

**Tillbridge Solar Project
EN010142**

**Volume 6
Environmental Statement**
Appendix 6-1 Air Quality Legislation, Policy and Guidance
Document Reference: EN010142/APP/6.2

**Regulation 5(2)(a)
Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009**

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1. Introduction

1.1 Purpose of this Appendix

- 1.1.1 This Environmental Statement (ES) appendix identifies and describes the legislation, policy and supporting guidance considered relevant to the assessment of the likely significant effects of the Tillbridge Solar Project (hereafter referred to as 'the Scheme') on local air quality.
- 1.1.2 Legislation, policy and guidance are considered at national and local levels.
- 1.1.3 This ES appendix does not assess the Scheme against legislation, policy and guidance, instead the purpose of considering legislation and policy in the Environmental Impact Assessment (EIA) is twofold:
- a. To identify legislation, policy and guidance that could influence the sensitivity of receptors (and therefore the significance of effects) and any requirements for mitigation; and
 - b. To identify legislation, policy and guidance that could influence the methodology of the EIA and signposting where this dealt with in the ES. For example, a policy may require the assessment of an impact or the use of a specific methodology.
- 1.1.4 Instead, the relevant legislation and policy are assessed within the **Planning Statement [EN/010142/APP/7.2]**. The following sections identify and describe the legislation, policy and supporting guidance considered specifically relevant to the Air Quality assessment, which has been taken into account in preparing the ES.

2. National Legislation, Policy and Guidance

2.1 National Legislation

The Infrastructure Planning (Environmental Impact Assessment (EIA) Regulations 2017

- 2.1.1 Regulation 5(2)(c) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017) (Ref 1) requires that the EIA must identify, describe and assess in an appropriate manner, the direct and indirect significant effects of the Scheme on Air Quality.

The Environmental Protection Act 1990

- 2.1.2 Part III of the Act (Ref 2) defines matters that could be a statutory nuisance. The prescribed matters of relevance to this assessment being any smoke, fumes, gases, steam or smell being prejudicial to health or a nuisance.

National Air Quality Legislation Originating From the EU

- 2.1.3 The principal air quality legislation within the United Kingdom is the Air Quality Standards Regulations (as amended in 2016) (Ref 3), along with

amendments including 'The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020' (Ref 4) which set air quality limit values.

- 2.1.4 The UK is no longer a member of the European Union following the European Union (Withdrawal) Act 2018 (Ref 5), however, some EU legislation, such as Regulations and Decisions, remain directly applicable. This legislation is now published on legislation.gov.uk as 'legislation originating from the EU'.
- 2.1.5 Other types of EU legislation, including Directives, apply indirectly. This requires Member States to make domestic arrangements for implementing legislation before they can become law in that State. Under the control of UK's Parliaments and Assemblies, legislation as it applied to the UK on 31 December 2020 is now a part of UK domestic legislation. The Clean Air for Europe (CAFE) programme (Ref 7) revisited the management for Air Quality within the EU and replaces much of the existing air quality legislation with a single legal act in the form of Directive 2008/50/EC on Ambient Air Quality and Cleaner Air for Europe (Ref 8). This Directive repealed and replaced the EU Framework Directive 96/62/EC on Ambient Air Quality Assessment and Management and its associated Daughter Directives 1999/30/EC (Ref 9), 2000/69/EC (Ref 10), 2002/3/EC (Ref 11) and the Council Decision 97/101/EC (Ref 12).

The Environment Act 1995

- 2.1.6 The Environment Act 1995 (Ref 13) requires the UK Government to produce a national Air Quality Strategy (AQS) for England, Scotland, Wales and Northern Ireland containing standards, objectives and measures for improving ambient air quality and to keep the policies identified under review.
- 2.1.7 The national air quality objectives of relevance to this assessment, as well as to the local air quality management regime, were set by The Air Quality (England) Regulations 2000 (Ref 14) and the Air Quality (England) (Amendment) Regulations 2002 (Ref 15).

