



# One Earth Solar Farm

**Volume 6.0: Environmental Statement [EN010159]**

**Volume 3: Technical Appendices Supporting ES Volume 2**

**Appendix 16.1: Summary of Relevant Legislation, Policy and Technical Guidance**

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## A.16 Human Health Legislation, Planning Policy and Guidance

### A.16.1 Review of Policy, Legislation and Relevant Guidance

- A.16.1.1. Legislation, planning policy and guidance relating to human health, and pertinent to the Proposed Development comprises:

#### **Legislation**

##### **The Planning Act 2008**

- A.16.1.2. This Act introduced a new development consent regime for major infrastructure projects that are deemed to be above a derived nationally significant threshold, in the energy, transport, water, wastewater and waste sectors. This regime is known as a Development Consent Order (DCO).

##### **The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**

- A.16.1.3. This regulation is the latest iteration of transposed EU directives in relation to the Environmental Impact Assessment regime in the UK. Following on from the previous EIA directive transposed in 2019, changes to the regime include updates in regard to nationally significant infrastructure projects, to which specific legislation is required. Regulation 5(2) requires EIAs to identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on human health.

#### **National Planning Policy**

##### **Overarching National Policy Statement for Energy (EN-1) (2023)**

- A.16.1.4. This provides specific policy on energy NSIPs, and the way in which any impacts and mitigation measures will be considered. Part 4, Section 4.4 of this policy statement specifically relates to health.
- A.16.1.5. Paragraph 4.4.4 states that *“As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate.”*

##### **National Policy Statement for Renewable Energy EN-3 (2023)**

- A.16.1.6. This provides specific policy on energy NSIPs, and the way in which any impacts and mitigation measures will be considered. This NPS provides the primary basis for decisions on renewable energy DCO applications. Section

3.10 provides the primary basis for decisions on solar photovoltaic DCO applications.

### National Policy Statement for Electricity Networks Infrastructure EN-5 (2023)

- A.16.1.7. This NPS is part of a suite of energy infrastructure NPSs and is to be considered in conjunction with EN-1 and EN-3. It covers electricity transmission and distribution systems.

### National Planning Policy Framework (2024)

- A.16.1.8. The National Planning Policy Framework (NPPF) is an overarching document which sets out government planning policy for development outside of the NSIP regime in England, and how this is expected to be applied by local authorities and developers. The NPPF can be an important and relevant consideration for NSIPs as well, but in the event of any conflict, the NPS policy prevails. The NPPF provides a framework for local sustainable development via local plans. Specific extracts relating to our Project are as follows:

- A.16.1.9. Paragraph 96 states that “*Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

*a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*

*b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and*

*c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

### Local Planning Policy

- A.16.1.10. Local planning policy relevant to our Site is set out below. Local policies can be an important and relevant consideration for NSIPs as well, but in the event of any conflict, the NPS policy prevails.

Newark and Sherwood District Council (2023), Amended Allocations and Development Management Development Plan Document (AADMDPD)

A.16.1.11. The Amended Allocations and Development Management Development Plan Document (AADMDPD) has been compiled to ensure that the wider development framework within Newark and Sherwood District Council sufficiently allocates land for development to meet the needs of the area, up until 2033. The document includes *“new and amended Housing and Affordable Housing Policies which replace those included in the Amended Core Strategy and new Gypsy Roma Traveller policies and allocations. The document also sets out amendments to urban boundaries and village envelopes, retail boundaries as well as sites requiring continued protection from development (open space and green infrastructure designations). It also includes a suite of Development Management policies to provide greater direction, help deliver specific allocations and assist in the day-to-day assessment of planning applications.”*

A.16.1.12. Specific policies within the AADMDPD relevant to the Proposed Development include Policy DM4 *“Renewable and Low Carbon Energy Generation”* which states that “

*In order to achieve the commitment to carbon reduction set out in Core Policy 10, planning permission will be granted for renewable and low carbon energy generation development, as both standalone projects and part of other development, its associated infrastructure and the retro-fitting of existing development, where its benefits are not outweighed by detrimental impact from the operation and maintenance of the development and through the installation process upon:*

