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Bramford to Twinstead Reinforcement

Volume 6: Environmental Information

Document 6.2.2: Environmental Statement: Main Report Chapter 2 –
Regulatory and Planning Policy Context

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

nationalgrid

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2. Regulatory and Planning Policy Context

2.1 Introduction

2.1.1 This chapter sets out the overarching regulatory and planning policy context applicable to the Bramford to Twinstead Reinforcement ('the project') in the context of the Environmental Statement (ES). It provides a summary of the relevant legislative and planning policy context that is relevant to the ES.

2.1.2 This chapter is supported by two appendices:

- Appendix 2.1 – Legislation, Policy and Guidance (**application document 6.3.2.1**), which provides a summary of the relevant environmental legislation, policy and guidance and how these have been taken into account when developing the ES; and
- Appendix 2.2 – Local Planning Policy (**application document 6.3.2.2**), which provides an overview of local planning policies that are considered to be important and relevant to this application for development consent.

2.1.3 The legislation and policies referred to in this chapter have been considered throughout the development of the project and the preparation of this ES.

2.1.4 A Planning Statement (**application document 7.1**) is submitted separately with the application for development consent and assesses the project against relevant policies. The Planning Statement provides a comprehensive review of how the project accords with the National Policy Statements (NPS), policies in the National Planning Policy Framework (NPPF) and local planning policy.

2.2 Legislative Context

2.2.1 Primary legislation is an Act that has been passed by Parliament. Secondary legislation is effectively delegated legislation made under authority contained within primary legislation. Second legislation, including Statutory Instruments, are most commonly used to supplement and/or modify matters as set out in primary legislation. Primary and secondary legislation of particular relevance to the project is set out below.

Primary Legislation

2.2.2 The Planning Act 2008 (as amended) and the Electricity Act 1989 are of key relevance to the project and are summarised below. The Environment Act 2021, the Countryside and Rights of Way Act 2000, the Natural Environment and Rural Communities Act 2006, the Wildlife and Countryside Act 1981 (as amended) and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) are also primary legislation that is relevant and important to the ES.

2.2.3 There is a range of other primary legislation that is relevant to this ES more generally. This legislation is presented in Appendix 2.1: Legislation, Policy and Guidance (**application document 6.3.2.1**) along with a summary as to how this has been considered during the development of the project.

Planning Act 2008

- 2.2.4 The Planning Act 2008 establishes the legal framework for applying for, examining and determining applications for Nationally Significant Infrastructure Projects (NSIP) in England and Wales.
- 2.2.5 The project meets the criteria to be an NSIP under Section 14 (1(b)) of the Planning Act 2008 because it comprises *'the installation of an electric line above ground'* and the nominal voltage is greater than 132kV and the length of the line is greater than 2km (Section 16 (3)). Therefore, the project requires development consent under the Act. The application for development consent is submitted to the Planning Inspectorate and the consent, if granted, would take the form of a Development Consent Order (DCO). The application for the DCO for the Bramford to Twinstead Reinforcement would be determined by the Secretary of State for Energy Security and Net Zero.
- 2.2.6 The definitions in the Planning Act 2008 are such that only the proposed new above ground electricity line is an NSIP. Other development, however, may be granted development consent as 'associated development' within the meaning of Section 115 of the Planning Act 2008. For this project, associated development includes but is not limited to, the removal of the 132kV overhead line, the underground cables, the cable sealing end compounds, and the grid supply point substation. Further details on what constitutes associated development are provided in Section 2.2 of the Planning Statement (**application document 7.1**).
- 2.2.7 The Planning Act 2008 also includes provisions for the Government to produce an NPS setting out the strategic policy framework against which applications for development consent are considered. In deciding an application for development consent, Section 104 of the Planning Act 2008 requires the Secretary of State to have regard to certain matters in his or her decision on an application for development consent and must decide any application in accordance with the relevant NPS, subject to specified exceptions.
- 2.2.8 Applications under the Act are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that determination of a planning application must be made in accordance with the local development plan, unless other material considerations indicate otherwise. There is no statutory requirement for the decision maker to attach weight to development plan policy.

