



**WHITESTONE**  
solar farm

# WHITESTONE SOLAR FARM

## Volume 6: Environmental Statement

### 6.20 Appendix 11.1: Legislation, Policy and Guidance

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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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## 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>BEIS</i>  | Business, Energy and Industrial Strategy                    |
| <i>CCRA3</i> | Third Climate Change Risk Assessment                        |
| <i>CCS</i>   | Carbon Capture and Storage                                  |
| <i>CDC</i>   | City of Doncaster Council                                   |
| <i>CDM</i>   | Clean Development Mechanism                                 |
| <i>COP</i>   | Conference of the Parties                                   |
| <i>DCC</i>   | Derbyshire County Council                                   |
| <i>EIA</i>   | Environmental Impact Assessment                             |
| <i>ES</i>    | Environmental Statement                                     |
| <i>GHG</i>   | Greenhouse Gas  |
| <i>IEMA</i>  | Institute of Environmental Management and Impact Assessment |
| <i>ISEP</i>  | Institute of Sustainability and Environmental Professionals |
| <i>JI</i>    | Joint Implementation  |
| <i>LPA</i>   | Local Planning Authority                                    |
| <i>NAP3</i>  | Third National Adaptation Programme                         |
| <i>NDC</i>   | Nationally Determined Contributions                         |
| <i>NEDDC</i> | North East Derbyshire District Council                      |

## ENVIRONMENTAL STATEMENT

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| Acronym       | Meaning   |
|---------------|---|
| <i>NPS</i>    | National Planning Statement                           |
| <i>NPPF</i>   | National Planning Policy Framework                    |
| <i>PPG</i>    | Planning Policy Guidance                              |
| <i>RMBC</i>   | Rotherham Metropolitan Borough Council                |
| <i>SPD</i>    | Supplementary Planning Document                       |
| <i>UNFCCC</i> | United Nations Framework Convention on Climate Change |

### Units

| Units      | Meaning    |
|------------|------------|
| <i>N/A</i> | <i>N/A</i> |

## 11.1 Legislation, Policy and Guidance

- 11.1.1 This Appendix sets out the Legislation, Policy and Technical Guidance for, and should be read in conjunction with, **Environmental Statement (ES) Volume 2, Chapter 11: Climate Change and Greenhouse Gas Assessment [EN0110020/APP/6.11]**.

### Treaties

- 11.1.2 International treaties that have been considered within the climate change and Greenhouse Gas Assessment include:

#### United Nations Framework Convention on Climate Change 1992<sup>1</sup>

- 11.1.3 The United Nations Framework Convention on Climate Change (UNFCCC) was established at the 1992 Earth Summit in Rio de Janeiro as a foundational international treaty to address climate change. It aimed to stabilise greenhouse gas concentrations to prevent dangerous human interference with the climate system. While it did not set binding emission targets, it created a framework for future negotiations and recognised the principle of "*common but differentiated responsibilities*," emphasising that developed countries should lead climate action. The treaty also established the annual Conference of the Parties (COP), where nations meet to assess progress and negotiate further commitments.

#### Kyoto Protocol<sup>2</sup>

- 11.1.4 Building on the UNFCCC, the Kyoto Protocol was adopted in 1997 and came into force in 2005, setting legally binding emission reduction targets for 37 industrialised countries and the European Union. It introduced market-based mechanisms like emissions trading, the Clean Development Mechanism (CDM), and Joint Implementation (JI) to help countries meet their targets cost-effectively. The protocol had two commitment periods (2008–2012 and 2013–2020), but its effectiveness was limited by the non-participation of major emitters like the United States and the lack of obligations for developing countries. Despite its shortcomings, it marked a significant step in formalising international climate commitments.

#### The Paris Agreement 2015<sup>3</sup>

- 11.1.5 Adopted at COP21 in Paris, the Paris Agreement marked a major shift in global climate governance by securing universal participation from both developed and developing countries. Its central goal is to limit global temperature rise to well below 2°C above pre-industrial levels, with efforts to cap it at 1.5°C. Unlike the Kyoto Protocol, it relies on voluntary, Nationally Determined Contributions (NDCs) that countries update every five years. The agreement also emphasises climate adaptation, financial support for developing nations, and transparent reporting. Entering into force in 2016, it represents a flexible, inclusive, and forward-looking framework for global climate action.

