Awel y Môr Offshore Wind Farm

National Policy Statement Tracker

Deadline 1

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Offshore Wind Farm

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www.awelymor.cymru

RWE Renewables UK Swindon Limited

Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire SN5 6PB
T +44 (0)8456 720 090
www.rwe.com

Registered office:
RWE Renewables UK Swindon Limited
Windmill Hill Business Park
Whitehill Way
Swindon

Contents

1 Introduction

1.1 Purpose of this document

1 The statutory framework for determining applications for Development Consent for Nationally Significant Infrastructure Projects (NSIPs) such as Awel y Môr (AyM) is provided by the Planning Act 2008 (as amended). Section 104 of the Act confirms the matters the Secretary of State (SoS) must have regard to in decision making where a national policy statement (NPS) has effect, such as for AyM.

2 In deciding the application for Development Consent for AyM, the relevant NPSs to which the SoS must have regard in accordance with Sections 104(2) and 104(3) of the 2008 Act, are:

- Overarching National Policy Statement for Energy EN-1 (NPS EN-1) which sets out the Government's policy for the delivery of and the position in relation to the need for new Energy NSIPs, and the assessment principles and consideration generic impacts in relation to such projects.
- National Policy Statement for Renewable Energy Infrastructure EN3 (NPS EN-3) which covers technology specific matters including offshore wind; and
- National Policy Statement for Electricity Networks Infrastructure EN5 (NPS EN-5) which covers technology specific matters but mostly relates to the provision of overhead lines and as such, is of limited relevance as no new overhead lines are proposed as part of the AyM application.

3 The Applicant has provided information on AyM's accordance with the NPS (as well as other relevant plans and policies) in its Planning Statement (APP-298) and other application documents as set out in Sections1.2 and 1.3 below. However, the Applicant recognises the potential usefulness of an NPS tracker to assist the ExA in making its recommendation, and the Secretary of State (SoS) in making its determination on the application.

1.2 The Planning Statement

4 The Applicant submitted a Planning Statement (APP-298) as part of the AyM application to provide an overview of the scheme's compliance with relevant policy and to assist the ExA and SoS in their reviews of the application in the context of relevant planning policy.

5 The Planning Statement (APP-298) sets out the need for the scheme in the context of the NPS, as well as a planning assessment considering the relationship between AyM and the relevant NPS policies.

1.3 The Environmental Statement

6 The Applicant has provided a full Environmental Impact Assessment (EIA), reported in the Environmental Statement (ES) that accompanied the application, which includes Information on the relationship between AyM and the topic-specific planning policies outlined in the NPS.

7 As part of the EIA process, the scope of assessment work was undertaken in line with the NPS to ensure compliance. As set out in the Policy and Legislation chapter of the ES (APP-040), relevant issues in NPS EN-1, EN-3 and EN-5 were identified and assessed in detail within the policy sections of the topic-specific ES chapters (APP-048 to APP-060, and APP-063 to APP-073).

8 Further detail on the need for the need for the project, the site selection process and the iterative design process in the context of the NPS has also been provided in the Site Selection and Alternatives chapter of the ES (APP-044).

2 NPS Accordance Tables

9 This document has been prepared for Deadline 1 as requested by the ExA. At this stage, the document contains the requirements of NPS EN-1, EN-3 and EN-5 that the Applicant considers are relevant to the AyM application and its determination.

10 Rather than simply duplicating the information already provided in the ES and Planning Statement, the Applicant will provide an update to this document at Deadline 2, setting out in detail (with reference to the application documentation), AyM's compliance with the relevant NPS policies. In line with the ExA's request, where there are any changes to this through the Examination the Applicant will update this document at relevant subsequent deadlines.

2.1 EN-1 NPS Accordance Table

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN1 Part 3: The need for new nationally significant energy infrastructure projects			
[Secretary of State] decision making	EN-1 3.1.1 – 3.1.4	The UK needs all the types of energy infrastructure covered by this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions. It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies. The [Secretary of State] should therefore assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need is as described for each of them in this Part. The [Secretary of State] should give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the Planning Act 2008.	
Introduction	EN-1 3.2.3	This Part of the NPS explains why the Government considers that, without significant amounts of new large-scale energy infrastructure, the objectives of its energy and climate change policy cannot be fulfilled. However, as noted in Section 1.7, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. This Part also shows why the Government considers that the need for such infrastructure will often be urgent. The [Secretary of State] should therefore give substantial weight to considerations of need. The weight which is attributed to considerations of need in any given case should be proportionate to the anticipated extent of a project's actual contribution to satisfying the need for a particular type of infrastructure.	
The need for new nationally	EN-1 3.3.2	The Government needs to ensure sufficient electricity generating capacity is available to meet maximum peak demand, with a safety margin or spare capacity to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events. This is why	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
significant electricity infrastructure projects - Meeting energy security and carbon reduction objectives The role of renewable electricity generation		there is currently around 85 GW of total generation capacity in the UK, whilst the average demand across a year is only for around half18 of this.	
	EN-1 3.3.3	The larger the difference between available capacity and demand (i.e. the larger the safety margin), the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from rising and volatile prices and, eventually, from physical interruptions to supplies that might impact on essential services.	
	EN-1 3.3.4	There are benefits of having a diverse mix of all types of power generation. It means we are not dependent on any one type of generation or one source of fuel or power and so helps to ensure security of supply. In addition, as set out briefly below, the different types of electricity generation have different characteristics which can complement each other: ▲ Fossil fuel generation can be brought on line quickly when there is high demand and shut down when demand is low, thus complementing generation from nuclear and the intermittent generation from renewables. However, until such time as fossil fuel generation can effectively operate with Carbon Capture and Storage (CCS), such power stations will not be low carbon (see Section 3.6). ▲ Renewables offer a low carbon and proven (for example, onshore and offshore wind) fuel source, but many renewable technologies provide intermittent generation (see Section 3.4); and ▲ Nuclear power is a proven technology that is able to provide continuous low carbon generation, which will help to reduce the UK's dependence on imports of fossil fuels (see Section 3.5). Whilst capable of responding to peaks and troughs in demand or supply, it is not as cost efficient to use nuclear power stations in this way when compared to fossil fuel generation.	
	EN-1 3.4.5	Paragraph 3.4.1 above sets out the UK commitments to sourcing 15% of energy from renewable sources by 2020. To hit this target, and to largely decarbonise the power sector by 2030, it is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable electricity generation projects is therefore urgent.	
EN1 Part 4: Assessment Principles			