Electricity Act 1989

- 2.2.9 Section 9(2) of the Electricity Act 1989 places general duties on National Grid as a licence holder *'to develop and maintain an efficient, co-ordinated and economical system of electricity transmission...'*. In addition, Section 38 and Schedule 9 of the Electricity Act 1989 requires National Grid, when formulating proposals for new transmission lines and other works, to:
- '...have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and shall do what [it] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects'*
- 2.2.10 National Grid's Schedule 9 Statement (2006) sets out how the company will meet the duty placed upon it by the aforementioned legislation. This includes:

- Only seeking to build new transmission lines and substations where the existing transmission infrastructure cannot be upgraded to meet transmission security standards;
- Seeking to avoid nationally and internationally designated areas where new infrastructure is required; and
- Minimising the effects of new infrastructure on other sites valued for their amenity.

2.2.11 Further details on how National Grid is meeting its duties under the Electricity Act 1989 are presented in Chapter 5 of the Planning Statement (**application document 7.1**).

Environment Act 2021

2.2.12 The Environment Act 2021 provides a framework for improving environmental management across a wide spectrum of environmental issues including waste and resources, water quality, biodiversity and air quality. It aims to deliver long term targets to improve environmental conditions and reduce pollution, which have been considered by the project.

2.2.13 The Environment Act 2021 introduced biodiversity gain into planning law, and Schedule 15 references the requirement to be at least 10%. It is intended that this should apply across all terrestrial projects, or terrestrial components of projects, which are accepted for examination through the NSIP regime from November 2025 and for the areas of biodiversity gain to be maintained for a specified period.

2.2.14 Whilst biodiversity gain is therefore not required by the Act at the time of DCO application for the project in 2023, the principles are recognised as an integral component of emerging policy and aligns closely with National Grid's own commitment to deliver net gain by at least 10% or greater in environmental value on all construction projects. Further details can be found in the Environmental Gain Report (**application document 7.4**).

Countryside and Rights of Way Act 2000

2.2.15 Areas of Outstanding Natural Beauty (AONB) are designated solely for their landscape qualities, for the purpose of conserving and enhancing their natural beauty. They are designated under Section 82 of the Countryside and Rights of Way Act 2000 to secure their permanent protection against development that would damage their special qualities. National Grid, as a statutory undertaker, has a duty under Section 85 of the Act which states '*In exercising or performing any functions in relation to, or so as to affect, land in an AONB, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the AONB*'.

2.2.16 Section 89 of the Countryside and Rights of Way Act 2000 requires a Management Plan to be produced for each AONB. These are statutory documents and are capable of being important and relevant in decision making. The Dedham Vale AONB and Stour Valley Management Plan 2021–2026 is the currently adopted plan (Dedham Vale AONB and Stour Valley Project, 2021).

2.2.17 The Management Plan covers the Dedham Vale AONB and also the Stour Valley Project Area. The Stour Valley is not currently designated as an AONB, although an application has been submitted to Natural England to extend the Dedham Vale AONB to include parts of the Stour Valley. On the Stour Valley Project Area, the Statement of Significance within the Management Plan says, '*Much of the Stour Valley project area shares similar characteristics to the Dedham Vale AONB, particularly the area nearest the existing*

AONB'. Further details on the Statement of Significance and the special qualities of the AONB can be found within Chapter 6: Landscape and Visual (**application document 6.2.6**).

Natural Environment and Rural Communities Act 2006

- 2.2.18 Section 40 of the Act imposes a '*duty to conserve and enhance biodiversity*' on public authorities, including members of the Examining Authority and the relevant Secretary of State in the case of NSIP. It states that conserving biodiversity may include enhancing, restoring or protecting a population or a habitat. ES Chapter 7: Biodiversity (**application document 6.2.7**) assesses the effects of the project on biodiversity.
- 2.2.19 Section 41 of the Act provides details of the habitats and species which are of 'Principal Importance' for the purposes of conserving biodiversity in England. ES Chapter 7: Biodiversity (**application document 6.2.7**) assesses the effects of the project on Habitats of Principal Importance.