### Legislation

11.1.6 National legislation that has been considered within the climate change and Greenhouse Gas Assessment includes:

#### **Schedule 4 and Regulation 5 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**

11.1.7 **Schedule 4<sup>4</sup>** sets out the requirement to consider climate change within Environmental Impact Assessment (EIA) assessment and decision-making processes: “*A description of the likely significant effects of the development on the environment resulting from... the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change*”.

11.1.8 **Regulation 5<sup>5</sup>** sets out the EIA process which includes preparing an Environmental Statement by the Applicant and carrying out necessary consultations, publications, and notifications as required by regulations.

11.1.9 The EIA must identify, describe, and assess the Significant direct and indirect effects of the Proposed Development on:

- Population and human health;
- Biodiversity, focusing on protected species and habitats;
- Land, soil, water, air, and climate;
- Material assets, cultural heritage, and the landscape; and
- Interactions between these factors.

#### **Energy Act 2013<sup>6</sup>;**

11.1.10 The Energy Act (2013) provides the legislative framework for the UK electricity market. It focuses on ensuring secure, affordable and low-carbon energy by facilitating investment in low-carbon generation. The Act makes provision for the setting of a 2030 decarbonisation target range and defines how carbon intensity of electricity generation should be measured and monitored. Long term market mechanisms designed to support investment in clean energy are also introduced in the Act.

#### **Energy Act 2023<sup>7</sup>**

11.1.11 The Energy Act (2023) was developed to make provision about energy production and security and the regulation of the energy market.

#### **Climate Change Act 2008<sup>9</sup>;**

11.1.12 The Climate Change Act 2008 is the UK Government’s legislation for addressing climate change. In relation to climate change mitigation, it commits the UK to Greenhouse Gas (GHG) emissions reductions and reporting.

11.1.13 The Climate Change Act 2008 sets out the requirement for the UK Government to set out five-year carbon emissions limits or ‘carbon budgets’. These are legally binding cap on the maximum level of emissions the UK can emit for a five-year period. Carbon budgets are set in advance through secondary legislation under the Climate Change Act 2008 and cover the periods 2008 to 2037. The UK is

currently in the Carbon Budget 4 (2023 to 2027) which requires a 52% reduction in GHG emissions in comparison to 1990 levels.

### **Climate Change Act 2008 (2050 Target Amendment) Order 2019<sup>10</sup>.**

11.1.14 The Climate Change Act 2008 (2050 Target Amendment) Order 2019 commits the UK to reducing emissions to net zero by 2050 and set out the requirement for the UK Government to develop a National Adaptation Programme to manage the effects of climate change.

### **Carbon Budget Orders 2009<sup>11</sup>, 2011<sup>12</sup>, 2016<sup>13</sup>, and 2021<sup>14</sup>**

11.1.15 The Carbon Budget Orders 2011, 2016 and 2021 set the carbon budgets for the 2023-2027, 2028-2032, and 2033-2037 budgetary periods and set out the limits of the GHG assessment of significance.

## **National Planning and Climate Policy**

11.1.16 National planning policy that has been considered within the climate change and Greenhouse Gas Assessment includes:

### **National Policy Statement (NPS) for Energy EN-1 (2025)<sup>15</sup>;**

11.1.17 The National Planning Statement (NPS) for Energy (EN-1) Section 5.3 (Greenhouse Gas Emissions) requires that applicants provide an assessment of the likely significant effects of the Proposed Development on climate, including GHG emissions from construction, operation, and (where relevant) decommissioning.

11.1.18 It also requires applicants to describe measures to avoid, reduce, or offset GHG emissions and to explain how these measures have been integrated into the project design.

### **NPS for Renewable Energy Infrastructure EN-3 (2025)<sup>16</sup>**

11.1.19 The updated EN-3 (2025) strongly supports the UK's transition to net zero by facilitating the development of nationally significant renewable energy infrastructure. It outlines the government's policy on the need for such projects and provides clear guidance on assessing environmental impacts, including GHG emissions. EN-3 emphasises the importance of renewable technologies—such as solar, biomass, and offshore wind—in reducing carbon emissions and enhancing energy security. It also integrates climate adaptation considerations into planning, requiring developers to assess and mitigate potential climate-related risks. This policy strengthens the framework for evaluating the sustainability and long-term climate benefits of renewable energy proposals.