National Clean Air Strategy (2019)

- 2.1.8 The UK Government published its Clean Air Strategy (Ref 16) in 2019, to complement the Industrial Strategy; Clean Growth Strategy; and the 25 Year Environment Plan. The Strategy demonstrates how the UK Government will tackle all sources of air pollution, making the air healthier to breathe, protecting nature and boosting the economy.
- 2.1.9 Priorities of the past included tackling only the biggest individual sources of pollution, whereas this plan aims to also introduce action to refocus efforts on the smaller and more diffuse sources of air pollution, including from smaller industrial sites to product use and open fires in households.

Environment Act 2021

- 2.1.10 The Environment Act 2021 (Ref 17) was approved in November 2021, after first being introduced to Parliament in January 2020 to address environmental protection and the Government's 25-year plan following the UK's departure from the EU. The act amends the Environment Act 1995 (Ref 13) and includes provisions to establish a post-Brexit set of statutory

environmental principles and ensure environmental governance through an environmental watchdog, the Office for Environmental Protection (OEP). Part IV of the Environment Act 2021 requires the Government to update the AQS which contains standards, objectives and measures for improving ambient air quality. The Environment Act 2021 proposes that the Secretary of State publishes a report reviewing the AQS every five years (as a minimum and with yearly updates to Parliament), in the form of the Environmental Improvement Plan (Ref 19).

- 2.1.11 The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 (Ref 18) introduced two targets under the Environment Act 2021. These are a target level for annual mean concentrations of PM_{2.5} to be achieved at relevant monitoring stations by 31 December 2040 and an exposure reduction target for the Secretary of State (SoS) to report on by 15 July 2041. For the purposes of these regulations, relevant monitoring locations are fixed monitoring stations within the national monitoring network. There are no such monitoring locations within the air quality Study Area for the Scheme.
- 2.1.12 How target values should be considered in development control and local air quality control is a matter Defra are currently undertaking a stakeholder engagement exercise on prior to bringing forward guidance for local authorities in England.

Air Quality Strategy (2023)

- 2.1.13 The Air Quality Strategy: framework for local authority delivery was revised in 2023 and supersedes the Air Quality Strategy: Volume 1 (Ref 20) in England only. The Air Quality Strategy (AQS) (Ref 21) sets out the actions that Defra expects local authorities to take in support of our long-term air quality goals. It provides a framework to enable local authorities to make best use of their powers and make improvements for their communities.
- 2.1.14 Local authorities have a duty to address exceedances of air quality objectives in their area, including declaring Air Quality Management Areas (AQMAs) and publishing Air Quality Action Plans (AQAP) setting out the measures they will take with the aim of achieving ongoing compliance. The Air Quality Strategy summarises current objectives and targets but does not define them.

2.2 National Policy Statements

- 2.2.1 The type of energy generating technology incorporated by the Scheme (solar photovoltaic generation), is specifically referenced within the following National Policy Statements (NPS). Therefore the EIA takes these NPSs into account:
- a. Overarching National Policy Statement for Energy (EN-1) (Ref 22);
 - b. National Policy Statement for Renewable Energy Infrastructure (EN-3); and (Ref 23)
 - c. National Policy Statement for Electricity Networks Infrastructure (EN-5) (Ref 24).

- 2.2.2 The NPSs set out the Government's energy policy infrastructure for delivery of major energy infrastructure, along with the need for new infrastructure and guidance for determining applications for Development Consent Orders (DCOs). The NPSs provide specific guidance and criteria that applicants should cover when assessing the effects of their Scheme, and how the Secretary of State should consider these impacts and any mitigation measures applied.
- 2.2.3 The relevant NPS requirements for Air Quality are provided in **Table 1**, along with an indication of where in the ES this information can be sourced. NPS EN-3 and NPS EN-5 do not contain any requirements relevant to the Scheme and Air Quality. Therefore, only requirements from NPS EN-1 are considered in **Table 1**.