Wildlife and Countryside Act 1981 (as amended)

- 2.2.20 The Wildlife and Countryside Act 1981, as amended by Schedule 9 of the Countryside and Rights of Way Act 2000, provides protection to Sites of Special Scientific Interest (SSSI). The existing 400kV overhead line and the Order Limits for the proposed 400kV overhead line pass through Hintlesham Woods SSSI. ES Chapter 7: Biodiversity (**application document 6.2.7**) assesses the effects of the project on the SSSI.
- 2.2.21 The Wildlife and Countryside Act 1981 (as amended) also gives elevated protection to native species listed in the relevant schedules. Work that affects European protected species listed under the relevant schedules of the Wildlife and Countryside Act 1981 (as amended) requires a mitigation licence. The application for development consent includes the draft licences for bats, dormouse and badger (**application documents 6.3.7.7.1, 6.3.7.8.1 and 6.3.7.9.1** respectively). National Grid is also applying a District Level Licence for great crested newts. The Wildlife and Countryside Act 1981 (as amended) also controls the release of non-native species which are considered as part of the assessment for invasive and non-native species in ES Chapter 7: Biodiversity (**application document 6.2.7**).

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

- 2.2.22 This Act provides special protection to buildings and areas of special architectural or historic interest. It makes provision for the listing of buildings of special architectural or historic interest, designation of Conservation Areas, and the exercise of planning functions in relation to them. It requires relevant planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (Sections 16 and 66) and to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas (Section 72).
- 2.2.23 ES Chapter 8: Historic Environment (**application document 6.2.8**) presents the results of the assessment on listed buildings. No listed buildings would be demolished as a result of the project, therefore the assessment presented in ES Chapter 8: Historic Environment (**application document 6.2.8**) focuses on the effects on the setting.

Secondary Legislation

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

- 2.2.24 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations') transpose the requirements of the European Union Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU into the UK legislation under the above consenting regimes.
- 2.2.25 The EIA Regulations categorise developments according to their requirement for an EIA. Schedule 1 lists developments for which an EIA is always required, whereas Schedule 2 lists those that *may* require an EIA depending on the characteristics and location of the development, and the significance of potential effects. The EIA Regulations (Schedule 1 Paragraph 20) state a project is Schedule 1 (EIA) development if it compromises the '*Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.*' Therefore, the project is EIA development.
- 2.2.26 This ES has been prepared in accordance with the requirements of the EIA Regulations. Regulation 14 sets out the minimum requirements that should be included in an ES. This is supported by Schedule 4 which identifies additional information to be included in an ES. Table 2.1 provides a summary of where the information required for inclusion in an ES under Regulation 14 and Schedule 4 of the EIA Regulations can be found.

Table 2.1 – Location of Information Within this ES in Accordance with the EIA Regulations 2017

Requirements	Location in the ES
Regulation 14 (The Minimum Requirements To Include In An ES)	
(1) An application for an order granting development consent for EIA development must be accompanied by an ES.	The ES is included within Volume 6 of the application for development consent.
(2) An ES is a statement which includes at least:	ES Chapter 4: Project Description (application document 6.2.4) provides the description of the project including information on the site, design and size.
(a) a description of the proposed development comprising information on the site, design, size and other relevant features of the development;	
(b) a description of the likely significant effects of the proposed development on the environment;	Each ES topic chapter (Chapter 6 to 15) assesses the likely significant effects of the project on the environment in Section 6 (Likely Significant Effects During Construction) and 7 (Likely Significant Effects During Operation).
(c) a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;	Where an ES topic chapter (Chapter 6 to 15) has identified likely significant effects, mitigation measures are identified within Section 8 (Proposed Mitigation During Construction) and Section 9 (Proposed Mitigation During Operation) of the relevant chapter.

