s strategic approach to the delivery, protection and enhancement of multi-functional Green Infrastructure.”</i></p> <p>Part B emphasises that <i>‘proposals will be expected to take opportunities to restore or enhance habitats and species’ populations and to demonstrate that they will not adversely affect or result in the loss of features of recognised importance’</i>. The policy states that developments resulting in <i>‘loss of such features may be supported provided replacement provision is made that is considered to be of be equal or greater value than that which will be lost’</i>.</p> <p>Part C requires:</p> <p><i>“new development proposals in and adjoining the countryside to be designed so as to be sensitive to their landscape setting. They will be expected to enhance the distinctive qualities of the landscape character policy zone in which they would be situated, as identified in the Council’s Landscape Character Assessment. Proposals will be expected to respond to the recommendations made in the Assessment by conserving, restoring, reinforcing and creating landscape forms and features accordingly.”</i></p>	Chapter 10: Landscape and Visual Amenity; and Chapter 9: Ecology
DM10: Renewable and Low Carbon Energy	<p>Part A focuses on carbon reduction and states <i>‘the Council will be supportive of proposals that seek to utilise renewable and low carbon energy to minimise CO₂ emissions’</i>. The policy sets out a list of criteria against which proposals for renewable and low carbon energy infrastructure will also need to demonstrate compliance as follows:</p> <ul style="list-style-type: none"> - <i>“are compatible with policies to safeguard the built and natural environment, including heritage assets and their setting, landscape character and features of recognised importance for biodiversity;</i> 	Chapter 4: The Proposed Development; Chapter 8: Noise and Vibration; Chapter 10: Landscape and Visual Amenity;

Policy Reference	Policy Wording	Topic Specific Chapter
	<ul style="list-style-type: none"> - will not lead to the loss of or damage to high-grade agricultural land (Grades 1 & 2); - are compatible with tourism and recreational facilities; - will not result in unacceptable impacts in terms of visual appearance; noise; shadow flicker; watercourse engineering and hydrological impacts; pollution; or traffic generation; and - will not result in an unacceptable cumulative impact in relation to the factors above.” <p>The policy also states that ‘large-scale renewable and low carbon energy proposals must provide full details of arrangements for decommissioning and reinstatement of the site if/when it ceases to operate’.</p>	<p>Chapter 12: Flood Risk, Hydrogeology and Water Resources; Chapter 14: Cultural Heritage; Chapter 15: Sustainability, Waste and Climate Change; and Chapter 16: Cumulative and Combined Effects</p>
DM12: Flood Risk, Sewerage and Drainage	<p>“Part A – Flood Risk states:</p> <p><i>“Proposals for development of new units in Flood Zones 2, 3a and 3b that are not defined by national planning guidance as being suitable for these zones will not be supported while development sites remain available in sequentially superior locations across the District. Reference should be made to the Council’s Strategic Flood Risk Assessment when making assessments about likely suitability. Site specific Flood Risk Assessments will be required for all developments in flood risk areas, even where flood defences exist, as defined on the Proposals Map.”</i></p> <p>Part B – Sewerage and Drainage states:</p> <p><i>‘Proposals for new development in... vi. North Wheatley,... ix. South Wheatley and x. Sturton-le-Steeple will only be supported where it is demonstrated to the Council’s satisfaction that the proposed development will not exacerbate existing land drainage and sewerage problems in these areas. All new development will be required to incorporate Sustainable Drainage Systems (SuDS) and provide details of adoption, ongoing maintenance and management. Proposals will</i></p>	<p>Chapter 12: Flood Risk, Hydrology and Water Resources and associated appendix, Appendix 12A Flood Risk Assessment (ES Volume II)</p>

