

M54 to M6 Link Road

TR010054

Volume 6

6.3 Environmental Statement

Appendices

**Appendix 1.3 NPSNN General EIA
Requirements**

Regulation 5(2)(a)

Planning Act 2008

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

January 2020

Infrastructure Planning

Planning Act 2008

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

**M54 to M6 Link Road
Development Consent Order 202[]**

**6.3 Environmental Statement Appendices
Appendix 1.3 NPSNN General EIA Requirements**

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|-----------------------------------------------|-------------------------------------------------------|
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Appendix 1.3 NPSNN General EIA Requirements

The National Policy Statement for National Networks (NPSNN) sets out the need for and the Government’s policies to deliver Nationally Significant Infrastructure Projects (NSIPs) on the national road and rail networks in England (Ref 1). The NPSNN is used by the Secretary of State as the primary basis for making decisions on DCO applications for NSIPs in accordance with s104 of the Planning Act 2008. Given the Scheme is a road network NSIP, Highways England has ensured that the Environmental Impact Assessment (EIA) approach adopted is in accordance with the NPSNN. There are a number of more generic policy requirements relating to EIA within the NPSNN and these are identified in Table 1, together with details of where such issues are addressed within this Environmental Statement.

Table 1: Location of information included in the Environmental Statement.

| NPSNN para No. | Requirement | Where addressed |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| 4.15 Environmental Impact Assessment | All proposals for projects that are subject to the European Union’s Environmental Impact Assessment Directive and are likely to have significant effects on the environment, must be accompanied by an ES, describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically requires an environmental impact assessment to identify, describe and assess effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 sets out the information that should be included in the environmental statement including a description of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the project, and also the measures envisaged for avoiding or mitigating significant adverse effects. Further guidance can be found in the online planning portal. In this NPSNN, the terms ‘effects’, ‘impacts’ or ‘benefits’ should accordingly be understood to mean likely significant effects, impacts or benefits. | This ES has been prepared in accordance with the EIA Regulations. |
| 4.16 | When considering significant cumulative effects, any environmental statement should provide information on how the effects of the applicant’s proposal would combine and interact with the effects of other development (including projects for which consent has been granted, as well as those already in existence). | Refer to Chapter 15: Assessment of Cumulative Effects [TR010054/APP/6.1]. |
| 4.18 | In some instances it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its | Maximum development extents and activities have been identified for the purposes of assessment. These are set out within |

| NPSNN para No. | Requirement | Where addressed |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | application which elements of the proposal have yet to be finalised, and the reasons why this is the case. | Chapter 2: The Scheme (refer to para. 2.5.29 to 2.5.39) [TR010054/APP/6.1] and the Works Plans [TR010054/APP/2.4]. |
| 4.19 | Where some details are still to be finalised, applicants are advised to set out in the environmental statement, to the best of their knowledge, what the maximum extent of the proposed development may be (for example in terms of site area) and assess the potential adverse effects which the project could have to ensure that the impacts of the project as it may be constructed have been properly assessed. | Maximum development extents and activities have been identified for the purposes of assessment. These are set out within Chapter 2: The Scheme (refer to para. 2.5.29 to 2.5.39) [TR010054/APP/6.1] and the Works Plans [TR010054/APP/2.4]. |
| 4.26 Alternatives | Applicants should comply with all legal requirements and any policy requirements set out in this NPSNN on the assessment of alternatives. In particular: <ul style="list-style-type: none"> • The EIA Directive requires projects with significant environmental effects to include an outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects. • There may also be other specific legal requirements for the consideration of alternatives, for example, under the Habitats and Water Framework Directives. • There may also be policy requirements in this NPSNN, for example the flood risk sequential test and the assessment of alternatives for developments in National Parks, the Broads and Areas of Outstanding Natural Beauty. | Refer to: <ul style="list-style-type: none"> • Chapter 3: Assessment of Alternatives [TR010054/APP/6.1]. • Habitats Regulations Assessment (HRA) – No Significant Effects Report (NSER) [TR010054/APP/6.9]. • Water Framework Directive (WFD) Assessment Report in Appendix 13.4 [TR010054/APP/6.3]. • Flood Risk Assessments in Appendix 13.1 [TR010054/APP/6.3]. |
| 4.27 | All projects should be subject to an options appraisal. The appraisal should consider viable modal alternatives and may also consider other options (in light of the paragraphs 3.23 to 3.27 of this NPSNN). Where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process. It is not necessary for the Examining Authority and the decision maker to reconsider this process, but they should be satisfied that this assessment has been undertaken. | Refer to Chapter 3: Assessment of Alternatives [TR010054/APP/6.1]. |

References

- Ref 1 Department for Transport (2014) *National Policy Statement for National Networks*.
Available online at: www.gov.uk/government/publications