



## **Great North Road Solar and Biodiversity Park**

Environmental Statement

Volume 2 – Chapters

Chapter 6 – Planning Policy

Document Reference - EN010162/APP/6.2.6

Revision number 1

June 2025

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, APFP Regulation 5(2)(a)



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## 6.1 INTRODUCTION

- 1 The technical chapters of the Environmental Statement (ES) provide detailed assessments which include consideration of the Planning Policies specific to the topic area concerned. The purpose of Chapter 6 of the ES is to provide an overview of all relevant national and local planning policy. It includes an overview of the international and national legislative context, along with some clarification on the role of policy and the framework in which decisions are made, specific to the determination of a Development Consent Order (DCO) application
- 2 It is not the purpose of this chapter to assess compliance with relevant Policy and a review of relevant national and local planning policy can be found in the Planning Statement [EN010162/APP/5.4] that accompanies this Development Consent Order (DCO) application. The Planning Statement further provides analysis on the legislative context and the associated hierarchy of Planning Policy in the context of a DCO application. A Statement of Planning Need [EN010162/APP/7.2] provides an assessment of the need for the Development. Both the Planning Statement and Statement of Planning Need are separate to the ES and consider the application of policy and need in the broader planning context. Table 6.1 provides a description of the purpose of each of these documents.

**Table 6.1 – List of Planning Documents**

Document	Purpose of the Document
Chapter 6: Planning Policies	Broad overview of national and local planning policies and legislative context to inform Environmental Assessment.
Planning Statement [EN010162/APP/5.4]	Review of relevant national and local planning policies and other material planning considerations, including Policy Compliance Tables.  Review of the Legislative context/hierarchy of planning policy, relevant to the DCO process.
Statement of Planning Need [EN010162/APP/7.2]	Review of the Planning Need for the Development.

- 3 Within the ES Technical Chapters, detailed consideration is given to the planning policies relevant to the assessments for each topic area:
  - Chapter 7: Landscape and Visual Impact;
  - Chapter 8: Ecology and Biodiversity;
  - Chapter 9: Water Resources;
  - Chapter 10: Ground Conditions;
  - Chapter 11: Cultural Heritage & Archaeology;
  - Chapter 12: Noise and Vibration;
  - Chapter 13: Socio-Economics and Tourism;
  - Chapter 14: Traffic and Transport;



- Chapter 15: Climate Change;
  - Chapter 16: Miscellaneous Issues;
  - Chapter 17: Agricultural Land;
  - Chapter 18: Recreation; and
  - Chapter 19: Interrelationships.
- 4 Section 3.3. of the Planning Statement [EN010162/APP/5.5] provides an overview of the key matters relevant to each of the topic area. The Policy Compliance Tables included in Appendices 1-8 of the Planning Statement [EN010162/APP/5.4] provide an assessment of Policy compliance for individual Policies.

## 6.2 OVERVIEW

- 5 The UK Government has legislated to commit the country to achieving net zero carbon emissions by 2050, and to de-carbonising electricity by 2035. These commitments mean that the UK urgently needs more renewable forms of electricity to be produced. The reliance on fossil fuels as part of the UK's energy mix will have to be displaced by cleaner and more secure sources of energy, resulting in greatly increased renewable electricity demand. Already, many conventional gas-fired power stations have closed and many of the older nuclear power stations will no longer be generating to support the nation's energy needs.
- 6 The current UK Government published 'Clean Power 2030 Action Plan'<sup>1</sup> in December 2024 to set out how its ambitious clean power goal will be achieved.
- 7 The Planning Act 2008 (as amended) (PA 2008) defines Nationally Significant Infrastructure Projects (NSIP). Part 3, Section 14(1) and 15(2) describes the construction of a generating station exceeding 50 MW in England (that does not generate electricity from wind and is not an offshore generating station) as an NSIP.
- 8 The Development is an NSIP as its generation capacity exceeds 50 MW. This means a DCO, is required to be made by the Secretary of State following Examination of the Submission before the Development can proceed.
- 9 The consent being sought is a temporary one for an operational phase of up to 40 years. At the end of this period all above ground infrastructure and equipment, with the potential exception of the substations, will be removed, along with the cables beneath the main solar array areas, with the land reverting back to its previous agricultural use. See section 5.7 of Chapter 5 – Development Description [EN010162/APP/6.2.5].
- 10 The approach used by the Applicant for the purposes of assessment, is to define and describe the Development by reference to maximum (and where relevant, minimum) design parameters, commonly referred to as the 'Rochdale Envelope' as described in Chapter 2 - Environmental Impact

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<sup>1</sup> UK Government (Dec 2024) 'Clean Power 2030 Action Plan: A New Era of Clean Electricity'  
Available at: <https://assets.publishing.service.gov.uk/media/677bc80399c93b7286a396d6/clean-power-2030-action-plan-main-report.pdf> (accessed on 23.04.25)



Assessment [EN010162/APP/6.2.2]. These parameters, and their values, are set out in Chapter 5 – Development Description [EN010162/APP/6.2.5].

### 6.3 NEED

- 11 The UK faces a series of challenges to the security of its energy system and the climate change impact of its energy generation to meet the existing and future needs and demands of the population. The Government, through the Climate Change Act 2008, set legally binding carbon budgets, requiring the UK to reduce its greenhouse gas emissions by 100% from 1990 levels, known as 'net zero' by 2050. This makes decarbonisation in the UK a legal requirement and is of global significance. In order to achieve this, the UK must decarbonise its energy system, electrify heating, industry and transport.
- 12 The Government's 'British Energy Security Strategy' (April 2022) makes clear that the Government intends to rely upon wind, solar, hydrogen and nuclear in order to replace our reliance upon fossil fuels, to bring energy costs down and above all make our supply of energy secure. In respect of solar, the Government expects a five-fold increase in deployment by 2035. In 2022 the total installed solar capacity in the UK stood at approximately 14 GigaWatts (GW), a five-fold increase is approximately 70 GW of solar power, meaning approximately another 55 GW of new solar is required to meet this target.
- 13 In the 'Powering Up Britain Energy Security Plan' 2023<sup>2</sup>, security and lowering of energy prices remains a priority. It states that the:
  - 14 *"...strategy to increase supply of low-carbon energy is dependent on enhancing our strengths on wind, solar and nuclear power generation alongside hydrogen production and carbon capture, usage and storage. This includes the infrastructure to produce, store and transport low-carbon energy around the country and to capture, transport and store carbon dioxide. We aim to remove barriers and address blockages, whilst developing new options...."*
- 15 The Plan reaffirms the Government key commitment of achieving 70 GW of solar by 2035.
- 16 The 'Clean Power 2030 Action Plan' (December 2024)<sup>3</sup> further reinforces that the route to a Clean Power system requires mass deployment of renewable energy generation, including Solar.
- 17 Further detailed analysis of planning need as established in current and emerging Government Policy can be found in the Statement of Planning Need [Document: EN010162/APP/7.2] which accompanies the application submission. An overview of the Planning Need is also included in Section 3.4 – Other Material Considerations of the Planning Statement [EN010162/APP/5.4]

<sup>2</sup> Department for Energy Security and Net Zero (2023). Powering Up Britain: Energy Security Plan. Available at: <https://www.gov.uk/government/publications/powering-up-britain/powering-up-britain-energy-security-plan> [accessed 26.03.2025].

