Proposed Solar PV Development

Preliminary Environmental Information Report Appendix 1.1 Planning Policy Framework

Byers Gill Solar

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Contents

1. Introduction

1.1. Purpose of this document

1.1.1. This document provides a summary of the planning policy framework relevant to Byers Gill Solar (the Proposed Development). It identifies the national and local planning policies that the DCO application will be determined in accordance with and which are relevant to the carrying out of the Environmental Impact Assessment (EIA).

1.1.2. This document does not provide an assessment of the compliance of the Proposed Development with the planning policy framework. A full assessment of how the Proposed Development is compliant with the relevant policies will be provided in the Planning Statement that will be submitted with the DCO application. The Planning Statement will be provided under Regulation 5(q) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations).

1.2. Overview of planning policy framework

1.2.1. National Policy Statements (NPS) are the principal policy documents for nationally significant infrastructure projects (NSIPs). Under Section 104 of the Planning Act 2008 ('the Act'), the Secretary of State (SoS) must decide a DCO application in accordance with any relevant NPSs.

1.2.2. Section 105 of the Act applies when there is no relevant NPS. It states that in deciding the application, the SoS must have regard to: the local impact report; matters prescribed in relation to the Proposed Development; and, any other matters that the SoS regards as important and relevant.

1.2.3. There is currently no specific NPS relating to solar development and therefore Section 105 of the Act applies. However, there are three designated NPS that are considered relevant to the Proposed Development and which are likely to be important and relevant to the decision-making of the SoS:

- EN-1: Overarching NPS for Energy [1]
- EN-3: NPS for Renewable Energy Infrastructure [2]
- EN-5: NPS for Electricity Networks Infrastructure [3]

1.2.4. As the most relevant NPS for the Proposed Development, it is considered that the above NPS will be afforded significant weight in the decision-making process and will form the primary policy documents to which the Proposed Development will need to demonstrate accordance with. These NPS are therefore the focus of this document.

1.2.5. The National Planning Policy Framework (NPPF, July 2021) [4] provides national policy for decision-making on applications made under the Town and Country Planning Act 1990 (TCPA). Whilst it states clearly at Paragraph 5 that it does not contain specific policies for NSIPs, the SoS may regard policies of the NPPF to be important and relevant.

1.2.6. Local planning policies and guidance may also be considered as relevant and important by the SoS. The Proposed Development is located within the boundaries of three local planning authorities (LPAs); Darlington Borough Council, Stockton-on-Tees Borough Council and, Durham County Council.

1.3. Review of National Policy Statements

1.3.1. The suite of energy NPS (EN-1 to EN-5), were first designated in 2011. The Energy White Paper [5] published in 2020 committed to a review of the energy NPS to reflect the policies of the White Paper and support the delivery of infrastructure needed to transition to net zero by 2050.

1.3.2. Draft versions of the revised energy NPS were first published on 6 September 2021 as part of a public consultation that ran until 29 November 2021. The draft revisions to EN-3: NPS for Renewable Energy Infrastructure included specific policies relating to solar NSIPs.

1.3.3. In February 2023, the Department for Levelling Up, Housing and Communities (DLUHC) published the Nationally Significant Infrastructure Action Plan [6], which set out reforms to the planning process for NSIPs. Under Reform Area 1, it set out that updated NPS EN-1 to EN-5 will be designated by Quarter 2 of 2023.

1.3.4. On 30 March 2023, the Department for Energy Security and Net Zero published the 'Powering Up Britain' policy paper [7] which sets out how energy security is to be enhanced and how the Government's net zero commitments are to be delivered. It reaffirms the commitment to solar energy development, with a fivefold increase in solar targeted for 2035 to help decarbonise the power sector. Alongside the Powering Up Britain paper, a revised suite of draft energy NPS were published and a consultation launched to seek feedback on the amendments. This consultation runs until 23 May 2023.

1.3.5. At the time of preparation of this PEIR, the revised energy NPS are not designated and therefore the existing NPS EN-1, EN-3 and EN-5 remain the national policy documents of most relevance and importance. However, given the imminent designation of the revised draft NPS and the inclusion of policies specific to solar development in NPS EN-3, it is considered that the SoS would consider the draft NPS to be a relevant and important consideration to decision-making if the Proposed Development were being determined at this time. It is likely that the revised NPS will be designated by the time the DCO application for the Proposed Development is submitted. A review of the draft NPS is therefore included in this document.

2. National Planning Policy

2.1. Introduction

2.1.1. This section provides a summary of the national planning policy documents considered to be relevant and important to the Proposed Development. It provides a summary of the relevant designated NPS, the relevant draft NPS and the NPPF, identifying the policies of relevance to the Proposed Development.

2.2. Overarching NPS for Energy (NPS EN-1) (2011) [1]

Overview

2.2.1. The Overarching NPS for Energy was adopted in 2011 and sets out the overall national energy policy for nationally significant energy infrastructure. It is intended to be combined with relevant technology-specific NPS to form the primary basis for decisions by the SoS, although as noted in the preceding section of this document, there is currently no designated NPS specific to solar technology. Whilst the scope of NPS EN-1 in considering renewable energy is limited to wind, biomass and waste, it remains important and relevant to decision-making by providing policy on the overall need, assessment principles and generic impacts of major energy infrastructure.

2.2.2. Part 3 of the NPS EN-1 sets out the need for energy NSIPs in order to:

- provide energy security and meet carbon reduction objectives;
- replace closing electricity generating capacity;
- support an increased supply of renewable energy;
- meet future increases in electricity demand; and
- meet urgent need for new electricity capacity.

2.2.3. Paragraphs 3.1.3-3.1.4 of NPS EN-1 states that all applications for development consent for energy NSIPs should be assessed on the basis that the Government has demonstrated that there is a need for them, and substantial weight should be given to the contribution they would make towards satisfying that need.

Assessment Principles

2.2.4. Part 4 Assessment Principles of NPS EN-1 sets out general policies that applications for energy infrastructure should be in accordance with. The assessment principles relevant to the Proposed Development are summarised in this section.

2.2.5. Paragraph 4.1.2 of NPS EN-1 states that there should be a presumption in favour of granting consent for energy NSIPs. This should be applied unless more specific and relevant policies are laid out and clearly state that the consent should be refused.

2.2.6. Paragraph 4.1.3 of NPS EN-1 states that in weighing adverse impacts against benefits, the decision-maker should take into account the positive benefits of energy NSIPs, especially job creation and meeting the need for energy infrastructure. Adverse impacts to be taken into account should include long-term or cumulative adverse effects, and measures to avoid, reduce or compensate for adverse impacts. Paragraph 4.1.4 further states that the environmental, social and economic benefits and adverse impacts should be taken into account at national, regional and local levels.

