



SUNNICA ENERGY FARM

EN010106

Volume 6

Environmental Statement

6.2 Appendix 15A: Relevant Legislation and Policy for Human Health
APFP Regulation 5(2)(a)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009



Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

Sunnica Energy Farm

Environmental Statement

Appendix 15A: Relevant Legislation and Policy for Human Health

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1 Introduction

1.1 Purpose of this appendix

- 1.1.1 This ES appendix identifies and describes the legislation, policy and supporting guidance considered relevant to the assessment of the likely significant effects of the Scheme on human health.
- 1.1.2 Legislation and policy are considered at national and local levels.
- 1.1.3 This ES appendix does not assess the Scheme against legislation and policy instead the purpose of considering legislation and policy in the EIA is twofold:
 - a. to identify legislation and policy that could influence the sensitivity of receptors (and therefore the significance of effects) and any requirements for mitigation; and
 - b. to identify legislation and policy that could influence the methodology of the EIA. For example, a policy may require the assessment of an impact or the use of a specific methodology.
- 1.1.4 The following sections identify and describe the legislation, policy and supporting guidance considered specifically relevant to the human health assessment.

2 National Legislation, Policy and Guidance

2.1 Legislation

- 2.1.1 The Health and Social Care Act 2012 (Ref 1) outlines the Secretary of State's duty to promote and improve the NHS, in pursuit of a number of key aims, which include:
 - a. An improvement in the quality of services;
 - b. A reduction in health inequalities;
 - c. The promotion of autonomy for GPs and health centres; and
 - d. Improvements to the treatments and services offered to patients.
- 2.1.2 The Act addresses the regulation of the NHS at a national and local level, and also introduced changes such as the abolition of NHS Trusts, support for the production of Joint Strategic Needs Assessments (JSNA), and establishment of Health and Wellbeing boards at a local authority level. These boards have been established for the purpose of advancing the health and wellbeing of people within each local authority area and will aim to *"encourage persons who arrange for the provision of any health or social care services in that area to work in an integrated manner"*.

2.2 Policy

National Policy Statements

- 2.2.1 The Scheme's proposed energy generating technology is not currently specifically referenced by a National Policy Statement (NPS) however in lieu of a technology specific NPS, the EIA takes account of the following NPSs, which are considered

to be matters that will be important and relevant to the Secretary of State's decision as to whether to grant a DCO for the Scheme:

- a. Overarching National Policy Statement for Energy (EN-1) (Ref 2),
- b. National Policy Statement for Renewable Energy Infrastructure (EN-3) (Ref 3),
and
- c. National Policy Statement for Electricity Networks Infrastructure (EN-5) (Ref 4).

2.2.2 The NPSs set out the Government's energy policy, the need for new infrastructure and guidance for determining an application for a DCO. The NPSs include specific criteria and issues which should be covered by applicants' assessments of the effects of their scheme, and how the decision maker should consider these impacts.

2.2.3 The relevant NPS requirements, together with an indication of where in the ES chapter the information provided to address these requirements, are provided in **Table 2-1**. NPS EN-3 and EN-5 do not contain requirements relevant to the human health and wellbeing assessment for this Scheme. Therefore, **Table 2-1** only lists relevant NPS requirements from NPS EN-1.

Table 2-1 Relevant NPS requirements for the human health assessment

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
	NPS EN-1	
Paragraph 4.13.1	Energy production has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the production, distribution and use of energy may have negative impacts on some people’s health.	Addressed in Section 15.8 (Assessment of Likely Impacts and Effects) of Chapter 15: Human Health of this Environmental Statement [EN010106/APP/6.1].
Paragraph 4.13.2	...where the proposed project has an effect on human beings, the ES should assess these effects for each element of the project, identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant and the [Secretary of State] should consider the cumulative impact on health.	Addressed in Section 15.8 (Assessment of Likely Impacts and Effects) of Chapter 15: Human Health of this Environmental Statement [EN010106/APP/6.1].
Paragraph 4.13.3	The direct impacts on health may include increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests.	Addressed in Section 15.8 (Assessment of Likely Impacts and Effects) of Chapter 15: Human Health of this Environmental Statement [EN010106/APP/6.1].
Paragraph 4.13.4	New energy infrastructure may also affect the composition, size and proximity of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport or the use of open space for recreation and physical activity.	Addressed in Section 15.8 (Assessment of Likely Impacts and Effects) of Chapter 15: Human Health of this Environmental Statement [EN010106/APP/6.1].
Paragraph 4.13.5	Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refused consents or require specific mitigation under the Planning Act 2008. However, the [Secretary of State] will want to take account of health concerns when setting requirements relating to a range of impacts such as noise.	Addressed in Section 15.8 (Assessment of Likely Impacts and Effects) of Chapter 15: Human Health of this Environmental Statement [EN010106/APP/6.1].