<sup>3</sup> UK Government (Dec 2024) 'Clean Power 2030 Action Plan: A New Era of Clean Electricity' Available at: <https://assets.publishing.service.gov.uk/media/677bc80399c93b7286a396d6/clean-power-2030-action-plan-main-report.pdf> (Page 28) (accessed on 23.04.25)



## 6.4 INTRODUCTION TO LEGISLATIVE CONTEXT

- 18 The over-arching legislative context for the consideration and determination of a DCO application, is outlined below, with a more detailed analysis of policy specific to the Development in the subsequent Section 6.5.
- 19 The statutory framework for determining applications seeking development consent is provided by the Planning Act 2008 as amended. Section 104 (2) of the Act<sup>4</sup> states that:
- 20 *“(2) In deciding the application the Secretary of State must have regard to—*
- 21 *(a) any national policy statement which has effect in relation to development of the description to which the application relates (a “relevant national policy statement”),*
- 22 *(aa) the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009;*
- 23 *(b) any local impact report (within the meaning given by section 60(3)) submitted to the Secretary of State before the deadline specified in a notice under section 60(2),*
- 24 *(c) any matters prescribed in relation to development of the description to which the application relates, and*
- 25 *(d) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.”*
- 26 In this respect, Section 104 (3) provides that the Secretary of State must decide applications for development consent in accordance with any National Policy Statement (NPS) except to the extent that the Secretary of State is satisfied that one or more of the following exceptions apply:
- *“...that deciding the application in accordance with any relevant national policy statement would lead to the UK being in breach of any of its international obligations;*
  - *... that deciding the application in accordance with any relevant national policy statement would lead to the Secretary of State being in breach of any duty imposed on the Secretary of State by or under enactment;*
  - *... that deciding the application in accordance with any relevant national policy statement would be unlawful by virtue of any enactment;*
  - *... that the Secretary of State is satisfied that the adverse impact of the proposed development outweighs its benefits; and*
  - *...that the Secretary of State is satisfied that any condition prescribed for deciding an application otherwise than in accordance with a national policy statement is met.”*
- 27 The relevant NPSs are outlined below. In decision-making terms, the Planning Act 2008 makes it clear that the NPSs have primacy. The legislative framework is described in further detail in the Planning Statement

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<sup>4</sup> Legislation.gov.uk. Planning Act 2008 as amended. Section 104 (2). Available at: <https://www.legislation.gov.uk/ukpga/2008/29/section/104> [accessed on 26.03.2025].





[EN010162/APP/5.4] and for clarity, there are no exceptions under Section 104(3) which would merit an alternative approach to be taken in this case.

#### 6.4.1 National and Local Planning Policy Overview

- 28 An overview of existing and emerging national and local planning policies relevant to the Development are outlined below and Section 6.5 provides further analysis of the relevant policies and their status in decision making terms.

##### 6.4.1.1 National Policy Statements

- 29 In deciding the application for development consent, in accordance with Sections 104 (2) and 104 (3) of the 2008 Act, the SoS must have regard to the relevant NPS. The NPSs have primacy in decision making terms and this is considered further in Section 6.5 below, alongside an overview of those NPSs which are relevant to the Development.
- 30 The NPSs, designated under the Planning Act 2008, set out the primary basis for NSIP developments. There are six Energy NPSs, the Government's policy for delivery of major energy infrastructure. The first Energy NPSs were published in 2011; however, these versions have been subsequently withdrawn and superseded. The revised NPSs emerged from the National Infrastructure Planning Reform Programme, established in 2020 in order to make the NSIP system more effective. The 2023 revised NPSs (EN-1 to EN-5) came into force on 17 January 2024
- 31 The six designated energy National Policy Statements (NPSs) are as follows:
- EN-1: Overarching NPS for Energy;
  - EN-2: Fossil Fuel Electricity Generating Infrastructure;
  - EN-3: Renewable Energy Infrastructure;
  - EN-4: Gas Supply Infrastructure & Gas and Oil Pipelines;
  - EN-5: Electricity Networks Infrastructure; and
  - EN-6: Nuclear Power Generation.
- 32 EN-4 relates to gas supply infrastructure and EN-6 relates to nuclear power generation. Neither EN-4 or EN-6 are relevant to the Development and they are not considered further.
- 33 The Energy NPSs are specific in terms of which energy generation technologies they cover. In relation to a ground-mounted photovoltaic solar park, the relevant NPSs are:
- EN-1: Overarching NPS for Energy;
  - EN-3: Renewable Energy Infrastructure; and
  - EN-5: Electricity Networks Infrastructure.
- 34 These are considered Section 6.5 below.
- 35 On the 24<sup>th</sup> April 2025 DESNZ issued an Open Consultation on draft updates to NPS EN-1, NPS EN-3 and NPS EN-5, which closed on the 29<sup>th</sup> May 2025. The government's Clean Power 2030 Action Plan sets out the pathway to ensure by 2030, clean sources produce at least 95% of Great Britain's energy generation. The draft updates to the National Policy Statements seek to bring Clean Power 2030, *front and centre* as the primary





policy<sup>5</sup>. Draft NPS EN-1<sup>6</sup> reinforces that the pace of planning delivery needs to significantly increase to allow the Government targets to be achieved and Draft NPS EN-3 stipulates that Solar Power is at the *heart of the 2030 Clean Power Mission*<sup>7</sup>. Draft NPS EN-5<sup>8</sup> emphasises the importance of new network infrastructure to deliver Clean Power 2030 targets<sup>9</sup>. The Consultation defines the Transitional Arrangements and confirms that the amended energy NPSs will only have effect in relation to those applications for development consent accepted for examination after the publication of the final amended energy NPSs. However, the Transitional Arrangements acknowledge that the emerging draft energy NPS's are potentially capable of being important and relevant considerations in the decision-making process, as deemed appropriate by the Secretary of State.

#### **6.4.1.2 National Planning Policy Framework**

- 36 The National Planning Policy Framework (NPPF), published in 2012 and subsequently revised numerous times, most recently in December 2024, sets out the Government's planning policies for England and how these are to be applied.
- 37 The NPPF confirms at Paragraph 5<sup>10</sup> that it does not contain specific policies for NSIPs, and that they are determined in accordance with the Planning Act 2008 decision-making framework and relevant national policy statements for major infrastructure, as well as any other matters that are relevant, which may include the NPPF. Paragraph 4.1.11 of EN-1<sup>11</sup> reiterates that the energy NPSs take account of the NPPF and the Planning Practice Guidance (PPG) for England and EN-1 highlights areas where these should be referred to in the case of specific technical assessments. However, in the event of a conflict between 'other documents', which

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<sup>5</sup> Department for Energy Security & Net Zero (April 2025) Consultation – Planning for New Energy Infrastructure (1<sup>st</sup> and 2<sup>nd</sup> paragraph Page 9) Available here: <https://assets.publishing.service.gov.uk/media/6808b69692d50839757a61ed/planning-new-energy-infrastructure-revised-nps.pdf> (accessed 01.05.25)

<sup>6</sup> Department for Energy Security & Net Zero (April 2025) Overarching National Policy Statement for Energy (EN-1). Available here <https://assets.publishing.service.gov.uk/media/68093d68148a9969d2394f59/draft-nps-en-1.pdf> (accessed 01.05.25)