Environmental Statement

2.2.7. Paragraph 4.2.1 explains that any proposal which is subject to the European Environmental Impact Assessment Directive must be accompanied by an Environmental Statement which provides an assessment of the likely effects of the proposal on the surrounding environment. Paragraphs 4.2.2 to 4.2.11 provide detailed guidance on the required scope and content of the ES and its approach to assessment, including how proposed mitigation and cumulative effects should also be taken into account.

Habitats and Species Regulations

2.2.8. Paragraph 4.3.1 requires that the Habitats and Species Regulations must be considered for developments which have significant effects on European sites or sites under similar protections, with an Appropriate Assessment carried out and provided to the decision-maker where required.

Alternatives

2.2.9. NPS-EN1 does not set a policy requirement to consider alternatives or establish that the proposed scheme is the best option, deferring instead to existing law on the matter (paragraph 4.4.1), The applicant however is obliged to include information in the ES on the main alternatives that have been studied and to indicate the main reasons for the choices that were made. It is further noted that specific legislative requirements may apply which require consideration of alternatives, or within policy via technology specific NPS.

2.2.10. Paragraph 4.4.3 sets detailed principles for the decision-maker on deciding the weight to apply when considering the matter of alternatives.

Good design

2.2.11. Paragraph 4.5.1 of NPS EN-1 explains that to apply good design, energy projects should produce sustainable infrastructure that is sensitive to place, efficient in the use of natural resources and matches the natural aesthetic. The limitation of much energy infrastructure to contribute to enhancing the quality of an area is recognised however, given the nature of such development.

2.2.12. Paragraph 4.5.2 of NPS EN-1 sets out that many policy objectives of the NPS can be met through good design, whilst Paragraph 4.5.4 requires that applicants can demonstrate how the design proves was conducted and how the design evolved within their application. The ultimate purpose of the infrastructure and factors such as operational, safety and security requirements should be taken into account in considering the design.

Climate change

2.2.13. Paragraph 4.8.5 of the NPS EN-1 states that applicants must consider the impacts of climate change when planning the location, design, build, operation and decommissioning of new energy infrastructure. The projected impacts of climate change should be considered in the ES, with appropriate adaptation or mitigation measures identified.

Grid connection

2.2.14. Paragraph 4.9.1 of the NPS EN-1 states that the applicant should ensure that there is necessary infrastructure and capacity within the distribution network to accommodate the electricity generated. Where the applicant does not have a secured or agreed grid connection at time of application, it should be demonstrated that a grid connection is possible.

Pollution control and other environmental regulatory regimes; Safety; Hazardous substances; Health; Common law nuisance and statutory nuisance; Security

2.2.15. Parts 4.10-4.15 of the NPS EN-1 refer to the need for applicants to consider the requirements of other environmental regulatory regimes in designing and implementing their proposed development. These Parts direct the applicant to the relevant regulatory framework and statutory regulator, advising that the relevant other consents, licenses and legal requirements will be expected to be sought and complied with where appropriate and relevant to the project. The IPC (now SoS) is required in some instances to consider the applicant's compliance with such regulations as part of the decision-making process for the DCO application.

Generic impacts

2.2.16. Part 5 of NPS EN-1 sets out policies relating to potential impacts arising from any types of energy infrastructure development or arising from at least two of the types of energy infrastructure covered in the suite of energy NPS. It sets out how these impacts are to be considered by both the applicant and the decision-maker in determining applications for development consent. The generic impacts relevant to the Proposed Development are summarised below.

Air quality and emissions

2.2.17. Paragraph 5.2.6 of the NPS EN-1 requires that if a project is likely to have adverse effects on air quality, the applicant should undertake an assessment of the impacts as part of the ES. Paragraph 5.2.10 states that if a project would lead to non-compliance with statutory air quality limits, development consent should be refused.

Biodiversity

2.2.18. Paragraph 5.3.3 of NPS EN-1 states that, where subject to an EIA, the ES for a development must set out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. Environmental information should be provided proportionate to the infrastructure where an EIA is not required. Paragraph 5.3.4 states that the applicant should show how the project conserves and enhances biodiversity and geological conservation interests.

2.2.19. Paragraph 5.3.7 directs development to avoid significant harm to biodiversity ad geological conservation interests, with mitigation and consideration of reasonable alternatives. Appropriate compensation can be sought where significant harm cannot be avoided.

2.2.20. Paragraphs 5.3.9 – 5.3.14 set out how different ecological designations and classifications, such as international sites and ancient woodland, should be considered in the decision-making process. Furthermore, paragraph 5.3.17 states that species and habitats under statutory protection should be protected, with consent refused where harm would not be outweighed by benefits.

2.2.21. Paragraph 5.3.15 states that opportunities to build-in beneficial biodiversity or geological features in and around development should be maximised, through requirements or planning obligations.

2.2.22. Paragraphs 5.3.18 – 5.3.19 state that appropriate mitigation measures should be an integral part of the Proposed Development, and if this cannot be demonstrated then the IPC (now SoS) should consider what requirements or planning obligations should be attached.

Civil and military aviation and defence interests

2.2.23. Paragraphs 5.4.10 – 5.4.11 of the NPS EN-1 requires that where a proposed development may have an effect on civil or military aviation or other defence interests, an assessment of potential effects should be set out in the ES, and that the relevant statutory bodies and operators should be consulted. In decision-making, paragraph 5.4.14 states that the IPC (now SoS) should be satisfied that the proposal is designed to minimise impacts on operation and safety, with reasonable mitigation carried out. Paragraph 5.4.17 sets out circumstances under which development consent may be refused due to adverse impacts on aerodromes or military/defence interests.

Dust, odour, artificial light, smoke, steam and insect infestation

2.2.24. Paragraphs 5.6.1 to 5.6.11 of NPS EN-1 require that where there is potential for insect infestation or emissions from dust, odour, artificial light, smoke or steam, an assessment should be provided in the ES. Mitigation measures should be secured where necessary, including through the use of requirements where appropriate.

Flood risk

2.2.25. Paragraph 5.7.4 of NPS EN-1 sets out that applications for energy projects of more than 1ha in Flood Zone 1, and all applications in Flood Zones 2 and 3 require a flood risk assessment (FRA). Paragraph 5.7.5 sets out the minimum requirements for FRAs.

2.2.26. Paragraph 5.7.7 sets out that projects affected by flood risk should hold pre-application discussions with the EA and other relevant bodies.

2.2.27. Under Paragraph 5.7.9, the IPC (now SoS) should be satisfied when determining an application that there is an appropriate FRA; the Sequential Test has been applied as part of site selection and a sequential approach applied at site level; the proposal accords with national and local flood risk strategy; priority has been given to the use of SuDS; and, in flood risk areas the project is appropriately flood resilient and resistant. Paragraphs 5.7.13 – 5.7.17 detail the Sequential and Exception Tests.