### **NPS for Electricity Networks Infrastructure EN-5 (2025)<sup>17</sup>**

11.1.20 EN-5 (2025) supports the development of electricity transmission and distribution networks essential for integrating low-carbon energy sources and meeting rising electricity demand. It acknowledges the critical role of electricity infrastructure in enabling the UK's net zero ambitions and outlines assessment principles for climate resilience and GHG impacts. The policy requires applicants to demonstrate how projects will adapt to climate risks such as flooding and extreme

weather, and how they contribute to reducing emissions through efficient design and strategic planning. EN-5 also promotes holistic planning and environmental net gain, ensuring that electricity networks not only support decarbonisation but also minimise ecological disruption

### **National Planning Policy Framework (NPPF) 2024<sup>18</sup>**

- 11.1.21 The revised NPPF explicitly embeds climate change mitigation and adaptation into the core of planning policy. It mandates that planning applications and local plans must consider the full range of climate impacts—including overheating, drought, and storm risk—and support the transition to net zero by 2050. Paragraph 163 introduces a requirement for applicants to provide evidence on climate impacts, including whole-life carbon assessments and energy efficiency measures. Local planning authorities must give significant weight to the climate benefits of renewable and low-carbon developments. While the framework strengthens climate considerations, some critics note inconsistencies in its support for fossil fuel projects. Overall, the NPPF reinforces the planning system's role in reducing GHG emissions and building climate-resilient communities
- 11.1.22 National climate policy that has been considered includes:

### **Net Zero Strategy: Build Back Greener, 2021<sup>19</sup>**

- 11.1.23 The UK's Net Zero Strategy outlines a comprehensive roadmap to achieve Net Zero emissions by 2050, with an interim target of a 78% reduction by 2035 compared to 1990 levels. The Net Zero Strategy integrates sector-specific decarbonisation plans such as electrifying transport and heating, scaling up offshore wind and hydrogen, and deploying carbon capture technologies. It also emphasises innovation, green finance, and public engagement. Crucially, it aligns with the Climate Change Committee's Sixth Carbon Budget and provides a framework for robust GHG assessments across sectors, making it a cornerstone of UK climate policy.

### **Clean Growth Strategy, 2017<sup>20</sup>**

- 11.1.24 The Clean Growth Strategy set the foundation for decarbonising the UK economy through the 2020s, aiming to meet legally binding carbon budgets under the Climate Change Act. It focused on energy efficiency, low-carbon heating, industrial emissions reduction, and clean transport. The Clean Growth Strategy introduced measures such as phasing out fossil fuel heating in off-grid buildings and supporting Carbon Capture and Storage (CCS). While ambitious in scope, its delivery faced challenges due to funding gaps and underdeveloped implementation plans. Nonetheless, it significantly advanced the integration of GHG assessments into policy planning and highlighted the economic opportunities of a low-carbon transition.

### **UK Third Climate Change Risk Assessment 2022<sup>21</sup>**

- 11.1.25 The Third Climate Change Risk Assessment (CCRA3) provides a detailed evaluation of 61 climate risks and opportunities across the UK. It prioritises eight urgent areas, including risks to biodiversity, soil health, food supply chains, and human health from heat exposure. Although not directly focused on GHG mitigation, CCRA3 informs adaptation planning and highlights vulnerabilities that could undermine climate resilience. It underscores the need to protect natural

carbon stores and improve infrastructure to withstand climate impacts. The assessment serves as a critical input for national adaptation programmes and complements GHG assessments by identifying systemic risks that could affect emissions trajectories.

### **The UK's Nationally Determined Contribution (NDC)<sup>22</sup>**

11.1.26 Under the Paris Agreement, the UK's 2035 NDC commits to reducing GHG emissions by at least 81% compared to 1990 levels, excluding international aviation and shipping. This builds on the earlier 2030 target of a 68% reduction. The NDC outlines sectoral policies and measures to achieve these goals, including clean energy expansion, transport electrification, and industrial decarbonisation. It is designed to be transparent and ambitious, aligning with the UK's net zero pathway and carbon budgets. The NDC plays a central role in international climate reporting and drives domestic GHG assessments by setting clear benchmarks for emissions reductions.

### **Climate Change: 3rd National Adaptation Programme (NAP3) (2023 – 2029)<sup>23</sup>**

11.1.27 NAP3 sets out the UK's plan to adapt to climate change impacts over the 2023–2028 period, responding to the risks identified in CCRA3. While more comprehensive than its predecessors, it has been criticised for lacking ambition, measurable goals, and sufficient funding. Only 40% of urgent actions from the risk assessment are being progressed. NAP3 does not directly reduce GHGs but is vital for ensuring that climate adaptation keeps pace with rising risks, such as extreme weather and supply chain disruptions. Its integration with net zero and nature restoration policies enhances the overall climate strategy, but stronger governance and monitoring are needed to ensure effective delivery.

