



HELIOS RENEWABLE
ENERGY
PROJECT

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Pursuant to:
APFP Regulation 5(2)(q)

Planning Statement Appendix 1: Local Plan Accordance

June 2024

Appendix 1: Local Plan Accordance

The following provides a review of relevant local planning policy applicable to the Proposed Development. Where a policy is absent from the list it is deemed to not relate to the Proposed Development, have expired or been superseded by a recent policy.

Policy	Policy Text	Assessment
Selby District Local Plan (2005)		
Section 4 – Environment		
ENV1: Control of Development	<p>Proposals for development will be permitted provided a good quality of development would be achieved. In considering proposals the District Council will take account of:</p> <ol style="list-style-type: none"> 1) The effect upon the character of the area or the amenity of adjoining occupiers; 2) The relationship of the proposal to the highway network, the proposed means of access, the need for road/junction improvements in the vicinity of the site, and the arrangements to be made for car parking; 3) The capacity of local services and infrastructure to serve the proposal, or the arrangements to be made for upgrading, or providing services and infrastructure; 4) The standard of layout, design and materials in relation to the site and its surroundings and associated landscaping; 	<p>It is demonstrated in ES Chapter 7 Landscape and Views [EN010140/APP/6.1.7] that any harm on visual or residential amenity will be appropriately mitigated. It is acknowledged in this Planning Statement and the ES that there will be some residual landscape and visual impacts as a result of the Proposed Scheme, however positive effects are not to be expected, as confirmed in paragraph 4.5.1 of NPS Policy EN-1, which states that <i>“the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.”</i></p> <p>ES Chapter 10 Transport and Access [EN010140/APP/6.1.10] has assessed the effect of the Proposed Development on the highway network, concluding that the Proposed Development would not have any adverse impacts in respect of highway safety and traffic generation</p>

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	<p>5) The potential loss, or adverse effect upon, significant buildings, related spaces, trees, wildlife habitats, archaeological or other features important to the character of the area;</p> <p>6) The extent to which the needs of disabled and other inconvenienced persons have been taken into account;</p> <p>7) The need to maximise opportunities for energy conservation through design, orientation and construction; and</p> <p>8) Any other material considerations</p>	<p>subject to the implementation of mitigation measures.</p> <p>No adverse impacts as a result of the Proposed Development are identified in the relevant chapters of the ES in relation to the capacity of local services and infrastructure to serve the proposal.</p> <p>The standard of layout, design and materials in relation to the site and its surroundings and associated landscaping is discussed in ES Chapter 7 Landscape and Views [EN010140/APP/6.1.7]. ES Chapter 3 Site and Development Description [EN010140/APP/6.1.3] explains how these were considered by the Applicant from conception of the design.</p> <p>ES Chapter 8 Biodiversity [EN010140/APP/6.1.8] demonstrates that there are no significant adverse residual effects on biodiversity. Due to enhancement measures, the Proposed Development has a beneficial effect on some habitats.</p> <p>ES Appendix 2.6 Population and Human Health Technical Note [EN010140/APP/6.3.2.6] sets out the existing health and wellbeing baseline in the local area and demonstrates that there are no significant adverse effects during construction, operation or decommissioning on any groups of the population.</p>

Policy	Policy Text	Assessment
ENV2: Environmental Pollution and Contaminated Land	<p>A) Proposals for development which would give rise to, or would be affected by, unacceptable levels of noise, nuisance, contamination or other environmental pollution including groundwater pollution will not be permitted unless satisfactory remedial or preventative measures are incorporated as an integral element in the scheme. Such measures should be carried out before the use of the site commences.</p> <p>B) Where there is a suspicion that the site might be contaminated, planning permission may be granted subject to conditions to prevent the commencement of development until a site investigation and assessment has been carried out and development has incorporated all measures shown in the assessment to be necessary.</p>	<p>The noise and vibration effects of the Proposed Development are assessed in ES Chapter 11 Noise [EN010140/APP/6.1.11] which confirms that no likely significant effects are identified, and therefore no mitigation is required further to implementation of embedded mitigation and measures to be adopted by the project.</p> <p>ES Appendix 2.4 Phase 1 Ground Conditions Assessment and Update Note [EN010140/APP/6.3.2.4] concludes that potential pollutant linkages identified on-Site are able to be mitigated through the implementation of standard mitigation measures. It also demonstrates that it would be unlikely that the Site would be designated statutory contaminated land under Part 2A of the Environmental Protection Act 1990.</p> <p>ES Chapter 9 Water Environment [EN010140/APP/6.1.9] concludes that the Proposed Development will have no significant adverse effects on the water environment.</p> <p>Based on the above, the Applicant considers the Proposed Scheme is acceptable with regard to the considerations of Policy ENV2.</p>
ENV3: Light Pollution	<p>Proposals involving outdoor lighting will only be permitted where lighting schemes:</p> <p>1) Represent the minimum level required for security and/or operational purposes;</p>	<p>Policy compliance is demonstrated in ES Chapter 3 Site and Development Description [EN010140/APP/6.1.3] and ES Appendix 2.5 Solar Photovoltaic Glint and Glare study [EN010140/APP/6.3.2.5].</p>

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	<p>2) Are designed to minimise glare and spillage;</p> <p>3) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and</p> <p>4) Would not detract significantly from the character of a rural area.</p> <p>Proposals for development involving outdoor lighting should incorporate details of lighting schemes as part of applications for development.</p>	<p>As stated in ES Chapter 3 Site and Development Description [EN010140/APP/6.1.3], during construction, lighting will be limited to the construction compounds only, with temporary lighting at the grid connection works. The lighting of the on-site substation would be in accordance with Health and Safety requirements. Lighting would be designed to limit any impact on sensitive receptors by directing lighting downward and away from the Order Limit boundaries and existing vegetation. During operation, no part of the Proposed Development would be continuously lit; manually operated and motion detection lighting would be utilised for operational and security purposes.</p>
ENV4: Hazardous Substances	<p>Proposals involving the storage or use of hazardous substances, or developments in the vicinity of sites where hazardous substances are being stored or used, will only be permitted where the District Council is satisfied that:</p> <p>1) There is no unacceptable risk to the public or the natural environment; and</p> <p>2) Opportunities for the development of land in the vicinity will not be severely restricted.</p>	<p>Policy compliance will be achieved through the adherence to best practice measures in accordance with the oCEMP [EN010140/APP/6.3.5.1], oOEMP [EN010140/APP/6.3.5.4], oDEMP [EN010140/APP/6.3.5.3] and the oLEMP [EN010140/APP/6.3.7.9]</p>
ENV15: Conservation and Enhancement of Locally Important Landscape Areas	<p>Within the locally important landscape areas, as defined on the proposals map, priority will be given to the conservation and enhancement of the character and quality of the landscape. Particular attention should be paid to the design, layout, landscaping of development and the use of materials in order to minimise its impact and to enhance the traditional character of buildings and landscape in the area.</p>	<p>The landscape effects of the Proposed Development are assessed at ES Chapter 7 Landscape and Views [EN010140/APP/6.1.7], which confirms that no likely significant effects are identified following embedded and secondary mitigation and enhancement measures. During the construction and decommissioning phases, best</p>