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
General points	EN-1 4.1.2	Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the [Secretary of State] should start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. The resumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.2 of this NPS.	
	EN-1 4.1.3	In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the [Secretary of State] should take into account: ▲ Its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and ▲ Its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.	
	EN-1 4.1.4	In this context, the [Secretary of State] should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology-specific NPS, in the application or elsewhere (including in local impact reports).	
	EN-1 4.1.5	The policy set out in this NPS and the technology-specific energy NPSs is, for the most part, intended to make existing policy and practice of the Secretary of State in consenting nationally significant energy infrastructure clearer and more transparent, rather than to change the underlying policies against which applications are assessed (or therefore the "benchmark" for what is, or is not, an acceptable nationally significant energy development). Other matters that the [Secretary of State] may consider both important and relevant to its decision-making may include Development Plan Documents or other documents in the Local Development Framework. In the event of a conflict between these or any other documents and an NPS, the NPS prevails for purposes of [Secretary of State] decision making given the national significance of the infrastructure. The energy NPSs have taken account of relevant Planning Policy Statements (PPSs) and older-style Planning Policy	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Guidance Notes (PPGs) in England and Technical Advice Notes (TANs) in Wales where appropriate.	
	EN-1 4.1.6	The Marine and Coastal Access Act 2009 provides for the preparation of a Marine Policy Statement (MPS) and a number of marine plans. The [Secretary of State] must have regard to the MPS and applicable marine plans in taking any decision which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area. In the event of a conflict between any of these marine planning documents and an NPS, the NPS prevails for purposes of [Secretary of State] decision making given the national significance of the infrastructure.	
Environmental Statement	EN-1 4.2.1	All proposals for projects that are subject to the European Environmental Impact Assessment Directive must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically refers to effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. The Directive requires an assessment 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 at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.	
	EN-1 4.2.2	To consider the potential effects, including benefits, of a proposal for a project, the [Secretary of State] will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being.	
	EN-1 4.2.3	For the purposes of this NPS and the technology-specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation and decommissioning of the project. In some circumstances (for example, gas pipe-lines) it may be appropriate to	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		assess effects arising from commissioning infrastructure once it is completed but before it comes into operation.	
	EN-1 4.2.4	When considering a proposal the [Secretary of State] should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation measures or any adverse effects of those measures, have been adequately assessed. In doing so the [Secretary of State] should also examine whether the assessment distinguishes between the project stages and identifies any mitigation measures at those stages. The [Secretary of State] should request further information where necessary to ensure compliance with the EIA Directive.	
	EN-1 4.2.5	When considering cumulative effects, the ES 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 sought or granted, as well as those already in existence)	
	EN-1 4.2.6 – 4.2.7	The [Secretary of State] should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place. 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 application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	
	EN-1 4.2.8	Where some details are still to be finalised the ES should set out, to the best of the applicant's knowledge, what the maximum extent of the proposed development may be in terms of site and plant specifications, and assess, on that basis, the effects which the project could have to ensure that the impacts of the project as it may be constructed have been properly assessed.	
	EN-1 4.2.9	Should the [Secretary of State] determine to grant development consent for an application where details are still to be finalised, it will need to reflect this in appropriate development consent requirements. Clearly, if development consent is granted for a proposal and at a later stage the developer wishes	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		for technical or commercial reasons to construct it in such a way that its extent will be greater than has been provided for in the terms of the consent, it may be necessary to apply for a change to be made to the development consent, and the application to change the consent may need to be accompanied by further environmental information to supplement the original ES.	
Habitats and Species Regulations	EN-1 4.3.1.	Prior to granting a development consent order, the [Secretary of State] must, under the Habitats and Species Regulations, (which implement the relevant parts of the Habitats Directive and the Birds Directive in England and Wales) consider whether the project may have a significant effect on a European site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. Further information on the requirements of the Habitats and Species Regulations can be found in a Government Circular. Applicants should also refer to Section 5.3 of this NPS on biodiversity and geological conservation. The applicant should seek the advice of Natural England and/or the Countryside Council for Wales, and provide the [Secretary of State] with such information as it may reasonably require to determine whether an Appropriate Assessment is required. In the event that an Appropriate Assessment is required, the applicant must provide the [Secretary of State] with such information as may reasonably be required to enable it to conduct the Appropriate Assessment. This should include information on any mitigation measures that are proposed to minimise or avoid likely effects.	
Alternatives	EN-1 4.4.1 and 4.4.2	As in any planning case the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to the proposed development is in the first instance a matter of law, detailed guidance on which falls outside the scope of this NPS. From a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option. However, applicants are obliged to include in their ES, as a matter of fact, information about the main alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility;	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		in some circumstances, there are specific legislative requirements, notably under the Habitats Directive, for the [Secretary of State] to consider alternatives. These should also be identified in the Environmental Statement by the applicant.	
	EN-1 4.4.3	Where there is a policy or legal requirement to consider alternatives the applicant should describe the alternatives considered in compliance with these requirements. Given the level and urgency of need for new energy infrastructure, the [Secretary of State] should, subject to any relevant legal requirements (e.g. under the Habitats Directive) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives: • 'the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner;' • 'the [Secretary of State] should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security and climate change benefits) in the same timescale as the proposed development;' • 'where (as in the case of renewables) legislation imposes a specific quantitative target for particular technologies or (as in the case of nuclear) there is reason to suppose that the number of sites suitable for deployment of a technology on the scale and within the period of time envisaged by the relevant NPSs is constrained, the [Secretary of State] should not reject an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and [they] should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals;' • 'alternatives not among the main alternatives (noting that as required under the 2017 EIA Regulations reasonable alternatives are described within this chapter) studied by the applicant (as reflected in the Environmental Statement), should only be considered to the extent that the [Secretary of State] thinks they are both important and relevant to [their] decision;' • 'as the [Secretary of State] must decide an application in accordance with the relevant NPS (subject to the exceptions set out in the Planning Act 2008), if the [Secretary of State] concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the [Secretary of State's] decision;'	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		‘alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the [Secretary of State’s] decision;’ ‘alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the [Secretary of State’s] decision; and’ ‘it is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the [Secretary of State] in respect of it (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the [Secretary of State] may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the [Secretary of State] should not necessarily expect the applicant to have assessed it.”	
Criteria for “good design” for energy infrastructure	EN-1 4.5.3	In the light of the above, and given the importance which the Planning Act 2008 places on good design and sustainability, the [Secretary of State] needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable and adaptable (including taking account of natural hazards such as flooding) as they can be. In so doing, the [Secretary of State] should satisfy itself that the applicant has taken into account both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located) as far as possible. Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area.	
	EN-1 4.5.4	For the [Secretary of State] to consider the proposal for a project, applicants should be able to demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected. In considering applications the [Secretary of State] should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy.	
Climate change adaptation	EN-1 4.8.1	Part 2 of this NPS covers the Government's energy and climate change strategy, including policies for mitigating climate change. This part of the NPS sets out how applicants and the [Secretary of State] should take the effects of climate change into account when developing and consenting infrastructure. While climate change mitigation is essential to minimise the most dangerous impacts of climate change, previous global greenhouse gas emissions have already committed us to some degree of continued climate change for at least the next 30 years. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	
	EN-1 4.8.2	Climate change is likely to mean that the UK will experience hotter, drier summers and warmer, wetter winters. There is a likelihood of increased flooding, drought, heatwaves and intense rainfall events, as well as rising sea levels. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	
	EN-1 4.8.3	To support planning decisions, the Government produces a set of UK Climate Projections and is developing a statutory National Adaptation Programme90. In addition, the Government's Adaptation Reporting Power91 will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change. The [Secretary of State] may take into account energy utilities' reports to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure.	
	EN-1 4.8.4	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change (see Section 5.5).	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.8.5	New energy infrastructure will typically be a long-term investment and will need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. The ES should set out how the proposal will take account of the projected impacts of climate change. While not required by the EIA Directive, this information will be needed by the [Secretary of State].	
	EN-1 4.8.6	The [Secretary of State] should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure. Should a new set of UK Climate Projections become available after the preparation of the ES, the [Secretary of State] should consider whether they need to request further information from the applicant.	
	EN-1 4.8.7 – 4.8.12	Applicants should apply as a minimum, the emissions scenario that the Independent Committee on Climate Change suggests the world is currently most closely following – and the 10%, 50% and 90% estimate ranges. These results should be considered alongside relevant research which is based on the climate change projections. The [Secretary of State] should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. 4.8.9 Where energy infrastructure has safety critical elements (for example parts of new fossil fuel power stations or some electricity sub-stations), the applicant should apply the high emissions scenario (high impact, low	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		likelihood) to those elements. Although the likelihood of this scenario is thought to be low, it is appropriate to take a more risk-averse approach with elements of infrastructure which are critical to the safety of its operation. 4.8.10 If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the [Secretary of State] should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS. 4.8.11 Any adaptation measures should be based on the latest set of UK Climate Projections, the Government's latest UK Climate Change Risk Assessment, when available92 and in consultation with the EA. 4.8.12 Adaptation measures can be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the [Secretary of State] may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls).	
Grid connection	EN-1 4.9.1	The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant. In the market system, it is for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated. The applicant will liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) to secure a grid connection. It may be the case that the applicant has not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application, although it is likely to have applied for one and discussed it with them. This is a commercial risk the applicant may wish to take for a variety of reasons, although the [Secretary of State] will want to be satisfied that there is no obvious reason why a grid connection would not be possible.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.9.2	The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. The Government therefore envisages that wherever possible, applications for new generating stations and related infrastructure should be contained in a single application to the [Secretary of State] or in separate applications submitted in tandem which have been prepared in an integrated way. However this may not always be possible, nor the best course in terms of delivery of the project in a timely way, as different aspects may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls). So the level of information available on the different elements may vary. In some cases applicant(s) may therefore decide to put in an application that seeks consent only for one element but contains some information on the second. Where this is the case, the applicant should explain the reasons for the separate application.	
Pollution control and other environmental regulatory regimes	EN-1 4.10.3	In considering an application for development consent, the [Secretary of State] should focus on whether the development itself is an acceptable use of the land, and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. The [Secretary of State] should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. It should act to complement but not seek to duplicate them.	
	EN-1 4.10.4	Applicants should consult the Marine Management Organisation (MMO) on nationally significant projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by s.23 of the Marine and Coastal Access Act 2009). The [Secretary of State] consent may include a deemed marine licence and the MMO will advise on what conditions should apply to the deemed marine licence. The [Secretary of State] and MMO should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation, including European directives.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.10.5	Many projects covered by this NPS will be subject to the Environmental Permitting (EP) regime, which also incorporates operational waste management requirements for certain activities. When a developer applies for an Environmental Permit, the relevant regulator (usually EA but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements. In considering the impacts of the project, the [Secretary of State] may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	
	EN-1 4.10.6	Applicants are advised to make early contact with relevant regulators, including EA and the MMO, to discuss their requirements for environmental permits and other consents. This will help ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the [Secretary of State]. Wherever possible, applicants are encouraged to submit applications for Environmental Permits and other necessary consents at the same time as applying to the [Secretary of State] for development consent.	
	EN-1 4.10.7	The [Secretary of State] should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, the Countryside Council for Wales, Drainage Boards, and water and sewerage undertakers, the [Secretary of State] should be satisfied, before consenting any potentially polluting developments, that: ▲ The relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and ▲ The effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	
	EN-1 4.10.8	The IPC should not refuse consent on the basis of pollution impacts unless it has good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Safety	EN-1 4.11.3 – 4.11.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 1999. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e. from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE and the EA acting jointly in England and Wales (and by the HSE and Scottish Environment Protection Agency acting jointly in Scotland). The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents. The [Secretary of State] should be satisfied that an assessment has been done where required and that the Competent Authority has assessed that it meets the safety objectives described above.	
Hazardous substances	EN-1 4.12.1	All establishments wishing to hold stocks of certain hazardous substances above a threshold need Hazardous Substances consent. Applicants should consult the HSE at pre-application stage if the project is likely to need hazardous substances consent. Where hazardous substances consent is applied for, the [Secretary of State] will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The [Secretary of State] should consult HSE about this.	
	EN-1 4.12.3	HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should therefore consult the local planning authority at preapplication stage to identify whether its proposed site is within the consultation distance of any	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site.	
Health	EN-1 4.13.1 to 4.13.5	Energy production has the potential to impact on the health and well-being ("health") of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the production, distribution and use of energy may have negative impacts on some people's health. As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on human beings, the ES should assess these effects for each element of the project, identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant and the [Secretary of State] should consider the cumulative impact on health. The direct impacts on health may include increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests. New energy infrastructure may also affect the composition, size and proximity of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport or the use of open space for recreation and physical activity. Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refused consents or require specific mitigation under the Planning Act 2008. However, the [Secretary of State] will want to take account of health concerns when setting requirements relating to a range of impacts such as noise.	