### **Clean Power 2030 Action Plan<sup>24</sup>**

11.1.28 The Clean Power 2030 Action Plan sets out the UK Government's pathway to delivering a clean electricity system by 2030. It defines "clean power" as electricity predominantly generated from low-carbon sources and establishes a system in which clean generation meets overall electricity demand over a typical year, with at least 95% of generation coming from low-carbon sources. The Plan outlines required reforms to electricity networks, planning and market arrangements to accelerate deployment of renewables, nuclear and system flexibility. It positions power sector decarbonisation as the backbone of the UK's transition to net zero and a key input to long-term GHG assessments.

### **British Energy Security Strategy<sup>25</sup>**

11.1.29 The British Energy Security Strategy sets out how the UK will improve energy security by accelerating domestic energy production while progressing towards a low-carbon energy system. Developed in response to volatile global fossil fuel markets, the strategy prioritises expanding renewables, nuclear power and low-carbon technologies alongside energy efficiency, with the aim of reducing dependence on imported fossil fuels. It links energy security objectives with net zero commitments and informs emissions assessments by shaping the scale and mix of future electricity generation and energy demand.

### **Powering Up Britain<sup>26</sup>**

11.1.30 Powering Up Britain is the Government's overarching framework for delivering energy security and net zero, bringing together the Energy Security Plan and the Net Zero Growth Plan. It sets out measures to increase domestic energy supply, accelerate low-carbon electricity generation and reduce energy demand, while maintaining security of supply during the transition. The package builds on the British Energy Security Strategy and establishes policy direction for power sector decarbonisation, energy efficiency and low-carbon technologies, providing a strategic context for UK GHG assessments and carbon budget delivery.

### **Energy White Paper: Powering our Net Zero Future<sup>27</sup>**

11.1.31 Published by the Department for Business, Energy and Industrial Strategy (BEIS), the Energy White Paper: Powering our Net Zero Future sets out how the UK Government will transform its energy system to meet the 2050 Net Zero target.

## **Local Policy**

11.1.32 The Proposed Development covers four Local Planning Authorities (LPAs):

### **Rotherham Metropolitan Borough Council (RMBC)<sup>28</sup>**

11.1.33 Through Rotherham Metropolitan Borough Council Policy Statement Responding to the Climate Emergency (2020)- RMBC is committed to achieving net zero GHG emissions for council operations by 2030 and borough-wide by 2040.

11.1.34 RMBC's Climate Change Action Plan 2025/26 includes measures across transport, buildings, waste, and biodiversity to reduce emissions and adapt to climate impacts.

11.1.35 Supplementary Planning Document No. 2: Air Quality and Emissions: Supports Core Strategy Policy CS30: Low Carbon and Renewable Energy Generation and aligns with Policy SP57: Sustainable Transport. While focused on air pollutants, it supports sustainable transport and development practices that indirectly reduce GHGs. It provides a framework for assessing air quality impacts and mitigation, with synergies to climate change goals

### **City of Doncaster Council (CDC)<sup>29</sup>**

11.1.36 CDC aligns with Climate and Biodiversity Emergency Declaration (2019) which aims for carbon neutrality by 2040, with an 85% reduction by 2030 from 2005 levels.

11.1.37 Environment & Sustainability Strategy (2020–2030) sets out 111 actions that aim to reduce Doncaster's emissions and contribute to the UK meeting its legal binding target of reaching Net Zero by 2050. The strategy covers energy efficiency and integrates GHG reduction targets and adaptation measures.

11.1.38 Flood Risk Supplementary Planning Document: Supports Local Plan Policy 57 Flood Risk Management and outlines how developments must assess and mitigate flood risks, which are exacerbated by climate change. The supplement promotes climate-resilient design.

11.1.39 Technical & Developer Requirements Supplementary Planning Document (SPD): Advises on pollution, drainage, and environmental assessments. It supports

climate-related planning by requiring consideration of sustainability and environmental impacts in development proposals.

### **North East Derbyshire District Council (NEDDC)<sup>30</sup>**

- 11.1.40 NEDDC targets an 80% reduction in council emissions by 2030 and net zero by 2050.
- 11.1.41 NEDDC has developed a Climate Change Strategy for the period 2024–2030. The strategy is structured around ten themes, including low-carbon transport, renewable energy, sustainable buildings, and biodiversity. It integrates climate change considerations into procurement, planning, and community engagement.