Requirements	Location in the ES
(d) a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment;	ES Chapter 3: Alternatives Considered (application document 6.2.3) provides a description of the reasonable alternatives considered and the main reason for the option chosen, taking into account the effects of the project on the environment.
(e) a non-technical summary of the information referred to in subparagraphs (a) to (d); and	A non-technical summary summarising the information referred to in (a) to (d) is provided in application document 6.1 .
(f) any additional information specified in Schedule 4 relevant to the specific characteristics of the particular development or type of development and to the environmental features likely to be significantly affected.	Details on how Schedule 4 has been met are outlined later within this table.
(3) The ES referred to in paragraph (1) must: (a) where a scoping opinion has been adopted, be based on the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion).	The Planning Inspectorate adopted the Scoping Opinion for the project on 18 June 2021 (application document 6.6). This has been used as the basis for the scope of the assessment presented within the ES. Further details can be found in ES Appendix 5.1: Scope of the Assessment (application document 6.3.5.1).
(b) include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment; and	Each ES topic chapter (Chapter 6 to 15) provides the methodology and the assumptions used in reaching the reasoned conclusion on the likely significant effects of the project on the environment in Section 4: Approach and Method.
(c) be prepared, taking into account the results of any relevant UK environmental assessment, which is reasonably available to the applicant with a view to avoiding duplication of assessment.	The ES has been prepared taking into account relevant environmental data sources where available. These are listed within the ES topic chapters (Chapter 6 to 14).
(4) In order to ensure the completeness and quality of the ES: (a) the applicant must ensure that the ES is prepared by competent experts; and (b) the ES must be accompanied by a statement from the applicant outlining the relevant expertise or qualifications of such experts.	The ES has been prepared by competent experts in their field. The relevant qualifications are provided in Table 1.2 of ES Chapter 1: Introduction (application document 6.2.1).

Schedule 4 of the EIA Regulations 2017

<p>1. A description of the development, including in particular:</p> <ul style="list-style-type: none"> (a) a description of the location of the development; (b) a description of the physical characteristics of the whole development, including requisite demolition works, and the land-use requirements during the construction and operational phases; (c) a description of the main characteristics of the operational phase of the development, for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used; (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste) produced during the construction and operation phases. 	<p>Items 1a-d are provided in ES Chapter 4: Project Description (application document 6.2.4). Further evidence on Item 1d is provided within the ES topic chapters, in particular Chapter 9: Water Environment (application document 6.2.9), Chapter 10: Geology and Hydrogeology (application document 6.2.10), Chapter 11: Agriculture and Soil (application document 6.2.11), Chapter 13: Air Quality (application document 6.2.13) and Chapter 14: Noise and Vibration (application document 6.2.14).</p>
<p>2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.</p>	<p>ES Chapter 3: Alternatives Considered (application document 6.2.3) provides a description of the reasonable alternatives considered and the main reason for the option chosen, taking into account the effects of the project on the environment.</p>
<p>3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.</p>	<p>Section 5 (Baseline Environment) of ES topic chapters 6-14 and various appendices contain baseline survey data and a forecast of changes to the future baseline where applicable.</p>
<p>4. A description of the factors specified in regulation 5(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), materials assets, cultural heritage, including architectural and archaeological aspects, and landscape.</p>	<p>Section 5 (Baseline Environment) of ES topic chapters 6-14 and various appendices contain baseline survey data. Greenhouse gas emissions are covered in ES Appendix 4.3: Greenhouse Gas Assessment (application document 6.3.4.3). Adaptation is covered in ES Appendix 4.1: Good Design (application document 6.3.4.1).</p> <p>Population and human health have been scoped out of the assessment. See ES Appendix 5.1: Scope of the Assessment (application document 6.3.5.1).</p>
<p>5. A description of the likely significant effects of the development on the environment resulting from, inter alia:</p> <ul style="list-style-type: none"> (a) the construction and existence of the development, including where relevant demolition works; (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources; (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of wastes; 	<p>5 a, b and d are covered in Section 6 (Likely Significant Effects During Construction) and Section 7 (Likely Significant Effects During Operation) of ES Chapters 6-14 and various appendices containing supporting assessment.</p> <p>5 c and g are covered in ES Chapter 4: Project Description (application document 6.2.4).</p>