2.2.28. Paragraph 5.7.10 states that the IPC (now SoS) will need to be satisfied the proposed drainage system complies with any national standards, with provision of SuDS where appropriate that includes secured future maintenance.

2.2.29. Paragraphs 5.7.18 – 5.7.25 detail the mitigation required to manage flood risk.This includes storing or conveying excess surface water from the site without adverse impacts in case of an event that exceeds the capacity of the drainage system and ensuring that volumes and peak flow rates are no greater than prior to the Proposed Development. Essential energy infrastructure should remain operational when floods occur, and Flood Warning and evacuation plans should be in place.

Historic environment

2.2.30. Paragraphs 5.8.8 to 5.8.10 of NPS EN-1 require that as part of the ES the applicant should describe the significance of heritage assets and their setting affected by the Proposed Development. Heritage assets must be assessed, and the relevant Historic Environment Record consulted. Desk-based assessment, and field evaluation where necessary, must be carried out if the site may include heritage assets with an archaeological interest.

2.2.31. Paragraphs 5.8.11 – 5.8.13 state that when considering applications, the IPC (now SoS) must identify and assess the significance of any heritage asset which may be affected. The IPC (now SoS) must also account for the desirability of sustaining and enhancing heritage assets, including new development contributing to the character and local distinctiveness of the historic environment.

2.2.32. Paragraphs 5.8.14 – 5.8.18 state that there should be presumption in favour of conservation of designated heritage assets, with justification of any loss. Conditions or obligations may be used to prevent loss occurring until it is certain the relevant part of the development is to proceed, any applications which make a positive contribution to an asset should be treated favourably.

2.2.33. The IPC (now SoS) may require the developer to record, publish and archive information about heritage assets, for work to be carried out in accordance with a scheme of investigation, and for procedures to be in place for the identification and treatment of heritage assets discovered during construction (paragraphs 5.8.20 – 5.8.22).

Landscape and visual

2.2.34. Paragraphs 5.9.5 – 5.9.7 of NPS EN-1 state that the applicant should carry out a landscape and visual assessment and report it in the ES. This should include reference to any landscape character assessment and associated studies, and account for any relevant local policies. The assessment should include the effects of construction, the completed development and its operation on landscape components and character, as well as the visibility and conspicuousness during construction and of the completed project on views and visual amenity, including light pollution.

2.2.35. Paragraphs 5.9.14 – 5.9.17 of NPS EN-1 consider how decisions should take into account local landscapes, stating that whilst highly valued locally, local landscape designations should not be used in themselves to refuse consent. Rather, the IPC (now SoS) should judge whether any adverse impact on the landscape is offset by the benefits and need of the project, including whether this impact will be temporary or can be reversed. Consideration should be taken as to whether the project has been designed to minimise and mitigate harm to the landscape.

2.2.36. It is further stated that the IPC (now SoS) should judge whether the visual effects on sensitive receptors outweigh the benefits of the project. The applicant should attention to similar examples of existing permitted infrastructure (paragraphs 5.9.18 – 5.9.19).

2.2.37. Paragraph 5.9.21 states that in some instances, significant benefits of landscape and visual mitigation may warrant a small reduction in function of the project.

2.2.38. Paragraphs 5.9.22 – 5.9.23 emphasise the importance of materials, design and off-site landscape in impacting adverse landscape and visual effects.

Land use, including open space, green infrastructure and Green Belt

2.2.39. Paragraph 5.1.0.5 of NPS EN-1 requires that the ES identifies existing and proposed land uses near the project, and the effect of the proposed project replacing this or preventing a development or use on a neighbouring site from continuing. Paragraph 5.10.6 states that applicants must consult the local community on proposals to build on open space, sports or recreational buildings and land, and may need to make new or additional provision of open space, or provide an assessment that the existing space is surplus to requirements.

2.2.40. Paragraph 5.10.14 states that the IPC (now SoS) should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been made (by the LPA or independently) that this is surplus to requirements, or if the benefits of the scheme outweigh the potential loss, including need and proposals to provide new, improved or compensatory land or facilities. Playing fields can only be developed should the applicant replace them with h facilities of equivalent or better quantity or quality in a suitable location

2.2.41. Under paragraph 5.10.8 of NPS EN-1, applicants should minimise impacts on grades 1, 2 and 3a agricultural land of the Agricultural Land Classification, instead using poorer quality grades (3b, 4 and 5). The impacts on soil quality should be identified and minimised, and on previously developed land the risk of land contamination should be considered.

2.2.42. Paragraph 5.10.9 states that applicants should safeguard mineral resources, considering the long-term potential of the site after decommissioning. The IPC (now SoS) needs to ensure appropriate mitigation measures are in place to safeguard mineral resources if there is an impact in a Mineral Safeguarding Area (paragraph 5.10.22).

2.2.43. Paragraphs 5.10.10 – 5.10.12 set out that although there is a general presumption against inappropriate development in the Green Belt, infilling or redevelopment of major developed sites in the Green Belt may be suitable for energy infrastructure, and certain types of energy infrastructure such as underground pipelines may be "engineering operations" and not building, and so not inappropriate in this location. Some physical characteristics may have no adverse effects conflicting with the purpose of the Green Belt. Under paragraph 5.10.17, the IPC (now SoS) should only allow development in the Green Belt if there are very special circumstances, which exist when the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. Substantial weight will be attached to harm to the Green Belt.

2.2.44. Under paragraph 5.10.13, should a project conflict with a proposal in a development plan, the stage at which the document is progressing will vary on the weight given to it, with plans closer to adoption being given more weight.

2.2.45. Paragraph 5.10.19 states the applicant should seek to mitigate the effects on the existing land use of a site, and the existing or planned use of nearby site. If the project would have a sterilising effect on land use, this could be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas (paragraph 5.10.23).

2.2.46. Paragraph 5.10.20 states that the IPC (now SoS) may impose conditions to ensure the connectivity of the green infrastructure network, mitigate any adverse impact on this and, where appropriate, require improvements. Planning obligations may also be used to mitigate adverse effects on green infrastructure, for example exchange land and provide for appropriate management and maintenance agreements (paragraph 5.10.21).

2.2.47. Paragraph 5.10.24 requires the applicant to mitigate any adverse effects on National Trails and other rights of way, and the IPC (now SoS) may attach these requirements to a grant of consent.

Noise and vibration

2.2.48. Paragraphs 5.11.4 to 5.11.6 of NPS EN-1 sets out the relevant aspects to be included in a noise assessment if noise impacts are likely to arise from development. Paragraph 5.11.7 directs the applicant to consult the EA and Natural England as necessary and in particular with regard to assessment of noise on protected species or other wildlife.

2.2.49. Paragraph 5.11.8 directs that the IPC (now SoS) should judge whether the project demonstrates good design through use of the quietest cost-efficient plant available, containment of noise within buildings where possible, optimisation of plant layout to minimise noise emissions, and use of landscaping, bunds or noise barriers to reduce noise transmission.