Table 1: Relevant NPS Policy for Air Quality

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information provided to address this
National Policy Statement for Energy EN-1		
Paragraph 5.2.7	Proximity to emission sources can have significant impacts on sensitive receptor sites for air quality, such as education or healthcare sites, residential use or sensitive or protected ecosystems. Projects near a sensitive receptor site for air quality should only be proposed in exceptional circumstances if no viable alternative site is available. In these instances, substantial mitigation of any expected emissions will be required (see paragraph 5.2.12 below).	Air quality assessment is presented within Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1]. No significant effects have been identified. Sensitive receptors considered within the assessment are shown on Figure 6-1: Air Quality Baseline Monitoring Locations and Receptors [EN010142/APP/6.3].
Paragraph 5.2.8	Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES.	Air quality assessment is presented within Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1]. No significant effects have been identified.
Paragraph 5.2.9	The ES should describe: <ul style="list-style-type: none"> • existing air quality levels and the relative change in air quality from existing levels; • any significant air quality effects, mitigation action taken and any residual effects, distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; and 	Section 6.6 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents baseline air quality characteristics. A Dust Risk Assessment (DRA) and construction phase road traffic assessment is presented in Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1]. Mitigation

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information provided to address this
	<ul style="list-style-type: none"> the predicted absolute emission, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied. 	<p>measures are set out within Section 6.7 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1]. No significant effects have been identified.</p>
Paragraph 5.2.11	<p>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and the applicant should ensure these are current at the point of an application. The applicant's assessment should be consistent with this but may include more detailed modelling to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of then assessment, they should include this in their representations to the Examining Authority along with the source.</p>	<p>Section 6.6 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents Defra background concentrations, alongside additional modelling.</p>
Paragraph 5.2.12	<p>Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan / strategy at the time of the decision, the applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those thresholds are not breached.</p>	<p>As set out within Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1], there is no risk of breaching the air quality thresholds.</p>
Paragraph 5.2.13	<p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project</p>	<p>Section 6.7 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] summarises dust mitigation. These have</p>

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information provided to address this
	<p>application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England [2019] and any successors [2023] and should consider relevant advice within Local Air Quality Management guidance and PM_{2.5} targets guidance.</p>	<p>been set out and are included in the Framework Construction Environmental Management Plan (CEMP) [EN0101042/APP/7.8] and Framework Decommissioning Environmental Management Plan (DEMP) [EN0101042/APP/7.10].</p>
<p>Paragraph 5.2.15</p>	<p>Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government’s Environmental Improvement Plan 2023.</p>	<p>There are no emissions from the Scheme requiring pollution control under the Environment Act.</p>
<p>Paragraph 5.2.16</p>	<p>The Secretary of State should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives or targets.</p>	<p>Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents the results of the air quality assessment. Changes in air quality levels due to the Scheme are not expected.</p>
<p>Paragraph 5.2.17</p>	<p>The Secretary of State should give air quality considerations substantial weight where a project is proposed near a sensitive</p>	<p>The air quality assessment considers sensitive receptors and is presented within Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1].</p>

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information provided to address this
	receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat.	No significant effects have been identified.
Paragraph 5.2.18	Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the Secretary of State should refuse consent.	Per the above response, this is not applicable.
Paragraph 5.2.19	In all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent.	Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] evaluates compliance with air quality limits and objectives. No non-compliances of limits, objectives or targets have been identified.
Paragraph 5.7.1	During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. However, they are not regulated by the environmental permitting regime, so mitigation of these impacts will need to be included in the DCO.	Section 6.7 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents mitigation for dust emissions. These have also been set out and are included in the Framework CEMP [EN0101042/APP/7.8] and Framework DEMP [EN0101042/APP/7.10] .
Paragraph 5.7.5	The applicant should assess the potential for... emissions of odour, dust....to have a detrimental impact on amenity, as part of the ES.	Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents the dust risk assessment. There are no