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
Paragraph 5.10.2	The Government’s policy is to ensure there is adequate provision of high quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people’s quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change.	Addressed in Section 15.8 (Assessment of Likely Impacts and Effects) of the Chapter 15: Human Health of this Environmental Statement [EN010106/APP/6.1].

Draft National Policy Statements

- 2.2.4 The Government is currently reviewing and updating the Energy NPSs. It is doing this in order to reflect its policies and strategic approach for the energy system that is set out in the Energy White Paper (December 2020), and to ensure that the planning policy framework enables the delivery of the infrastructure required for the country's transition to net zero carbon emissions. As part of the Energy NPS review process, the Government published a suite of Draft Energy NPSs for consultation on 6 September 2021. These include the following Draft NPSs, which are expected to be important and relevant to the Secretary of State's decision, and have therefore been taken into account by the EIA:
- a. Draft Overarching National Policy Statement for Energy (EN-1) (Draft NPS EN-1);
 - b. Draft National Policy Statement for Renewable Energy (EN-3) (Draft NPS EN-3), and
 - c. Draft National Policy Statement for Electricity Networks Infrastructure (EN-5).
- 2.2.5 Where the relevant Draft NPS contain requirements that differ from the requirements of the NPSs,
- 2.2.6 **Table** 2-2 indicates where the information to address these requirements is provided within the ES Chapter.

Table 2-2 Relevant Draft NPS requirements for the human health assessment

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
	Draft NPS EN-1	
Paragraph 4.3.5	<p>Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008. However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State will want to take account of health concerns when setting requirements relating to a range of impacts such as noise. Opportunities should also be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society i.e. those groups within society which may be differentially impacted by a development compared to wider society as a whole.</p>	Addressed in the Assessment of Likely Impacts and Effects, Section 15.8

National Planning Policy Framework (NPPF)

- 2.2.7 The NPPF sets out the Government's planning policies for England and how these should be applied.
- 2.2.8 The relevant NPPF paragraphs, together with an indication of where in the ES chapter the information is provided to address these requirements, are provided in **Table 2-3**.

Table 2-3 Relevant NPPF requirements for the human health assessment

Relevant NPPF paragraph reference	Requirement of the NPPF	Where in the ES chapter is information provided to address this
Paragraph 92	<p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:</p> <ul style="list-style-type: none"> a. promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b. are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and c. enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. 	Addressed in the Assessment of Likely Impacts and Effects, Section 15.8
Paragraph 93	<p>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <ul style="list-style-type: none">; b. take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c. guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs; 	Addressed in the Assessment of Likely Impacts and Effects, Section 15.8
Paragraph 98	<p>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 and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new</p>	Addressed in the Assessment of Likely Impacts and Effects, Section 15.8

Relevant NPPF paragraph reference	Requirement of the NPPF	Where in the ES chapter is information provided to address this
	provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate	
Paragraph 100	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.	Addressed in the Assessment of Likely Impacts and Effects, Section 15.8

2.3 Guidance

- 2.3.1 The NHS Long Term Plan (Ref 5) sets out a ten-year programme of phased improvements to the NHS. The plan outlines how the NHS will attempt to reduce health inequalities through wider preventative action in deprived areas and improved integrated community-based care systems. This includes funding support to programmes which help to reduce smoking, obesity and air pollution in vulnerable communities. There will also be an increased focus on digital GP consultations to provide more options and better support for patients. Increases in NHS funding and the establishment of a new NHS Assembly are planned to help achieve better care quality and outcomes as well as helping to reduce workforce pressures. There will be a focus on population health which involves a new system hierarchy involving primary care networks, local authorities and larger integrated care systems. The NHS Long Term Plan stresses the importance of the NHS and the built environment sector continuing to work together to improve health and wellbeing.
- 2.3.2 In 2017, Public Health England published 'Spatial Planning for Health: An evidence resource for designing healthier places' (Ref 6). The review provided public health planners and local communities with evidence informed principles for designing healthy places. The review addresses the relationship which exists between public health and the built environment. It identifies five aspects of the built and natural environment which can be influenced by local planning policy:
- neighbourhood design
 - housing
 - healthier food
 - natural and sustainable environment
 - transport
- 2.3.3 For each aspect identified above, the review provides the evidence base underpinning why they are important determinants of public health. It also sets out principles which public health professionals and planners should follow to ensure healthier places.
- 2.3.4 The two aspects deemed most relevant to the Scheme are 'neighbourhood design' and 'natural and sustainable environment'. For 'neighbourhood design', the review states that *"Neighbourhoods are places where people live, work, and play and have a sense of belonging. The design of a neighbourhood can contribute to the health and well-being of the people living there. Several aspects of neighbourhood design (walkability and mixed land use) can also maximise opportunities for social engagement and active travel. Neighbourhood design can impact on our day-to-day decisions and therefore have a significant role in shaping our health behaviours."*
- 2.3.5 For the 'natural and sustainable environment', the review states *"there is a very significant and strong body of evidence linking contact and exposure to the natural environment with improved health and wellbeing. For the purpose of this review, the natural and sustainable environment is comprised of neighbourhood ecosystems and the resulting co-benefits between the environment and health. Protecting the natural environment is essential to sustaining human civilization."*