<sup>7</sup> Department for Energy Security & Net Zero (April 2025) National Policy Statement for Renewable Energy Infrastructure (EN-3) (Section 2.12.2) Available here <https://assets.publishing.service.gov.uk/media/6809f0588c1316be7978e7cb/draft-nps-en-3.pdf> (accessed 01.05.25)

<sup>8</sup> NPS EN1-5 (Inclusive) Available here: Open consultation: Planning for new energy infrastructure: 2025 revisions to National Policy Statements <https://www.gov.uk/government/collections/national-policy-statements-for-energy-infrastructure#national-policy-statements> (accessed 23.04.25)

<sup>9</sup> Department for Energy Security & Net Zero (April 2025) National Policy Statement for electricity Networks Infrastructure (EN-5) Available here <https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5> Accessed (23.04.25)

<sup>10</sup> Ministry of Housing, Communities and Local Government, National Planning Policy Framework (Dec 2024/ Amended Feb 2025) Available here: [https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF\\_December\\_2024.pdf](https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf) (accessed 23.04.25)

<sup>11</sup> Department for Energy Security and & Net Zero, Overarching National Policy Statement for Energy (EN-1) (Updated Jan 2024) Available at <https://assets.publishing.service.gov.uk/media/65bbfbdc709fe1000f637052/overarching-nps-for-energy-en1.pdf> (Accessed 23.04.25)



includes the NPPF, paragraph 4.1.15 of EN-1<sup>12</sup> makes it clear that the NPS prevails.

#### **6.4.1.3 Local Planning Policy**

- 38 Whilst the NPS are the primary consideration in deciding DCO applications, local Development Plans are also capable of being considered important and relevant (as set out in NPS EN-1, Paragraph 4.1.12; see Section 6.6 of this Chapter for detail on this). District and County planning policy, comprising adopted and relevant emerging Development Plans, will continue to be taken into account at all relevant stages in the DCO process, including a policy compliance consideration, forming part of the Planning Statement [EN010162/APP/5.4]. Local planning policy will also influence the content of local impact reports, which the relevant host authorities will produce following submission of the application.
- 39 The Development lies within the administrative area of Newark and Sherwood District Council (N&SDC) and Nottinghamshire County Council (NCC) For the area within which the Development sits, the adopted Development Plans currently comprise the following:
- Nottinghamshire Minerals Local Plan – Adopted 2021;
  - Nottinghamshire and Nottingham Waste Local Plan, Part 1 Waste Core Strategy – Adopted December 2013;
  - Waste Local Plan – Adopted 2002 Saved (non-replaced) Policies;
  - Amended Core Strategy DPD – Adopted March 2019;
  - Allocations and Development Management DPD – Adopted July 2013;
  - Policies Map;
  - Supplementary Planning Documents and Guidance; and
  - Neighbourhood Plans.
- 40 The Applicant has had regard to relevant local policy in preparing the ES and a list of those which are relevant are included in Section 6.7 of this Chapter.
- 41 The Applicant has produced a stand-alone Planning Statement [EN010162/APP/5.4], which sets out the key policy considerations, including relevant policy and strategies at national level, assesses the Development against these and the merits of the Development itself, and draws a planning balance and conclusions on the extent to which the Development complies with policy. The Policy Compliance Document [EN010162/APP/5.5] references where each policy has been addressed either in the ES or elsewhere in the submission.

## **6.5 RELEVANT NATIONAL POLICY CONTEXT**

### **6.5.1 National Policy Statements**

- 42 As outlined above, NPSs have primacy in Policy terms and the relevant NPSs for the Development are:

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<sup>12</sup> Department for Energy Security and & Net Zero, Overarching National Policy Statement for Energy (EN-1) (Updated Jan 2024) Available at <https://assets.publishing.service.gov.uk/media/65bbfbdc709fe1000f637052/overarching-nps-for-energy-en1.pdf> (Accessed 23.04.25)



- Overarching National Policy Statement for Energy (NPS EN-1);
- National Policy Statement for Renewable Energy Infrastructure (NPS EN-3); and
- National Policy Statement for Electricity Networks Infrastructure (NPS EN-5).

43 These are outlined in further detail below.

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

- 44 NPS EN-1<sup>13</sup> sets out general principles and impacts to be taken into account for all types of energy NSIP development covered by the Energy NPSs. It forms the primary basis for determining if development consent should be granted for development in the energy sector. EN-1 states that large scale renewable energy projects are needed (amongst other types of generation capacity) in order to meet the demand for electricity generation in the United Kingdom (UK), and to reduce greenhouse gas emissions from electricity generation in order to meet the Government's decarbonisation targets. NPS EN-1 sets out that the delivery of a large amount of solar generation capacity, in particular, is an essential element required for delivery of the Government's energy objectives and legally binding net zero commitments
- 45 Part 4 of EN-1 sets out the general principles that should be applied in the assessment of development consent applications across the range of energy technologies Section 4.1 outlines a set of General Policies and Considerations, to set out the approach for assessment, including the weighting to be attributed to impacts and benefits. Section 4.2 explains the critical national priority for low carbon infrastructure and the requirements that must be demonstrated, which includes application of the mitigation hierarchy. Figure 2 of EN-1 provides a clear framework for the 'Application of Critical National Priority' in decisions relating to Environmental Impact Assessments, where residual impacts remain, after the mitigation hierarchy. Section 4.3 set out the requirements for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Sections 4.4 to 4.16 inclusive, outline specific areas to be considered and the mechanisms for 'applicant assessment' and 'Secretary of State decision making'. Of relevance to this DCO are: Health (Section 4.4); Environmental and Biodiversity Net Gain (Section 4.6); Good Design (Section 4.7); Climate Change Adaptation and Resilience (Section 4.10); Network Connection (Section 4.11); Pollution Control and Other Environmental Regulatory Regimes (Section 4.12); Safety (Section 4.13); 4.15 (Common Law Nuisance and Statutory Nuisance and Security Considerations (Section 4.16).
- 46 Part 5 of EN-1 sets out policy on the assessment of impacts which are common across a range of these technologies (generic impacts). These include, but are not necessarily limited to:
- Air quality and emissions (section 5.2);

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<sup>13</sup> Department for Energy Security and & Net Zero, Overarching National Policy Statement for Energy (EN-1) (Updated Jan 2024) Available at <https://assets.publishing.service.gov.uk/media/65bbfbd709fe1000f637052/overarching-nps-for-energy-en1.pdf> (Accessed 23.04.25)



- Greenhouse gas emissions (section 5.3);
- Biodiversity and geological conservation (section 5.4);
- Civil and military aviation and defence interests (section 5.5);
- Dust, odour, artificial light, smoke, steam and insect infestation (section 5.7);
- Flood Risk (section 5.8);
- Historic environment (section 5.9);
- Landscape and visual (section 5.10);
- Land use including open space, green infrastructure and green belt (section 5.11);
- Noise and vibration (section 5.12);
- Socio-economic (section 5.13);
- Traffic and transport (section 5.14);
- Resource and Waste management (section 5.15);
- Water quality and resources (section 5.16);
- Habitats and species regulations; and
- Alternatives.

47 The above sections have been taken into account throughout the Development design process and are demonstrated in the documents accompanying the DCO application. Section 2.5 of Chapter 2 - clarifies the issues addressed during EIA. The Planning Statement [EN010162/APP/5.4] provides an overview of the impacts that have been assessed, with the associated Policy Compliance Document [EN010162/APP/5.5], referencing where these have been considered in the ES.