2.2.50. Paragraph 5.11.9 states that the IPC (now SoS) should not grant consent unless the proposals avoid significant adverse impacts on health and quality of life from noise, minimise and mitigate other impacts, and where possible, contribute to improvements to health and quality of life through the effective management and control of noise.

2.2.51. Paragraphs 5.11.10 to 5.11.13 suggest the IPC (now SoS) considers measurable requirements or specifying mitigation measures in the development consent order to ensure that noise levels do not exceed any limits specified in the development consent. The IPC (now SoS) can impose noise mitigation measures over and above those included in the project application, including improved sound insulation in dwellings (paragraph 5.11.13).

Socio-economic

2.2.52. Paragraphs 5.12.2 to 5.12.5 of NPS EN-1 set out how the applicant should undertake an assessment of socio-economic impacts if the project is likely to have such impacts at local or regional levels.

2.2.53. Under paragraph 5.12.6, the IPC (now SoS) is directed to have regard to potential socio-economic impacts, however limited weight may be given where such identified impacts are not supported by evidence (paragraph 5.12.7).

2.2.54. Relevant positive provisions from a developer to mitigate socioeconomic impacts, such as planning obligations, or through legacy benefits, should also be taken into account by the IPC (now SoS) (paragraph 5.12.8).

Traffic and transport

2.2.55. Paragraph 5.13.3 of NPS EN-1 states that projects likely to have significant transport implicants must include a transport assessment within their ES, using the NATA/WebTAG methodology stipulated in Department for Transport guidance, or any successor guidance. Applicants should consult the Highways Agency (now National Highways) and Highways Authorities as appropriate on the assessment and mitigation (paragraph 5.13.3).

2.2.56. Paragraphs 5.13.4 to 5.13.5 require the applicant to provide a travel plan, where appropriate, including demand management measures and measures to improve access by public transport, walking and cycling. If additional transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-party benefits.

2.2.57. Paragraph 5.13.6 states that the IPC (now SoS) should ensure the applicant has mitigated impacts on the surrounding transport infrastructure. If the mitigation measures are insufficient, the IPC (now SoS) should consider requirements for mitigation, or suggest planning obligations. Development consent should not be withheld if the applicant is willing to enter into planning obligations or requirements can be imposed to mitigate transport impacts (paragraph 5.13.7).

2.2.58. Paragraphs 5.13.8 to 5.13.12 detail the approach that should be taken in considering mitigation for transport impacts, with demand management measures to be considered before new inland transport infrastructure is required. Additionally, water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective. Requirements may be attached to a consent by the IPC (now SoS) where there is likely to be substantial HGV traffic.

2.2.59. Paragraph 5.13.12 states that economic viability in relation to meeting transport obligations or requirements cannot in itself justify the relaxation of any obligations or requirements needed to secure the mitigation.

Waste management

2.2.60. Paragraphs 5.14.1 to 5.14.6 of NPS EN-1 set out the approach that should be taken to waste management in new energy developments, with sustainable waste management undertaken through the waste hierarchy, in which disposal of waste is the lowest priority. The applicant is directed to prepare a Site Waste Management Plan as part of the application and in general should seek to minimise the volume of waste produced and sent for disposal unless it can be demonstrated that it is the best overall environmental outcome.

2.2.61. Paragraphs 5.14.7 require that the IPC (now SoS) is satisfied that an effective system for waste management is proposed by the applicant and may use requirements or obligations to secure appropriate measures.

Water quality and resources

2.2.62. Paragraphs 5.15.2 to 5.15.3 of NPS EN-1 set out how an assessment of impacts of project on the water environment should be undertaken and reported in the ES, where it is likely that a project could have effects.

2.2.63. In paragraphs 5.15.4 to 5.15.10, it is recognised that separate pollution control regimes apply where activities result in discharge to the water environment, however the IPC (now SoS) should be satisfied that a proposal has had regard to River Basin Management Plans and meets the Water Framework Directive requirements. Where necessary, mitigation measures should be secured through requirements or planning obligations, and regard should be had to reducing risk of impacts through management plans and careful design of the proposal.

2.3. National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) [2]

2.3.1. NPS EN-3 was designated in 2011 and is a technology-specific NPS, focusing on renewable energy generation projects. It is therefore to be considered alongside NPS EN-1 as the primary policy basis for decisions on renewable energy infrastructure DCO applications. However, it specifies that it relates to energy from biomass/waste, offshore wind and onshore wind technology. It therefore does not directly apply to solar NSIP schemes, which is a technology not covered by the 2011 suite of NPS. As the most relevant technology-specific energy NPS however, NPS EN-3 remains a relevant and important consideration in the decision-making process.

2.3.2. The majority of assessment principles of NPS EN-3 are technology specific and therefore of limited relevance to the Proposed Development. However, paragraph 2.3.5 reiterates the need set out in NPS EN-1 for applicants to undertake an assessment of climate change resilience in the ES.

2.3.3. Part 2.4 of NPS EN-3 states that proposals for renewable energy should demonstrate good design in respect of landscape and visual amenity, and should seek through design to mitigate impacts such as noise and effects on ecology.

2.4. National Policy Statement for Electricity Network Infrastructure (NPS EN-5) [3]

2.4.1. NPS EN-5 was designated in 2011 and is a technology-specific NPS, focusing on infrastructure for electricity networks, to include transmissions systems (above or underground) and associated infrastructure such as substations and converter stations. It is therefore to be considered alongside NPS EN-1 as the primary policy basis for decisions on electricity network infrastructure DCO applications. It is an important and relevant consideration for the Proposed Development due to the inclusion of electricity network infrastructure (underground cables and an on-site substation) within the project.

2.4.2. NPS EN-5 sets out assessment principles for electricity network infrastructure, with a predominant focus on overhead lines. Those relevant to the Proposed Development are summarised below.

Site selection

2.4.3. Paragraphs 2.2.1 to 2.2.6 of NPS EN-5 relate to site selection and land ownership, identifying that the general location of electricity networks projects is often determined by the location of generating infrastructure, however it is not the case that connecting infrastructure must always take the most direct route as environmental and engineering factors should be taken into account by the applicant. Land ownership options are also identified as a potential factor for electricity companies when considering various routes for infrastructure.

Climate change adaptation

2.4.4. Part 2.4 of NPS EN-5 reiterates the need for resilience of new energy network infrastructure to climate change to be assessed and taken into account by the applicant, particularly in relation to flooding, wind/storms, higher average temperatures and earth movement or subsidence.