Common law nuisance and statutory nuisance	EN-1 4.14.2	It is very important that, at the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the 1990 Act and how they may be mitigated or limited are considered by the [Secretary of State] so that appropriate requirements can be included in any subsequent order granting	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		development consent. (See Section 5.6 on Dust, odour, artificial light etc. and Section 5.11 on Noise and vibration.)	
Security considerations	EN-1 4.15.3	DECC will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified. Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, OCNS and DECC to ensure that physical, procedural and personnel security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. If CPNI, OCNS and/or DECC are satisfied that security issues have been adequately addressed in the project when the application is submitted to the [Secretary of State], it will provide confirmation of this to the [Secretary of State]. The [Secretary of State] should not need to give any further consideration to the details of the security measures in its examination.	
Security considerations	EN-1 4.15.4	The applicant should only include sufficient information in the application as is necessary to enable the [Secretary of State] to examine the development consent issues and make a properly informed decision on the application	
EN1 Part 5: Generic Impacts			
Air Quality and emissions	EN-1 5.2.6	Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (ES).	
	EN-1 5.2.7	Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (ES). The ES should describe: ▲ Any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; ▲ The predicted absolute emission levels of the proposed project, after mitigation methods have been applied; ▲ Existing air quality levels and the relative change in air quality from existing levels; and	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Any potential eutrophication impacts.	
	EN-1 5.2.9	The [Secretary of State] should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area, or leads to a new area where air quality breaches any national air quality limits. However air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits	
	EN-1 5.2.10	In all cases the [Secretary of State] must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authorities to secure appropriate mitigation measures to allow the proposal to proceed. In the event that a project will lead to non-compliance with a statutory limit the [Secretary of State] should refuse consent.	
	EN-1 5.2.11	The [Secretary of State] should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage.	
	EN-1 5.2.12	In doing so the [Secretary of State] may refer to the conditions and advice in the Air Quality Strategy or any successor to it.	
	EN-1 5.2.13	The mitigations identified in Section 5.13 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Biodiversity and geological conservation	EN-1 5.3.3	Where the development is subject to EIA the applicant should ensure that the ES clearly sets 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. The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the [Secretary of State] consider thoroughly the potential effects of a proposed project.	
	EN-1 5.3.4	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests	
	EN-1 5.3.5	The Government's biodiversity strategy is set out in 'Working with the grain of nature'99. Its aim is to ensure: ▲ A halting, and if possible a reversal, of declines in priority habitats and species, with wild species and habitats as part of healthy, functioning ecosystems; and	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ The general acceptance of biodiversity's essential role in enhancing the quality of life, with its conservation becoming a natural consideration in all relevant public, private and non-governmental decisions and policies.	
	EN-1 5.3.6	In having regard to the aim of the Government's biodiversity strategy the [Secretary of State] should take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect the most important biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The [Secretary of State] may take account of any such net benefit in cases where it can be demonstrated.	
	EN-1 5.3.7	As a general principle, and subject to the specific policies below, development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives (as set out in Section 4.4 above); where significant harm cannot be avoided, then appropriate compensation measures should be sought.	
	EN-1 5.3.8	In taking decisions, the [Secretary of State] should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.	
	EN-1 5.3.9	International Sites The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for these sites but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as a Special Protection Area. For the purposes of considering development proposals affecting them, as a matter of policy the Government wishes pSPAs to be considered in the same way as if they had	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		already been classified. Listed Ramsar sites should, also as a matter of policy, receive the same protection	
	EN-1 5.3.10	Sites of Special Scientific Interest (SSSIs) Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs.	
	EN-1 5.3.11	Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The [Secretary of State] should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	
	EN-1 5.3.12	Marine Conservation Zones (MCZs) (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ, which provides statutory protection for these areas implemented by the MMO (see paragraph 1.2.2). As a public authority, the [Secretary of State] is bound by the duties in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	
	EN-1 5.3.13	Regional and Local Sites Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites,	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. The [Secretary of State] should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent.	
	EN-1 5.3.14	Ancient Woodland and Veteran Trees Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The [Secretary of State] should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why.	
	EN-1 5.3.15	Biodiversity within Developments Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, the [Secretary of State] should maximise such opportunities in and around developments, using requirements or planning obligations where appropriate.	
	EN-1 5.3.16 – 5.3.17	Protection of Habitats and Other Species Many individual wildlife species receive statutory protection under a range of legislative provisions. 5.3.17 Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and thereby requiring conservation action. The [Secretary of State] should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The [Secretary of State] should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		[Secretary of State] should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance which it considers may result from a proposed development	
	EN-1 5.3.18	The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: ▲ During construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; ▲ During construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; ▲ Habitats will, where practicable, be restored after construction works have finished; and ▲ Opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals.	
	EN-1 5.3.19	Where the applicant cannot demonstrate that appropriate mitigation measures will be put in place the [Secretary of State] should consider what appropriate requirements should be attached to any consent and/or planning obligations entered into.	
	EN-1 5.3.20	The [Secretary of State] will need to take account of what mitigation measures may have been agreed between the applicant and Natural England (or the Countryside Council for Wales) or the Marine Management Organisation (MMO), and whether Natural England (or the Countryside Council for Wales) or the MMO has granted or refused or intends to grant or refuse, any relevant licences, including protected species mitigation licences.	
Civil and military aviation and defence interests	EN-1 5.4.10 to 5.4.13	Where the proposed development may have an effect on civil or military aviation and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.2). The applicant should consult the MoD, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation or other defence interests.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Any assessment of aviation or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), other defence assets and aerodrome operational procedures. It should also assess the cumulative effects of the project with other relevant projects in relation to aviation and defence. If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the applicant to ensure that the relevant aviation and defence consultees are informed as soon as reasonably possible.	
	EN-1 5.4.14	The [Secretary of State] should be satisfied that the effects on civil and military aerodromes, aviation technical sites and other defence assets have been addressed by the applicant and that any necessary assessment of the proposal on aviation or defence interests has been carried out. In particular, it should be satisfied that the proposal has been designed to minimise adverse impacts on the operation and safety of aerodromes and that reasonable mitigation is carried out. It may also be appropriate to expect operators of the aerodrome to consider making reasonable changes to operational procedures. When assessing the necessity, acceptability and reasonableness of operational changes to aerodromes, the [Secretary of State] should satisfy itself that it has the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the [Secretary of State] should have regard to interests of defence and national security.	
	EN-1 5.4.15	If there are conflicts between the Government's energy and transport policies and military interests in relation to the application, the [Secretary of State] should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible.	
	EN-1 5.4.16	There are statutory requirements concerning lighting to tall structures110. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		[Secretary of State] should satisfy itself of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.	
	EN-1 5.4.17	Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the [Secretary of State] considers that: ▲ A development would prevent a licensed aerodrome from maintaining its licence; ▲ The benefits of the proposed development are outweighed by the harm to aerodromes serving business, training or emergency service needs, taking into account the relevant importance and need for such aviation infrastructure; or ▲ The development would significantly impede or compromise the safe and effective use of defence assets or significantly limit military training; ▲ the development would have an impact on the safe and efficient provision of en route air traffic control services for civil aviation, in particular through an adverse effect on the infrastructure required to support communications, navigation or surveillance systems; consent should not be granted.	
	EN-1 5.4.18	Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation or defence assets and or significantly limit military training, the [Secretary of State] may consider the use of 'Grampian111, or other forms of condition which relate to the use of future technological solutions, to mitigate impacts. Where technological solutions have not yet been developed or proven, the [Secretary of State] will need to consider the likelihood of a solution becoming available within the time limit for implementation of the development consent. In this context, where new technologies to mitigate the adverse effects of wind farms on radar are concerned, the [Secretary of State] should have regard to any Government guidance which emerges from the joint Government/Industry Aviation Plan.	
	EN-1 5.4.19	Mitigation for infringement of OLS may include112: ▲ Amendments to layout or scale of infrastructure to reduce the height, provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the proposed energy infrastructure;	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome); and ▲ Installation of obstacle lighting and/or by notification in Aeronautical Information Service publications	
	EN-1 5.4.20	For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include: ▲ Lighting; ▲ Operational airspace changes; and ▲ Upgrading of existing CNS infrastructure, the cost of which the applicant may reasonably be required to contribute in part or in full.	
	EN-1 5.4.21	Mitigation for effects on radar, communications and navigational systems may include reducing the scale of a project, although in some cases it is likely to be unreasonable for the [Secretary of State] to require mitigation by way of a reduction in the scale of development, for example, where reducing the tip height of wind turbines in a wind farm would result in a material reduction in electricity generating capacity or operation would be severely constrained. However, there may be exceptional circumstances where a small reduction in such function will result in proportionately greater mitigation. In these cases, the [Secretary of State] may consider that the benefits of the mitigation outweighs the marginal loss of function.	
Coastal change	EN-1 5.5.6	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	
	EN-1 5.5.7	The Environmental Statement should include an assessment of the effects on the coast. In particular, applicants should assess: The impact of AyM on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes the applicant must	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast; • The implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs), any relevant Marine Plans…and capital programmes for maintaining flood and coastal defences; • The effects of AyM on marine ecology, biodiversity and protected sites; • The effects of the AyM on maintaining coastal recreation sites and features; and • The vulnerability of the proposed development to coastal change, taking account of climate change, during the project's operational life and any decommissioning period.	
	EN-1 5.5.8	For any projects involving dredging or disposal into the sea, the applicant should consult the Marine Management Organisation (MMO) at an early stage. Where the project has the potential to have a major impact in this respect, this is covered in the technology-specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with Liquified Natural Gas (LNG) tanker deliveries to LNG import facilities.	
	EN-1 5.5.9	The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Conservation Zones (MCZs), candidate marine Special Areas of Conservation (cSACs), coastal SACs and candidate coastal SACs, coastal Special Protection Areas (SPAs) and potential Sites of Community Importance (SCIs) and Sites of Special Scientific Interest (SSSI).	
	EN-1 5.5.10	The [Secretary of State] should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period.	
	EN-1 5.5.11	The [Secretary of State] should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward consent should	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		only be granted where the [Secretary of State] is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	
	EN-1 5.5.12	The [Secretary of State] should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and postconstruction coastal monitoring arrangements with defined triggers for intervention and restoration.	
	EN-1 5.5.13	The [Secretary of State] should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e. coast on site, and site on coast.	
	EN-1 5.5.14	The [Secretary of State] should consult the MMO on projects which could impact on coastal change, since the MMO may also be involved in considering other projects which may have related coastal impacts.	
	EN-1 5.5.15	In addition to this NPS the [Secretary of State] must have regard to the appropriate marine policy documents, as provided for in the Marine and Coastal Access Act 2009. The [Secretary of State] may also have regard to any relevant SMPs.	
	EN-1 5.5.16	Substantial weight should be attached to the risks of flooding and coastal erosion. The applicant must demonstrate that full account has been taken of the policy on assessment and mitigation in Section 4.22 of this NPS, taking account of the potential effects of climate change on these risks as discussed above.	
	EN-1 5.5.17	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case the [Secretary of State] should consider what appropriate mitigation requirements might be attached to any grant of development consent.	
Dust, odour, artificial light, smoke, steam	EN-1 5.6.2	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.14, it is important that the potential for these impacts is considered by the [Secretary of State]	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
and insect infestation	EN-1 5.6.3	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	
	EN-1 5.6.4	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke and artificial light to have a detrimental impact on amenity, as part of the Environmental Statement.	
	EN-1 5.6.5	In particular, the assessment provided by the applicant should describe: ▲ The type, quantity and timing of emissions; ▲ Aspects of the development which may give rise to emissions; ▲ Premises or locations that may be affected by the emissions; ▲ Effects of the emission on identified premises or locations; and ▲ Measures to be employed in preventing or mitigating the emissions	
	EN-1 5.6.6	The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	
	EN-1 5.6.7	The [Secretary of State] should satisfy itself that: ▲ An assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out; and ▲ That all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts.	
	EN-1 5.6.8	If the [Secretary of State] does grant development consent for a project, it should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If it cannot conclude that this is justified, it should disapply in whole or in part the defence through a provision in the development consent order.	
	EN-1 5.6.9	Where it believes it appropriate, the [Secretary of State] may consider attaching requirements to the development consent, in order to secure certain mitigation measures.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.6.10	In particular, the [Secretary of State] should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke and artificial light from the development. The [Secretary of State] should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	
	EN-1 5.6.11	Mitigation measures may include one or more of the following: ▲ Engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated; ▲ Lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material; and ▲ Administrative: limiting operating times; restricting activities allowed on the site; implementing management plans.	
Hydrology, Hydrogeology and Flood Risk	EN-1 5.7.4	Applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales113 and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA). An FRA will also be required where an energy project less than 1 hectare may be subject to sources of flooding other than rivers and the sea (for example surface water), or where the EA, Internal Drainage Board or other body have indicated that there may be drainage problems. This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.	
	EN-1 5.7.5	The minimum requirements for FRAs are that they should: ▲ Be proportionate to the risk and appropriate to the scale, nature and location of the project; ▲ Consider the risk of flooding arising from the project in addition to the riskof flooding to the project; ▲ Take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made; ▲ Be undertaken by competent people, as early as possible in the process of preparing the proposal;	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure; ▲ Consider the vulnerability of those using the site, including arrangements for safe access; ▲ Consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures, so that assessments are fit for the purpose of the decisions being made; ▲ Consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; ▲ Include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; ▲ Consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems; ▲ Consider if there is a need to be safe and remain operational during a worst case flood event over the development's lifetime; and ▲ Be supported by appropriate data and information, including historical information on previous events	
	EN-1 5.7.6	Further guidance can be found in the Practice Guide which accompanies Planning Policy Statement 25 (PPS25), TAN15 for Wales or successor documents.	
	EN-1 5.7.7 – 5.7.8	Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the EA, and, where relevant, other bodies such as Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators. Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the [Secretary of State] to reach a decision on the application when it is submitted. The [Secretary of State] should advise applicants to undertake these steps where they appear necessary, but have not yet been addressed.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		If the EA has concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns	