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information provided to address this
Paragraph 5.7.6	<p>In particular, the assessment provided by the applicant should describe:</p> <ul style="list-style-type: none"> • the type, quantity and timing of emissions • aspects of the development which may give rise to emissions • premises or locations that may be affected by the emissions • effects of the emission on identified premises or locations • measures to be employed in preventing or mitigating the emissions 	<p>odour impacts as a result of the Scheme.</p> <p>These topics are described throughout Chapter 6: Air Quality of the ES [EN010142/APP/6.1].</p>
Paragraph 5.7.7	<p>The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.</p>	<p>Section 6.5 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents consultation undertaken with regards to the air quality assessment, including with local planning authorities. The Environment Agency were consulted but raised no concerns with emissions to air.</p>
Paragraph 5.7.8	<p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> • engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated • lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material 	<p>Section 6.7 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] sets out mitigation measures for air quality impacts.</p>

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information provided to address this
Paragraph 5.7.9	<ul style="list-style-type: none"> administrative: limiting operating times; restricting activities allowed on the site; implementing management plans <p>Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.</p>	Section 6.7 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] sets out mitigation measures for air quality impacts.
Paragraph 5.7.11	A construction management plan may help clarify and secure mitigation	Mitigation measures for air quality are set out within the Framework CEMP [EN0101042/APP/7.8] and Framework DEMP [EN0101042/APP/7.10] .
Paragraph 5.7.12	<p>The Secretary of State should satisfy itself that:</p> <ul style="list-style-type: none"> an assessment of the potential for ...dust, odour..., to have a detrimental impact on amenity has been carried out that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts 	Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] summarises the outcomes of the dust risk assessment. Mitigation for dust is set out within Section 6.7 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] and the Framework CEMP [EN0101042/APP/7.8] and Framework DEMP [EN0101042/APP/7.10] . There are no odour impacts as a result of the Scheme.

2.3 National Planning Policy Framework

- 2.3.1 National Planning Policy Framework (NPPF) (Ref 25) sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 5 outlines that while the NPPF does not contain specific policies for NSIPs the NPPF is still relevant when considering the determination of DCOs. Therefore, the ES for the Scheme has taken the NPPF into account:
- 2.3.2 Paragraph 8 defines three overarching objectives within the NPPF, which are interdependent and need to be pursued in mutually supportive ways:
- a. **An economic objective:** to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b. **A social objective:** to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c. **An environmental objective:** to contribute to protecting and enhancing the natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 2.3.3 Relevant NPPF requirements relating to Air Quality, along with an indication of where this information is located within the ES to address these requirements, are provided in **Table 2**.

Table 2: Relevant NPPF Policy for Air Quality

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information provided to address this
Paragraph 180	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <p>[...]</p> <p>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;</p>	<p>Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents the air quality assessment of the Scheme. No significant effects have been identified.</p>
Paragraph 192	<p>Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new</p>	<p>Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] provides an assessment of the effects of the Scheme on air quality. The Scheme is not located in or near to an AQMA or Clean Air Zone, and air quality limits are not at risk of being exceeded. Cumulative effects are assessed within Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1].</p>

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information provided to address this
	development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.	

2.4 National Guidance

National Planning Policy Guidance

- 2.4.1 The National Planning Policy Guidance (NPPG) (Ref 26) was published on 6 March 2014 and revised in 2019 and provides more in-depth guidance to the NPPF. The NPPG 'Air Quality' provides guidance on how planning can take account of the impact of new development on air quality.
- 2.4.2 The NPPG notes that where air quality is a relevant consideration the local planning authority may need to establish:
- The 'baseline' local air quality (existing baseline);
 - Including what would happen to air quality in the absence of development (future baseline); and
 - Whether the proposed development could significantly change air quality during the construction and operational phases (with mitigation) and the consequences of this for public health and biodiversity.
- 2.4.3 Within paragraph 007 it is stated that air quality assessments need to be proportionate to the nature and scale of development proposed and the potential impacts (taking into account existing air quality conditions), and because of this are likely to be locationally specific. It goes on to confirm that, it is not necessary for air quality assessments that support planning applications to duplicate aspects of air quality assessments that will be done as part of non-planning control regimes,