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		<p>practice measures will be implemented in accordance with ES Appendix 5.1: outline Construction Environment Management Plan (CEMP) [EN010140/APP/6.3.5.1] and ES Appendix 5.3: outline Decommissioning Environmental Management Plan (oDEMP) [EN010140/APP/6.3.5.3] secured by DCO requirement. During the operational phase, maintenance and management of planting proposals will be carried out in compliance with the LEMP. This demonstrates policy compliance with ENV15.</p>
<p>ENV28: Other Archaeological Remains</p>	<p>(A) Where development proposals affect sites of known or possible archaeological interest, the District Council will require an archaeological assessment/evaluation to be submitted as part of the planning application.</p> <p>(B) Where development affecting archaeological remains is acceptable in principle, the Council will require that archaeological remains are preserved in situ through careful design and layout of new development.</p> <p>(C) Where preservation in situ is not justified, the Council will require that arrangements are made by the developer to ensure that adequate time and resources are available to allow archaeological investigation and recording by a competent archaeological organisation prior to or during development.</p>	<p>Policy compliance demonstrated in ES Chapter 6 Cultural Heritage [EN010140/APP/6.1.6]. The Geophysical Survey included within ES Chapter 6 Cultural Heritage [EN010140/APP/6.1.6] shows that the archaeological potential on the site is contained within discrete areas and is not widespread across the site. Areas of archaeological potential have been identified and discussed with the NYC Principal Archaeologist. These areas will be subject to mitigation in the form of ‘no dig’ foundations. This will ensure that these areas will not experience any below ground disturbance from the Proposed Development.</p>
<p>T1: Development in Relation to the Highway network</p>	<p>Development proposals should be well related to the existing highways network and will only be permitted where existing roads have adequate</p>	<p>Policy compliance is demonstrated in Section 5.7 of this statement and Chapter 10: Transport and Access [EN010140/APP/6.1.10] of the ES. Section 5.7 identifies that the site is connected to</p>

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	capacity and can safely serve the development unless appropriate off-site highway improvements are undertaken by the developer.	an existing network of relatively extensive single-track roads and farm tracks, as well as A-roads, which are well suited to serving the development.
T2: Access to Roads	<p>Development proposals which would result in the creation of a new access or the intensification of the use of an existing access will be permitted provided:</p> <ol style="list-style-type: none"> 1) There would be no detriment to highway safety; and 2) The access can be created in a location and to a standard acceptable to the highway authority. <p>Proposals which would result in the creation of a new access onto a primary road or district distributor road will not be permitted unless there is no feasible access onto a secondary road and the highway authority is satisfied that the proposal would not create conditions prejudicial to highway safety</p>	<p>Policy compliance is demonstrated in Section 5.7 of this statement and ES Chapter 10 Transport and Access [EN010140/APP/6.1.10].</p> <p>The Proposed Development is shown to have a negligible effect on road user and pedestrian safety through the construction, operational and decommissioning phases. The Chapter finds that the Proposed Development will have no significant effects in terms of traffic and access. Several mitigations are proposed, which include the implementation of a detailed CTMP and a Travel Plan.</p>
T8: Public Rights of Way	<p>Development which would have a significant adverse effect on any route in the district's public rights of way network will not be permitted unless the following can be achieved:</p> <ol style="list-style-type: none"> 1) Satisfactory and attractive alternative routes are provided; and 2) Adequate sign posting is provided; and 3) As far as is reasonable, the new route can make provision for walkers, horse riders, cyclists and people with sight or mobility problems; and 4) In the case of new reasonable development, such development must replace extinguished rights of way with attractive highway infrastructure 	<p>Policy compliance is demonstrated in ES Chapter 10 Transport and Access [EN010140/APP/6.1.10]. No PRoW will be closed or diverted during the construction, operational or decommissioning phases of the Proposed Development. A Public Right of Way (PRoW) management plan which will be produced at the detailed design stage. The details of the PRoW management plan are provided in the outline Construction Traffic Management Plan (oCTMP) [EN010140/APP/6.3.5.2].</p>

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	<p>which is equally capable of accommodating appropriate users of the original right of way.</p> <p>The District Council will work with the highway authority and other interested parties to extend and improve the public rights of way network for amenity as well as highway reasons.</p>	
RT5: The Trans-Pennine Trail	<p>Proposals for small-scale developments associated with informal public use and enjoyment of the countryside will be permitted provided:</p> <ol style="list-style-type: none"> 1) The proposal would not be intrusive by virtue of associated noise or appearance and any new buildings or structures would be well screened by existing vegetation or new planting; 2) The nature and scale of the proposal would be appropriate to the locality; 3) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and 4) The proposal would not harm acknowledged nature conservation interests or have an adverse effect on adjacent agricultural interests or other land uses. 	Policy compliance is demonstrated in Section 5.7 of this statement and ES Chapter 10 Transport and Access [EN010140/APP/6.1.10] , including the Public Right of Way management plan.
Selby District Core Strategy Local Plan (2013)		
SP1: Presumption in Favour of Sustainable Development	<p>When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p>	<p>The environmental impacts of the Proposed Development are reported and assessed in the ES and are discussed in this Statement. Environmental effects would be mitigated where appropriate, as outlined in the ES. Overall, the Proposed Development is expected to have limited and localised residual significant effects during its 40-</p>

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	<p>Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date (as defined by the NPPF) at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> ▪ Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or ▪ Specific policies in that Framework indicate that development should be restricted. 	<p>year operation. These effects are considered to be outweighed by the significant environmental benefits that the Proposed Development will provide. There are no specific and relevant policies set out in the NPSs which indicate that consent should be refused.</p> <p>The Applicant therefore considers the Proposed Development represents sustainable development.</p>
SP2: Spatial Development Strategy	<p>A. The location of future development within Selby District will be based on the following principles:</p> <p>a) The majority of new development will be directed to the towns and more sustainable villages depending on their future role as employment, retail and service centres, the level of local housing need, and particular environmental, flood risk and infrastructure constraints.</p> <p>c) Development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-design new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13; or meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances.</p>	<p>Whilst the Proposed Development is located within area defined as countryside under the Selby District Core Strategy Local Plan, paragraph 2.24 sets out the expectation for continued opportunities for energy-related development given the presence of Drax Power Station: <i>“with two major coal-fired power stations at Drax and Eggborough, the energy sector is especially prominent, and this is expected to continue in the light of national policy statements.”</i> Paragraph 6.32 further states that <i>“it is recognised that there is a need for further investment in energy infrastructure in line with national policy as a prominent contributor to economic prosperity. Supporting the energy sector will assist in reinvigorating, expanding, and modernising the District’s economy.”</i></p>