	EN-1 5.7.9	In determining an application for development consent, the [Secretary of State] should be satisfied that where relevant: ▲ The application is supported by an appropriate FRA; ▲ The Sequential Test has been applied as part of site selection; ▲ A sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk; ▲ The proposal is in line with any relevant national and local flood risk management strategy114; ▲ Priority has been given to the use of sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards); and ▲ In flood risk areas the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development.	
	EN-1 5.7.10	For construction work which has drainage implications, approval for the project's drainage system will form part of the development consent issued by the [Secretary of State]. The [Secretary of State] will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any SuDS, including any necessary access rights to property. The [Secretary of State] should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body, such as an Internal Drainage Board.	
	EN-1 5.7.11	f the EA continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the [Secretary of State] can grant consent, but would need to be satisfied before deciding whether or not to do	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		so that all reasonable steps have been taken by the applicant and the EA to try to resolve the concerns.	
	EN-1 5.7.12	The [Secretary of State] should not consent development in Flood Zone 2 in England or Zone B in Wales unless it is satisfied that the sequential test requirements have been met. It should not consent development in Flood Zone 3 or Zone C unless it is satisfied that the Sequential and Exception Test requirements have been met. The technology-specific NPSs set out some exceptions to the application of the sequential test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, but should apply the sequential approach to locating development within the site.	
	EN-1 5.7.13	Preference should be given to locating projects in Flood Zone 1 in England or Zone A in Wales. If there is no reasonably available site in Flood Zone 1 or Zone A, then projects can be located in Flood Zone 2 or Zone B. If there is no reasonably available site115 in Flood Zones 1 or 2 or Zones A & B, then nationally significant energy infrastructure projects can be located in Flood Zone 3 or Zone C subject to the Exception Test. Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.4 above	
	EN-1 5.7.14	If, following application of the sequential test, it is not possible, consistent with wider sustainability objectives, for the project to be located in zones of lower probability of flooding than Flood Zone 3 or Zone C, the Exception Test can be applied. The test provides a method of managing flood risk while still allowing necessary development to occur.	
	EN-1 5.7.15	The Exception Test is only appropriate for use where the sequential test alone cannot deliver an acceptable site, taking into account the need for energy infrastructure to remain operational during floods. It may also be appropriate to use it where as a result of the alternative site(s) at lower risk of flooding being subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty (AONBs), Sites of Special Scientific Interest (SSSIs) and World Heritage	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Sites (WHS) it would not be appropriate to require the development to be located on the alternative site(s)	
	EN-1 5.7.16	All three elements of the test will have to be passed for development to be consented. For the Exception Test to be passed: • It must be demonstrated that the project provides wider sustainability benefits to the community116 that outweigh flood risk; • The project should be on developable, previously developed land117 or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously developed land subject to any exceptions set out in the technology-specific NPSs; and a FRA must demonstrate that the project will be safe, without increasing flood risk elsewhere subject to the exception below and, where possible, will reduce flood risk overall.	
	EN-1 5.7.17	Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the [Secretary of State] may grant consent if it is satisfied that the increase in present and future flood risk can be mitigated to an acceptable level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the [Secretary of State] should make clear how, in reaching its decision, it has weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA and other relevant bodies	
	EN-1 5.7.18	To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property	
	EN-1 5.7.19	In this NPS, the term Sustainable Drainage Systems (SuDS) refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: • Source control measures including rainwater recycling and drainage; • Infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities; • Filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed; ▲ Basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding; and ▲ Flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding	
	EN-1 5.7.20	Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.	
	EN-1 5.7.21	The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.	
	EN-1 5.7.22	It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.	
	EN-1 5.7.23	The sequential approach should be applied to the layout and design of the project. More vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.	
	EN-1 5.7.24	Essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur. In addition, any energy projects proposed in Flood Zone 3b the Functional Floodplain (where water has to flow or be stored in times of flood), or Zone C2 in Wales, should only be permitted if the development will not result in a net loss of floodplain storage, and will not impede water flows.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.7.25	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. The applicant should take advice from the emergency services when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	
Historic environment	EN-1 5.8.4	There are heritage assets with archaeological interest that are not currently designated as scheduled monuments, but which are demonstrably of equivalent significance. These include: ▲ Those that have yet to be formally assessed for designation; ▲ Those that have been assessed as being designatable but which the Secretary of State has decided not to designate; and ▲ Those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979.	
	EN-1 5.8.5	The absence of designation for such heritage assets does not indicate lower significance. If the evidence before the [Secretary of State] indicates to it that a nondesignated heritage asset of the type described in 5.8.4 may be affected by the proposed development then the heritage asset should be considered subject to the same policy considerations as those that apply to designated heritage assets.	
	EN-1 5.8.6	The [Secretary of State] should also consider the impacts on other non-designated heritage assets, as identified either through the development plan making process (local listing) or through the [Secretary of State]'s decision making process on the basis of clear evidence that the assets have a heritage significance that merits consideration in its decisions, even though those assets are of lesser value than designated heritage assets.	
	EN-1 5.8.8	As part of the ES (see Section 4.2) the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		applicant should have consulted the relevant Historic Environment Record120 (or, where the development is in English or Welsh waters, English Heritage or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	
	EN-1 5.8.9	Where a development site includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, representative visualisations may be necessary to explain the impact.	
	EN-1 5.8.10	The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.	
	EN-1 5.8.11	In considering applications, the [Secretary of State] should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset, taking account of: ▲ Evidence provided with the application; ▲ Any designation records; ▲ The Historic Environment Record, and similar sources of information; ▲ The heritage assets themselves; ▲ The outcome of consultations with interested parties; and ▲ Where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice.	
	EN-1 5.8.12	In considering the impact of a proposed development on any heritage assets, the [Secretary of State] should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between conservation of that significance and proposals for development.	
	EN-1 5.8.13	The [Secretary of State] should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		contribution of their settings and the positive contribution they can make to sustainable communities and economic vitality122. . The [Secretary of State] should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use. The [Secretary of State] should have regard to any relevant local authority development plans or local impact report on the proposed development in respect of the factors set out in footnote 122.	
	EN-1 5.8.14	There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments; registered battlefields; grade I and II* listed buildings; grade I and II* registered parks and gardens; and World Heritage Sites, should be wholly exceptional.	
	EN-1 5.8.15	Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss. Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset the [Secretary of State] should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm.	
	EN-1 5.8.16	Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The policies set out in paragraphs 5.8.11 to 5.8.15 above apply to those elements that do contribute to the significance. When considering proposals the [Secretary of State] should take into account the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole.	
	EN-1 5.8.17	Where loss of significance of any heritage asset is justified on the merits of the new development, the [Secretary of State] should consider imposing a condition on the consent or requiring the applicant to enter into an obligation that will prevent the loss occurring until it is reasonably certain that the relevant part of the development is to proceed	
	EN-1 5.8.18	When considering applications for development affecting the setting of a designated heritage asset, the [Secretary of State] should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the [Secretary of State] should weigh any negative effects against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	
	EN-1 5.8.19 – 5.8.22	A documentary record of our past is not as valuable as retaining the heritage asset and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given. Where the loss of the whole or a material part of a heritage asset's significance is justified, the [Secretary of State] should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should be required to publish this evidence and deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it. Where appropriate, the [Secretary of State] should impose requirements on a consent that such work is carried out in a timely manner in accordance with a written scheme of investigation that meets the requirements of this Section and has been agreed in writing with the relevant Local Authority (where the development is in English waters, the Marine Management Organisation and	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		English Heritage, or where it is in Welsh waters, the MMO and Cadw)) and that the completion of the exercise is properly secured. Where the [Secretary of State] considers there to be a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the [Secretary of State] should consider requirements to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	
Landscape and visual	EN-1 5.9.5	The applicant should carry out a landscape and visual assessment and report it in the ES. (See Section 4.2) A number of guides have been produced to assist in addressing landscape issues125. The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	
	EN-1 5.9.6	The applicant's assessment should include the effects during construction of the project and the effects of the completed development and its operation on landscape components and landscape character.	
	EN-1 5.9.7	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	
	EN-1 5.9.8	Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.9.9	National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the [Examining Authority/SoS] should have regard to in its decisions. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the [Secretary of State] in deciding on applications for development consent in these areas. Nevertheless, the [Secretary of State] may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; The cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives; and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.	
Landscape and visual	EN-1 5.9.10	Nevertheless, the [Secretary of State] may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest127 and consideration of such applications should include an assessment of: ▲ The need for the development, including in terms of national considerations128, and the impact of consenting or not consenting it upon the local economy; ▲ The cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.4; and ▲ Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.	
	EN-1 5.9.11	The [Secretary of State] should ensure that any projects consented in these designated areas should be carried out to high environmental standards,	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		including through the application of appropriate requirements where necessary	
	EN-1 5.9.12	The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. Paragraph 5.9.13 advises "The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent".	
	EN-1 5.9.13	The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent.	
	EN-1 5.9.14	Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.	
	EN-1 9.15 & 5.9.16	The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The [Secretary of State] should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project. The [Secretary of State] should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.	
	EN-1 5.9.17	The [Secretary of State] should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.	
	EN-1 5.9.18	All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The [Secretary of State] will have to judge	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.	
	EN-1 5.9.19	It may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the [Secretary of State] in judging the weight it should give to the assessed visual impacts of the proposed development.	
	EN-1 5.9.20	The [Secretary of State] should ensure applicants have taken into account the landscape and visual impacts of visible plumes from chimney stacks and/or the cooling assembly. It may need to attach requirements to the consent requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements.	
	EN-1 5.9.21	Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the [Secretary of State] may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function	
	EN-1 5.9.22	Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration.	
	EN-1 5.9.23	Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.	
Land use including open space, green infrastructure and Green Belt	EN-1 5.10.2	The Government's policy is to ensure there is adequate provision of high-quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change.	
	EN-1 5.10.5	The ES (see Section 4.2) should identify existing and proposed132 land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan.	
	EN-1 5.10.6	Applicants will need to consult the local community on their proposals to build on open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	
	EN-1 5.10.7	During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	
	EN-1 5.10.8	Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		minimise impacts on soil quality taking into account any mitigation measures proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination.	
	EN-1 5.10.9	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	
	EN-1 5.10.10	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.10.17 below).	
	EN-1 5.10.11	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria133 on such developments in Green Belts	
	EN-1 5.10.12	An applicant may be able to demonstrate that a particular type of energy infrastructure, such as an underground pipeline, which, in Green Belt policy terms, may be considered as an "engineering operation" rather than a building is not in the circumstances of the application inappropriate development. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line development or wind farm are such that it has no adverse effects which conflict with the fundamental purposes of Green Belt designation.	
	EN-1 5.10.13	Where the project conflicts with a proposal in a development plan, the [Secretary of State] should take account of the stage which the development plan document in England or local development plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		the planning significance of what is replaced, prevented or precluded. The closer the development plan document in England or local development plan in Wales is to being adopted by the LPA, the greater weight which can be attached to it.	
	EN-1 5.10.14	The [Secretary of State] should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the [Secretary of State] determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location	
	EN-1 5.10.15	The [Secretary of State] should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.	
	EN-1 5.10.16	In considering the impact on maintaining coastal recreation sites and features, the [Secretary of State] should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the [Secretary of State] should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	
	EN-1 5.10.17	When located in the Green Belt, energy infrastructure projects are likely to comprise 'inappropriate development'134. Inappropriate development is by definition harmful to the Green Belt and the general planning policy presumption against it applies with equal force in relation to major energy infrastructure projects. The [Secretary of State] will need to assess whether there are very special circumstances to justify inappropriate development.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. In view of the presumption against inappropriate development, the [Secretary of State] will attach substantial weight to the harm to the Green Belt when considering any application for such development while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation.	
	EN-1 5.10.18	In Wales, 'green wedges' may be designated locally. These enjoy the same protection as Green Belt in Wales and the [Secretary of State] should adopt a similar approach. Green wedges give the same protection as Green Belt in Wales. Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process. As with Green Belt, there is a presumption against inappropriate development and the [Secretary of State] should assess whether there are very special circumstances to justify any proposed inappropriate development.	
	EN-1 5.10.19	Although in the case of much energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project.	
	EN-1 5.10.20	Where green infrastructure is affected, the [Secretary of State] should consider imposing requirements to ensure the connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to new coastal access routes.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.10.21	The [Secretary of State] should also consider whether mitigation of any adverse effects on green infrastructure and other forms of open space is adequately provided for by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality and, where possible, at least as accessible. Alternatively, where Sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.	
	EN-1 5.10.22	Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the [Secretary of State] should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.	
	EN-1 5.10.23	Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas.	
	EN-1 5.10.24	Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The [Secretary of State] should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails and other rights of way. Where this is not the case the [Secretary of State] should consider what appropriate mitigation requirements might be attached to any grant of development consent.	
Noise and Vibration	EN-1 5.11.1	Excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance) and use and enjoyment of areas of value such as quiet places and areas with high landscape quality. The Government's policy on noise is set out in the Noise Policy Statement for England136. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to assessment of impacts of vibration.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS

		Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:
		• A description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise;
		• Identification of noise sensitive premises and noise sensitive areas that may be affected;
		• The characteristics of the existing noise environment;
		• A prediction of how the noise environment will change with the proposed development;
		  ▪ In the shorter term such as during the construction period;
		  ▪ In the longer term during the operating life of the infrastructure;
		  ▪ At particular times of the day, evening and night as appropriate.
		• An assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; and
		• Measures to be employed in mitigating noise. The nature and extent of the noise assessment should be proportionate to the likely noise impact.	

	EN-1 5.11.5	The noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation, should also be considered.	
	EN-1 5.11.6	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards137 and other guidance. Further information on assessment of particular noise sources may be contained in the technology-specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards138 and other guidance which also give examples of mitigation strategies.	
	EN-1 5.11.7	The applicant should consult EA and Natural England (NE), or the Countryside Council for Wales (CCW), as necessary and in particular with regard to assessment of noise on protected species or other wildlife. The results of any	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account.	
	EN-1 5.11.8	The project should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.	
	EN-1 5.11.9	The [Secretary of State] should not grant development consent unless it is satisfied that the proposals will meet the following aims: ▲ Avoid significant adverse impacts on health and quality of life from noise; ▲ Mitigate and minimise other adverse impacts on health and quality of life from noise; and ▲ Where possible, contribute to improvements to health and quality of life through the effective management and control of noise.	
	EN-1 5.11.10	When preparing the development consent order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent.	
	EN-1 5.11.11	The [Secretary of State] should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the [Secretary of State] may wish to impose requirements. Any such requirements should take account of the guidance set out in Circular 11/95 (see Section 4.1) or any successor to it.	
	EN-1 5.11.12	Mitigation measures may include one or more of the following: ▲ Engineering: reduction of noise at point of generation and containment of noise generated; ▲ Lay-out: adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural barriers, or other buildings; and	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Administrative: restricting activities allowed on the site; specifying acceptable noise limits; and taking into account seasonality of wildlife in nearby designated sites.	
	EN-1 5.11.13	In certain situations, and only when all other forms of noise mitigation have been exhausted, it may be appropriate for the [Secretary of State] to consider requiring noise mitigation through improved sound insulation to dwellings.	
Socio-economics	EN-1 5.12.2	Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.2).	
	EN-1 5.12.3	This assessment should consider all relevant socio-economic impacts, which may include: ▲ The creation of jobs and training opportunities; ▲ The provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; ▲ Effects on tourism; ▲ The impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; and ▲ Cumulative effects – if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.	
	EN-1 5.12.4	Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.12.5	Socio-economic impacts may be linked to other impacts, for example the visual impact of a development is considered in Section 5.9 but may also have an impact on tourism and local businesses.	
	EN-1 5.12.6-5.12.7	[Planning Inspectorate] should have regard to the potential socio-economic effects of new energy infrastructure identified by the applicant and from any other sources that [Planning Inspectorate] considers to be both relevant and important to its decision. It should be reasonable for [Planning Inspectorate] to conclude that little weight is to be given to assertions of socio-economic effects not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).	
	EN-1 5.12.8	The assessment should consider any relevant positive provisions the applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to socio-economic impacts.	
	EN-1 5.12.9	The [Secretary of State] should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	
Traffic and transport	EN-1 5.13.3	If a project is likely to have significant transport implications, the applicant's ES (see Section 4.2) should include a transport assessment, using the NATA/WebTAG139 methodology stipulated in Department for Transport guidance140, or any successor to such methodology. Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation.	
	EN-1 5.13.4	Where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts.	
	EN-1 5.13.5	If additional transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		party benefits. Guidance has been issued141 in England142 which explains the circumstances where this may be possible, although the Government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.	
	EN-1 5.13.6	A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the [Secretary of State] should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the [Secretary of State] should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. Applicants may also be willing to enter into planning obligations for funding infrastructure and otherwise mitigating adverse impacts.	
	EN-1 5.13.7	Provided that the applicant is willing to enter into planning obligations or requirements can be imposed to mitigate transport impacts identified in the NATA/WebTAG transport assessment, with attribution of costs calculated in accordance with the Department for Transport's guidance, then development consent should not be withheld, and appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure.	
	EN-1 5.13.8	Demand management measures must be considered where any form of mitigation is required.	
	EN-1 5.13.9	The [Secretary of State] should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures	
	EN-1 5.13.10	Water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective.	
	EN-1 5.13.11	The [Secretary of State] may attach requirements to a consent where there is likely to be substantial HGV traffic that:	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements; ▲ Make sufficient provision for HGV parking, either on the site or at dedicated facilities elsewhere, to avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions; and ▲ Ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.	
	EN-1 5.13.12	If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the [Secretary of State] of any obligations or requirements needed to secure the mitigation.	
Waste management	EN-1 5.14.2	Sustainable waste management is implemented through the "waste hierarchy", which sets out the priorities that must be applied when managing waste143: a) prevention; b) preparing for reuse; c) recycling; d) other recovery, including energy recovery; and e) disposal.	
	EN-1 5.14.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	
	EN-1 5.14.4	All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting (EP) regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant EP requirements.	
	EN-1 5.14.6	The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan. The arrangements described and Management Plan should include information on the proposed waste recovery and disposal system for all waste generated by the development, and an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		operation. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.	
	EN-1 5.14.7	The [Secretary of State] should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. It should be satisfied that: • Any such waste will be properly managed, both on-site and off-site; • The waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and • Adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome.	
	EN-1 5.14.8	Where necessary, the [Secretary of State] should use requirements or obligations to ensure that appropriate measures for waste management are applied. The [Secretary of State] may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	
	EN-1 5.14.9	Where the project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.10 will apply.	
Water quality and resources	EN-3 5.15.2	Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment as part of the Environmental Statement or equivalent.	
	EN-1 5.15.3	The ES should in particular describe: The existing quality of waters affected by the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Existing water resources affected by the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and in reference to Catchment Abstraction Management Strategies; Existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; and Any impacts of the proposed project on water bodies or protected areas under the WFD [Water Framework Directive] and Source Protection Zones (SPZs) around potable groundwater abstractions.	
	EN-1 5.15.4	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.10 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water148.	
	EN-1 5.15.5	The [Secretary of State] will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive.	
	EN-1 5.15.6	The [Secretary of State] should satisfy itself that a proposal has regard to the River Basin Management Plans [RBMPs] and meets the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater.	
	EN-1 5.15.7	The [Secretary of State] should consider whether appropriate requirements should be attached to any development consent and/or planning obligations entered into to mitigate adverse effects on the water environment.	
	EN-1 5.15.8	The [Secretary of State] should consider whether mitigation measures are needed over and above any which may form part of the project application.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		(See Sections 4.2 and 5.1.) A construction management plan may help codify mitigation at that stage.	
	EN-1 5.15.9	The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	
	EN-1 5.15.10	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling.	