2.5 Technical Guidance

Local Air Quality Management Guidance

- 2.5.1 The Department for Environment, Farming and Rural Affairs (Defra) publishes technical and policy guidance documents to assist local authorities to discharge their local air quality management duties. Although not statutory guidance for EIA purposes, this assessment adopts the use of calculation methods and MS Excel based tools from this guidance as good practice methods to enable the assessment to concentrations of local air pollutants.

Institute of Air Quality Management Guidance

- 2.5.2 When determining the significance of the air quality assessment results with the Scheme, the assessment follows the non-statutory best practice guidance published by the Institute of Air Quality Management (IAQM) (Ref 27). In the absence of statutory technical guidance for air quality impact assessments in England, the guidance provides developers with a means of reaching sound decisions, having regard to the air quality implications of development proposals.
- 2.5.3 The guidance states that *"development is not inherently negative for air quality. Whilst a new development at a particular site may have its own emissions, it may also bring an opportunity to reduce overall emissions in an area over time by installing new, cleaner technologies and applying policies that promote sustainability"*.

- 2.5.4 Additional guidance on the assessment of dust from demolition and construction published by the IAQM (Ref 28) is adopted for the assessment of dust impacts and the selection of appropriate good practice control measures. This guidance addresses the potential for statutory nuisance by using a more demanding test based on the risk of significant adverse effects on amenity.

3. Local Planning Policy and Guidance

3.1 Local Planning Policy

- 3.1.1 Local planning policy documents concerning Air Quality that are relevant to the Scheme, have been outlined below and policy relevant to these documents further considered within **Table 3**.

Central Lincolnshire Local Plan (2023)

- 3.1.2 The Central Lincolnshire Local Plan (Ref 29) was adopted in April 2023 and is a revision of the previous Central Lincolnshire Plan that was adopted in 2017. Following approval by the Central Lincolnshire Joint Strategic Planning Committee at the end of February 2022, consultation on the plan ran between March and May 2022.
- 3.1.3 The Local Plan contains planning policies and allocations for the growth and regeneration of Central Lincolnshire over the next 20 years. The Local Plan was revised to ensure it remains current and consistent with latest national guidelines and local circumstances.

Adopted Bassetlaw District Core Strategy and Development Management Policies Development Plan Documents (DPD) (2011)

- 3.1.4 The Bassetlaw Core Strategy (Ref 30) is the key Local Development Framework (LDF) document and provides the overarching framework for all other documents that may be produced. It sets out a vision for change in Bassetlaw to 2028, along with place-specific policy approaches taken in order to achieve this vision.
- 3.1.5 The Core Strategy was adopted on 22 December 2011 and sets out a vision of change in Bassetlaw to 2028.

Draft Bassetlaw Local Plan Main Modifications (2023)

- 3.1.6 The Draft Bassetlaw Local Plan is being produced to help guide development in Bassetlaw over the plan period from 2020 to 2038. It sets out the Council's development strategy, planning policies and proposal, including site allocations, to guide land use and planning decisions within the district up to 2038. As part of the Local Plan examination process, the independent Local Plan Inspectors have identified Main Modifications they consider necessary to ensure the Plan is legally compliant and sound. The Main Modifications document (Ref 31) was published in August 2023.
- 3.1.7 Once adopted, the Local Plan will replace the Bassetlaw Core Strategy and Development Management Policies DPD 2011.

Neighbourhood Plans

- 3.1.8 There are no relevant policies contained within any neighbourhood plans related directly to Air Quality and therefore these are not included within **Table 3**.