#### **6.5.1.2 National Policy Statement for renewable energy infrastructure (EN-3)**

- 48 NPS EN-3<sup>14</sup> taken together with the Overarching National Policy Statement for Energy (EN-1), provides the primary policy for decisions by the Secretary of State on applications they receive for nationally significant renewable energy infrastructure defined at section 1.6 of EN-3. Following adoption of the revised EN-3 in 2024, this policy statement now explicitly includes solar schemes greater than 50 MW.
- 49 The policies set out in NPS EN-3 are additional to those on generic impacts set out in EN-1. Applicants are required to show how their application meets the requirements in EN-1 and EN-3, applying the mitigation hierarchy, as well as any other legal and regulatory requirements. This includes the assessment principles as set out in Part 4 of EN-1, and the consideration of impacts as set out in Part 5 of EN-1.
- 50 Section 2.3 outlines the factors affecting site selection and design. Section 2.4 outlines the relevant considerations in respect of climate change adaptation and resilience, with 2.4.11 specifically outlined what needs to be considered in respect of solar developments. Section 2.5 reinforces the need for good design and Section 2.6 addresses flexibility which are generic to those developments covered by EN-3.

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<sup>14</sup> Department for Energy Security and & Net Zero, National Policy Statement for Renewable Energy Infrastructure (EN-3) (Updated Jan 2024) Available at <https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf> (Accessed 23.04.25)



- 51 Section 2.10 is specific to Solar Photovoltaic Generation, as a key part of the government's strategy for low-cost decarbonisation of the energy sector. It sets out a range of factors typically associated with solar developments, including:
- 52 Factors influencing site selection and design:
- Irradiance and Site Topography;
  - Network Connection;
  - Proximity of Site to Dwellings;
  - Agricultural Land Classification and Land Type;
  - Accessibility;
  - Public Rights of Way; and
  - Security and Lighting;
- 53 Technical Considerations
- Capacity of a Site;
  - Site Layout, design and appearance;
  - Project Lifetime;
  - Decommissioning; and
  - Flexibility in the project details;
- 54 EN-3 outlines the approach that should be taken to Impacts in Sections 2.10.73 to 2.10.126 (inclusive) (to be read alongside those outlined in EN-1). These are:
- Biodiversity, ecological, geological conservation and water management;
  - Landscape, visual and residential amenity
  - Glint and glare;
  - Cultural Heritage; and
  - Construction including traffic and transport noise and vibration
- 55 The approach to mitigation is set out in Sections 2.10.127 – 1.44 and the approach to decision making in Sections 12.10.145 including the weighting to be given.
- 56 The above sections have been taken into account throughout the Development design process and are demonstrated in the documents accompanying the DCO application . Section 2.5 of Chapter 2 - clarifies the issues addressed during EIA. The Planning Statement [EN010162/APP/5.4] provides an overview of the impacts that have been assessed, with the associated Policy Compliance Document [EN010162/APP/5.5], referencing where these have been considered in the ES.

#### **6.5.1.3 National Policy Statement for electricity works infrastructure (EN-5)**

- 57 EN-5<sup>15</sup>, taken together with the Overarching NPS for Energy (EN-1), provides the primary policy for decisions taken by the Secretary of State on

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<sup>15</sup> Department for Energy Security and & Net Zero, National Policy Statement for Electricity Networks Infrastructure (EN-5) (Updated Jan 2024) Available at <https://assets.publishing.service.gov.uk/media/65a78a5496a5ec000d731abb/nps-electricity-networks-infrastructure-en5.pdf> (accessed 23.04.25)





applications it receives for electricity networks infrastructure. This NPS should also be read in conjunction with EN-3.

- 58 EN-5 concerns high voltage long distance transmission and distribution infrastructure (400 kV and 275 kV lines), and lower voltage lines (132 kV to 230 kV) from transmission substations to end user. As such, EN-5 is considered important and relevant due to the inclusion within the Development of inverters, transformers, switchgear, cabling, and substations.
- 59 Sections 2.2.1 to 2.2.12 of EN-5 outline out the factors influencing site selection and design. Section 2.32 and 2.33 consider climate change adaptation and resilience and 2.4.3 and 2.3.4 .outlines relevant considerations of good design. Environmental and Biodiversity Net Gain considerations are set out in 2.5.1 and matters relating to Land Rights and Interests are set out in 2.6.1. to 2.6.6. (inclusive). EN-5 outlines the requirements for application assessment and decision making,
- 60 The Planning Statement [EN010162/APP/5.4] provides commentary on and an assessment of key matters including factors influencing site selection and design to address EN-5. The above sections have been taken into account throughout the Development design process and are demonstrated in the documents accompanying the DCO application. Section 2.5 of Chapter 2 - clarifies the issues addressed during EIA. The Planning Statement [EN010162/APP/5.4] provides an overview of the impacts that have been assessed, with the associated Policy Compliance Document [EN010162/APP/5.5], referencing where these have been considered in the ES.

#### **6.5.1.4 Planning and Infrastructure Bill 2025 and National Policy Statements**

- 61 The Planning and Infrastructure Bill 2025 was introduced to Parliament on 11 March 2025, with a primary aim of speeding up and streamlining the delivery of new homes and deciding 150 nationally significant infrastructure projects before the end of the 2024 parliament<sup>16</sup>. The Bill, once achieved Royal Assent will amend the Planning Act 2008, to include a number of infrastructure reforms, including the introduction of the statutory requirement for each NPS to be updated at least every five years, reflecting Government priorities and supporting quicker decisions on applications.
- 62 The Bill was heard for a second time on 24 March 2025 and is currently at the Report stage, with a third reading scheduled for June 10<sup>th</sup> 2025.

## **6.6 OTHER NATIONAL PLANNING POLICY CONSIDERATIONS**

### **6.6.1 National Planning Policy Framework (NPPF) – December 2024**

- 63 First published in 2012 and subsequently updated, most recently in December 2024, the NPPF<sup>17</sup> sets out the Government's planning policies

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<sup>16</sup> UK Parliament Press Release (24<sup>th</sup> March 2025) Available at: <https://www.parliament.uk/business/news/2025/march/planning-and-infrastructure-bill-call-for-evidence/> (Accessed 23.04.25)

<sup>17</sup>. Ministry of Housing, Communities and Local Government, National Planning Policy Framework (Dec 2024 and Amended Feb 2025) Available here:



for England and how these should be applied. The NPPF confirms at Paragraph 5 that it does not contain specific policies for NSIPs, and that they are determined in accordance with the PA 2008 decision-making framework and relevant national policy statements for major infrastructure, as well as any other matters that are relevant, which may include the NPPF.

- 64 Section 14 (Meeting the challenge of climate change, flooding and coastal change) is of particular relevance, with paragraph 168 making clear that significant weight is afforded to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.
- 65 Further narrative relating to compliance with the NPPF, is provided in the Planning Statement [EN010162/APP/5.4].