2.2 EN-3 NPS Accordance Table

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN3 Part 2: Assessment and technology-specific information			
Climate Change Adaptation	EN-3 2.3.4	Offshore and onshore wind farms are less likely to be affected by flooding, but applicants should particularly set out how the proposal would be resilient to storms.	
	EN-3 2.3.5	Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES.	
Criteria for "good design" for energy infrastructure	EN-3 2.4.1	Section 10(3)(b) of the Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, to the desirability of good design. Section 4.5 of EN-1 sets out the principles of good design that should be applied to all energy infrastructure.	
	EN-3 2.4.2	Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology	
Offshore Wind - General Points	EN-3 2.6.4	The extent to which generic impacts set out in EN-1 are relevant may depend upon the phase of the proposed development being considered. For example, land-based traffic and transport and noise	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		issues may be relevant during the construction and decommissioning periods only, depending upon the specific proposal.	
	EN-3 2.6.5	The applicant should identify the impacts of a proposal and these impacts, together with proposals for their avoidance or mitigation wherever possible, should be set out in an Environmental Statement (ES) that should accompany each project application. Policy on ESs is set out in Section 4.2 of EN-1.	
	EN-3 2.6.9	As provided for in the Marine and Coastal Access Act 2009, Marine Licences replace the requirement for CPA consents and FEPA licences17. Any consent granted by the [Secretary of State] will be able to include provision deeming the grant of a Marine Licence for operations carried out wholly in England, waters adjacent to England up to the seaward limits of the territorial sea or the UK REZ (except any part of a REZ in relation to which the Scottish Ministers have functions).	
	EN-3 2.6.10	Welsh Ministers will be responsible for issuing Marine Licences for operations carried out in Wales and in waters adjacent to Wales up to the seaward limits of the territorial sea.	
	EN-3 2.6.11	FEPA licences and CPA consents, and their successor, the Marine Licence, are primarily concerned with the need to protect the environment and human health, and to prevent interference with legitimate uses of the sea.	
	EN-3 2.6.12	Marine Licences are likely to be required for all the offshore elements of the proposed wind farm, including associated development such as the offshore cabling and any offshore substations that are required.	
	EN-3 2.6.13	The Marine Management Organisation (MMO) is responsible for enforcement and ongoing management of licence conditions, for operations carried out in England, waters adjacent to England up to the seaward limits of the territorial sea or a REZ (except any part of a REZ in relation to which the Scottish Ministers have functions).	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.6.14	The [Secretary of State] should liaise closely with the MMO on the proposed terms of any deemed CPA consent, FEPA licence or Marine Licence	
Site Selection	EN-3 2.6.16 & 2.6.17	In addition to new offshore projects, the Government has decided that, in line with Recommendation 6 of the Post Consultation Report (PCR), there is potential for capacity extensions to existing wind farm leases within UK waters21. However, this will require careful, site-specific evaluation through the planning process, since significant new information on sensitivities and uses of these areas has become available. Applicants should set out how they have drawn on the Government's Offshore Energy SEA in making their site selection.	
	EN-3 2.6.32	Whilst the technical suitability of the foundation design is not in itself a matter for the [Secretary of State], it will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, physical environment and marine heritage assets in accordance with the policy below. The applicant should have provided the necessary details to allow the [Secretary of State] to assess such impacts.	
	EN-3 2.6.33	The connection of a proposed offshore wind farm into the relevant electricity network will be an important consideration for applicants. The grid connection text at Section 4.9 in EN-1 sets out the important issues here.	
	EN-3 2.6.34	Applicants for consent for offshore wind farms will have to work within the regulatory regime for offshore transmission networks established by Ofgem. Under the regime offshore transmission will be a licensed activity regulated by Ofgem.	
Grid connection	EN-3 2.6.37 – 2.6.40	Where the applicant has identified a precise route for the cable from the wind farm to a precise location for the onshore substation and connection to the transmission network, the EIA should assess the effects of the cable.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Where the applicant does not know the precise location of any cabling or any necessary onshore and/or offshore substations, a corridor should be identified within which the cable and any offshore substation is likely to be located. The EIA for the proposed project should assess the effects of including this infrastructure within that corridor. Where the point of onshore connection is unknown at the time of the application, the applicant should assess a corridor from the wind farm to the shore that is considered to be a reasonably likely area for the cable and any offshore substation should be assessed as part of the EIA.	
	EN-3 2.6.41	The onshore element of the grid connection (electric lines and substations) should be determined in accordance with the Electricity Networks Infrastructure NPS, EN-5. Depending upon the scale and type of this onshore development, elements of it could constitute either associated development or an energy NSIP in its own right.	
Technical considerations	EN-3 2.6.42	Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the [Secretary of State], possibly including: ▲ Precise location and configuration of turbines and associated development; ▲ Foundation type; ▲ Exact turbine tip height; ▲ Cable type and cable route; and ▲ Exact locations of offshore and/or onshore substations.	
	EN-3 2.6.43	In accordance with Section 4.2 of EN-1, the [Secretary of State] should accept that wind farm operators are unlikely to know precisely which turbines will be procured for the site until some time after any consent has been granted. Where some details have not been included in the application to the [Secretary of State], the applicant should explain which elements of the scheme have yet to be finalised, and the reasons. Therefore, some flexibility may be required in the consent. Where this is sought and the precise details are not known, then the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		applicant should assess the effects the project could have (as set out in EN-1 paragraph 4.2.8) to ensure that the project as it may be constructed has been properly assessed (the Rochdale Envelope). In this way the maximum adverse case scenario will be assessed and the [Secretary of State] should allow for this uncertainty in its consideration of the application and consent.	
	EN-3 2.6.44	Any consent that is granted by the [Secretary of State] should be flexible to allow for necessary micrositing of elements of the proposed wind farm during its construction where requested at the application stage. This allows for unforeseen events such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ.	
	EN-3 2.6.45	Where micrositing tolerance is requested by the applicant in any consent, given that the EIA should assess a maximum adverse case scenario, the assessment should reflect the implications of any micrositing as far as reasonably possible.	
	EN-3 2.6.48	The [Secretary of State] should be aware of the potential for applications for extensions to existing wind farms and that there may be constraints on such leases over which the applicant will have little or no control.	
	2.6.51 & 2.6.52	Owing to the relatively new and complex nature of offshore wind development, the [Secretary of State] should consider requiring the applicant to undertake monitoring prior to and during construction and during its operation in order to measure and document the effects of the development. This enables an assessment of the accuracy of the original predictions and may inform the scope of future EIAs. The [Secretary of State] may consider that monitoring of any impact is appropriate. Monitoring should be presented in formal reports which should be made publicly available	
	EN-3 2.6.54	Where the [Secretary of State] decides to grant consent for a proposed offshore wind farm, the [Secretary of State] should include a condition	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		requiring the applicant to submit a decommissioning programme to the Secretary of State before any offshore construction works begin. The decommissioning programme must satisfy the requirements of s.105(8) of the Energy Act 2004.	
Biodiversity	EN-3 2.6.64	Applicants should assess the effects on the offshore ecology and biodiversity for all stages of the lifespan of the proposed OWF.	
	EN-3 2.6.65	Consultation on the assessment methodologies should be undertaken at an early stage with the statutory consultees as appropriate.	
	EN-3 2.6.66	Any relevant data that has been collected as part of post-construction ecological monitoring from existing, operational OWFs should be referred to where appropriate.	
	EN-3 2.6.67	The assessment should include the potential of the scheme to have both positive and negative effects on marine ecology and biodiversity.	
	EN-3 2.6.68	The Secretary of State should consider the effects of a proposal on marine ecology and biodiversity taking into account all relevant information made available to it.	
	EN-3 2.6.69	The designation of an area as Natura 2000 site does not necessarily restrict the construction or operation of OWFs in or near that area (see also Section 4.3 of EN-1).	
	EN-3 2.6.70	Mitigation may be possible in the form of careful design of the development itself and the construction techniques employed.	
	EN-3 2.6.71	Ecological monitoring is likely to be appropriate during the construction and operational phases to identify the actual impact itself so that, where appropriate, adverse effects can then be mitigated and to enable further useful information to be published relevant to future projects.	
Fish	EN-3 2.6.74	The applicant should identify fish species that are the most likely receptors of impacts with respect to: ▲ Spawning grounds;	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Nursery grounds; ▲ Feeding grounds; ▲ Over-wintering areas for crustaceans; and ▲ Migration routes.	
	EN-3 2.6.75	Where it is proposed that mitigation measures of the type set out in paragraph 2.6.76 below are applied to offshore export cables to reduce Electromagnetic Fields (EMF) the residual effects of EMF on sensitive species from cable infrastructure during operation are not likely to be significant. Once installed, operational EMF impacts are unlikely to be of sufficient range or strength to create a barrier to fish movement.	
	EN-3 2.6.76	EMF during operation may be mitigated by use of armoured cable for inter-array and export cables which should be buried at a sufficient depth. Some research has shown that where cables are buried at depths greater than 1.5 m below the seabed impacts are likely to be negligible. However, sufficient depth to mitigate impacts will depend on the geology of the seabed.	
	EN-3 2.6.77	During construction, 24 hour working practices may be employed so that the overall construction programme and the potential for impacts to fish communities is reduced in overall time.	
Intertidal	EN-3 2.6.81	An assessment of the effects of installing cable across the intertidal zone should include information, where relevant, about: ▲ Any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice; ▲ Any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice; ▲ Potential loss of habitat; ▲ Disturbance during cable installation and removal (decommissioning); ▲ Increased suspended sediment loads in the intertidal zone during installation; and	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Predicted rates at which the intertidal zone might recover from temporary effects.	
	EN-3 2.6.82	If it is proposed to install offshore cables to a depth of at least 1.5m below the sea bed, the applicant should not have to assess the effect of the cables on intertidal habitat during the operational phase of the offshore wind farm	
	EN-3 2.6.83	Applicants are expected to have regard to guidance issued in respect of FEPA (now Marine Licence) requirements.	
	EN-3 2.6.84	The conservation status of intertidal habitat is of relevance to the [Secretary of State].	
	EN-3 2.6.85	The [Secretary of State] should be satisfied that cable installation and decommissioning has been designed sensitively taking into account intertidal habitat.	
	EN-3 2.6.86	Where adverse effects are predicted during the installation or decommissioning of cables, in coming to a judgement, the [Secretary of State] should consider the extent to which the effects are temporary or reversible.	
	EN-3 2.6.87	Where it is proposed that the offshore export cables are armoured and buried at a sufficient depth to minimise heat effects (as described in 2.6.76 above), the effects of heat on sensitive species from cable infrastructure during operation are unlikely to be a reason for the [Secretary of State] to have to refuse to grant consent for a development.	
	EN-3 2.6.88	Effects on intertidal habitat cannot be avoided entirely. Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on intertidal habitats, taking into account other constraints.	
	EN-3 2.6.89	Where cumulative effects on intertidal habitats are predicted as a result of the cumulative effects of multiple cable routes, it may be appropriate for applicants of various schemes to work together to	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		ensure that the number of cables crossing the intertidal zone are minimised and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised.	
Marine Mammals	EN-3 2.6.91	Offshore piling may reach noise levels which are high enough to cause injury, or even death, to marine mammals. If piling associated with an offshore wind farm is likely to lead to the commission of an offence (which would include deliberately disturbing, killing or capturing a European Protected Species), an application may have to be made for a wildlife licence to allow the activity to take place	
	EN-3 2.6.92	Where necessary, assessment of the effects on marine mammals should include details of: • Likely feeding areas; • Known birthing areas/haul out sites; • Nursery grounds; • Known migration or commuting routes; • Duration of the potentially disturbing activity including cumulative/incombination effects with other plans or projects; • Baseline noise levels; • Predicted noise levels in relation to mortality, permanent threshold shift (PTS) and temporary threshold shift (TTS); • Soft-start noise levels according to proposed hammer and pile design; and • Operational noise.	
	EN-3 2.6.93	The applicant should discuss any proposed piling activities with the relevant body. Where assessment shows that noise from offshore piling may reach noise levels likely to lead to an offence as described in 2.6.91 above, the applicant should look at possible alternatives or appropriate mitigation before applying for a licence.	
	EN-3 2.6.94	The [Secretary of State] should be satisfied that the preferred methods of construction, in particular the construction method needed for the proposed foundations and the preferred foundation type, where known at the time of application, are designed so as to reasonably	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		minimise significant disturbance effects on marine mammals. Unless suitable noise mitigation measures can be imposed by requirements to any development consent the [Secretary of State] may refuse the application.	
	EN-3 2.6.95	The conservation status of marine European Protected Species and seals are of relevance to the [Secretary of State]. The [Secretary of State] should take into account the views of the relevant statutory advisors.	
	EN-3 2.6.96	Fixed submerged structures such as foundations are likely to pose little collision risk for marine mammals and the [Secretary of State] is not likely to have to refuse to grant consent for a development on the grounds that offshore wind farm foundations pose a collision risk to marine mammals.	
	EN-3 2.6.97	Monitoring of the surrounding area before and during the piling procedure can be undertaken.	
	EN-3 2.6.98	During construction, 24-hour working practices may be employed so that the overall construction programme and the potential for impacts to marine mammal communities is reduced in time.	
	EN-3 2.6.99	Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before significant adverse impacts are caused.	
Birds	EN-3 2.6.102	The scope, effort and methods required for ornithological surveys should have been discussed with the relevant statutory advisor.	
	EN-3 2.6.103	Relevant data from operational offshore wind farms should be referred to in the applicant's assessment.	
	EN-3 2.6.104	It may be appropriate for assessment to include collision risk modelling for certain species of birds. Where necessary, the assessments carried out by applicants should assess collision risk using survey data collected from the site at the pre-application EIA stage. The [Secretary of State]	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		will want to be satisfied that the collision risk assessment has been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor.	
	EN-3 2.6.105	Applicants are expected to adhere to requirements in respect of FEPA licence requirements (now Marine Licence). As set out in paragraph 2.6.7 above, a FEPA licence may be deemed to be given by a provision in a development consent given by the [Secretary of State].	
	EN-3 2.6.106	In addition to Section 5.3 of EN-1 the offshore wind-specific biodiversity considerations set out in paragraphs 2.6.58 to 2.6.71 above should inform [Secretary of State] decision-making.	
	EN-3 2.6.107	Aviation and navigation lighting should be minimised to avoid attracting birds, taking into account impacts on safety.	
	EN-3 2.6.108	Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk, where the collision risk assessment shows there is a significant risk of collision.	
	EN-3 2.6.109	Construction vessels associated with offshore wind farms should, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods.	
	EN-3 2.6.110	The exact timing of peak migration events is inherently uncertain. Therefore, shutting down turbines within migration routes during estimated peak migration periods is unlikely to offer suitable mitigation.	
Subtidal	EN-3 2.6.113	Where necessary, assessment of the effects on the subtidal environment should include: - Loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes; - Environmental appraisal of inter-array and cable routes and installation methods; - Habitat disturbance from construction vessels' extendible legs and anchors; - Increased suspended sediment loads during construction; and	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Predicted rates at which the subtidal zone might recover from temporary effects.	
	EN-3 2.6.114	If it is proposed to install offshore cables to a depth of at least 1.5 metres below the seabed, the Applicant should not have to assess the effects of the cables on intertidal and subtidal habitat during the operational phase of the OWF.	
	EN-3 2.6.115	The conservation status of subtidal habitat is of relevance to the [Secretary of State].	
	EN-3 2.6.116	The [Secretary of State] should be satisfied that activities have been designed taking into account sensitive subtidal environmental aspects.	
	EN-3 2.6.117	Where adverse effects are predicted, in coming to a judgement, the [Secretary of State] should consider the extent to which the effects are temporary or reversible	
	EN-3 2.6.118	Where it is proposed that the offshore export cables are armoured and buried at a sufficient depth to minimise heat effects (as described in paragraph 2.6.76 above) the effects of heat on sensitive species from cable infrastructure during operation are unlikely to be a reason for the [Secretary of State] to refuse to grant consent for a development.	
	EN-3 2.6.119	Construction and decommissioning methods should be designed appropriately to minimise effects on subtidal habitats, taking into account other constraints. Mitigation measures which the [Secretary of State] should expect the applicants to have considered may include: ▲ Surveying and micrositing of the export cable route to avoid adverse effects on sensitive habitat and biogenic reefs; ▲ Burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and ▲ The use of anti-fouling paint might be minimised on subtidal surfaces, to encourage species colonisation on the structures.	
