



**WHITESTONE**  
solar farm

# WHITESTONE SOLAR FARM

## Volume 6: Environmental Statement

### 6.20 Appendix 4.1: Legislation, Policy, and Guidance

Application Document ref. EN0110020/APP/6.19

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**Planning Act (2008)**  
Infrastructure Planning (Applications:  
Prescribed Forms and Procedure)  
Regulations 2009  
Regulations 5(2)(a)

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## ENVIRONMENTAL STATEMENT

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### Appendices [EN0110020/APP/6.20]

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### Glossary

Term	Meaning
<i>Environmental Statement (ES)</i>	The Environmental Statement which presents the environmental information relating to the Proposed Development. The ES has been prepared to present information for formal consultation in accordance with current EIA Regulation.
<i>The Applicant</i>	Whitestone Net Zero Ltd.
<i>The Application</i>	The Application submitted to the Secretary of State for a Development Consent Order.
<i>The Proposed Development</i>	The proposed Whitestone Solar Farm.

### Acronyms

Acronym	Meaning
<i>CNP</i>	Critical National Priority
<i>EIA</i>	Environmental Impact Assessment
<i>ES</i>	Environmental Statement
<i>NPS</i>	National Policy Statement
<i>SSSI</i>	Site of Special Scientific Interest

### Units

Units	Meaning
N/A	N/A

## 4.1 Legislation, Policy and Guidance

- 4.1.1 This Appendix details the legislation, policy and guidance which has been referred to, and guides the content of **ES Volume 1, Chapter 4: Alternatives and Design Evolution [EN0110020/APP/6.4]**.

### Legislation

- 4.1.2 Schedule 4(2)(d) of the Infrastructure Planning (EIA) Regulations 2017<sup>1</sup> requires “a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment” to be presented in the Environmental Statement (ES).

### Policy

- 4.1.3 Paragraph 4.3.9 of the Overarching National Policy Statement (NPS) for Energy (EN-1)<sup>2</sup> states “*This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and habitats sites, the NPS does not change requirements in relation to compulsory acquisition and habitats sites.*”
- 4.1.4 EN-1 goes on to state in paragraph 4.3.15 “*Applicants are obliged to include in their ES, information about the reasonable 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.*”
- 4.1.5 EN-1 paragraphs 4.3.16 and 4.3.17 also note the potential for a policy requirement to be imposed to consider alternatives, and should this be imposed, “*the applicant should describe the alternatives considered in compliance with these requirements*”.
- 4.1.6 Paragraph 4.3.22 of EN-1 states “*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 Regulations) 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; and*
  - *Only alternatives that can meet the objectives of the proposed development need to be considered.*”
- 4.1.7 Section 2.3 of NPS for renewable energy infrastructure (EN-3)<sup>3</sup> discusses the factors influencing site selection and design, stating in paragraph 2.3.6 “*When considering applications for CNP [Critical National Priority] Infrastructure in sites with nationally recognised designations (such as SSSIs (Site of Special Scientific Interest), National Nature Reserves, National Parks, the Broads, Areas of Outstanding Natural Beauty, Registered Parks and Gardens, and World Heritage Sites), the Secretary of State will take as the starting point that the relevant tests in Sections 5.4 and 5.10 of EN-1 have been met, and any significant adverse*

*effects on the qualities for which the area has been designated are clearly outweighed by the urgent need for this type of infrastructure.”*

- 4.1.8 EN-3 goes on to state in paragraph 2.3.8 *“In considering the impact on the historic environment as set out in Section 5.9 of EN-1 and whether the Secretary of State is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target.”*
- 4.1.9 Section 2.2 of NPS for electricity networks and infrastructure (EN-5)<sup>4</sup> discusses factors influencing site selection and design of connection infrastructure. Notably, paragraphs 2.2.7 and 2.2.8 state *“The connection between the initiating and terminating points of a proposed new electricity line will often not be via the most direct route. Siting constraints, such as engineering, environmental or community considerations will be important in determining a feasible route. There will usually be a degree of flexibility in the location of the development’s associated infrastructure such as substations, and applicants should consider carefully their location, as well as their design”*.
- 4.1.10 Paragraph 2.2.9 of NPS EN-5 goes on to state *“In particular, the applicant should consider such characteristics as the local topography, the possibilities for screening of the infrastructure and/or other options to mitigate any impacts”*

### **Guidance**

- 4.1.11 Advice Note Seven<sup>5</sup> states that a good ES *“Explains the reasonable alternatives considered and the reasons for the chosen option taking into account the effects of the proposed development on the environment”*.

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### References

- <sup>1</sup> UK Government (2017) *Infrastructure Planning (Environmental Impact Assessment) Regulations 2017*. Available at <https://www.legislation.gov.uk/uksi/2017/572> [Accessed March 2026]
- <sup>2</sup> UK Government (2025) *Overarching National Policy Statement for energy (EN-1)*. Available at <https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1-2025> [Accessed March 2026]
- <sup>3</sup> UK Government (2025) *National Policy Statement for renewable energy infrastructure (EN-3)*. Available at <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3-2025> [Accessed March 2026]
- <sup>4</sup> UK Government (2025) *National Policy Statement for electricity networks and infrastructure (EN-5)*. Available at <https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5-2025> [Accessed April 2026]
- <sup>5</sup> Planning Inspectorate (2020) *Nationally Significant Infrastructure Projects – Advice Note Seven: Environmental Impact Assessment: process, preliminary environmental information and environmental statements*. Available at <https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmental-information-an/nationally-significant-infrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmental-information-an> [accessed March 2026]



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