## 6.7 DEVELOPMENT PLAN DOCUMENTS

- 66 Section 104 (2)(d) of the Planning Act 2008 requires the SoS to have regard to other matters which the SoS thinks are important and relevant to the decision. Turning back to NPS EN-1, Paragraph 4.1.12 confirms other matters that the Secretary of State may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.
- 67 Whilst it is important to recognise that the provisions of the Development Plan Documents may be matters to which the SoS may have regard, there is no legal requirement to determine this NSIP application in accordance with the provisions of the Development Plan Documents. Whilst section 38 (6) of the Planning and Compulsory Purchase Act 2004<sup>18</sup> (the 'PCP Act') states
- 68 *"if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise,"*
- 69 This is not applicable to an application for a Development Consent Order. As outlined in paragraph 29 above, the NPS has primacy and if any conflict is identified between the Development Plan and the NPSs, the NPS prevails.
- 70 The Development falls within the N&SDC administrative area, in addition to Nottinghamshire County Council. Both are therefore 'host authorities' for the purposes of section 42 (Duty to consult) of the Planning Act 2008. Consequently, the relevant documents of the statutory Development Plans in accordance with section 38 (3) of the PCP Act are:
- Newark and Sherwood Local Development Framework – Amended Core Strategy DPD (2019);

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[https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF\\_December\\_2024.pdf](https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf) (accessed 23.04.25)

<sup>18</sup> Legislation.gov.uk. Planning and Compulsory Purchase Act 2004, Part 3, Development Plan, Section 38 (2021 as amended). Available at: <https://www.legislation.gov.uk/ukpga/2004/5/section/38> (accessed on 26.03.2025).





- Newark and Sherwood Local Development Framework – Allocations and Development Management DPD (2013);
- Nottinghamshire Minerals Local Plan (2021);
- Nottinghamshire and Nottingham Waste Local Plan, Part 1 Waste Core Strategy – Adopted December 2013; and
- Waste Local Plan – Adopted 2002 Saved (non-replaced) Policies.

71 The Development does not fall within any made Neighbourhood Plan areas.

72 The policies of each Development Plan that may be considered relevant to the Development are set out in the following sections. The list of relevant Policies was included at PEIR stage and has been subject to consultation. Compliance with Policy is set out in the Planning Statement [EN010162/APP/5.4] and accompanying Policy Compliance Document [EN010162/APP/5.5].

### **6.7.1 Newark and Sherwood Local Development Framework – Amended Core Strategy (2019)**

73 The Core Strategy<sup>19</sup> is the key part of the LDF, setting out the big issues that Newark and Sherwood District Council need to address, outlining a vision, series of objectives and a number of policies to deliver overcome said issues. The relevant policies in respect of the Development are outlined below:

- Spatial Policy 1 – Settlement Hierarchy;
- Spatial Policy 2 – Spatial Distribution of Growth;
- Spatial Policy 3 – Rural Areas;
- Spatial Policy 6 – Infrastructure for Growth;
- Spatial Policy 7 – Sustainable Transport;
- Core Policy 6 – Shaping our Employment Profile;
- Core Policy 9 – Sustainable Design;
- Core Policy 10 – Climate Change;
- Core Policy 12 – Biodiversity and Green Infrastructure;
- Core Policy 13 – Landscape Character;
- Core Policy 14 – Historic Environment; and
- ShAP1 – Sherwood Area and Sherwood Forest Regional Park.

### **6.7.2 Newark and Sherwood Local Development Framework – Allocations and Development Management DPD (2013)**

74 This DPD<sup>20</sup> is one of the Local Development Documents (LDDs) included within the Newark and Sherwood Local Development Framework (LDF). Whilst its main purpose is to allocate sufficient land for housing, employment and retail, it also sets out 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.

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<sup>19</sup> Newark and Sherwood District Council (2019). Newark and Sherwood Local Development Framework – Amended Core Strategy DPD (2019). Available at: [ACS2019.pdf](#) (accessed on 26.03.2025).

<sup>20</sup> Newark and Sherwood District Council (2013). Allocations & Development Management - Development Plan Document. Available at: [Newark & Sherwood Allocations & Development Management DPD](#) [accessed on 26.03.2025].



75 The DPD has been written in accordance with the adopted Core Strategy and its approach to settlement growth. The relevant policies are outlined below:

- Policy DM3 – Developer Contributions and Planning Obligations;
- Policy DM4 – Renewable and Low Carbon Energy Generation;
- Policy DM5 – Design;
- Policy DM7 – Biodiversity and Green Infrastructure;
- Policy DM8 – Development in the Open Countryside;
- Policy DM9 – Protecting and Enhancing the Historic Environment;
- Policy DM10 – Pollution and Hazardous Materials; and
- Policy DM12 – Presumption in Favour of Sustainable Development.

### **6.7.3 Nottinghamshire Minerals Local Plan (2021)**

76 This Minerals Local Plan has been prepared in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, forming a key part of the formal Development Plan for Nottinghamshire.

77 'Plan 3: Key Diagram' from the Local Plan<sup>21</sup> sets out a visual representation of the Spatial Strategy. From review, there are some existing sites east of the A1, brick and clay to the north and sand and gravel to the west, however, there are no permitted or proposed sites within the red line of this Development.

78 'Plan 4: Minerals Safeguarding and Associated Minerals Infrastructure' shows the Development falls within sand and gravel and brick and clay safeguarding areas.

79 The relevant policy is:

- Policy SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure.

### **6.7.4 Saved Policies from the Nottinghamshire and Nottingham Waste Local Plan (2002)**

80 The original Waste Local Plan was adopted in January 2002 and following a direction from the Secretary of State, all Waste Local Plan policies were saved, until replaced by new adopted policies, with three exceptions.

81 The adoption of the Waste Core Strategy in December 2013 partially replaced the Waste Local Plan however a number of the saved policies still remain part of the development plan for the area. It is considered that none of the saved policies are relevant to the Development.

### **6.7.5 Nottinghamshire and Nottingham Waste Core Strategy (2013)**

82 The Waste Core Strategy jointly prepared by Nottinghamshire County Council and Nottingham City Council forms part of the Nottinghamshire Minerals Local Plan. It details the overall approach to future waste

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<sup>21</sup> Nottinghamshire County Council (2021). Nottinghamshire Minerals Local Plan Adopted 2021. Available at: <https://www.nottinghamshire.gov.uk/planning-and-environment/minerals-local-plan/adopted-minerals-local-plan> (accessed on 26.03.2025).



management in Nottinghamshire and Nottingham, up to 2031, including estimates of waste capacity needs, types of suitable sites and where new or extended waste sites should be located. The relevant policies relating to non-waste development are listed below, and considered further in the Planning Statement [EN010162/APP/5.4]:

- Policy WCS2 – Waste awareness, prevention and re-use; and
- Policy WCS10 – Safeguarding waste management sites.