	EN-3 2.6.120	Where cumulative effects on subtidal habitats are predicted as a result of the cumulative effects of multiple cable routes, it may be appropriate for applicants for various schemes to work together to	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		ensure that the number of cables crossing the subtidal zone is minimised and installation/ decommissioning phases are coordinated to ensure that disturbance is reasonably minimised.	
Commercial fisheries and fishing	EN-3 2.6.121-123	Whilst the footprint of the OWF and any associated infrastructure may be a hindrance to certain types of commercial fishing activity such as trawling and longlining, other fishing activities may be able to take place within operational wind farms without unduly disrupting or compromising navigational safety. Consequently, the establishment of a wind farm can increase the potential for some fishing activities, such as potting, where this would not compromise any advisory safety area in place. The [Secretary of State] should consider adverse or beneficial impacts on different types of commercial fishing activity.	
	EN-3 2.6.124	In some circumstances, transboundary issues may be a consideration as fishermen for other countries may fish in waters within which OWFs are sited.	
	EN-3 2.6.127	Early consultation should be undertaken with statutory advisors and with representatives of the fishing industry which could include discussion of impact assessment methodologies. Where any part of the proposal involves a grid connection to shore, appropriate inshore fisheries groups should also be consulted.	
	EN-3 2.6.129	The assessment by the applicant should include detailed surveys of the effects on fish stocks of commercial interest and any potential reduction in such stocks, as well as likely constraints on fishing activity within the project's boundaries. Robust baseline data should have been collected and studies conducted as part of the assessment.	
	EN-3 2.6.130	Where there is a possibility that advisory safety areas will be sought around offshore infrastructure, potential effects should be included in the assessment on commercial fishing.	
	EN-3 2.6.131	Where the precise extents of potential safety zones are unknown, a realistic worst case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA). Exclusion of	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		certain types of fishing may make an area more productive for other types of fishing. The assessment by the applicant should include detailed surveys of the effects on fish stocks of commercial interest and the potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones.	
	EN-3 2.6.132	The [Secretary of State] should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself. This will include siting in relation to the location of prime fishing grounds. The [Secretary of State] should consider the extent to which the proposed development occupies any recognised important fishing grounds and whether the project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities. Where the [Secretary of State] considers the wind farm would significantly impede protection of sustainable fisheries or fishing activity at recognised important fishing grounds, this should be attributed correspondingly significant weight.	
	EN-3 2.6.133	The [Secretary of State] should be satisfied that the applicant has sought to design the proposal having consulted representatives of the fishing industry with the intention of minimising the loss of fishing opportunity taking into account effects on other marine interests. Guidance has been jointly agreed by the renewables and fishing industries on how they should liaise with the intention of allowing the two industries to successfully co-exist.	
	EN-3 2.6.134	Any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry.	
	EN-3 2.6.135	Mitigation should be designed to enhance where reasonably possible any potential medium and long-term positive benefits to the fishing industry and commercial fish stocks	
	EN-3 2.6.136	The [Secretary of State] will need to consider the extent to which disruption to the fishing industry, whether short term during construction	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		or long term over the operational period, including that caused by the future implementation of any safety zones, has been mitigated where reasonably possible.	
Historic environment	EN-3 2.6.139	Heritage assets can be affected by Offshore Wind Farm (OWF) development in two principal ways: from the direct effect of the physical siting of the development itself and from indirect changes to the physical marine environment.	
	EN-3 2.6.140	Consultation with relevant statutory consultees (including English Heritage (CADW, CPAT and RCHAMW in Wales)) should be undertaken by the applicants at an early stage of the development.	
	EN-3 2.6.141	Assessment should be undertaken as set out in Section 5.8 of EN-1. Desk-based studies should take into account any geotechnical or geophysical surveys that have been undertaken to aid the wind farm design.	
	EN-3 2.6.142	Assessment should include the identification of any beneficial effects on the historic marine environment, for example through improved access or the contribution to new knowledge that arises from investigation.	
	EN-3 2.6.143	Where elements of an application (whether offshore or onshore) interact with features of historic maritime significance that are located onshore, the effects should be assessed in accordance with the policy at Section 5.8 in EN-1.	
	EN-3 2.6.144	PINS should be satisfied that OWFs and associated infrastructure have been designed sensitively taking into account known heritage assets and their status (for example designated features).	
	EN-3 2.6.145	Avoidance of important heritage assets, including archaeological sites and historic wrecks, is the most effective form of protection and can be achieved through the implementation of AEZ around such heritage assets which preclude development activities within their boundaries.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.6.146	Where requested by applicants, [Planning Inspectorate] should consider granting consents that allow for micro-siting to be undertaken within a specified tolerance. This allows changing to be made to the precise location of infrastructure during the construction phase so that account can be taken of unforeseen circumstances such as the discovery of marine archaeological remains.	
Navigation and shipping	EN-3 2.6.153	Stakeholders in the navigation sector should be engaged in the early stages of the development phase and this should continue throughout construction, operation and decommissioning.	
	EN-3 2.6.154	Consultation should be undertaken with the Marine Management Organisation (MMO), MCA, relevant General Lighthouse Authority (GLA), relevant industry bodies and representatives of recreational users.	
	EN-3 2.6.155	Paragraph 2.6.155 states that information on internationally recognised sea lanes should be considered prior to undertaking assessments.	
	EN-3 2.6.156	Applicants should undertake a Navigational Risk Assessment (NRA) in accordance with relevant Government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above.	
	EN-3 2.6.157	The navigation risk assessment will for example necessitate: • A survey of vessels in the vicinity of the proposed wind farm; • A full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and • Cumulative and in-combination risks associated with the development and other developments (including other wind farms) in the same area of sea	
	EN-3 2.6.158	Where there is a possibility that safety zones will be sought around offshore infrastructure, potential effects should be included in the assessment on navigation and shipping.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.6.159	Where the precise extents of potential safety zones are unknown, a realistic worst case scenario should be assessed. Applicants should consult the MCA and refer to the Government guidance on safety zones.	
	EN-3 2.6.160	The potential effect on recreational craft, such as yachts, should be considered in any assessment.	
	EN-3 2.6.161	The [Secretary of State] should not grant development consent in relation to the construction or extension of an offshore wind farm if it considers that interference with the use of recognised sea lanes essential to international navigation is likely to be caused by the development. The use of recognised sea lanes essential to international navigation means: (a) Anything that constitutes the use of such a sea lane for the purposes of article 60(7) of the United Nations Convention on the Law of the Sea 1982; or (b) Any use of waters in the territorial sea adjacent to Great Britain that would fall within paragraph (a) if the waters were in a Renewable Energy Zone (REZ).	
	EN-3 2.6.162	The [Secretary of State] should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries29 and recreational users of the sea. Where a proposed development is likely to affect major commercial navigation routes, for instance by causing appreciably longer transit times, the [Secretary of State] should give these adverse effects substantial weight in its decision making. There may, however, be some situations where reorganisation of traffic activity might be both possible and desirable when considered against the benefits of the wind farm proposal. Such circumstances should be discussed with the MCA and the commercial shipping sector and it should be recognised that alterations might require national	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		endorsement and international agreement and that the negotiations involved may take considerable time and do not have a guaranteed outcome.	
	EN-3 2.6.163	Where a proposed offshore wind farm is likely to affect less strategically important shipping routes, a pragmatic approach should be employed by the [Secretary of State]. For example, vessels usually tend to transit point to point routes between ports (regional, national and international). Many of these routes are important to the shipping and ports industry as is their contribution to the UK economy. In such circumstances the [Secretary of State] should expect the applicant to minimise negative impacts to as low as reasonably practicable (ALARP). Again, there may be some situations where reorganisation of traffic activity might be both possible and desirable when considered against the benefits of the wind farm application and such circumstances should be discussed with the MCA and the commercial shipping sector.	
	EN-3 2.6.164	A detailed Search and Rescue Response Assessment should be undertaken prior to commencement of construction should consent for the offshore wind farm be granted. This assessment could be secured by a requirement to any consent. However, where there are significant concerns over the frequency or the consequences of such incidents, a full assessment may be required before the application can be determined.	
	EN-3 2.6.165	The [Secretary of State] should not consent applications which pose unacceptable risks to navigational safety after all possible mitigation measures have been considered.	
	EN-3 2.6.166	The [Secretary of State] should be satisfied that the scheme has been designed to minimise the effects on recreational craft and that appropriate mitigation measures, such as buffer areas, are built into applications to allow for recreational use outside of commercial shipping routes. In view of the level of need for energy infrastructure, where an adverse effect on the users of recreational craft has been identified, and where no reasonable mitigation is feasible, the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		[Secretary of State] should weigh the harm caused with the benefits of the scheme.	
	EN-3 2.6.167	Providing proposed schemes have been carefully designed by the applicants, and that the necessary consultation with the MCA and the other navigation stakeholders listed above has been undertaken at an early stage, mitigation measures may be possible to negate or reduce effects on navigation to a level sufficient to enable the [Secretary of State] to grant consent. The MCA will use the NRA as described in paragraph 2.6.156 above when advising the [Secretary of State] on any mitigation measures proposed.	
	EN-3 2.6.168	The [Secretary of State] should, in determining whether to grant consent for the construction or extension of an offshore wind farm, and what requirements to include in such a consent, have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development.	
	EN-3 2.6.169	In considering what interference, obstruction or danger to navigation and shipping is likely and its extent and nature, the [Secretary of State] should have regard to the likely overall effect of the development in question and to any cumulative effects of other relevant proposed, consented and operational offshore wind farms.	
	EN-3 2.6.174	Mitigation measures will include site configuration, lighting and marking of projects to take account of any requirements of the General Lighthouse Authority and also the provision of an acceptable Active Safety Management System.	
	EN-3 2.6.175	In some circumstances, the [Secretary of State] may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.	
	EN-3 2.6.179	Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure, or has the potential to affect	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Infrastructure and Other Users		activities for which a licence has been issued by Government, the applicant should undertake an assessment of the potential effect of the proposed development on such existing or permitted infrastructure or activities. The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy for offshore wind farm EIAs.	
	EN-3 2.6.180 – 2.6.181	Applicants should engage with interested parties in the potentially affected offshore sectors early in the development phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application to the [Secretary of State]. Such stakeholder engagement should continue throughout the life of the development including construction, operation and decommissioning phases where necessary. As many of these offshore industries are regulated by Government, the relevant Secretary of State should also be a consultee where necessary. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to successfully co-exist.	
	EN-3 2.6.183	Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the [Secretary of State]. Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy. In such circumstances the [Secretary of State] should expect the applicant to minimise negative impacts and reduce risks to as low as reasonably practicable.	
	EN-3 2.6.184	As such, the [Secretary of State] should be satisfied that the site selection and site design of the proposed offshore wind farm has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. The [Secretary of State] should not consent applications which pose unacceptable risks to safety after mitigation measures have been considered.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.6.185	Where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, the [Secretary of State] should give these adverse effects substantial weight in its decision-making.	
	EN-3 2.6.187 & 2.6.188	Detailed discussions between the applicant for the offshore wind farm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application to the [Secretary of State]. As such, appropriate mitigation should be included in any application to the [Secretary of State], and ideally agreed between relevant parties. In some circumstances, the [Secretary of State] may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.	
Physical environment	EN-3 2.6.190	Assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy for offshore wind farm EIAs.	
	EN-3 2.6.191 and 2.6.192	The Environment Agency (EA) regulates emissions to land, air and water out to 3nm. Where any element of the wind farm or any associated development included in the application to the [Secretary of State] is located within 3nm of the coast, the EA should be consulted at the pre-application stage on the assessment methodology for impacts on the physical environment. Beyond 3nm, the MMO is the regulator. The applicant should consult the MMO and the Centre for Environment, Fisheries & Aquaculture Science (CEFAS) on the assessment methodology for impacts on the physical environment at the pre-application stage.	
	EN-3 2.6.193	Geotechnical investigations should form part of the assessment as this will enable the design of appropriate construction techniques to minimise any adverse effects.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.6.194	The assessment should include predictions of the physical effect that will result from the construction and operation of the required infrastructure and include effects such as the scouring that may result from the proposed development.	
	EN-3 2.6.195	As set out above, the direct effects on the physical environment can have indirect effects on a number of other receptors. Where indirect effects are predicted, the [Secretary of State] should refer to relevant sections of this NPS and EN-1.	
	EN-3 2.6.196	The [Secretary of State] should be satisfied that the methods of construction, including use of materials, are such as to reasonably minimise the potential for impact on the physical environment. This could involve, for instance, the exclusion of certain foundations on the basis of their impacts or minimising quantities of rock that are used to protect cables whilst taking into account other relevant considerations such as safety.	
	EN-3 2.6.197	Mitigation measures which the [Secretary of State] should expect the applicants to have considered include the burying of cables to a necessary depth and using scour protection techniques around offshore structures to prevent scour effects around them. Applicants should consult the statutory consultees on appropriate mitigation.	
Seascape and visual effects	EN-3 2.6.199	Seascape is a discrete area within which there is shared inter-visibility between land and sea. (Definition taken from Appendix 3 of DTI (2005) Guidance on the Assessment of the Impact of Offshore Wind Farms: Seascape and Visual Impact Report). In some circumstances it may be necessary to carry out a seascape and visual impact assessment (SVIA) in accordance with the relevant offshore wind farm EIA policy.	
	EN-3 2.6.200	The seascape is an important resource and an economic asset. Coastal landscapes are often recognised through statutory landscape designations.	
	EN-3 2.6.202	Where a proposed offshore wind farm will be visible from the shore, an SVIA should be undertaken which is proportionate to the scale of the	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		potential impacts. Impact on seascape should be addressed in addition to the landscape and visual effects discussed in EN-1	
	EN-3 2.6.203	Where necessary, assessment of the seascape should include an assessment of three principal considerations on the likely effect of Offshore Wind Farms (OWFs) on the coast: • Limit of visual perception from the coast; • Individual characteristics of the coast which affect its capacity to absorb a development; and • How people perceive and interact with the seascape.	
	EN-3 2.6.204	As part of the SVIA, photomontages are likely to be required. Viewpoints to be used for the SVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage.	
	EN-3 2.6.205	Magnitude of change to both the identified seascape receptors (such as seascape units and designated landscapes) and visual receptors (such as viewpoints) should be assessed in accordance with the standard methodology for SVIA.	
	EN-3 2.6.206	Where appropriate, cumulative SVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 4.2 of EN-1.	
	EN-3 2.6.207	The [Secretary of State] should assess the proposal in accordance with the policy set out in the landscape and visual impacts Section 5.9 of EN-1.	
	EN-3 2.6.208	Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The [Secretary of State] should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless: • It considers that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that the applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Taking account of the sensitivity of the receptor(s) as set out in EN-1 paragraph 5.9.18, the harmful effects are considered to outweigh the benefits of the proposed scheme.	
	EN-3 2.6.209	Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the [Secretary of State] should take into account the extent to which the effects are temporary or reversible.	
	EN-3 2.6.210	Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the [Secretary of State] should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible. However, the layout of the turbines should be designed appropriately to minimise harm, taking into account other constraints such as ecological effects, safety reasons or engineering and design parameters	
Onshore Wind Farm Impacts – Traffic and transport	EN-3 2.7.77	Where a cumulative impact is likely, a cumulative transport assessment should form part of the assessment to consider the impacts of abnormal traffic movements relating to the project in question.	

