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### 3 LEGISLATIVE AND POLICY CONTEXT

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3.1.1 The Scheme is a NSIP to which the PA 2008 applies. Therefore, the Agency is required to make an application to the Secretary of State for a DCO to build and operate the Scheme. The Order limits, which encompass the land required for the Scheme to be built, and which include land required for permanent and temporary purposes for the Scheme, are shown on the General Arrangement drawings in Annex F of this EDR.

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3.1.2 Section 104 of PA 2008 provides that application for development consent should be decided in accordance with any relevant National Policy Statement unless certain exceptions apply, including that the adverse impacts of the development outweigh its benefits.

3.1.3 The Government has produced the NN NPS under the Planning Act 2008, which was designated in January 2015. The NN NPS relates to national networks transport infrastructure development, including motorways, and establishes the national need for development of the national road network.

~~3.1.4~~ The Scheme will be assessed against the NN NPS, the National Planning Policy Framework and, where appropriate, local planning policies. Detailed explanation of this is included in the Planning Statement.

3.1.4

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