#### **6.7.6 Emerging Newark and Sherwood Amended Allocations and Development Management DPD**

- 83 In accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following approval at Full Council on 12<sup>th</sup> December 2023, the Amended Allocations & Development Management DPD (AADMDPD)<sup>22</sup>, along with its supporting documents was submitted to the Secretary of State on 18<sup>th</sup> January 2024 to be examined by an independent planning inspector. A Planning Inspector was subsequently assigned on 22<sup>nd</sup> February 2024.
- 84 The AADMDPD is subject to an Examination in Public. Hearings took place in November 2024 and following the submission of Main Modifications, the Inspector sent a letter on 12<sup>th</sup> March 2025 highlighting observations and seeking clarifications relating to Affordable Housing and Gypsy, Roma and Traveller accommodation. A response was provided by N&SDC on the 31<sup>st</sup> March 2025<sup>23</sup>. As per Paragraph 49 of the NPPF 2024, weight is to be given to relevant policies in emerging plans according to the stage of the preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant emerging policies to the Framework. Whilst the AADMDPD is gathering weight in this context, at the time of drafting, the Inspectors Report had not been published and the weight to be afforded is still limited.
- 85 The most notable policies have been listed below and discussed further in the Planning Statement [EN010162/APP/5.4]:
- Policy DM3 – Developer Contributions and Planning Obligations;
  - Policy DM4 – Renewable and Low Carbon Energy Generation;
  - Policy DM5(a) – The Design Process;
  - Policy DM5(b) – Design;
  - Policy DM5(c) – Sequential Test;
  - Policy DM7 – Biodiversity and Green Infrastructure;
  - Policy DM8 – Development in the Open Countryside;
  - Policy DM9 – Protecting and Enhancing the Historic Environment;
  - Policy DM10 – Pollution and Hazardous Materials; and
  - Policy DM12 – Presumption in Favour of Sustainable Development.

<sup>22</sup> Newark and Sherwood District Council (2023). Newark & Sherwood Plan Review Amended Allocations & Development Management Development Plan Document. Available at: [Amended Allocations and Development Management DPD | Newark & Sherwood District Council](#) (accessed on 26.03.2025).

<sup>23</sup> Newark and Sherwood District Council (07/04/2025) Letter to Inspector. Available at: <https://www.newark-sherwooddc.gov.uk/aadm-representation/examination-homepage/> (accessed on 14.05.2025)



### **6.7.7 Newark and Sherwood Landscape Character Assessment Supplementary Planning Document (December 2013)**

- 86 This SPD<sup>24</sup> is a District level assessment of landscape character which forms part of the wider assessment for the County and follows the County level methodology. It provides an explanation of the differences between landscapes based around a sense of place, local distinctiveness, characteristic wildlife and natural features. The SPD identifies specific Landscape Policy Zones and related actions.
- 87 The SPD has been considered in ES Chapter 7 - Landscape and Visual Impact Assessment [EN010162/APP/6.2.7].

### **6.7.8 Newark and Sherwood Local Development Framework Draft Solar Energy Supplementary Planning Document (July 2024)**

- 88 This emerging SPD<sup>25</sup> provides guidance on the application and interpretation of local and national policy on major stand-alone ground mounted solar photovoltaic (PV) developments in Newark & Sherwood District.
- 89 Within the SPD, the following are listed as material considerations:
- Landscape and Visual Impacts;
  - Biodiversity, Habitats and Green Infrastructure;
  - Historic Environment and Heritage Assets;
  - Green Belt;
  - Flooding and Drainage;
  - Cumulative Impacts;
  - Glint and Glare;
  - Agricultural Land Classification;
  - Community Consultation and Benefits;
  - Decommissioning and Restoration;
  - Grid Connection;
  - Battery Energy Storage Systems;
  - Minerals Safeguarding;
  - Site Security;
  - Access, Traffic and Transport;
  - Residential Amenity; and
  - Public Rights of Way.
- 90 Consideration of the relevant Policy context has been given throughout all stages of to date, including EIA and the subsequent preparation of this application.

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<sup>24</sup> Newark & Sherwood District Council (2013). Landscape Character Assessment Supplementary Planning Document. Available at: <https://www.newark-sherwooddc.gov.uk/lcaspd/> [accessed on 24/04/2025].

<sup>25</sup> Newark and Sherwood District Council (2024). Newark and Sherwood Local Development Framework Draft Solar Energy Supplementary Planning Document. Available at: [https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/supplementary-planning-information/Draft-Solar-Energy-SPD-July-2024-\(Rev-1\).pdf](https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/supplementary-planning-information/Draft-Solar-Energy-SPD-July-2024-(Rev-1).pdf) (accessed on 25.03.2025).



### **6.7.9 Newark and Sherwood District Council Biodiversity Net Gain Strategic Significance Policy 2024**

- <sup>91</sup> Adopted in January 2024, this interim document sets out Newark and Sherwood District Councils how strategic significance should be applied to habitats in BNG calculations prior to the publications of the Nottinghamshire Local Nature Recovery Strategy<sup>26</sup>.

### **6.7.10 Newark and Sherwood District Council Climate Emergency Strategy 2020**

- <sup>92</sup> At Full Council in July 2019, Newark and Sherwood District Council declared a climate emergency, where the following actions were recommended:
- Audit existing environmental practice within the Council;
  - Establish data to determine the carbon footprint of Newark and Sherwood District Council;
  - Consider the Council's contribution to the district carbon footprint more widely; and
  - Engage with stakeholders.
- <sup>93</sup> All the above have been actioned which has resulted in the formation of a Climate Emergency Strategy<sup>27</sup>, which sets out the framework and roadmap for reducing carbon emissions across the Council's own operations in providing these services. The strategy includes:
- The target that the Council is aiming to achieve;
  - A shortlist of the carbon reduction projects that will be undertaken to reach this target;
  - Additional actions the Council will take to reduce, eliminate or offset its own carbon emissions;
  - How progress will be monitored and reported on; and
  - How the Council will continue to engage and support others; individuals, businesses and community organisations to drive broader action in the District.

### **6.7.11 Newark and Sherwood District Council Climate Emergency Update November 2022**

- <sup>94</sup> Whilst specifically in relation to the Council's own work, this is a further sign of the need for increased low carbon measures to be implemented.

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<sup>26</sup> N&SDC (Feb 2024) Mandatory Biodiversity Net Gain Strategic Significance. Available at <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/other-planning-policy-information/biodiversity-and-landscape/Mandatory-Biodiversity-Net-Gain---Strategic-Significance-Policy.pdf> (Accessed 24.04.25)

<sup>27</sup> N&SDC (Sept 2020) Climate Emergency Strategy. Available at [https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/our-policies/policies-and-procedures/Newark-and-Sherwood-District-Council---Climate-Emergency-Strategy-2020-v7---FINAL-\(002\).pdf](https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/our-policies/policies-and-procedures/Newark-and-Sherwood-District-Council---Climate-Emergency-Strategy-2020-v7---FINAL-(002).pdf) (Accessed 24.04.25)



### **6.7.12 Newark and Sherwood District Council Community Plan 2023-2027**

- 95 The Community Plan<sup>28</sup> is a strategic document produced by the Local Planning Authority, which sets out what the Council intends to achieve from 2023 and how they aim to achieve this, with a common theme throughout being the ambition to accelerate action to combat climate change. Rather than a planning policy document, the Community Plan is a corporate document produced by N&SDC and identifies that its focus is to help the Council plan for activities and associated budgets on a strategic level.
- 84 Objectives 5 'Protect and enhance the district's natural environment and green spaces' and 6 'Reduce the impact of climate change' are of most relevance and have been expanded upon in the Planning Statement [EN010162/APP/5.4].