Table 3: Relevant Local Policy and Guidance with respect to Air Quality

Relevant Document	Policy	Location of Information provided to address this
Central Lincolnshire Local Plan (2023)	<p>Policy S14: Renewable Energy sets out criteria that proposals for renewable energy schemes and ancillary development should incorporate for the direct, indirect, individual and cumulative impacts of development to be considered acceptable. This includes ensuring the impacts are acceptable <i>“on the amenity of sensitive neighbouring uses by virtue of matters such as... air quality”</i>.</p> <p>Policy S53: Design and Amenity states that <i>“all development proposals will... not result in adverse noise and vibration taking into account surrounding users nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources”</i>.</p>	<p>Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents the air quality assessment. The scheme is not expected to result in adverse impacts on air quality. Cumulative effects assessment is presented within Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1].</p>
Adopted Bassetlaw District Core Strategy and Development Management Policies Development Plan Documents (2011)	<p>Policy DM10: Renewable and Low Carbon Energy states that <i>“proposals for renewable and low carbon energy infrastructure will also need to demonstrate that they will not result in unacceptable impacts in terms of... pollution”</i>.</p>	<p>Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents the air quality assessment. The scheme is not expected to result in adverse impacts on air quality.</p>
Draft Bassetlaw Local Plan Main Modifications (2023)	<p>Policy ST48: Protecting Amenity states that proposals for development should be designed and constructed to avoid and minimise impacts on the amenity of existing and future users. As such, proposals are expected to <i>“not generate a level of activity,</i></p>	<p>Section 6.8 of Chapter 6: Air Quality of the ES [EN010142/APP/6.1] presents the air quality assessment. The scheme is not expected to result in adverse impacts on air quality.</p>

Relevant Document

Policy

**Location of Information provided to
address this**

*noise, light, air quality, odour, vibration or pollution which cannot
be mitigated to an appropriate standard.*

3.2 Local Guidance

Environmental Protection UK and the Institute of Air Quality Management

- 3.2.1 When determining the significance of the air quality assessment results with the Scheme, the assessment follows the non-statutory best practice guidance published by Environmental protection UK (EPUK) and the Institute of Air Quality Management (IAQM) (Ref 27). The guidance provides developers with a means of reaching sound decisions, having regard to the air quality implications of development proposals.
- 3.2.2 The guidance states that: *“development is not inherently negative for air quality. Whilst a new development at a particular site may have its own emissions, it may also bring an opportunity to reduce overall emissions in an area over time by installing new, cleaner technologies and applying policies that promote sustainability”*.

4. References

- Ref 1 H.M Government (2017). Infrastructure Planning (Environmental Impact Assessment) Regulations. Available at: <https://www.legislation.gov.uk/uksi/2017/572/regulation/5/made> [Accessed 18 December 2023]
- Ref 2 H.M Government (1990). The Environmental Protection Act. Available at: <https://www.legislation.gov.uk/ukpga/1990/43/part/III/crossheading/statutory-nuisances-england-and-wales> [Accessed 18 December 2023]
- Ref 3 H.M Government (2016). The Air Quality Standards (Amendment) Regulations (2016). SI 2016 No. 1184. Available at: <https://www.legislation.gov.uk/uksi/2016/1184/contents/made> [Accessed 18 December 2023]
- Ref 4 UK Statutory Instruments (2020). The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020. Available at: <https://www.legislation.gov.uk/uksi/2020/1313/regulation/2/made> [Accessed 18 December 2023]
- Ref 5 H.M Government (2018). European Union (Withdrawal) Act 2018. Available at: <https://www.legislation.gov.uk/ukpga/2018/16/contents/enacted> [Accessed 19 December 2023]
- Ref 6 H.M Government (1972). European Communities Act 1972. Available at: <https://www.legislation.gov.uk/ukpga/1972/68/contents> [Accessed 18 December 2023]
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