- 1. The landscape character or urban form of the district or the purposes of including land within the Green Belt arising from the individual or cumulative impact of proposals;*
- 2. Southwell Views as defined in Policy So/PV or the setting of the Thurgarton Hundred Workhouse, as defined in Policy So/Wh;*
- 3. Heritage Assets and or their settings;*
- 4. Amenity, including noise pollution, shadow flicker, and electro-magnetic interference;*
- 5. Highway safety;*
- 6. The ecology of the local or wider area; or*
- 7. Aviation interests of local or national importance.”*

Newark and Sherwood District Council (2019), Amended Core Strategy Development Plan

A.16.1.13. The Amended Core Strategy for Newark and Sherwood District is part of the Local Development Framework for the area. This strategy outlines the

overarching issues and objectives to address over a 20-year period, contextualising this into wider vision, series of objectives and core policies toward delivery.

### Central Lincolnshire Local Plan (2023)

- A.16.1.14. The Local Plan for the central Lincolnshire area sets out the approach to planning policy and overarching development allocations to drive growth in the area over a 20-year period. The Local Plan is contextualised into a wider vision, series of objectives and core policies toward delivery.
- A.16.1.15. Specific policies detailed in the Local Plan and are relevant to the Proposed Development, as below.
- A.16.1.16. Policy S54 “*Health and Wellbeing*” states that:

*“The potential for achieving positive mental and physical health outcomes will be taken into account when considering all development proposals. Where any potential adverse health impacts are identified, the applicant will be expected to demonstrate how these will be addressed and mitigated.*

*The Central Lincolnshire authorities will expect development proposals to promote, support and enhance physical and mental health and wellbeing, and thus contribute to reducing health inequalities. This will be achieved by:*

- a) Seeking, in line with the Central Lincolnshire Developer Contributions SPD, developer contributions towards new or enhanced health facilities from developers where development results in a shortfall or worsening of provision, as informed by the outcome of consultation with health care commissioners.*
- b) in the case of development of 150 dwellings or more, or 5ha or more for other development, developers submitting a fit for purpose Health Impact Assessment (HIA) as part of the application or master planning stage where applicable, and demonstrating how the conclusions of the HIA have been taken into account in the design of the scheme. The HIA should be commensurate with the size of the development;*
- c) development schemes safeguarding and, where appropriate, creating or enhancing the role of allotments, orchards, gardens and food markets in providing access to healthy, fresh and locally produced food; and*
- d) Ensuring quality green infrastructure provides adequate access to nature for its benefits to mental and physical health and wellbeing and potential to overcome health inequalities.*

*Proposals for new health care facilities*

*Proposals for new health care facilities should relate well to public transport services, walking and cycling routes and be easily accessible to all sectors of the community. Proposals which utilise opportunities for the multi-use and co-location of health facilities with other services and facilities, and thus co-ordinate local care and provide convenience for the community, will be particularly supported.”*

**Bassetlaw District Council (2010) Local Development Framework, Publication Core Strategy and Development Management Policies**

- A.16.1.17. The Core Strategy for the Bassetlaw District sets out the overarching vision for the area up until 2026, including the policy approach to deliver this.
- A.16.1.18. Policy DM10 “Renewable and Low Carbon Energy” is related to the Proposed Development and states:

*“The Council will be supportive of proposals that seek to utilize renewable and low-carbon energy to minimize CO2 emissions. Such proposals will be expected to demonstrate regard to the Council’s Energy Opportunities Diagram and Renewable and Low-Carbon Energy Study (or subsequent replacement) when identifying options for achieving CO2 emission reductions. Proposals for renewable and low-carbon energy infrastructure will need to demonstrate that they:*

- Are compatible with policies to safeguard the built and natural environment, including heritage assets and their setting;*
- Will not lead to the loss of or damage to high-grade agricultural land;*
- Are compatible with tourism and recreational facilities;*
- Will not result in unacceptable impacts in terms of visual appearance, landscape character, noise, shadow-flicker, watercourse engineering and hydrological impacts, pollution, traffic generation, or loss of features of recognized importance for biodiversity;*
- Will not result in an unacceptable cumulative impact in relation to the factors above.*

*Large-scale renewable and low-carbon energy proposals must provide full details of arrangements for decommissioning and reinstatement of the site if/when it ceases to operate.*