### **6.7.13 Newark and Sherwood District Council Local Area Energy Plan – Cabinet Meeting on the 6<sup>th</sup> July 2022**

- 85 On the 6<sup>th</sup> July 2022, the Council confirmed its commitment to achieve carbon net zero across the entire District through its agreement with a Local Area Energy Plan (LAEP). From review of the report, the following provides an overview of its content:
- Rather than create a single document covering all 17 Local Authorities within the East Midlands Mayoral Combined Authority area, there will be 8 LAEP's completed;
  - Being able to adopt a collaborative approach to each of the focus areas has the potential to lead to joint procurement advantages;
  - Aims to deliver the LAEP over a two year period in partnership with other East Midlands Mayoral Combined Authority areas;
  - Look to, at a combined authority level, pull in central government funding as part of Devolution to fund the rollout of these works;
  - The aim was to go to the market in early 2023 to undertake the LAEP work and procure a contractor by the start of the new financial year;
  - Expected to be completed by autumn 2024, and at this point the outcome and suggested route to net zero for the district will be presented to Members;
  - Development of the LAEP will be overseen by the 'D2N2 Low Carbon Board' which is managed by the D2N2 LEP attended by a blend of Local Authority, Business and Academic;
  - Fed by information from the 'Environmental Strategy Working Group' (which covers the Nottinghamshire Local Authorities) and the 'D2 Energy Group' (which covers the Derbyshire Local Authorities);
  - Progress on the LAEP will be reported to NSDC members as part of the Climate Emergency annual update report; and
  - Opportunity to focus on the district as a whole and offers the Council the opportunity to act as a catalyst for change in supporting the shift to a carbon net zero district.

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<sup>28</sup> Newark and Sherwood District Council (2023). Newark and Sherwood District Council Community Plan 2023 – 2027. Available at: <https://www.newark-sherwooddc.gov.uk/climatechange/> [accessed on 26/03/2025].





- 86 Key quotes from the report<sup>29</sup> have been provided in the Planning Statement [EN010162/APP/5.4].

#### **6.7.14 Newark and Sherwood District Council Economic Growth Strategy 2021-2026**

- 87 The Economic Growth Strategy is not a Development Plan Document, but is of some relevance as it sets out the strategic priorities of Newark and Sherwood District Council to support and lead the local economy. It was produced following the Covid-19 Pandemic in 2020 to respond to the economic impacts occurred from this and how to encourage economic growth within the District. Within this, the importance of working with developers is outlined as the Council cannot address this issue alone. Furthermore, within the key messages of the strategy, it is clear the Council are inviting new business and investment whilst wanting to be a lead driver in economic prosperity for the region. The priorities for Infrastructure includes reviewing renewable energy programmes to assess suitability for infrastructure schemes. The Strategy is considered in ES Chapter 13 – Socio-economics and Tourism [EN010162/APP/6.2.13].

#### **6.7.15 Emerging Nottinghamshire and Nottingham Joint Waste Local Plan**

- 88 In conjunction with Nottingham City Council, Nottingham County Council are preparing a new joint Waste Local Plan<sup>30</sup>, forming the land use planning strategy and basis for determining waste applications up to 2038. Once adopted, it will replace the saved policies of the Waste Local Plan and the Waste Core Strategy.
- 89 The new Joint Waste Local Plan is currently undergoing examination, with hearings held in October 2024 with a consultation held on main modifications throughout January and February 2025. The latest Local Development Scheme (January 2025) anticipates the Plan will be adopted in July 2025.<sup>31</sup>
- 90 The following policies of the Joint Waste Local Plan are considered to be of relevance:
- Policy SP1 – Waste Prevention and re-use; and
  - Policy SP8 – Safeguarding Waste Management Sites.
- 91 Policy SP8 has been subject to a main modification in the consultations held in January and February 2025. Paragraph 49 of the NPPF details the weight to be given to policies in emerging plans, according to the stage of preparation, extent of unresolved objections and degree of consistency with the relevant policies to the NPPF.

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<sup>29</sup> Newark and Sherwood District Council (2022). Cabinet Meeting on 06/12/2022, Report Title 'Local Area Energy Planning'. Available at: <https://democracy.newark-sherwooddc.gov.uk/documents/s15348/06.12.22%20-%20Local%20Area%20Energy%20Planning.pdf> (accessed on 25.03.2025).

<sup>30</sup> Nottinghamshire County Council (2025). New Waste Local Plan. Available at: [New Waste Local Plan | Nottinghamshire County Council](#) (accessed on 26.03.2025).

<sup>31</sup> Nottinghamshire County Council (2025). Local Development Scheme January 2025. Available at: [localdevelopmentscheme.pdf](#) (accessed on 26.03.2025).





- 92 The Inspectors Report on the Examination of the Nottinghamshire and Nottingham Waste Local Plan was issued on 10<sup>th</sup> June 2025. The Plan was deemed to have several deficiencies in respect of soundness, meaning the Inspector recommended that it not be adopted as submitted, in accordance with Section 20(7A) of the 2004 Act<sup>32</sup>. That being said, Policy SP1 was deemed sound without modification, whilst Policy SP8 was deemed subject to MM18 in the Main Modifications to the Waste Local Plan, which requests text is added to require applicants to identify that the relevant water company has no objections to the proposal or to any necessary mitigation measures<sup>33</sup>. When considering the Inspectors comments on the two applicable policies, considerable weight can be afforded to the Emerging Waste Local Plan.

#### **6.7.16 D2N2 Local Enterprise Partnership Delivery Plan 2022/23 – 2023/24**

- 93 The role of the Local Enterprise Partnership is to support the economic growth across Derby, Derbyshire, Nottingham and Nottinghamshire. Steered by their business-led board, they work in partnership to create conditions to attract additional investment to build a stronger economy and unlock opportunities to create future prosperity for the region.
- 94 One of the main aims of the plan<sup>34</sup> is to lead and position the region to deliver clean growth, through building relationships and identifying investment opportunities.

#### **6.7.17 D2N2 Local Enterprise Partnership Recovery and Growth Strategy 2022**

- 95 The D2N2 Recovery and Growth Strategy focuses on how people can be upskilled to help deliver the clean growth revolution. It contains three guiding principles, most relevant are “Low Carbon Growth” and “Productivity”. The commitment to a greener future is clear, stating<sup>35</sup>:
- 96 *“If the UK is to build back better it’s essential that our region and the Midlands build back better, bigger and faster. Better to create a fairer, greener and more resilient economy. Bigger to improve the infrastructure and connectivity of our places. And faster so that we are the pioneers and global leaders in clean growth.”*
- 97 Principle 1 (Low Carbon Growth) focussed on the production of “More low carbon energy produced and consumed in the region.” Principle 2 (Productivity) focusses on a “more highly skilled workforce able to access jobs that are already vacant and new jobs that will be created.” With a focus

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<sup>32</sup> Planning Inspectorate (2025). Report on the Examination of the Nottinghamshire and Nottingham Waste Local Plan. Available at:

<https://www.nottinghamshire.gov.uk/media/1exd4syt/nnwlpinspectorsreport.pdf> [accessed on 16.06.2025].

<sup>33</sup> Planning Inspectorate (2025). Appendix - Schedule of Main Modifications to the Nottinghamshire and Nottingham Waste Local Plan. Available at:

<https://www.nottinghamshire.gov.uk/media/ospbk3ct/nnwlpmainmodsappendix.pdf> [Accessed on 16.06.25].