2.5. Draft Overarching National Policy Statement for Energy (NPS EN-1) (March 2023) [8]

2.5.1. The most recent draft NPS EN-1 was published in 2023 and provides an update on the overarching policy for energy NSIPs, with technology-specific policy remaining within the wider suite of energy NPS. The key changes in comparison to the 2011 NPS EN-1, of relevance to the Proposed Development, are summarised below:

Government policy and the need for new energy NSIPs

2.5.2. Chapter 2 of draft NPS EN-1 is substantially updated to reflect the current national policy and legislative position on energy infrastructure development, including the legally binding commitment made through the Climate Change Act 2008 (2050 Target Amendment) Order 2019 to be net zero by 2050. Emphasis is made on decarbonising the power sector and ensuring security of energy supply, with reference to the Net Zero Strategy.

2.5.3. Section 3.3 of draft NPS EN-1 sets out an updated needs case for new electricity NSIPs, with emphasis on affordability of decarbonisation and the potential of alternative technologies and a diversity of infrastructure (to include storage and interconnectors) in delivering the required supply.

2.5.4. Paragraphs 3.3.18 to 3.3.22 highlight the role of wind and solar in increasing generating capacity, as a lowest cost option likely to dominate a secure, reliable and net zero system by 2050. The need to supplement this with other technologies is highlighted.

Environmental principles

2.5.5. Paragraph 4.2.9 reconfirms the position in NPS EN-1 that there is no general policy requirement in the energy NPS to consider alternatives or establish that a proposed project represents the best option from a policy perspective. Rather the relevance of alternatives to the decision-making process is a matter of law, with specific requirements in relation to compulsory acquisition and HRA sites.

2.5.6. Paragraph 4.2.28 refers to the 13 legally binding targets for England as set by the Government through the Environment Act 2021, requiring that the SoS has regard to its duties in relation to these targets and the policies within the Government's Environmental Improvement Plan.

Environmental and Biodiversity Net Gain

2.5.7. A new section at 4.5 of the draft NPS EN-1 requires that applicants seek to go beyond mitigation to identify opportunities for enhancement and to deliver biodiversity, and wider environmental, net gains. Applicants are encouraged to use the most current Defra biodiversity metric to calculate the baseline and biodiversity net gain outcomes and report it in their application. Paragraph 4.5.5 recommends that the data is shared with the LPA and Natural England at the pre-application stage to highlight any biodiversity and wider environmental issues and avoid later delay related to resolving such issues.

2.5.8. Paragraphs 4.5.9 – 4.5.10 set out that BNG can be delivered onsite or wholly, or partially, off-site. Delivery of off-site BNG should be set out in the DCO application and should carried out in a manner that best contributes to achieving wider strategic outcomes such as increasing habitat connectivity. The applicant is directed to refer to relevant national or local plans/strategies informing the off-site BNG delivery, such as the Local Nature Recovery Strategy (LNRS) if published.

2.5.9. Applicants should also provide a statement demonstrating how wider environmental net gains have been considered and where appropriate included in the design. Applicants are directed through paragraph 4.5.11 to take a holistic approach to delivering wider environmental gains and benefits through nature-based solutions and green infrastructure.

Good design

2.5.10. Paragraph 4.6.8 of the draft NPS EN-1 suggests that applicants consider taking independent professional advice on the design aspects of a proposal, including asking the Design Council to provide a design review, and considering design guidance developed by the relevant LPA.

Greenhouse gas emissions

2.5.11. A new section at 5.3 of the draft NPS EN-1 on greenhouse gas (GHG) emissions requires that all applications should include a carbon assessment as part of the ES. Paragraph 5.3.4 provides details on what this assessment should include. Paragraphs 5.3.5 to 5.3.10 direct the SoS to be satisfied that all reasonable steps have been taken to reduce GHG emissions, however makes clear that individual applications should not be assessed against contributions to carbon budgets, net zero and international climate commitments. Embedded measures to mitigate or offset GHG emissions should be utilised by applicants, and a GHG Reduction Strategy may be secured via requirement.

Biodiversity and geological conservation

2.5.12. Section 5.4 of the draft NPS EN-1 provides greater emphasis on the conservation of biodiversity and geological conservation in line with recent policy such as the Environmental Improvement Plan, Biodiversity 2020, the National Pollinator Strategy and the UK Marine Strategy, reflecting the increased ambition for protection and enhancement of ecological networks, within the context of climate change. Greater emphasis is given on the value of local wildlife sites and on the requirement for applicants to maximise opportunities for enhancement to biodiversity. It is suggested that applicants produce a Biodiversity Management Strategy, as well as a Geodiversity Management Strategy where appropriate.

2.5.13. Paragraphs 5.4.23 to 5.4.29 update the position on HRA, recommending that applicants seek advice of the appropriate SNCB and provide the SoS with such information as reasonably required to determine if an Appropriate Assessment is required. If, during the pre-application stage, the SNCB indicate that the Proposed Development is likely to adversely impact the integrity of a HRA site, the applicant must provide information sufficient to assess a potential derogation, including an assessment of alternative options, a case for Imperative Reasons of Overriding Public Interest (IROPI) and appropriate environmental compensation. It is identified as 'vital' that applicants consider the need for compensation as early as possible in the design process to avoid delays to consenting and that the views of the SNCB on the compensation plan should be sought prior to application.

2.5.14. Paragraph 5.4.52 requires that the SoS refuse consent for development resulting in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Flood risk

2.5.15. Paragraph 5.8.12 of the draft NPS EN-1 states that development should be designed to ensure there is no increase in flood risk elsewhere, taking into account the predicted impacts of climate change through the lifetime of the development. It requires that mitigation measures make as much use as possible of natural flood management techniques.

Historic Environment

2.5.16. Section 5.9 of the draft NPS EN-1 provides greater detail on how the historic environment should be assessed and taken into account, including consideration of the setting of heritage assets. Greater guidance is also provided for the SoS in the balancing of weight when considering harm to assets in comparison to benefits of a project. Paragraph 5.9.9 refers to the need for consideration of impacts, including cumulative, on the wider historic environment.

Landscape and visual

2.5.17. Paragraph 5.10.17 of the draft NPS EN-1 recommends that landscape and visual matters are considered in the early stages of siting and design, to demonstrate how negative effects have been minimised and opportunities for positive benefits or enhancement have been recognised. 5.10.19 requires noise and light pollution impacts on residential amenity, sensitive locations, receptors and views to be taken into account in the landscape and visual assessment.

Traffic and transport

2.5.18. Paragraph 5.14.21 of the draft NPS EN-1 clarifies that the SoS should only consider refusing development on highways grounds if there is an unacceptable impact on highway safety, severe residual cumulative impacts on the road network or the application does not show how consideration has been given to provision of adequate active public or shared transport access and provision.

Resource and waste management

2.5.19. Under Section 5.15 of the draft NPS EN-1, applicants are encouraged to source recycled or reused materials, using low carbon materials and sustainable/local suppliers where possible. Recycling or reuse of materials on site is encouraged where possible via best practice construction.