- 2.3.6 In 2020, Public Health England published the ‘Public Health England Strategy 2020 to 2025 strategy’ (Ref 7) which states their objectives over the next five years. The document also states the importance of planning in healthy communities and references the Spatial Planning and Health document described above in providing an evidence base for this.
- 2.3.7 Accompanying the NPPF, the National Planning Practice Guidance (NPPG) (Ref 8) provides guidance on planning and provides a web-based resource in support of the NPPF. The NPPG offers guidance on health and wellbeing in planning and planning obligations, and covers:
- a. The role of health and wellbeing in planning; and
 - b. the links between health and wellbeing and planning.
- 2.3.8 The NPPG suggests a health impact assessment is a useful tool to use when assessing expected significant impacts. The guidance states that: *“plan-making authorities may work with public health leads and health organisations to understand and take account of the health status and needs of the local population, including the quality, quantity of and accessibility to healthcare and the effect any planned growth may have on this. Authorities should also assess quality, quantity of and accessibility to green infrastructure, sports, recreation and places of worship including expected future changes, and any information about relevant barriers to improving health and well-being”* (See ‘Plan-Making’ Guidance, Paragraph 46).

3 Local Legislation, Policy and Guidance

3.1 Policy

- 3.1.1 The following local policy is relevant to the assessment of the human health effects of the Scheme.

Relevant Document	Relevant policies
East Cambridgeshire District Council Local Plan Adopted April 2015.	Policy COM3: Retaining community facilities Policy COM5: Strategic green infrastructure Policy COM7: Transport impact Policy ENV9: Pollution
Forest Heath and St Edmundsbury Local Plan: Joint Development Management Policies Document (last updated February 2015)	Policy DM14: Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards Policy DM41: Community Facilities and Services Policy DM44: Rights of Way

3.2 Guidance

- 3.2.1 The role of the Cambridgeshire Health and Wellbeing Board includes the promotion of integrated health and care services, identifying local health needs and priorities, and the development of a Health and Wellbeing Strategy (Ref 9). The Health and Wellbeing Board have identified six key health priorities which reflect local issues and are all contributors to health inequality within the County. These key priorities have been selected as they either affect a considerable proportion of the county’s population or they affect a vulnerable group:

- a. Ensure a positive start to life for children, young people and their families;
- b. Support older people to be independent, safe and well;
- c. Encourage healthy lifestyles and behaviours in all actions and activities while respecting people's personal choices;
- d. Create a safe environment and help to build strong communities, wellbeing and mental health;
- e. Create a sustainable environment in which communities can flourish; and
- f. Work together effectively

3.2.2 The role of the Suffolk Health and Wellbeing Board includes the promotion of integrated health and care services, identifying local health needs and priorities, and the development of a West Suffolk Health and Wellbeing Strategy (Ref 10). The vision of the Suffolk Health and Wellbeing Board is that *“people in Suffolk live healthier, happier lives. We also want to narrow the differences in healthy life expectancy between those living in our most deprived communities and those who are more affluent through greater improvements in most disadvantaged communities.”* The Health and Wellbeing Board have identified four key health priorities which reflect key local issues and are key contributors to health inequality within the County. These key priorities have been selected as their either affect a significant proportion of the county's residents or a vulnerable group of people, as follows:

- a. Every Child in Suffolk to have the Best Start in Life;
- b. People of working age are supported to optimise their health and wellbeing;
- c. Older people have good quality of life; and
- d. People in Suffolk have the opportunity to improve their mental health and wellbeing.

4 References

- Ref 1 Department of Health, (2012); Health and Social Care Act (c.7)
- Ref 2 Department of Energy and Climate Change, (2011); Overarching National Policy Statement for Energy (EN-1). London: The Stationery Office.

- Ref 3 Department of Energy and Climate Change (2011) National Policy Statement for Renewable Energy Infrastructure (EN-3)
- Ref 4 Department of Energy and Climate Change (2011) National Policy Statement for Electrical Networks Infrastructure (EN-5)
- Ref 5 NHS, (2019); NHS Long Term Plan
- Ref 6 Public Health England, (2017); Spatial Planning for Health: An evidence resource for designing healthier places
- Ref 7 Public Health England, (2019); PHE Strategy 2020 to 2025
- Ref 8 Department of Communities and Local Government (DCLG), (2019); Draft Planning Practice Guidance
- Ref 9 Cambridgeshire County Council, (2015); Health & Wellbeing Strategy
- Ref 10 West Suffolk Council, (2019); Joint Health and Wellbeing Board Strategy