Policy Reference	Policy Wording	Topic Specific Chapter
	<p><i>be required to provide reasoned justification for not using SuDS techniques, where ground conditions and other key factors show them to be technically feasible.”</i></p>	
<p>DM13: Sustainable Transport</p>	<p>Part A states that development proposals will be expected to:</p> <p><i>“i. Minimise the need to travel by private car; ii. Provide linkages, or develop new, footways, cycle paths and bridleways giving access, to key local facilities (especially town centres); and iii. Provide appropriate facilities to support access to high-quality public transport.”</i></p> <p>Part B sets out that ‘development proposals will be required to be consistent with, and contribute to the implementation of, the Nottinghamshire Local Transport Plan’.</p> <p>Part C states that ‘Non-residential parking should be provided in line with the 6Cs Highway Design Guide adopted by Nottinghamshire County Council on 1 April 2009.</p> <p><i>A reduction in parking provision will be considered where it is demonstrated that this will not impact adversely on the surrounding area (notably in relation to an increase in on-street parking) and is in the interest of sustainable development, especially in terms of encouraging the use of walking, cycling and/or public transport’.</i></p>	<p>Chapter 7: Traffic and Transport</p>

The Sturton Ward Neighbourhood Plan 2015-2030 (December 2015)

- 5.3.37 The Sturton Ward Neighbourhood Plan (Ref 5-11) identifies the same planning policy designations in relation to the site and surrounding area as the Core Strategy.
- 5.3.38 The relevant policies of the Neighbourhood Plan are set out in **Table 5.3** below. The proposals are considered against these policies in the relevant topic specific chapters, which are detailed in the final column of the table.

Table 5.3: Relevant Neighbourhood Planning Policies

Policy/Paragraph Reference	Policy Wording	Topic Specific Chapter
Policy 1: Sustainable Development	<p><i>“All development over the Plan period will be required to minimise its environmental impact and, where applicable, to improve access to the countryside and open spaces for residents.”</i></p> <p><i>“Development proposals will be supported at a scale and in locations that accord with policies set out in the Sturton Ward Neighbourhood Plan where it can be shown that such development would support the continued sustainability and viability of the Plan area.”</i></p>	<p>Chapter 13: Socio-Economics; and Chapter 15: Sustainability, Waste and Climate Change</p>
Policy 2: Conservation and Enhancement of Existing Natural Features	<p><i>“Development will be permitted where it fulfils all the relevant criteria listed:</i></p> <ul style="list-style-type: none"> <i>- protects and enhances designated wildlife sites and landscape distinctiveness; as identified in Appendix G5; and-</i> retains features of high conservation or landscape value including mature trees, hedgerows, species rich grasslands, ponds and wetlands, and woodlands; and <i>- introduces or safeguards boundary treatments that are sympathetic to maintaining and enhancing biodiversity on new development or as part of alterations to existing development. Incorporating native species of tree and shrub and provision of bat boxes will be particularly encouraged.”</i> <p>The policy also states that <i>“development on sites either adjoining existing settlements or in the open country side must assess the impact of the proposals upon the local biodiversity and if there is a significant loss of trees and shrubs as part of the development then new provision will be expected elsewhere.”</i></p>	<p>Chapter 6: Air Quality; Chapter 9: Ecology; and Chapter 15: Sustainability, Waste and Climate Change</p>
Policy 3: Design Principles	<p><i>“New development will be supported where it demonstrates:</i></p> <ul style="list-style-type: none"> <i>- layouts that maximise opportunities to integrate development with the existing settlements through creating new connections and improving existing ones to and from new development; and</i> <i>- consideration of local character in terms of street types, building detailing, colours, shapes and materials, landscaping and relationships between public and private spaces and how these might be used; and</i> 	<p>Chapter 10: Landscape and Visual Amenity</p>