2.6. Draft National Policy Statement for Renewable Energy Infrastrucutre (draft NPS EN-3) (March 2023) [9]

2.6.1. The most recent draft NPS EN-3 was published in 2023 and continues to relate specifically to renewable energy technologies. In a change particularly relevant to the Proposed Development, it introduces a new section (section 3.10) on solar NSIP development and includes specific impacts to be considered for solar NSIP applications.

2.6.2. Paragraphs 3.10.1 to 3.10.8 emphasise the role of solar in delivering energy security, with a fivefold increase in solar deployment expected by 2035 and Government support for solar co-located with other functions such as agriculture and storage. It is identified that solar NSIPs are typically of large scale between 125-200 acres and whilst this may change as technology evolves, impacts of such a scale of development are inevitable and developers are expected to consider NPS EN-1 criteria for good design at an early stage. The following impacts are specifically considered by draft NPS EN-3:

Site selection

2.6.3. The draft NPS EN-3 identifies the factors that will influence site selection by an application, namely irradiance; proximity to dwellings; capacity; grid connection; agricultural land classification; and, accessibility. Paragraph 3.10.10 explains that applicants may choose a site and design its layout with variable panel aspects and arrays to follow the movement of the sun to maximise the solar resource.

2.6.4. Paragraphs 3.10.12 to 3.10.18 state that solar projects should aim to use previously developed brownfield land for development, or agricultural land of classification 3b, 4 and 5 to avoid 'best and most versatile' land. Whilst siting on ALC of Grade 1, 2 or 3a is not prohibited, applicants are required to explain their siting choice within the context of a preference for brownfield or non-agricultural land. It is required that the Agricultural Land Classification is used to establish the ALC of a site and a Soil Resources Management Plan should be developed and implemented to minimise adverse impacts on soil health or potential contamination.

2.6.5. Under paragraphs 3.10.19 to 3.10.23, applicants are required to consider the suitability of access routes to sites for construction and operation of the solar farm, particularly given the general siting of solar farms in rural areas. Applications should include the full extent of access routes required for operation and maintenance and consideration of their effects.

2.6.6. Paragraphs 3.10.25 to 3.10.30 refer to how public rights of way should be considered within solar development. Applicants are encouraged to ensure the continued use of public rights of way within the design of the Proposed Development, consider and maximise opportunities for enhancement and minimise the visual outlook from existing public rights of way. An outline Public Rights of Way Management Plan should be provided with the application.

2.6.7. Paragraph 3.10.31 requires that the visual impact of security measures is assessed, as well as impacts on local residents, such as in relation to CCTV and light pollution.

2.6.8. Paragraph 3.10.48 requires that where an applicant sites a solar farm based on grid connection capacity, consideration to cumulative impacts of proximity to other energy generating infrastructure should be given.

Technical considerations for the SoS

2.6.9. Paragraphs 3.10.40 to 3.10.63 of the draft NPS EN-3 sets out technical considerations to be taken into account by the SoS in determining applications. It requires that applicants include the following within their application:

- measure capacity of the site in AC, based on the maximum combined capacity of the installed inverters;
- consider the criteria for good design set out in EN-1;

- consider the design life of solar panel efficiency over time when determining the period for which consent is required;
- provide a method statement of underground cabling;
- set out what would be decommissioned and removed at the end of the operational period; and,
- set out the range of options where aspects of the proposal are not settled in precise detail at time of application.

Biodiversity and nature conservation

2.6.10. Paragraphs 3.10.64 to 3.10.83 set out how biodiversity and nature conservation should be assessed and mitigated in solar farm development.

2.6.11. They set out that applicants' ecological assessments should identify the ecological risks of developing the chosen site and they should consider the earthworks associated with the construction, road access and cable trenching involved. It states that the applicant's assessment should consider how security and lighting will impact the local landscape- CCTV mounting pole location should be considered and lighting to be directed away from any likely habitat. This assessment should consider how site boundaries are managed as well as including a flood risk assessment to fully consider the impacts to the local character and landscape.

2.6.12. Paragraph 3.10.77 recognises the potential of solar farms to increase biodiversity value of a site and paragraph 3.10.78 requires that projects in England consider enhancement, management and monitoring of biodiversity in line with the Environmental Improvement Plan and any other relevant measures and targets.

2.6.13. Paragraph 3.10.80 requires that applicants consider the need for geotechnical or hydrological information. Paragraphs 3.10.119 – 3.10.121 set out the mitigation and monitoring measures applicants should consider to mitigate impacts on biodiversity.

Landscape, visual and residential amenity

2.6.14. Paragraph 3.10.85 of draft NPS EN-3 requires that within the applicant's environmental statement, a landscape and visual impact assessment should be carried out with visualisations to demonstrate the effects of the solar farm on the surrounding heritage assets and nearby residential areas/viewpoints. Under paragraphs 3.10.86 – 3.10.88, considerable effort is expected to be directed towards minimising the visual/landscape impact of solar PV arrays, and the retention and protection of trees and hedges should be included wherever possible.

2.6.15. Paragraphs 3.10.122 to 3.10.124 identify the mitigation measures to be considered by applicants such as screening with native hedges and trees, minimising the height and use of security fencing and minimising the use of security lighting.

Glint and glare

2.6.16. Paragraphs 3.10-90 to 3.10.94 state that applicants should map receptors to qualitatively identify potential glint and glare issues and determine if an assessment if required as part of the application. The extent of this assessment will depend on the specific project site and design.

2.6.17. Paragraphs 3.10.125 to 3.10.127 suggest applicants consider anti-glare/anti-reflective coating for solar panels, use of screening or adjusting the azimuth angle to reduce glint and glare issues.

Cultural heritage

2.6.18. Paragraphs 3.10.95 to 3.10.107 of draft NPS EN-3 outlines the potential impacts of solar farms on the historic environment, both above ground and below ground. It is expected that the applicant's assessment is informed by a consultation with the Historic Environment Record, and that desk-based assessment and field evaluation are undertaken as appropriate. If trial trenching is required, it should be proportionate to the sensitivity of the study area.

2.6.19. In terms of design and mitigation, applicants should seek to conserve heritage assets and their settings, including undertaking visualisations to inform the assessment of effects. For archaeological resources, paragraph 3.10.139 states that micrositing specific elements during the construction phase may assist in reducing risk of damage to assets.

Construction including traffic, transport noise and vibration

2.6.20. Whilst NPS EN-1 considers general transport and traffic impacts, draft NPS EN-3 paragraphs 3.10.111 to 3.10.117 identify specific considerations for solar development, particularly within the context of often being located in rural areas with a minor road network. It requires that the applicant considers the various potential routes to the site for delivery of materials and construction, and how suitable the roads are, with any modifications required identified and addressed in the ES. Cumulative impacts must also be taken into account where likely due to multiple energy infrastructure developments; this may require close working and coordination amongst various projects during construction to ensure disruption to local communities is minimised. (paragraph 3.10.132). Paragraph 3.10.134 states that planning obligations may be required to secure measures such as restoration of roads and verges.