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		<p>The Proposed Development would contribute to the local economy through the generation of energy. This is considered to represent an efficient use of land and existing electricity infrastructure, despite the location in the countryside. The Applicant therefore considers the Proposed Development to be in accordance with Policy SP2.</p>
<p>SP12: Access to Services, Community Facilities and Infrastructure</p>	<p>Where infrastructure and community facilities are to be implemented in connection with new development, it should be in place or provided in phase with development and scheme viability.</p> <p>Infrastructure and community facilities should be provided on site, but where this is technically unachievable or not appropriate for other justified reasons, off-site provision or a financial contribution towards infrastructure and community facilities will be sought.</p> <p>In all circumstances opportunities to protect, enhance and better join up existing Green Infrastructure, as well as creating new Green Infrastructure will be strongly encouraged, in addition to the incorporation of other measures to mitigate or minimise the consequences of development.</p> <p>These provisions will be secured through conditions attached to the grant of planning permission or through planning obligations, including those set out in an up to date charging mechanism.</p>	<p>Due to the nature of the Proposed Development as an energy Nationally Significant Infrastructure Project (NSIP), the policy requirement for the provision of new community facilities to serve new development is considered to be of limited relevance.</p> <p>ES Figure 3.16: Landscape Strategy Plan [EN010140/APP/6.2.3.16] demonstrates how the Proposed Development protects, enhances and joins up existing Green Infrastructure.</p> <p>Overall, the Applicant considers the Proposed Development not to be in conflict with Policy SP12..</p>
<p>SP13: Scale and Distribution of Economic Growth</p>	<p>Support will be given to developing and revitalising the local economy in all areas by:</p> <p>A. Scale and Distribution</p> <p>B. Strategic Development Management</p>	<p>Paragraph 6.32 of the supporting text to policy SP13 recognises the role of the energy sector for revitalising the local economy: <i>“It is recognised that there is a need for further investment in energy infrastructure in line with national policy as a prominent contributor to economic prosperity. Supporting the energy sector will assist in</i></p>

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	<p>1. Supporting the more efficient use of existing employment sites and premises within defined Development Limits through modernisation of existing premises, expansion, redevelopment, re-use, and intensification.</p> <p>C. Rural Economy</p> <p>In rural areas, sustainable development (on both Greenfield and Previously Developed Sites) which brings sustainable economic growth through local employment opportunities or expansion of businesses and enterprise will be supported, including for example:</p> <ol style="list-style-type: none"> 1. The re-use of existing buildings and infrastructure and the development of well-designed new buildings 2. The redevelopment of existing and former employment sites and commercial premises 3. The diversification of agriculture and other land based rural businesses. 4. Rural tourism and leisure developments, small scale rural offices or other small scale rural development. 5. The retention of local services and supporting development and expansion of local services and facilities in accordance with Policy SP14. <p>D. In all cases, development should be sustainable and be appropriate in scale and type to its location, not harm the character of the area, and seek a good standard of amenity.</p>	<p><i>reinvigorating, expanding, and modernising the District's economy."</i> This clearly highlights the importance of energy infrastructure such as the Proposed Development to the economic growth in the District.</p> <p>ES Chapter 14 Socio-Economics [EN010140/APP/6.1.14] demonstrates that the Proposed Development would have some positive economic benefits in terms of job creation at the construction and decommissioning phases. ES Appendix 13.1 Employment and Skills Plan [EN010140/APP/6.3.13.1] establishes the Applicant's commitment to enhancing local employment and upskilling opportunities throughout the 12-month construction phase and potentially within the future decommissioning phase of the Proposed Development.</p> <p>The Proposed Development seeks to maintain a good standard of amenity. ES Chapter 7 Landscape and Views [EN010140/APP/6.1.7] indicates that whilst there would be some effects on landscape character and visual amenity, these are considered to be acceptable in light of the policies contained within the NPSs.</p> <p>ES Chapter 14 Soils and Agricultural Land [EN010140/APP/6.1.14] indicates that the Proposed Development delivers the diversification of agricultural land. The assessment demonstrates that the farms will benefit from income from the energy generated by the solar PV panels, together</p>

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		<p>with income from farming sheep alongside the panels.</p> <p>The Proposed Development is therefore considered to comply with Policy SP13.</p>
<p>SP15: Sustainable Development and Climate Change</p>	<p>A. Promoting Sustainable Development</p> <p>In preparing its Site Allocations and Development Management Local Plans, to achieve sustainable development, the Council will:</p> <ul style="list-style-type: none"> a) Direct development to sustainable locations in accordance with Policy SP2; b) Give preference to the re-use, best-use and adaption of existing buildings and the use of previously developed land where this is sustainably located and provided that it is not of high environmental value; c) Achieve the most efficient use of land without compromising the quality of the local environment; d) Ensure that development in areas of flood risk is avoided wherever possible through the application of the sequential test and exception test; and ensure that where development must be located within areas of flood risk that it can be made safe without increasing flood risk elsewhere; e) Support sustainable flood management measures such as water storage areas and schemes promoted through local surface water management plans to provide protection from flooding; and biodiversity and amenity improvements. 	<p>See response to Policy SP2 for demonstration of accordance.</p> <p>Appendix 2 of this Statement sets out the Site Selection process and justification for the Proposed Development. The Site Selection process follows the guidance provided within NPS EN-3. The final Site Selection was informed by factors including the suitability of grid connection, solar irradiance levels, topography, agricultural land classification, proximity to dwellings, availability of land, capacity of the site, accessibility, security and lighting, and environmental constraints. Based on the assessment of these factors, Appendix 2 demonstrates that the Site is appropriate for a large scale renewable energy project, and the Proposed Development therefore represents an efficient use of land.</p> <p>The Flood Risk Assessment [EN010140/APP/7.5] demonstrates that, subject to appropriate mitigation, the Proposed Development would not result in an unacceptable increase in flood risk within the Order Limits or elsewhere, including accounting for climate change allowances. It also demonstrates that the Sequential and Exception Tests are passed. ES Chapter 9 Water</p>

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	<p>f) Ensure development proposals respond to land characteristics to minimise risks of erosion, subsidence and instability, and to exploit opportunities for reclamation and reinstatement of contaminated land.</p> <p>B. Design and Layout of Development</p> <p>In order to ensure development contributes toward reducing carbon emissions and are resilient to the effects of climate change, schemes should where necessary or appropriate:</p> <p>a) Improve energy efficiency and minimise energy consumption through the orientation, layout and design of buildings and incorporation of facilities to support recycling;</p> <p>b) Incorporate sustainable design and construction techniques, including for example, solar water heating storage, green roofs and re-use and recycling of secondary aggregates and other building materials, and use of locally sourced materials;</p> <p>c) Incorporate water-efficient design and sustainable drainage systems which promote groundwater recharge;</p>	<p>Environment [EN010140/APP/6.1.9] sets out the proposed Sustainable Drainage Systems (SuDS) which will be integrated into the Proposed Development.</p> <p>ES Appendix 2.4 Phase 1 Ground Conditions Assessment and Update Note [EN010140/APP/6.3.2.4] comprises a desk study, Tier 1 qualitative contamination risk assessment and a preliminary ground stability appraisal, and demonstrates compliance with section (f).</p> <p>ES Chapter 12 Climate Change [EN010140/APP/6.1.12] demonstrates that the Proposed Development is considered to be resilient to projected climate change.</p> <p>The Drainage Strategy within the FRA [EN010140/APP/7.5] demonstrates that following embedded mitigation measures for flooding, residual effects from climatic changes on infrastructure and flood risk is considered to be moderate beneficial and significant. Effects on future site users and the natural environment are not significant.</p> <p>Chapter 8: Biodiversity [EN010140/APP/6.1.8] of the ES demonstrates that the Applicant is targeting the delivery of BNG as part of the Proposed Development. ES Appendix 7.9: Outline Landscape Ecology Management Plan (oLEMP) [EN010140/APP/6.3.7.9] details the proposed planting, including the mix of locally characteristic</p>