**B. District Heating and Co-location**



*Proposals for new development in District Heating Opportunity Areas (as identified on the Energy Opportunities Diagram) will, where the scale of the proposal permits, be expected to demonstrate consideration of District Heating as a means of achieving carbon compliance. District Heating opportunities include those supplied by heat from waste management sites, power stations, coal mine methane facilities or new standalone infrastructure. Applicants will be expected to engage with the Council at pre-application stage to assess the feasibility of achieving this objective. Where District Heating Networks are established, all subsequent new development close enough to connect to such a network will be expected to do so where there are no barriers to this connection. Proposals for heat-producing development will be expected to demonstrate consideration of the feasibility of utilizing its waste heat for heat-consuming development. Support will be given to proposals that will ensure the co-location of compatible heat-producing and heat-consuming development.*

#### **C. Site Allocations**

*Allocations made in the Site Allocations DPD will be expected to deliver specific low-carbon and renewable energy infrastructure in line with assessments of feasibility and overall viability.*

#### **D. Community Energy Schemes**

*Support will be given to community-led energy schemes in line with the Council's Renewable and Low Carbon Energy Study (or subsequent replacement), on exception sites, if necessary, where strong local support is demonstrated."*

### **Bassetlaw Local Plan 2020 – 2038 Main Modifications (2023)**

- A.16.1.19. This Local Plan sets out Bassetlaw District's planning and policy framework, development strategy and site allocations to inform effective delivery of the overall vision up until 2038.
- A.16.1.20. Policies set out in the Local Plan relate to the Proposed Development.
- A.16.1.21. Policy ST42 "Promoting Health, Active Lifestyles" states that:

*"The Council will, with its partners, create an environment which supports healthy, active, inclusive and safe communities. Healthy, active, and safe lifestyles will be enabled by:*

- a) working in partnership with the health authorities to maintain, and where practicable, improve access to the full range of health services for residents, including through the co-location of health facilities with other community facilities, open space and sports facilities, through multi-purpose buildings and sites;*



- b) facilitating access to a range of high quality, well maintained and accessible open space and play areas, woodland, blue infrastructure, leisure, and cultural facilities;*
- c) improving the quantity, quality, and accessibility to playing pitches and sports facilities;*
- d) supporting initiatives which improve access to locally grown food at for example, allotments or community gardens;*
- e) creating high-quality, inclusive environments that incorporate active design principles and where practicable, increase opportunities for movement through a network of well-connected sustainable travel routes, public rights of way and towpaths to everyday shops and services*
- f) supporting energy efficient design of development, where practicable;*
- g) ensuring that the current air quality in the District is maintained and, where possible improved;*
- h) minimising and mitigating against potential harm from risks such as pollution and other environmental hazards and climate change; and*
- i) facilitating the provision of optimal digital infrastructure in accordance with Policy ST55 to allow reliable connection to a range of online services.*

*All proposals for 50 or more dwellings will be required to submit a Rapid Health Impact Assessment Matrix as part of the planning application. The Council will recognise high performing schemes through Healthy Bassetlaw – a health accreditation scheme for well-designed healthy development proposals.*

## **National Guidance**

### **Planning Practice Guidance (2023)**

- A.16.1.22. This guidance sets out the key issues in implementing the policies which protect and enhance the natural environment, also taking into consideration any local requirements. This guidance gives further specific information on land and soil of environmental value, green infrastructure, biodiversity (including geodiversity and ecosystems) and landscape considerations. It also provides further guidance on promoting health and safe communities and mentions health impact assessments as a useful tool to use where there are expected to be significant impacts.

### **IEMA Determining Significance for Human Health in Environmental Impact Assessment (2022)**

- A.16.1.23. This document provides guidance on consideration of health as a topic within EIA, more specifically on ensuring that health is seen as an environmental outcome of a project. This document gives steer on what constitutes as 'significant' for human health within EIA, factors which influence health, and the application of effects across wider health determinants.

## Local Guidance

### Central Lincolnshire Health Impact Assessment for Planning Applications Guidance Note (2023)

- A.16.1.24. This guidance note provides information on the implementation of Policy S54 of the Central Lincolnshire Local Plan. It provides advice on completing impact assessments for health, in the context of development proposals. Importantly, the guidance aims to inform developments at early pre-application stages so as to embed this as an early consideration within the planning process. This guidance is to be utilised by local authorities and developers.



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