2.7. Draft National Policy Statement for Electricity Network Infrastructure (draft NPS EN-5) (March 2023) [10]

2.7.1. The most recent version of draft NPS EN-5 was published in 2023 and whilst broadly similar to the 2011 publication, it provides some updates to assessment principles and some new sections (some of which relate primarily to overhead lines). Those of relevance to the Proposed Development are as follows:

Site selection

2.7.2. Paragraphs 2.2.1 to 2.2.11 set out that whilst initiating and terminating points new electricity networks infrastructure may be constrained by system capacity and the location of generating infrastructure, the applicant has a duty to carefully consider the location of infrastructure within a site, taking into account principles of good design and impact mitigation. For example, it is not necessary for a electricity line to always take the most direct route, and the location of substations can be carefully considered to take into account local landscape and screening potential.

Good design

2.7.3. Paragraphs 2.4.1-2.4.4.2 of draft NPS EN-5 refer to the good design criteria of NPS EN-1. However, it is noted that electricity networks infrastructure should be safe and secure in the first instance, and this may limit the applicant's ability to influence the aesthetic appearance.

Environmental and Biodiversity Net Gain

2.7.4. Paragraph 2.5.1 highlights the opportunities afforded by electricity networks infrastructure to reconnect important habitats via green corridors and connect people to the environment via footpaths etc constructed in tandem with biodiversity enhancements.

Land rights and land interests

2.7.5. Paragraphs 2.6.1 to 2.6.6 refer to the options available to an applicant in securing land access to install, maintain or remove new electricity networks infrastructure. This may be through ownership or having appropriate rights, through voluntary agreement or the seeking of compulsory acquisition.

2.8. National Planning Policy Framework (NPPF) (July 2021) [4]

2.8.1. The NPPF sets out the Government's planning policies for England and how they should be applied. It does not currently contain any specific policies for NSIPs. Paragraph 5 states that NSIPs are determined by the framework set out in the Planning Act 2008 and the relevant NPS.

2.8.2. Sustainable development, described in paragraphs 7 and 8 of the NPPF, has three main objectives (social, economic, and environmental) in order to meet the need of today's society without compromising the ability of future generations to do the same. Sustainable development is to be positively promoted in the planning framework through 'the presumption in favour of sustainable development' set out in paragraphs 10 and 11.

2.8.3. Section 8 of the NPPF seeks to promote healthy and safe communities. Paragraph100 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

2.8.4. Paragraph 119 explains that decisions should be made in the interest of promoting the most effective use of land, while seeking to safeguard and improve the environment and ensure safe and healthy living conditions.

2.8.5. In order to tackle climate change, paragraph 152 states that the planning system should support the transition to a low carbon future by encouraging radical reductions in greenhouse gas emissions and supporting renewable and low carbon energy alternatives.

2.8.6. Paragraph 158 states that local planning authorities faced with applications for renewable energy developments should not require applicants to demonstrate the need for the renewable energy, approving the application if its impacts are acceptable.

2.8.7. Paragraph 174 of the NPPF says that decisions should contribute and enhance the natural and local environment by recognising and embodying the local character as well as protecting sites of biodiversity. Net gains should be sought for biodiversity, whilst new and existing development should be prevented from contributing to, or being put at unacceptable risk from, sources of pollution or land instability.

2.8.8. Paragraph 180 sets out that if significant harm to biodiversity through development cannot be avoided, mitigated or compensated for, planning permission should be refused.

2.8.9. Paragraph 189 of the NPPF explains that heritage assets should be conserved in a manner appropriate to their significance. Paragraphs 199 to 204 set out how impacts to heritage assets should be considered in decision-making, such that harm to assets should be clearly justified and only found acceptable where public benefits demonstrably outweigh that harm.

3. Local Planning Policy

3.1. Introduction

3.1.1. This section provides a summary of the local planning policies which are relevant to the Proposed Development. It first identifies the adopted and emerging local plan documents or supporting guidance for each local authority, before listing the relevant policies within those documents.

3.2. Darlington Borough Council

3.2.1. The relevant planning documents for Darlington Borough Council are as follows:

- The Local Plan (2015-2036), adopted in February 2022.
- Tees Valley Joint Minerals and Waste Development Plan Documents (DPD), adopted 2011. This is a Joint Plan with four other LPAs grouped as 'Tees Valley', which are: Hartlepool; Middlesborough; Redcar and Cleveland; and, Stockton-on-Tees. The Joint Minerals and Waste DPD comprises three documents:

  Tees Valley Joint Minerals and Waste DPD – Core Strategy

  Tees Valley Joint Minerals and Waste DPD – Policies and Sites

  Tees Valley Joint Minerals and Waste DPD – Safeguarding Areas
- Design Supplementary Planning Document (SPD) (2011)
- Planning Obligations SPD (2011)
- Two further SPDs are in development to create design codes for two new garden villages.

3.3. Stockton-on-Tees Borough Council

3.3.1. The relevant planning documents for Stockton-on-Tees Borough Council are as follows:

- Local Plan (adopted January 2019)
- Tees Valley Joint Minerals and Waste Development Plan Documents (DPD), adopted 2011. As mentioned above in relation to Darlington Borough Council, this is a joint plan with 4 LPAs comprising of three documents.
- Sustainable Design Guide SPD (2011)
- Planning Obligations SPD (2008)
- Conservation Areas and Historic Environment SPD (2006)
- Open Space, Recreation and Landscaping SPD (2009, updated in 2014)

3.4. Durham County Council

3.4.1. The relevant planning policy documents for Durham County Council are as follows:

- County Durham Plan (adopted October 2020).
- 15 'saved' Minerals Local Plan (adopted 2000) policies and 13 'saved' Waste Local Plan (adopted 2005) policies which continue to form part of the development plan.
- A Minerals and Waste Policies and Allocation Document is in development and was most recently consulted upon in January 2023.
- There are 9 adopted neighbourhood plans in County Durham. Sedgefield Neighbourhood Plan (2019) and Great Aycliffe Neighbourhood Plan (2017) are of closest proximity to the scheme, however are not within the Site Area.
- There are two SPDs adopted in County Durham, however as they relate to residential development they are not considered relevant.

3.5. Summary of relevant policies

3.5.1. The table below provides a summary of policies within the above listed plans and supporting documents which are relevant to the Proposed Development, focusing on those topics scoped into the EIA.