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	<p>d) Protect, enhance and create habitats to both improve biodiversity resilience to climate change and utilise biodiversity to contribute to climate change mitigation and adaptation;</p> <p>e) Include tree planting, and new woodlands and hedgerows in landscaping schemes to create habitats, reduce the 'urban heat island effect' and to offset carbon loss;</p> <p>f) Minimise traffic growth by providing a range of sustainable travel options (including walking, cycling and public transport) through Travel Plans and Transport Assessments and facilitate advances in travel technology such as Electric Vehicle charging points;</p> <p>g) Make provision for cycle lanes and cycling facilities, safe pedestrian routes and improved public transport facilities; and</p> <p>h) Incorporate decentralised, renewable and low-carbon forms of energy generation (in line with Policy SP16 an SP17).</p>	<p>trees and shrubs selected for the proposed native woodland planting, informed by tree survey information and specialist ecologist input. Chapter 12: Climate Change [EN010140/APP/6.1.12] of the ES notes that the diversity of species will provide better capacity to adapt to changing climatic conditions, amongst other benefits.</p> <p>ES Appendix 5.2: outline Construction Traffic Management Plan (CTMP) [EN010140/APP/6.3.5.2] ensures that traffic would be managed appropriately, and that sustainable modes of transport would be promoted.</p> <p>The Proposed Development comprises a solar photovoltaic electricity generation station, with a capacity of 190MW.</p> <p>The Proposed Development is therefore considered to comply with Policy SP15.</p>
SP17: Low-Carbon and Renewable Energy	<p>C. All development proposals for new sources of renewable energy and low-carbon energy generation and supporting infrastructure must meet the following criteria:</p> <p>i. are designed and located to protect the environment and local amenity or</p> <p>ii. can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity, and</p>	<p>ES Chapters 7 Landscape and Views [EN010140/APP/6.1.7], 11 Noise [EN010140/APP/6.1.11] and 13 Socio-Economics [EN010140/APP/6.1.13] set out the mitigation measures which will ensure that any adverse impacts on local amenity and local communities is suitably mitigated. In addition, significant need and benefits of the Proposed Development are set out in this Planning Statement, particularly in Section 4. It is demonstrated that any adverse impacts of the</p>

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	<p>iii. impacts on local communities are minimised. Schemes may utilise the full range of available technology including;</p> <p>a) Renewable energy schemes, which contribute to meeting or exceeding current local targets of 32 megawatts by 2021 or prevailing sub-regional or local targets;</p> <p>b) Micro-generation schemes, which are not necessarily grid connected but which nevertheless, reduce reliance on scarce, non-renewable energy resources;</p> <p>c) Clean Coal Bed Methane extraction, clean coal energy generation and Carbon Capture and Storage technologies (in accordance with County Minerals Policies); and</p> <p>d) Improvements at existing fossil fuel energy generating plants to reduce carbon emissions, within the national energy strategy for a balanced mix of energy sources to meet demands.</p> <p>D. In areas designated as Green Belt, elements of many renewable energy projects will comprise inappropriate development and in such cases applicants must demonstrate very special circumstances if projects are to proceed and proposals must meet the requirements of Policy SP3 and national Green Belt policies.</p>	<p>Proposed Development are clearly outweighed by the benefits.</p> <p>As set out in Section 4: Legislation, Policy and Need, by generating large-scale renewable energy, alongside the provision of a BESS, the Proposed Development contributes towards balanced energy grid.</p> <p>The Proposed Development is not located within designated Green Belt.</p> <p>The Applicant considered the Proposed Development to be fully supported by Policy SP17.</p>
<p>SP18: Protecting and Enhancing the Environment</p>	<p>The high quality and local distinctiveness of the natural and man-made environment will be sustained by:</p> <p>1. Safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance.</p>	<p>ES Chapter 6 Cultural Heritage [EN010140/APP/6.1.6] demonstrates that the Proposed Development seeks to conserve the historic environment.</p> <p>Chapter 7: Landscape and Views [EN010140/APP/6.1.7] of the ES demonstrates the Proposed Development has been designed to</p>

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	<p>2. Conserving those historic assets which contribute most to the distinct character of the District and realising the potential contribution that they can make towards economic regeneration, tourism, education and quality of life.</p> <p>3. Promoting effective stewardship of the District's wildlife by:</p> <ul style="list-style-type: none"> a) Safeguarding international, national and locally protected sites for nature conservation, including SINCs, from inappropriate development. b) Ensuring developments retain, protect and enhance features of biological and geological interest and provide appropriate management of these features and that unavoidable impacts are appropriately mitigated and compensated for, on or off-site. c) Ensuring development seeks to produce a net gain in biodiversity by designing-in wildlife and retaining the natural interest of a site where appropriate. d) Supporting the identification, mapping, creation and restoration of habitats that contribute to habitat targets in the National and Regional biodiversity strategies and the local Biodiversity Action Plan. <p>4. Wherever possible a strategic approach will be taken to increasing connectivity to the District's Green Infrastructure including improving the network of linked open spaces and green corridors and promoting opportunities to increase its multi-functionality. This will be informed by the Leeds City Region Infrastructure Strategy.</p>	<p>avoid adverse impacts on landscape and views. It demonstrates that following the implementation of best practice measures in accordance with ES Appendix 5.1: outline Construction Environment Management Plan (CEMP) [EN010140/APP/6.3.5.1] and ES Appendix 5.3: outline Decommissioning Environmental Management Plan (oDEMP) [EN010140/APP/6.3.5.3], and planting proposals in accordance with the LEMP, the construction, operation and maintenance and decommissioning phases of the Proposed Development are not anticipated to result in any significant effects on the landscape and visual receptors.</p> <p>ES Chapter 8 Biodiversity [EN010140/APP/6.1.8] demonstrates that with embedded design measures and mitigation in place as described, the Proposed Development will not result in any significant adverse effects on any habitats or species, or on statutory and non-statutory designated sites. Major beneficial effects are anticipated as a result of habitat creation and diversification accompanied by long-term habitat management for the benefit of biodiversity. The LEMP [EN010140/APP/6.3.7.9] provides further detail of the planting proposals. The Applicant is targeting the delivery of BNG as part of the Proposed Development.</p> <p>The Landscaping Strategy, as described in ES Chapter 7 Landscape and Views [EN010140/APP/6.1.7], will enhance the PRoW</p>