### **Derbyshire County Council (DCC)**

- 11.1.42 DCC outlines its commitment to lowering its carbon emissions and efforts to achieve net zero by 2032 or earlier in the Council Plan 2025-2029<sup>31</sup>. This plan details Outcome 2 - Place: Prosperous, Green, and Sustainable. The Council is committed to creating prosperous, green, and sustainable places with opportunities for all. This involves addressing the causes of climate change and adapting to its impacts through various Council activities, including decreasing emissions from activities, minimising our property impact, and investigating renewable energy alternatives, as well as finding methods to address climate change by enhancing the natural environment. Together with its partners, the Council is actively working to ensure that our operations, functions, and the county itself can withstand the effects of climate change.
- 11.1.43 *Achieving Net Zero (2021–2025)*<sup>32</sup>: Sets out a pathway for net zero emissions for council operations by 2032 and county-wide by 2050. Strategic Priorities: Focus on decarbonising transport, buildings, and waste, and enhancing climate resilience. The strategy includes detailed GHG baselining and monitoring frameworks.
- 11.1.44 *Climate Change Strategy Summary 2021 to 2025*<sup>33</sup>: Outlines a comprehensive framework to achieve net zero emissions for council operations by 2032 and county-wide by 2050. The strategy identifies 28 key actions and 120 supporting actions across five thematic areas, including the Council's estate and operations, transport, buildings, waste, and climate resilience.

## **Guidance**

- 11.1.45 Supporting guidance that has been considered includes:

### **Environmental Impact Assessment Guide: Assessing Greenhouse Gas Emissions and Evaluating their Significance 2022<sup>34</sup>**

- 11.1.46 This Institute of Sustainability and Environmental Professionals (ISEP, formerly the Institute of Environmental Management and Assessment (IEMA)) guidance provides a structured approach for assessing GHG emissions within EIAs, emphasising that all GHG emissions are inherently Significant due to their cumulative impact on climate change. It introduces a six-step methodology covering screening, scoping, emissions quantification, Significance evaluation, mitigation, and reporting. The guide encourages early integration of mitigation strategies and iterative design to reduce emissions. It also outlines five levels of Significance to help contextualise emissions within national and sectoral carbon

budgets. This guidance is essential for ensuring that GHG assessments are robust, transparent, and aligned with the UK's net zero commitments.

### **Climate Change Adaption Practitioner Guidance 2022<sup>35</sup>**

11.1.47 Developed by the Institute of Sustainability and Environmental Professionals (ISEP), (formally IEMA), this guidance supports organisations in embedding climate adaptation across five key business functions: operations, strategy, people, finance, and value chains. It uses a maturity matrix to help practitioners assess and improve their resilience to climate risks. The guide aligns with UK policy frameworks and international standards like ISO 14090 and introduces complex concepts such as cascading and converging risks. While not focused on GHG mitigation, it plays a vital role in climate resilience planning, helping organisations anticipate and manage climate impacts that could indirectly affect emissions and sustainability performance.

### **Environmental Impact Assessment Guide to: Climate Change Resilience and Adaptation 2020<sup>36</sup>**, herein referred to throughout as "Institute of Sustainability and Environmental Professionals (ISEP) Climate Guidance"

11.1.48 This ISEP guide provides a comprehensive framework for integrating climate resilience and adaptation into the EIA process. It outlines an eight-step approach, from scoping climate risks to developing adaptation plans and monitoring. The guidance emphasises assessing the impact of climate change on the project, rather than the project's impact on the environment, which is a key distinction in adaptation assessments. It supports compliance with the UK Town and Country Planning (EIA) Regulations and EU Directive 2014/52/EU. Though it does not cover GHG quantification, it complements the 2022 GHG guidance and ensures that projects are designed to withstand future climate conditions.

### **Planning Policy Guidance (PPG)<sup>37</sup>**

11.1.49 The UK's Planning Practice Guidance (PPG) supplements the NPPF by offering detailed advice on implementing planning policies, including those related to climate change and environmental impact. It includes sections on climate change mitigation and adaptation, renewable energy, flood risk, and environmental assessments. PPG encourages local planning authorities to consider climate resilience and GHG emissions in decision-making, aligning with national carbon reduction goals. While not prescriptive, it provides a policy context that supports the integration of climate considerations into planning applications and strategic development.

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