Table 3-1 List of relevant local planning policies

Topic	Policy Document	Policy Reference / Title
Climate Change	▪ Darlington Local Plan (2015-2036)	▪ DC1: Sustainable Design Principles and Climate Change
	▪ Stockton-on-Tees Borough Council Local Plan	▪ ENV1: Energy Efficiency ▪ ENV 2: Renewable and Low Carbon Energy Generation
	▪ Stockton-on-Tees Sustainable Design Guide SPD	▪ Section 5.2: Energy Generation and Renewable Technologies
	▪ County Durham Plan	▪ Policy 29: Sustainable Design
Biodiversity	▪ Darlington Local Plan (2015-2036)	▪ ENV4: Green and Blue Infrastructure ▪ ENV7: Biodiversity and Geodiversity and Development ▪ ENV8: Assessing a Development's Impact on Biodiversity
	▪ Stockton-on-Tees Borough Council Local Plan	▪ ENV5: Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity ▪ ENV6: Green Infrastructure, Open Space, Green Wedges and Agricultural Land
	▪ Stockton-on-Tees Sustainable Design Guide SPD	▪ Section 4.11: Green Infrastructure
	▪ County Durham Plan	▪ Policy 26: Green Infrastructure ▪ Policy 40: Trees, Woodlands and Hedges ▪ Policy 41: Biodiversity and Geodiversity ▪ Policy 42: Internationally Designated Sites ▪ Policy 43: Protected Species and Nationally and Locally Protected Sites
Landscape and Visual	▪ Darlington Local Plan (2015-2036)	▪ DC1: Sustainable Design Principles and Climate Change ▪ DC4: Safeguarding Amenity ▪ ENV3: Local Landscape Character ▪ IN9: Renewable Energy Infrastructure

Topic	Policy Document	Policy Reference / Title
	▪ Stockton-on-Tees Borough Council Local Plan	▪ ENV5: Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity ▪ SD5 - Natural, Built and Historic Environment ▪ SD8: Sustainable Design Principles ▪ HE2: Conserving and Enhancing Stockton's Heritage Assets
	▪ County Durham Plan	▪ Policy 29: Sustainable Design ▪ Policy 39: Landscape
Cultural Heritage	▪ Darlington Local Plan (2015-2036)	▪ ENV1: Protecting, Enhancing and Promoting Darlington's Historic Environment
	▪ Stockton-on-Tees Borough Council Local Plan	▪ SD5: Natural, Built and Historic Environment ▪ HE1: Conservation and Enjoyment of the Historic Environment ▪ HE2: Conserving and Enhancing Stockton's Heritage Assets
	▪ Stockton-on-Tees Conservation Areas and Historic Environment SPD	▪ Policy GP1: General Policy ▪ Policy EN24: New Development in a Conservation Area ▪ Policy EN28: Development which is likely to detract from the setting of a listed building ▪ Policy EN30: Areas of Archaeological Interest
	▪ County Durham Plan	▪ Policy 44: Historic Environment
Land use	▪ Darlington Local Plan (2015-2036)	▪ DC3: Health and Wellbeing ▪ DC5: Skills and Training ▪ E4: Economic Development in the Open Countryside ▪ IN1: Delivering a Sustainable Transport Network ▪ IN2: Improving Access and Accessibility ▪ Policy IN5: Airport Safety ▪ IN6: Utilities Infrastructure ▪ IN9: Renewable Energy Infrastructure
	▪ Tees Valley Joint Minerals and Waste DPD – Core Strategy	▪ MWC1: Minerals Strategy ▪ MWC6: Waste Strategy
	▪ Tees Valley Joint Minerals and Waste DPD – Policies and Sites	▪ Policy MWP1: Waste Audits
	▪ Stockton-on-Tees Borough Council Local Plan	▪ SD4: Economic Growth Strategy ▪ Policy EG5: Durham Tees Valley Airport ▪ EG7: Supporting Rural Economic Development ▪ TI1: Transport Infrastructure ▪ ENV 2: Renewable and Low Carbon Energy Generation
	▪ Stockton-on-Tees Sustainable Design Guide SPD	▪ Section 4.3: Connectivity
	▪ County Durham Plan	▪ Policy 6: Development on Unallocated Sites ▪ Policy 10: Development in the Countryside ▪ Policy 14: Best and Most Versatile Agricultural Land and Soil Resources ▪ Policy 48: Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites ▪ Policy 56: Safeguarding Mineral Resources

Topic	Policy Document	Policy Reference / Title
Hydrology	▪ Darlington Local Plan (2015-2036)	▪ Policy DC2: Flood Risk & Water Management ▪ Policy DC3: Health and Wellbeing ▪ Policy ENV4: Green and Blue Infrastructure
	▪ Darlington Design Supplementary Planning Document	▪ Section 6.8: Sustainable Drainage
	▪ Stockton-on-Tees Borough Council Local Plan	▪ Policy SD5: Natural, Built and Historic Environment ▪ Policy ENV4: Reducing and Mitigating Flood Risk ▪ Policy ENV7: Ground, Air, Water, Noise and Light Pollution
	▪ Stockton-on-Tees Sustainable Design Guide SPD	▪ Section 5.5: Water Efficiency and Sustainable Drainage
	▪ County Durham Plan	▪ Policy 35: Water Management
Noise and vibration	▪ Darlington Local Plan (2015-2036)	▪ Policy DC3: Health and Wellbeing ▪ Policy DC4: Safeguarding Amenity
	▪ Stockton-on-Tees Borough Council Local Plan	▪ Policy ENV7: Ground, Air, Water, Noise and Light Pollution
	▪ County Durham Plan	▪ Policy 31: Amenity and Pollution
Traffic and transport	▪ Darlington Local Plan (2015-2036)	▪ Policy IN1: Delivering a Sustainable Transport Network ▪ olicy IN3: Transport Assessments and Travel Plans ▪
	▪ Stockton-on-Tees Borough Council Local Plan	▪ Policy SD6: Transport and Infrastructure Strategy ▪ Policy TI1: Transport Infrastructure ▪ Policy TI2: Community Infrastructure ▪
	▪ County Durham Plan	▪ Policy 21: Delivering Sustainable Transport ▪ Policy 24: Provision of Transport Infrastructure
Cumulative Effects	▪ Darlington Local Plan (2015-2036)	▪ DC3: Health and Wellbeing
	▪ Stockton-on-Tees Borough Council Local Plan	▪ ENV7: Ground, Air, Water, Noise and Light Pollution
	▪ County Durham Plan	▪ Policy 31: Amenity and Pollution

4. Summary and next steps

4.1. Summary

4.1.1. This document has provided an overview of the planning policy framework relevant to the Proposed Development at both a national and local scale. A full assessment of the compliance of the Proposed Development with relevant planning policy will be provided in the DCO application, within a Planning Statement.

4.1.2. It is anticipated that the draft suite of energy NPS may be designated prior to the submission of the DCO application, impacting on the structure of the planning policy framework and the weight attributed to the policies of the draft NPS. Any such changes occurring before submission of the DCO application will be reflected in the Planning Statement and considered accordingly.

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