Policy	Policy Text	Assessment
	<p>5. Identifying, protecting and enhancing locally distinctive landscapes, areas of tranquillity, public rights of way and access, open spaces and playing fields through Development Plan Documents.</p> <p>6. Encouraging incorporation of positive biodiversity actions, as defined in the local Biodiversity Action Plan, at the design stage of new developments or land uses.</p> <p>7. Ensuring that new development protects soil, air and water quality from all types of pollution.</p> <p>8. Ensuring developments minimise energy and water consumption, the use of non-renewable resources, and the amount of waste material.</p> <p>9. Steering development to areas of least environmental and agricultural quality.</p>	<p>network on-Site, to encourage public use, through the provision of screening planting or by offsetting the proposed PV arrays by 15m from the PRow, with a buffer of grassland grown to a substantial sward to integrate the Proposed Development within the landscape. The Proposed Development will also provide permissive footpaths so as to formalise access routes between PRows on-Site and therefore encourage use of the Site by pedestrians, cyclists and equestrians.</p> <p>ES Chapter 14 Soils and Agricultural Land [EN010140/APP/6.1.14] and ES Appendix 2.3 Construction Dust Risk Assessment [EN010140/APP/6.3.2.3] demonstrate that the Proposed Development protects soil, air and water quality from pollution.</p> <p>Adherence best practice measures in accordance with the CEMP, OEMP and DEMP will ensure that the Proposed Development minimises energy and water consumption, the use of non-renewable resources, and the amount of waste material.</p> <p>ES Chapter 14 Soils and Agricultural Land [EN010140/APP/6.1.14] shows that by careful management and by implementing the measures set out in the outline Soil Management Plan (oSMP) [EN010140/APP/6.3.14.3], there will be only a minor magnitude of effect on soils of a low sensitivity, which is a minor adverse effect.</p>

Policy	Policy Text	Assessment
		The Proposed Development is therefore considered to comply with Policy SP18.
North Yorkshire Minerals and Waste Joint Plan 2015-30 (2022)		
M01: Broad geographical approach to supply of aggregates	<p>The Plan area outside the North York Moors National Park, the Areas of Outstanding Natural Beauty and the City of York will be the main focus for extraction of aggregate (sand and gravel and crushed rock). Exceptions to this principle will be made for:</p> <p>1) In the National Park and Areas of Outstanding Natural Beauty, the extraction of crushed rock aggregate where it is incidental to and would not compromise the supply of building stone extraction as the primary activity, and where the removal of crushed rock from the site will not compromise the high quality reclamation and afteruse of the site.</p> <p>2) In the Areas of Outstanding Natural Beauty, the extension of time for the extraction of remaining permitted reserves at existing quarries and/or the limited lateral extension or deepening of existing quarries where necessary to help ensure continued operation of the site during the Plan period. Any proposals in these areas will need to demonstrate a particularly high standard of mitigation of any environmental impacts including, where practical, enhanced mitigation and higher-quality site reclamation compared with that required by the existing permission/s. Where proposals are considered to comprise major development the test for major development in Policy D04 will also need to be satisfied.</p> <p>3) In the City of York area, the small scale extraction of sand and gravel where this is consistent with safeguarding the historic character and setting of the City.</p>	The site is in Minerals Sand Gravel and Bricks and Clay Safeguarded Areas. The temporary nature of the Proposed Development will not preclude the future extraction of these resources.

Policy	Policy Text	Assessment
M02: Provision of sand and gravel	<p>Total provision for sand and gravel over the 15 year period 1st January 2016 to 31st December 2030 will be 36.6 million tonnes, at an equivalent annual rate of 2.44 million tonnes as indicated in Table 1 and Table 3. Additional provision shall be made, through a 5 yearly review of provision in the Plan, if necessary to maintain a landbank of at least 7 years for sand and gravel at 31 December 2030 and/or to meet additional requirements identified through updates to the Local Aggregate Assessment, based on an annual rate of provision to be determined through the review.</p>	<p>The site is in Minerals Sand Gravel and Bricks and Clay Safeguarded Areas. The temporary nature of the Proposed Development will not preclude the future extraction of these resources.</p>
D07: Biodiversity and Geodiversity	<p>1) Proposals will be permitted where it can be demonstrated that, having taken into account any proposed mitigation measures, there will be no unacceptable impacts on biodiversity or geodiversity. The level of protection provided to international, national and locally designated sites are outlined in parts 2) to 8) below.</p> <p>2) A very high level of protection will be afforded to sites designated at an international level, including SPAs, SACs and RAMSAR sites. Development which would have an unacceptable impact on these sites will not be permitted.</p> <p>3) Development, whether inside or outside of a SSSI which is likely to have an adverse effect on the notified special interest features of a SSSI or a broader impact on the national network of SSSIs will only be permitted where the benefits of the development at that location clearly outweigh the impact to the SSSI features and the broader SSSI network. The loss or deterioration of irreplaceable habitats including ancient woodland or aged or veteran trees, will only be permitted where both the need for, and the benefits of the development at the proposed location clearly outweigh the impact or loss.</p> <p>4) Where development would be located within an Impact Risk Zone defined by Natural England for a SPA, SAC, RAMSAR site or SSSI, or at any other location at which it could have an adverse impact on the SPA,</p>	<p>ES Appendix 2.4 Phase 1 Ground Conditions Assessment and Update Note [EN010140/APP/6.3.2.4] demonstrates that there are no international, or national, or local designated sites for geology present on-Site, or within 1km of the Site. The Proposed Development therefore does not have unacceptable impacts on geodiversity.</p> <p>ES Chapter 8 Biodiversity [EN010140/APP/6.1.8] demonstrates that there are no significant adverse residual effects on biodiversity. Due to enhancement measures, the Proposed Development has a beneficial effect on some habitats.</p> <p>The Proposed Development is therefore considered to comply with Policy D07.</p>

Policy	Policy Text	Assessment
	<p>SAC, RAMSAR site or SSSI, and the development is of a type identified by Natural England as one which could potentially have an adverse impact on the designated site, proposals should be accompanied by a detailed assessment of the potential impacts and include proposals for mitigation and enhancement where relevant.</p> <p>5) Locally important sites and assets include: i. Sites of Importance for Nature Conservation (including candidate sites); ii. Local Nature Reserves; iii. Local Geological Sites; and iv. Habitats and species of principal importance or other sites of geological or geomorphological importance. Development will not be permitted that will result in an unacceptable impact to locally important sites and assets unless it can be demonstrated that:</p> <ul style="list-style-type: none"> - the benefits of development clearly outweigh the nature conservation value or scientific interest of the site and its contribution to wider biodiversity objectives and connectivity; and - the proposed mitigation or compensatory measures are equivalent to the value of the site/asset. <p>6) Through the design of schemes, including any proposed mitigation and or compensation measures, proposals should seek to contribute positively towards the delivery of agreed biodiversity and/or geodiversity objectives, including those set out in agreed local Biodiversity or Geodiversity Action Plans, or in line with agreed priorities of any relevant Local Nature Partnership, with the aim of achieving net gains for biodiversity or geodiversity and supporting the development of resilient ecological networks.</p> <p>7) In exceptional circumstances, and where the development site giving rise to the requirement for offsetting is not located within a SPA, SAC, RAMSAR or SSSI, the principle of biodiversity offsetting to fully compensate for any losses will be supported on a site by site basis and as a last resort in</p>	