Requirements	Location in the ES
<p>(d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);</p> <p>(e) the cumulation of effects with other existing and /or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;</p> <p>(f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;</p> <p>(g) the technologies and the substances used.</p> <p>The description of the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development.</p>	<p>5d (in relation to accidents and disasters) is covered ES Appendix 5.3: Major Accidents and Disasters Scoping (application document 6.3.5.4)</p> <p>5e is covered within ES Chapter 15: Cumulative Effects Assessment (application document 6.2.15).</p> <p>5f is covered in ES Appendix 4.3: Greenhouse Gas Assessment (application document 6.3.4.3) and ES Appendix 4.1: Good Design (application document 6.3.4.1).</p>
<p>6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.</p>	<p>Section 4 (Approach and Methods) of ES topic chapters 6-15 and various appendices containing survey methodology. The methodology is also described in the Scoping Report (application document 6.5.1).</p>
<p>7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements. That description should explain the extent, to which significant adverse effects on the environment are avoided, prevents, reduced or offset, and should cover both the construction and operational phases.</p>	<p>Embedded and good practice measures are described in ES Chapter 4: Project Description (application document 6.2.4). Additional mitigation is identified within ES topic chapters 6-14 where applicable, and is summarised in Chapter 16: Environmental Management and Mitigation (application document 6.2.16).</p>
<p>8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and / or disasters which are relevant to the project concerned.</p>	<p>ES Appendix 5.3: Major Accidents and Disasters Scoping (application document 6.3.5.3).</p>
<p>9. A non-technical summary of the information provided under paragraphs 1 to 8.</p>	<p>A non-technical summary summarising the information referred in paragraphs 1 to 8 is provided in application document 6.1.</p>
<p>10. A reference list detailing the sources used for the descriptions and assessments included in the ES.</p>	<p>Sources are referenced in each chapter and appendix. These link to the ES Reference List (application document 6.2.18).</p>

Other Legislative Requirements

- 2.2.27 Other legislation relevant to the project is considered further in Appendix 2.1: Legislation, Policy and Guidance (**application document 6.3.2.1**).

2.3 National Policy Context

- 2.3.1 This section outlines policies within national policy documents that are of particular relevance to the EIA of the project.

National Policy Statements

- 2.3.2 The Planning Act 2008 makes provision for the designation of NPS, which are produced by Government and set out the national policy against which NSIP proposals will be assessed by the Planning Inspectorate and determined by the relevant Secretary of State. The suite of NPS integrate the UK Government's objectives for infrastructure capacity and development with its wider economic, environmental and social policy objectives, including climate change goals and targets, in order to deliver sustainable development.
- 2.3.3 In deciding an application for development consent, Section 104 of the Planning Act 2008 requires the Secretary of State to have regard to any NPS which applies to the application, except in a limited number of specified circumstances.
- 2.3.4 The two relevant NPS for the project are the Overarching NPS for Energy (EN-1) (Department of Energy and Climate Change (DECC), 2011a) and the NPS for Electricity Networks Infrastructure (EN-5) (DECC, 2011b). EN-1 and EN-5, taken together, provide the primary basis for decisions taken by the Secretary of State on applications it receives for electricity networks infrastructure, and in turn the project. Further details are provided in Chapter 6 of the Planning Statement (**application document 7.1**).
- 2.3.5 The Government has finished consulting on draft replacements of the Energy NPS, including NPS EN-1 (Department for Business, Energy and Industrial Strategy (BEIS), 2021a) and NPS EN-5 (BEIS, 2021b). The NPS have not currently been designated, therefore the ES continues to reference the 2011 NPS, as they remain the relevant government policy and as the individual policy wording within the consultation drafts could change prior to designation. Further details are provided in Chapter 6 of the Planning Statement (**application document 7.1**).