2.3 EN-5 NPS Accordance Table

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-5 Part 1: Introduction			
Infrastructure covered by this NPS	EN-5 1.8.1	Infrastructure for electricity networks generally can be divided into two main elements: transmission systems (the long distance transfer of electricity through 400kV and 275kV lines), and distribution systems (lower voltage lines from 132kV to 230V from transmission substations to the end-user) which can either be carried on towers/poles or undergrounded; and associated infrastructure, e.g. substations (the essential link between generation, transmission, and the distribution systems that also allows circuits to be switched or voltage transformed to a useable level for the consumer) and converter stations to convert DC power to AC power and vice versa	
	EN-5 1.8.2	This NPS covers above ground electricity lines whose nominal voltage is expected to be 132kV or above. Any other kind of electricity infrastructure (including lower voltage overhead lines, underground or sub-sea cables at any voltage, and associated infrastructure as referred to above) will only be subject to the Planning Act 2008 – and so be covered by this NPS – if it is in England, and it constitutes associated development for which consent is sought along with an NSIP such as a generating station or relevant overhead line.	
EN-5 Part 2: Assessment and Technology-Specific Information			
Site Selection	EN-5 2.2.4	Where the network company does not own (or wish to own) the relevant land itself, it may reach a voluntary agreement that gives it either an easement over the land or at least a wayleave permission to use it during the tenure of the current owner or occupier. Where it does not succeed in reaching the agreement it wants, the company may, as part of its application to the [Secretary of State], seek to acquire rights compulsorily over the relevant land by means of a provision in the DCO. The applicant may also apply for the compulsory purchase of land: this is not normally sought where lines and cables are installed, but may occur where other electricity network infrastructure, such as a new substation, is	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		required. The above issues may be relevant considerations when the electricity company is considering various potential routes.	
	EN-5 2.2.5	There will usually be some flexibility around the location of the associated substations and applicants will give consideration to how they are placed in the local landscape taking account of such things as local topography and the possibility of screening.	
	EN-5 2.2.6	As well as having duties under section 9 of the Electricity Act 1989, (in relation to developing and maintaining an economical and efficient network), developers will be influenced by Schedule 9 to the Electricity Act 19897 , which places a duty on all transmission and distribution licence holders, 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 and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and … do what [they] 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." Depending on the location of the proposed development, statutory duties under section 85 of the Countryside and Rights of Way Act 2000 and section 11A of the National Parks and Access to the Countryside Act 1949 may be relevant.	
Climate change adaptation	EN-5 2.4.1	As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it would be resilient to: ▲ flooding, particularly for substations that are vital for the electricity transmission and distribution network; ▲ effects of wind and storms on overhead lines; ▲ higher average temperatures leading to increased transmission losses; and	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ earth movement or subsidence caused by flooding or drought (for underground cables).	
	EN-5 2.4.2	Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Section 5.7 in EN-1).	
Landscape and Visual	EN-5 2.8.2	New substations, sealing end compounds and other above ground installations that form connection, switching and voltage transformation points on the electricity networks can also give rise to landscape and visual impacts. Cumulative landscape and visual impacts can arise where new overhead lines are required along with other related developments such as substations, wind farms and/or other new sources of power generation.	
Electric and Magnetic Fields (EMF's)	EN-5 2.10.2	All overhead power lines produce EMFs, and these tend to be highest directly under a line, and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable (see para 2.10.12). EMFs can have both direct and indirect effects on human health. The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a microshock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful.	

Fferm Wynt Alltraeth
AWEL Y MÔR
Offshore Wind Farm

RWE Renewables UK Swindon Limited

Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire SN5 6PB
T +44 (0)8456 720 090
www.rwe.com

Registered office:
RWE Renewables UK Swindon Limited
Windmill Hill Business Park
Whitehill Way
Swindon