Policy	Policy Text	Assessment
	<p>accordance with the mitigation hierarchy. These circumstances specifically include where: i) It has been demonstrated that it is not possible to fully avoid or mitigate against adverse impacts; and ii) The provision of compensatory habitat within the site would not be feasible; and iii) The need for and the benefits of the development in the proposed location outweigh the need to protect the site; and iv) Any compensatory gains would be delivered within the minerals or waste planning authority area in which the loss occurred, unless otherwise agreed by the planning authority. Compensatory gains outside of the planning authority area will only be deemed as acceptable where it is clearly demonstrable that the approach will lead to greater biodiversity and/or geodiversity benefits than alternative options within the planning authority area.</p> <p>8) Proposals must consider the cumulative impacts as a result of a combination of individual impacts from the same development and/or through combinations of impacts in conjunction with other development. Proposals will only be permitted where it would not give rise to unacceptable cumulative impacts.</p>	
Draft Selby Local Plan – Publication Version Consultation (2022)		
<p>SG1: Achieving Sustainable Development (Strategic Policy)</p>	<p>A - When considering proposals for new development the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work positively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>B - Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.</p>	<p>See Assessment of Policies SP1 and SP15 of the Selby District Core Strategy Local Plan (2013).</p>

Policy	Policy Text	Assessment
	<p>C - In the absence of a five-year housing supply or where policies are out of date (as defined by the National Planning Policy Framework) or not being able to meet the requirements of the Housing Delivery Test at the time of making the decision then the Council will grant permission, which is consistent with the role of the settlement hierarchy asset out in Policy SG2 unless material considerations indicate otherwise, taking into account whether:</p> <ol style="list-style-type: none"> 1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; and 2. Specific policies in that Framework indicate that development should be restricted; and 3. The site is well related to the existing built form and is of a scale and nature that is in keeping with the form and scale of the settlement; and 4. The development contributes to meeting the Visions and Objectives of the Local Plan. <p>D - The Council will support proposals which seek to mitigate and adapt to the causes and effects of climate change, through the creation of well designed development, which optimises opportunity of active travel.</p>	
SG10: Low Carbon and Renewable Energy	<p>Opportunities for Low Carbon and Renewable Energy generation and storage should be considered in line with the following:</p> <p>A – Proposals for low carbon and renewable energy storage and generation will be supported where:</p> <ol style="list-style-type: none"> 1. Planning impacts of the development and associated infrastructure, both individually and cumulatively, are, or can be made, acceptable; 	See Assessment of Policy SP17 of the Selby District Core Strategy Local Plan (2013).

Policy	Policy Text	Assessment
	<p>2. Appropriate weight, consideration and mitigation has been given to the following where applicable:</p> <ul style="list-style-type: none"> ▪ Landscape character and sensitivity; ▪ Designated nature conservation sites, features, functionally linked land, protected habitats and species; ▪ Designated and non designated heritage assets and their setting; ▪ Hydrology and water quality; ▪ Impact on Infrastructure and Transport Networks including highways, rail, aviation operations, navigational systems, PROW, television, radio, telecommunications systems; ▪ Living conditions and amenity including due to noise, odour, dust, vibration, visual intrusion, shadowing or flicker. <p>3. Community engagement has been undertaken which demonstrates the delivery of environmental, social and economic benefits and how concerns will be addressed/mitigated for;</p> <p>4. The site will be recovered to a safe condition, with a suitable use, to minimum of its original value and condition, within a defined and agreed period should the infrastructure cease to be operational.</p>	
SG11: Flood Risk – A.	<p>To enable communities to manage, be resilient and adapt to flood risk, development will only be supported where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The site falls within areas of lowest flood risk as set out in the most up-to-date Environment Agency flood risk maps and/ or Selby District’s Strategic Flood Risk Assessment (SFRA) maps 2. The site has been passed through a sequential test as set out in the National Planning Policy Framework (minus any exempt development); or 3. Where there are no sequentially preferable sites, the site has been assessed through the application of the Exception Test as set out in the NPPF (Except any exempt development); 4. The proposal does not increase the risk of flooding off-site; and 5. In Flood Zone 3b (functional floodplain) essential infrastructure that has to be 	<p>The Flood Risk Assessment [EN010140/APP/7.5] demonstrates that, subject to appropriate mitigation, the Proposed Development would not result in an unacceptable increase in flood risk within the Order Limits or elsewhere, including accounting for climate change allowances. It also demonstrates that the Sequential and Exception Tests are passed. ES Chapter 9 Water Environment [EN010140/APP/6.1.9] sets out the proposed Sustainable Drainage Systems (SuDS) which will be integrated into the Proposed Development.</p>

Policy	Policy Text	Assessment
	<p>there and has passed the Exception Test, and water-compatible uses, should be designed and constructed to:</p> <ul style="list-style-type: none"> ▪ remain operational and safe for users in times of flood; ▪ result in no net loss of floodplain storage; ▪ not impede water flows and not increase flood risk elsewhere. <p>B. If a site has passed the Sequential and Exception Tests the following criteria will need to be applied where viable and feasible to make it acceptable in detail:</p> <ol style="list-style-type: none"> 1. Where the development is located in areas of flood risk such as Flood Zone 2 (or higher) and does not constitute minor development or a change of use the development layout within the site will be subject to the sequential approach, with the highest vulnerability development located in areas at lowest flood risk within the site; 2. Relevant flood resilience construction methods identified through an up to date site-specific Flood Risk Assessment (FRA) should be implemented to reduce the impact and likelihood of a flood event; 3. Where the development has existing trees, woodland and/or hedgerows these should be retained where the risk of flooding from surface water has been identified and it is possible, and if not retained the developer must agree a tree planting scheme in line with Policy NE6 where determined to be the best option to help reduce identified flood risk from surface water; 4. The features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make a positive contribution to reducing flood risk. More specific development control guidance should incorporate comments from the Lead Local Flood Authority; 5. Sustainable drainage systems (SuDS) where appropriate are incorporated in accordance with the National Planning Policy Framework and the non-statutory technical standards, but taking advice from those organisations that provide input through the planning process including the Lead Local Flood Authority, and in relevant areas the Internal Drainage Boards; 	

Policy	Policy Text	Assessment
	<p>6. Hard surfaces on developments should be permeable where practicable in line with highways guidance from North Yorkshire County Council unless proven not to be possible by site investigation;</p> <p>7. Watercourses are not culverted and any opportunity to remove culverts is taken. We also encourage that developments are suitably located away from watercourses (including culverts). This helps to ensure ongoing maintenance, inspections can be undertaken; and also any future repairs / replacement / improvement opportunities are not limited by development being located too close to those watercourses;</p> <p>8. All developments planning work in, on, under or near ordinary watercourses (including piped ordinary watercourses), or discharging surface water into a watercourse within the defined Drainage District require consent from the Board and need to have regard to all relevant byelaws;</p> <p>9. In terms of mitigation, sites should follow the relevant guidance detailed within the SFRA(s), including:</p> <ul style="list-style-type: none"> ▪ Setting of Finished Floor Levels; ▪ Management of Residual Depths, Hazards, etc; ▪ Consideration to the design flood event; ▪ Access and Egress requirements. <p>10. In some developments, e.g. commercial/industrial, raising floor levels may not be possible due to operational requirements. In these instances alternative measures should be considered and agreed with the Environment Agency before implementation.</p> <p>C. Where required by the NPPF and set out in Planning Practice Guidance, proposals for development should be accompanied by a site-specific Flood Risk Assessment (FRA). The need for a FRA is described in the NPPF, however Footnote 50 of the NPPF also refers to the need for the SFRA to provide guiding details for sites where a FRA will be necessary; and not just relying on the EA flood zones.</p> <p>D. Development allocated will not be subject to the sequential/ exception test identified in part A as it is determined through the Local Plan process that they have passed the sequential test.</p>	