Overarching National Policy Statement for Energy (EN-1)

- 2.3.6 NPS EN-1 establishes the need for all types of energy infrastructure covered by the NPS to achieve energy security at the same time as reducing greenhouse gas emissions. EN-1 sets generic policies and assessment principles that are relevant to all energy NSIP. Section 3.1 of EN-1 confirms that all applications for development consent for the types of infrastructure covered by the energy NPS, should be assessed on the basis that the need for those types of infrastructure has been demonstrated by the Government and that this need is urgent (paragraph 3.1.3 and 3.2.3). EN-1 also emphasises the need for new energy projects to contribute to a secure, diverse and affordable energy supply. This is to support the Government's policies on sustainable development, in particular by mitigating and adapting to climate change (paragraph 1.7.2).
- 2.3.7 Section 3.7 of EN-1 states that current scenarios show significant potential increases in generation and changes in direction of net electricity flows from eastern England to centres of demand in the Midlands and southeast England. Paragraph 3.7.7 of EN-1 states that: *'these kinds of flows of power cannot be accommodated by the existing network. Accordingly, new lines will have to be built'*. It also acknowledges, in paragraph 3.7.10, that *'in most cases, there will be more than one technological approach by which it is possible to make such a connection or reinforce the network (for example, by overhead line or underground cable) and the costs and benefits of these alternatives should be properly considered as set out in EN-5 ... before any overhead line proposal is consented'*.

- 2.3.8 Part 4 of EN-1 sets out ‘*general policies in accordance with which applications relating to energy infrastructure are to be decided that do not relate only to the need for new energy infrastructure (covered in Part 3 [of EN-1]) or to particular physical impacts of construction or operation (covered in Part 5 [of EN-1] and technology-specific NPS)*’ (paragraph 4.1.1).
- 2.3.9 EN-1 sets out policies in respect of matters such as air quality and emissions, biodiversity, dust and odour, flood risk, historic environment, landscape and visual, land use, noise and vibration, socio-economics, traffic and transport and waste management. These policies have been taken into account in the preparation of this ES and the evidence is provided in Appendix A of the Planning Statement (**application document 7.1**), which includes an assessment of the project against each of these policies.

National Policy Statement for Electricity Networks Infrastructure (EN-5)

- 2.3.10 NPS EN-5, taken together with EN-1, provides the primary basis for decisions on applications for electricity networks infrastructure. EN-5 is concerned with impacts and other matters specific to electricity networks infrastructure or where, although the impact or issue is generic and covered in EN-1, there are further specific considerations arising from this technology.
- 2.3.11 Part 2 of EN-5 sets out the basis for assessing applications for development consent. It covers a range of topic areas that the applicant’s assessments should address as well as the principles that should be adopted in decision-making. It also recommends the weight to be given to certain issues and on the treatment of mitigation measures, particularly how these may be enforced through requirements or obligations.
- 2.3.12 In particular, paragraph 2.2.6 of EN-5 reiterates the duties on developers under Section 9 and Schedule 9 of the Electricity Act 1989, both in relation to developing and maintaining an economical and efficient network and in formulating proposals for new electricity networks infrastructure, to ‘*have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest...*’. These policies have been taken into account in the preparation of this ES and the evidence is provided in Appendix B of the Planning Statement (**application document 7.1**), which includes an assessment of the project against each of the policies.