Policy/Paragraph Reference	Policy Wording	Topic Specific Chapter
	<p><i>- designs that draw up and reflect local character including building design, mass, and the use of traditional and vernacular materials.”</i></p>	
<p>Policy 4: Protecting the Historic Environment</p>	<p><i>“Planning applications will be supported where they preserve or enhance conservation areas, listed buildings and other heritage assets ... where they comply with the following criteria:</i></p> <p><i>a) The development or alteration proposed does not have a detrimental effect on the heritage asset concerned; and</i></p> <p><i>b) The heritage asset is sensitively and fully incorporated into the development proposal concerned.”</i></p>	<p>Chapter 10: Landscape and Visual Amenity; Chapter 14: Cultural Heritage; and Chapter 15: Sustainability, Waste and Climate Change</p>
<p>Policy 12: Reducing the Risk of Flooding</p>	<p>This policy states that all development proposals, other than residential extensions and other minor development within settlements listed in the policy, will be required to demonstrate:</p> <p><i>“the development proposed will not have a detrimental impact on the foul and surface water drainage infrastructure and... does not increase the rate of surface water run-off and increase flood risk in the area”.</i></p> <p><i>Additionally, the ‘drainage infrastructure for all development proposals other than residential extensions and other minor development within the Plan area will be required to be designed and constructed such that the development concerned does not increase the level of flood risk in the area, and where appropriate can contribute to the reduction of flood risk. New development proposals will be required to protect existing watercourses and land drainage systems. In circumstances where this approach is impractical the developer will be required to propose a reasonable alternative in accordance with the most up to date local policy.</i></p> <p><i>The use of permeable parking spaces ... will be supported both in general terms, and in particular where they are associated with a suite of sustainable urban drainage systems</i></p>	<p>Chapter 12: Flood Risk, Hydrology and Water Resources; and Chapter 15: Sustainability, Waste and Climate Change</p>

Policy/Paragraph Reference	Policy Wording	Topic Specific Chapter
	<p><i>associated with the development concerned.</i></p> <p><i>New development proposals will be required to incorporate sustainable drainage techniques into their layout and design. In circumstances where this approach is impractical the developer will be required to propose a reasonable alternative in accordance with the most up to date local policy’.</i></p>	
<p>Policy 14: Energy Efficiency and Sustainability</p>	<p>The policy states that <i>‘proposals which harness the waste heat from commercial operations for the purpose of providing renewable energy for the benefit of community will be encouraged’.</i></p>	<p>Chapter 4: The Proposed Development; and Chapter 15: Sustainability, Waste and Climate Change</p>
<p>Paragraph 17.4</p>	<p><i>‘Significantly given the location of 2 large power stations within and just outside the Ward the Renewable and Low Carbon Energy Study suggested that ‘Our modelling indicates that where residential developments are able to connect to an existing district heating network, supplying waste heat from another source such as a large power station, this could reduce CO2 emissions from residential development by around 44%.’ The second part of Policy 13 establishes a positive and supportive context for the development of schemes which harness waste heat from commercial operations. The West Burton and Cottam power stations represent the most obvious opportunities for this type of initiative’.</i></p>	<p>Chapter 4: The Proposed Development; and Chapter 15: Sustainability, Waste and Climate Change</p>

5.4 References

- Ref 5-1 HM Government (2008) The Planning Act 2008.
- Ref 5-2 HM Government (2011), The Localism Act 2011.
- Ref 5-3 HM Government (2017), The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
- Ref 5-4 HM Government (2009), The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.
- Ref 5-5 HM Government (2016), The Environmental Permitting (England and Wales) Regulations 2016.
- Ref 5-6 Department of Energy and Climate Change (2011), Overarching National Policy Statement for Energy (EN-1).
- Ref 5-7 Department of Energy and Climate Change (2011), National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2).
- Ref 5-8 Ministry of Housing, Communities and Local Government (2019), National Planning Policy Framework (NPPF).
- Ref 5-9 Ministry of Housing, Communities and Local Government (2014 as amended), National Planning Practice Guidance.
- Ref 5-10 Bassetlaw District Council (2011), Bassetlaw District Core Strategy & Development Policies DPD.
- Ref 5-11 Sturton Ward Planning Group (2015), The Sturton Ward Neighbourhood Plan 2015-2030.
- Ref 5-12 Bassetlaw District Council (2019), Draft Bassetlaw Local Plan.
- Ref 5-13 Nottinghamshire County Council (2011), Nottinghamshire Local Transport Plan 2011-2026.
- Ref 5-14 Central Lincolnshire Joint Strategic Planning Committee (2017), The Central Lincolnshire Local Plan 2012-2036.
- Ref 5-15 Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) (2014), Local Enterprise Partnership (LEP) Strategic Economic Plan.
- Ref 5-16 Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) (2018), Local Enterprise Partnership Draft Strategic Economic Plan 2019-2030.