Policy	Policy Text	Assessment
SG13: Planning Applications and the Historic Environment	<p>In submitting a planning application, applicants should ensure;</p> <p>A. Development affecting a heritage asset should preserve, and where appropriate, enhance those elements which contribute to its significance.</p> <p>B. Harm to elements which contribute to the significance of a designated heritage asset (or an archaeological site of national importance) will only be supported where this is clearly justified and outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in those circumstances set out in the National Planning Policy Framework.</p> <p>C. Development affecting a Conservation Area should preserve and where appropriate enhance those elements which make a positive contribution to the character or appearance of the area, including its setting, and should be in accordance with the guidance set out in adopted Conservation Area Appraisals.</p> <p>D. Development which would remove, harm, or undermine the significance of a non-designated heritage asset will only be permitted where the benefits are considered sufficient to outweigh the harm, having regard to the scale of any harm and the significance of the asset.</p> <p>E. Proposals for the sympathetic re-use of vacant and “at risk” buildings will be supported where they prevent further deterioration of the buildings condition, maintain, or enhance their significance, and support their long-term conservation.</p>	ES Chapter 6 Cultural Heritage [EN010140/APP/6.1.6] demonstrates policy compliance with SG13.
IC7: Public Rights of Way	Development which may have an impact on a Public Right of Way network will only be supported where it can be demonstrated that:	See Assessment of Policy T8 of the Selby District Local Plan (2005).

Policy	Policy Text	Assessment
	<p>A. Satisfactory and alternative routes are provided, with adequate signage and the new access is of the same or better standard; and</p> <p>B. Where appropriate and viable, all reasonable opportunities for enhancement have been taken up. Enhancements can include:</p> <ol style="list-style-type: none"> 1. New or improved links to the existing Public Right of Way or sustainable travel network, including public transport, especially where routes can minimise conflict. 2. The provision of improved facilities to make routes more accessible or attractive to users. 	
<p>NE1: Protecting Designated Sites and Species</p>	<p>The District's internationally, nationally and locally important sites, habitats and species and irreplaceable habitats will be protected through the following principles:</p> <p>A. Relating to Irreplaceable Habitats</p> <ol style="list-style-type: none"> 1. Proposals that result in the loss or deterioration of such designated areas, (including historic wetlands and species-rich grasslands, ancient woodland, including ancient semi-natural woodland and plantations on ancient woodland, and aged or veteran trees) will be refused unless: <ul style="list-style-type: none"> ▪ there are wholly exceptional reasons; and ▪ a suitable compensation strategy exists; <p>B. Relating to Internationally protected habitats, and species of principle importance in England;</p> <ol style="list-style-type: none"> 1. Proposals that may directly, indirectly or cumulatively impact such designations will only be supported where it can be demonstrated that there will be no likely significant effects and no adverse effects on the integrity of sites and species, unless there are no alternative solutions and it is justified 	<p>See Assessment of Policy SP18 of the Selby District Core Strategy Local Plan (2013).</p>

Policy	Policy Text	Assessment
	<p>by an Imperative Reasons Overriding Public Interest assessment (IROPI) under the Habitats Directive;</p> <p>2. Development which is located within:</p> <ul style="list-style-type: none"> ▪ The Lower Derwent Valley Area of Restraint must consider the guidance set out in the Lower Derwent Valley Supplementary Planning Document or its successor. ▪ 10km of the Lower Derwent Valley Special Protection Area/Ramsar must provide evidence that proposals will not result in adverse effects on site integrity, either through evidence that the habitat is unsuitable, or through the provision of overwintering surveys and if necessary appropriate mitigation. <p>C. Relating to Nationally Protected habitats and species</p> <p>1. Proposals that may either directly or indirectly negatively impact Sites of Special Scientific Interest will not be supported. The only exception will be where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites;</p> <p>D. Relating to Locally Important Protected Sites and species</p> <p>1. Development which would harm a Site of Importance for Nature Conservation</p> <p>(SINC) (also known as Local Wildlife Sites-LWS), Local Nature Reserve or Regionally Important Geological/geomorphological site will not be permitted unless</p> <ul style="list-style-type: none"> ▪ there are no reasonable alternative means of meeting the development need, and 	

Policy	Policy Text	Assessment
	<ul style="list-style-type: none"> ▪ it can be demonstrated that there are benefits for the proposal which clearly outweigh the need to safeguard the intrinsic local nature conservation value of the site or feature and its contribution to wider biodiversity objectives and connectivity in its location. <p>E. Development affecting biodiversity and geodiversity, including designated sites, protected species, habitats and species of principle importance in England, or non-designated sites or features of biodiversity interest will only be permitted where the proposal:</p> <ol style="list-style-type: none"> 1. Is justified against the relevant criteria above; and 2. Has minimised impact, avoiding significant harm through location or design and demonstrated that where significant harm cannot be avoided, it has been demonstrated that adverse impacts will be adequately mitigated or as a last resort compensated; and 3. It can be demonstrated that the proposed mitigation or compensatory measures are of an equivalent of better value than assigned to the original site / asset in the ecological assessment. 	
NE3: Biodiversity Net Gain	<p>The former Selby district area’s natural environment will be enhanced by ensuring that development delivers a net gain in biodiversity for ecological networks in line with government requirements and result is a positive contribution to the protection, creation and enhancement of habitats and species.</p> <p>This will be achieved by requiring:</p> <p>A. All eligible development proposals to provide delivery of a net gain in biodiversity, by:</p> <ol style="list-style-type: none"> 1. Using the Department for Environment, Food and Rural Affairs (Defra_ Biodiversity Metric (or other equivalent, standard as amended by national 	<p>Chapter 8: Biodiversity [EN010140/APP/6.1.8] of the ES states that the Proposed Development would achieve a voluntary BNB in accordance with NERC obligations.</p>

Policy	Policy Text	Assessment
	<p>guidance or legislation) to assess the original biodiversity value of the site prior to any clearance or modification.</p> <p>2. Presenting a Biodiversity Net Gain Plan as part of the planning application process which details either on-site, or off-site habitat enhancement, in line with priorities for recovering or enhancing biodiversity habitats and species as set out through the Local Plan evidence bases or Local Nature Recovery Strategy; and</p> <p>3. Demonstrating proposals will deliver a net gain for biodiversity across all unit types including habitat area, hedgerows and lines of trees, rivers and streams;</p> <p>4. Commit to ensuring the delivery and maintenance / stewardship of the new habitats for at least 30 years through Section 106 agreements, conservation covenants and monitoring.</p> <p>B. In cases where this are no biodiversity opportunities identified or no land is available within the Plan Area, credits from a land bank organisation can be purchased, but must be evidenced as part of the pre-application process.</p>	
NE4: Protecting and Enhancing Landscape Character	<p>Development which protects, enhances or restores the landscape character of the former Selby district area and the setting of settlements for its own intrinsic value and benefit to the economic, environmental and social well-being of the Plan Area, will be supported.</p> <p>A. All development must:</p> <p>1. Promote high-quality designs that respond positively to, and where possible, enhance, the distinctive local landscape character as described in the latest 'Selby Landscape Character Assessment'; and</p>	<p>The landscape effects of the Proposed Development are assessed at Chapter 7: Landscape and Views [EN010140/APP/6.1.7] of the ES, which confirms that no likely significant effects are identified following embedded and secondary mitigation and enhancement measures. During the construction and decommissioning phases, best practice measures will be implemented in accordance with ES Appendix 5.1: outline Construction Environment Management Plan (CEMP) [EN010140/APP/6.3.5.1] and ES Appendix 5.3: outline Decommissioning</p>