National Planning Policy Framework

- 2.3.13 The National Planning Policy Framework (NPPF) sets out the Government’s planning policy at the national level, though it does not contain specific policies for NSIP. The NPPF (Ministry of Housing, Communities and Local Government, 2021) confirms this at paragraph 5 which states:
- ‘The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework).’*
- 2.3.14 Paragraph 7 of the NPPF states that ‘*the purpose of the planning system is to contribute to the achievement of sustainable development*’. Paragraph 152 recognises that ‘*the planning system should support the transition to a low carbon future in a changing climate...It should help to...support renewable and low carbon energy and associated infrastructure.*’

- 2.3.15 While NPS EN-1 and EN-5 remain the prime decision-making documents, where they do not provide guidance, each topic chapter has considered whether there is important and relevant guidance in the NPPF that may require consideration by the decision-making authority. Section 7.4 of the Planning Statement (**application document 7.1**) assesses the project against the policy requirements of the NPPF.

Planning Practice Guidance

- 2.3.16 The Government's Planning Practice Guidance web-based resource was launched in March 2014 and is updated by the Department for Levelling Up, Housing and Communities as necessary. It consists of a number of separate documents (with different dates) that provide guidance across different topics, including EIA, flood risk, historic environment and natural environment. The Planning Practice Guidance has been considered where relevant and is referenced in the ES where applicable.

2.4 Local Policy Context

- 2.4.1 Although the relevant NPS provide the primary policy against which NSIP proposals should be decided, regional and local policy documents may also be considered important and relevant to decision-making. The weight attached to them is likely to depend upon their consistency with NPS policies given the national significance of the infrastructure.
- 2.4.2 This ES has considered current and emerging local policy documents relevant to the project which are likely to inform the local impact reports prepared by the relevant planning authorities and which may be relevant and important in their own right. Further information on these policies and how they have been considered within the ES can be found within ES Appendix 2.2: Local Planning Policy (**application document 6.3.2.2**) and also in Chapter 8 of the Planning Statement (**application document 7.1**).

2.5 National Grid Policy and Guidance

- 2.5.1 National Grid has its own policies and processes that are followed when developing projects. The key policies that are applicable to this project are as follows:
- Our Stakeholder, Community And Amenity Policy (National Grid, 2016): This document describes the ten commitments that National Grid has made to the way that electricity and gas works are carried out in the UK. This includes setting out how National Grid will meet its amenity responsibilities and how stakeholders and communities are involved on projects;
 - Our 2021-2026 Environmental Action Plan (National Grid, 2021d): This sets out how National Grid will plan and manage its network in an environmentally sustainable way. It sets out how National Grid intends to further reduce its carbon emissions, reduce its resource use, improve the natural environment and demonstrate leadership for change with firm targets for a five-year period, including delivering net zero construction, achieving zero-waste to landfill across key areas of waste, increasing environmental value of non-operational land by 10% against a natural capital and biodiversity baseline and delivering a net gain by at least 10% or greater in environmental value (including biodiversity) on all construction projects; and
 - Our Approach To Consenting (National Grid, 2022c): This document describes how National Grid will deliver an energy transmission system that connects renewable and low-carbon sources of power to help the UK reach its climate change target of net

zero greenhouse gas emissions by 2050. The document sets out how National Grid will deliver energy which is affordable, a network which is resilient and reliable and that has regard to the environment and society. Further details on the approach to consenting can be found in the Planning Statement (**application document 7.1**).

- 2.5.2 The Holford Rules are a series of planning guidelines that are a valuable tool in selecting and assessing potential route options as part of the options appraisal process. The Holford Rules are also expressly considered as part of NPS EN-5. In addition, National Grid devised the Horlock Rules in 2003 (which were updated in 2006), which provide guidelines for the siting and design of new substations, or substation extensions, to avoid or reduce the environmental effects of such developments. Both the Holford Rules and the Horlock Rules have been considered during the project development. Further details can be found in the Planning Statement (**application document 7.1**).
- 2.5.3 National Grid also has an extensive range of process and guidance documents that govern how projects are designed and implemented. Specific documents are referenced later in the ES chapters where relevant.

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