<sup>34</sup> D2N2 (May 2021) Local Enterprise Partnership Delivery Plan 2022/23 – 2023/24. Available at <https://d2n2lep.org/wp-content/uploads/2023/02/Delivery-Plan-2022.pdf> (accessed on 24.04.25)

<sup>35</sup> D2N2 Local Enterprise Partnership (2022). Recovery and Growth Strategy 2022. Available at: [https://d2n2lep.org/wp-content/uploads/2022/11/Recovery-Strategy-2020\\_V4\\_190121-compressed.pdf](https://d2n2lep.org/wp-content/uploads/2022/11/Recovery-Strategy-2020_V4_190121-compressed.pdf) (accessed on 26.03.2025).



on jobs that “take advantage of [the regions] clean growth ambition.” The Strategy is considered in Chapter 13 – Socio-economics and Tourism [EN010162/APP/6.2.13]. D2N2 Energy Strategy 2019-2030

- 98 The above document<sup>36</sup> was written by Nottingham City Council for D2N2 LEP, with the strategy confirming the future of the economy relies on addressing the need to reduce carbon and energy costs, and being able to capitalise on growing markets will deliver this. D2N2 should aim to increase participation in the global market through driving the shift to a clean economy.
- 99 To meet regional electricity demand in 2030, D2N2 predicts 13 times the amount of renewable electricity that was generated in 2016 needs to be generated.
- 100 D2N2 are also part of the Midlands Energy Hub, which is funded by the Department for Business, Energy and Industrial Strategy as part of the Clean Growth Strategy. The key objectives of the Midlands Energy Hub are set out in the Planning Statement [EN010162/APP/5.4].

### 6.7.18 East Midlands Combined County Authority

- 101 A devolution deal was signed by the four upper tier councils of Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council in November 2022. The deal guaranteed a funding stream of £1.14billion, spread over a 30-year period, alongside devolved powers which include net zero.
- 102 The East Midlands Combined County Authority (EMCCA) was subsequently formed in March 2024 with the first mayor, Claire Ward, elected in May 2024. The EMCCA covers the four local authority areas of Derbyshire, Nottinghamshire, Derby and Nottinghamshire.
- 103 The ambition is that the CCA area will be a leader in pioneering new forms of clean energy generation and will act as an exemplar for climate change adaption. The EMCCA Corporate Plan 2025-26 seeks to, inter alia, “*develop a strategic vision and investment plan for clean energy across the EMCCA region*” and “*Support investment in green industry, energy efficiency and low-carbon energy generation.*”<sup>37</sup>
- 104 Key points within the Signed East Midlands Devolution Deal have been provided within the Planning Statement [EN010162/APP/5.4].

### 6.7.19 The Nottinghamshire Plan 2021-2031

- 105 One of the main areas the plan<sup>38</sup> aims to tackle is climate change. As such, Nottinghamshire County Council are committed to protecting and enhancing Nottinghamshire’s environment, supporting more sustainable lifestyles and

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<sup>36</sup> D2N2 (March 2019) Energy Strategy 2019-2030): D2N2 Clean Industrial Revolution. Available at [https://d2n2lep.org/wp-content/uploads/2022/12/D2N2\\_Energy\\_Strategy-1.pdf](https://d2n2lep.org/wp-content/uploads/2022/12/D2N2_Energy_Strategy-1.pdf) (accessed on 24.04.25)

<sup>37</sup> East Midlands Combined County Authority (2025). EMCCA Corporate Plan 2025-2026. Available at: [3808\\_EMCCA-CORPORATE-PLAN-2025-26.pdf](https://www.emcca.gov.uk/wp-content/uploads/2025/03/3808_EMCCA-CORPORATE-PLAN-2025-26.pdf) (accessed on 25.03.2025).

<sup>38</sup> Nottinghamshire County Council The Nottinghamshire Plan 2021-2031. Available at (<https://plan.nottinghamshire.gov.uk/media/wxvn35ce/thenottinghamshireplan2021.pdf>) (accessed on 24.04.25)



reaching net carbon neutrality in all Council activities by 2030. The Council are committed to encouraging green growth and driving the development of green technologies.

## **6.8 OTHER MATERIAL CONSIDERATIONS – INTERNATIONAL AND NATIONAL CLIMATE CHANGE CONTEXT**

- 106 An overview of the International and National Policy is provided for context. There has been extensive renewable energy and climate change legislation, policy and guidance documents at an international and national level, which support the pressing need for decarbonisation. That started with the Kyoto Protocol in 1997, through to The UK Renewable Energy Roadmap in 2011; the Paris Agreement 2016; UK Government Net Zero 2050 and UK Climate Emergency in 2019; the National Infrastructure Strategy and Energy White Paper in 2020; the Glasgow Climate Convention in 2021; the British Energy Security Strategy in April 2022; Powering Up Britain Energy Security Plan in March 2023 and most recently Clean Power 2030 published in 2024.
- 107 The ES does not make detailed reference to these documents, as the key outcomes are captured in the most recent Policy documents published by the current UK Government. However, of particular pertinence is the Clean Power 2030 Action Plan which sets out clear and ambitious targets to be achieved by 2030. An overview is provided in the following paragraph and further analysis can be found in the Planning Supporting Statement [EN010162/APP/5.5] and the Statement of Planning Need [Document: EN010162/APP/7.2]

### **6.8.1 Clean Power 2030 Action Plan: A new era of clean electricity (December 2024)**

- 108 The current Labour administration have committed to 5 missions, which includes making Britain a clean energy superpower through delivering clean power by 2030 and accelerating net zero. In December 2024, 6 specific and target based milestones were further announced, the most relevant in this context being:
- Putting the country on track for at least 95% clean power by 2030
- 109 The Climate Change Action Plan 2030<sup>39</sup> sets out a pathway to a clean power system and how this Government intends to support that and accelerate delivery of the new infrastructure required. It accepts the advice from the National Energy System Operator (NESO) and expects a clean power system to use at least 95% of clean power sources (which includes renewables, nuclear, biomass and plants), reducing the carbon intensity of electricity generation from 171 gCO<sub>2</sub>/kWh in 2023 to below 50 gCO<sub>2</sub>/kWh in 2030. This would include 45-47 GW of solar power.
- 110 The Clean Power 2030 Action Plan (CP30 Action Plan) includes, inter alia, addressing the urgent need for planning reforms to the planning system to streamline the delivery of critical infrastructure (which has since come forward in the form of the Planning and Infrastructure Bill discussed in

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<sup>39</sup> UK Government (Dec 2024) 'Clean Power 2030 Action Plan: A New Era of Clean Electricity' Available at: <https://assets.publishing.service.gov.uk/media/677bc80399c93b7286a396d6/clean-power-2030-action-plan-main-report.pdf> (accessed on 23.04.25)



Section 6.4 above) and the emphasis on the integration of delivery of climate and nature targets, with energy infrastructure which *“doesn’t simply avoid or compensate for damage to nature, but constantly innovating to deliver the target in a nature positive way.”*

## **6.9 PLANNING POLICY: SUMMARY**

- 111 Chapter 6 provides an overview of the relevant legislative context of addressing the climate change emergency from an international to the local level to inform EIA. It broadly sets out the legislative context to which DCO applications are considered and the framework in which decisions are made.
- 112 The national and local planning policies set out in Chapter 6 have been considered throughout each stage of the Development, from the initial stages, and consultation to the final design, informing EIA throughout. Each of the technical chapters of the ES outlines and assesses the relevant planning policies relevant to the topic area being considered.
- 113 Compliance with relevant planning policy is a matter for the Planning Statement [EN010162/APP/5.] (and associated Policy compliance tables) and the Statement of Planning Need, which are separate to the ES.