Policy	Policy Text	Assessment
	<p>2. Give particular attention to the design, layout, landscaping of development and the use of materials in order to minimise its impact and to enhance the traditional character of buildings and landscape in the area, reflecting the 17 character areas defined in the latest ‘Selby Landscape Character Assessment’; and</p> <p>3. Respect the overall development guidelines in the latest ‘Selby Landscape Sensitivity Study’.</p> <p>B. In addition, development within the four areas designated on the Policies Map as Locally Important Landscape Areas: the Mangesan Limestone Ridge (north and south); Hambleton Hough and Brayton Barff; and Derwent Valley, will only be supported where they meet the following requirements, due to their high sensitivity to inappropriate development:</p> <p>1. Avoid significant loss of key characteristics that contribute to the quality of the Locally Important Landscape Area; and</p> <p>2. Respond to the specific recommendations for each Locally Important Landscape Area as set out in the Selby District Landscape Designation Review 2019 (or subsequent update)</p>	<p>Environmental Management Plan (oDEMP) [EN010140/APP/6.3.5.3], secured by DCO requirement. During the operational phase, maintenance and management of planting proposals will be carried out in compliance with the LEMP. The site is not located as a Locally Important Landscape Area.</p>
<p>NE5: Protecting and Enhancing Rivers and Waterbodies</p>	<p>The Council will work with designated organisations, developers, partners and communities to ensure opportunities for the restoration and enhancement of waterbodies are realised, by ensuring that:</p> <p>A. All development likely to impact on the water environment will have regard to the Water Framework Directive objectives set out in the Humber River Basin Management Plan and ensure:</p> <p>1. There is no deterioration in the water quality and status of any surface or ground-water body.</p>	<p>Policy has been noted. Taking into account the embedded and additional mitigation measures the residual significance of the effect of the construction, operation and maintenance and decommissioning of the Proposed Development on surface water drainage and flood risk is not considered significant. The risks of an accidental pollution incident affecting water quality of surface water and groundwater bodies are minimised to an acceptable level and the risks identified are not significant. More detail on the Proposed</p>

Policy	Policy Text	Assessment
	<p>2. The ability of any surface or ground-water body to achieve Water Framework Directive status objectives is not compromised.</p> <p>3. That an improvement to the water environment is secured where possible.</p> <p>B. Developments in proximity to waterbodies, frontages, corridors and environments, will protect and enhance their existing and potential functions and characteristics by ensuring they:</p> <ol style="list-style-type: none"> 1. Include the waterbody or asset is an integral part of the development design. 2. Avoid loss, damage or deterioration of water assets. 3. Safeguard and improve the environmental quality and ecological value. 4. Protect and enhance amenity value and accessibility. 5. Contribute to the significance of heritage assets and landscape value and enhance where possible. 6. Consider opportunities to mitigate for climate change or flooding. 7. Avoid the loss of existing wharfs/associated infrastructure and safeguard long-term opportunities for alternative transport options, the development of port facilities and ships' turning basins. 8. Take into account the latest priorities and strategies for waterbodies, assets and all users, including the Humber River Basin Management Plan and green and Blue Infrastructure Strategies. 	<p>Development's interaction with the water environment is contained within Chapter 9 Water Environment [EN010140/APP/6.1.9] of the ES.</p>

Policy	Policy Text	Assessment
	<p>C. Development for riverside recreational facilities or waterborne transport such as wharfs, ships' turning basins and ancillary facilities will be supported, provided the proposal:</p> <ol style="list-style-type: none"> 1. Will not jeopardise the commercial use of the waterway or the operation of existing businesses. 2. Provide appropriate landscape planting to safeguard the amenities of existing residents. 3. Is of a nature and scale appropriate to its location and its ability to absorb users or visitors without causing environmental damage. 	
NE8: Pollution and Contaminated Land	<p>A. Development which could present noise pollution, light pollution, groundwater pollution, contamination of land or water and other environmental pollution or unstable land will not be permitted unless satisfactory remedial or preventive measures are incorporated. This will be considered an integral element of the scheme. Measures should be carried out before the use of the site commences and sufficient consideration provided both to human and environmental receptors of any potential impact. Planning applications must be accompanied by the appropriate assessments in line with the Council's Validation Checklist.</p> <p>B. Where evidence exists that a site might be contaminated, as identified through a preliminary risk assessment, or using the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) screening assessment form, planning permission may be granted subject to conditions to prevent the commencement of development until a investigation and assessment has been carried out and development has incorporated all measure shown in the assessment to be necessary.</p> <p>C. Development proposals should be designed to minimise the risk of erosion, subsidence and further instability, while maximising the</p>	<p>The noise and vibration effects of the Proposed Development are assessed in Chapter 11: Noise and Vibration [EN010140/APP/6.1.11] of the ES which confirms that no likely significant effects are identified, and therefore no mitigation is required further to implementation of embedded mitigation and measures to be adopted by the project.</p> <p>ES Appendix 2.4: Phase 1 Ground Conditions Assessment and Update Note [EN010140/APP/6.3.2.4] concludes that potential pollutant linkages identified on-Site are able to be mitigated through the implementation of standard mitigation measures. It also demonstrates that it would be unlikely that the Site would be designated statutory contaminated land under Part 2A of the Environmental Protection Act 1990.</p> <p>Chapter 9: Water Environment [EN010140/APP/6.1.9] of the ES concludes that</p>

Policy	Policy Text	Assessment
	<p>opportunities for the reclamation, restoration and reinstatement of contaminated land.</p> <p>D. Proposals for the redevelopment or reuse of land which is known or suspected to be contaminated and also development or activities which present a significant new risk of land contamination will be assessed having regard to:</p> <ol style="list-style-type: none"> 1. The findings of preliminary land contamination or land stability risk assessment, 2. The compatibility of the intended use with the condition of the land. 3. The environmental sensitivity of the site. 4. The identification of human receptors and necessary mitigation. <p>E. Proposals that fail to demonstrate that the intended use would be compatible with the condition of the land or which fail to secure appropriate opportunities for remediation will not be supported.</p>	<p>the Proposed Development will have no significant adverse effects on the water environment.</p> <p>As stated in Chapter 3: Site and Development Description [EN010140/APP/6.1.3] of the ES, during construction, lighting will be limited to the construction compounds only, with temporary lighting at the grid connection works. The lighting of the on-site substation would be in accordance with Health and Safety requirements. Lighting would be designed to limit any impact on sensitive receptors by directing lighting downward and away from the Order Limit boundaries and existing vegetation. During operation, no part of the Proposed Development would be continuously lit; manually operated and motion detection lighting would be utilised for operational and security purposes.</p> <p>Issues relating to Statutory Nuisances have been addressed in the Statutory Nuisances statement [EN010140/APP/7.7].</p>