



The Great Grid Upgrade

Eastern Green Link 3 (EGL 3) and
Eastern Green Link 4 (EGL 4)

Preliminary environmental information report (PEIR)

Volume 1, Part 1, Chapter 2: Regulatory and Policy Overview
May 2025

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2. Regulatory and Policy Overview

2. Regulatory and Policy Overview

2.1 Introduction

- 2.1.1 This chapter provides an overview of the key legislation and policy against which the development consent order (DCO) application will be prepared. A full explanation of the relevant legislation and policy will be provided in the Planning Statement included within the suite of documents which will accompany the DCO application.
- 2.1.2 This chapter should be read in conjunction with:
- **Volume 2, Part 1: Appendix 1.2.A Regulatory and Planning Context;** and
 - **Volume 2, Part 1: Appendix 1.2.B Marine Plan Assessment.**

2.2 Key Legislation

Planning Act (2008)

- 2.2.1 The Planning Act (2008) (SI 2008 c. 29) (as amended) (Ref 2.1) is the primary legislation that establishes the legal framework for submitting, examining and determining applications for development consent. The Planning Act (2008) (Ref 2.1) sets out that developments meeting certain defined criteria, are classified as Nationally Significant Infrastructure Projects (NSIPs). It requires that developers wishing to construct, operate and maintain NSIPs must obtain a DCO from the relevant Secretary of State (SoS) to authorise their project.
- 2.2.2 Section 14 of the Planning Act (2008) (Ref 2.1) defines types of developments which are classified as NSIPs, subject to the criteria and thresholds set out in Sections 15 to 30A for different types of infrastructure. Section 16 of the Planning Act (2008) (Ref 2.1) sets this out for developments comprising 'Electricity lines'.
- 2.2.3 The Projects do not fall under the definition of an NSIP under Part 3 of the Planning Act (2008). Only electricity lines that are above ground, 132 kilovolts (kV) or greater and 2 km or more in length are defined as NSIPs in their own right under Section 16 of the Planning Act (2008). The Projects are therefore not an NSIP under the definitions set out in the Planning Act (2008). However, under Section 35(1) of the Planning Act (2008), "*the Secretary of State may give a direction for development to be treated as development for which development consent is required*" if certain criteria (including the type and location of the development) are met (Ref 2.1).
- 2.2.4 On 2 February 2024, National Grid Electricity Transmission plc (NGET) issued two letters to the SoS, requesting directions under section 35 of the Planning Act (2008) related to development forming part of the Projects.
- 2.2.5 In the first letter, NGET requested that the proposed converter station in the Walpole area of Norfolk required for the Eastern Green Link 3 (EGL 3) Project should be treated as development for which development consent is required. In response, the SoS considered the converter station to be nationally significant and directed that a DCO would be required.

- 2.2.6 In the second letter NGET requested that the proposed converter station in the Walpole area of Norfolk alone or together with a switching station and a converter station in the East Lindsey area of Lincolnshire required for the Eastern Green Link 4 (EGL 4) Project should be treated as development for which development consent is required. In response, the SoS considered that the converter station in the Walpole area alone or together with the switching station and the converter station in the East Lindsey area to be nationally significant and directed that a DCO would be required. Both letters to the SoS noted that, the consideration of both EGL 3 and EGL 4 via the same DCO application will ensure a co-ordinated strategic approach to the consenting and delivery of these projects, with holistic assessment of matters such as cumulative impacts and co-location of associated development (as encouraged by Section 2.13 of NPS EN-5).
- 2.2.7 As detailed in **Section 1.7 of Volume 1, Part 1, Chapter 1: Introduction**, the requested directions were given by the SoS on 29 February 2024 under sections 35(1) and 35ZA of the Planning Act (2008) (Ref 2.1). Therefore, the Planning Act (2008) provides the primary legislative framework for the consenting of the Projects. It should be noted that the switching station no longer forms part of the Projects and as such will not be taken forward to statutory consultation, justification for which is provided in **Volume 1, Part 1, Chapter 3: Reasonable Alternatives Considered**.

The Infrastructure Planning (Environmental Impact Assessment) Regulations (2017) (the EIA Regulations)

- 2.2.8 The EIA Regulations (Ref 2.2) set out a procedure for assessing, consulting and informing decision-making for projects which are likely to have significant environmental effects. The EIA Regulations require the provision of an Environmental Statement (ES), which will be submitted alongside the DCO application for the Projects.
- 2.2.9 As detailed in **Volume 1, Part 1, Chapter 1: Introduction** of this PEIR, it is not considered that any individual component of the Projects explicitly falls under Schedule 1¹ or 2 of the EIA Regulations. NGET therefore proposes to undertake an EIA having given regard to the whole of Schedule 3 but specifically the 'Characteristics of development' and the 'Location of development'.
- 2.2.10 Paragraph 5 of Schedule 4 of the EIA Regulations specifically outlines that the EIA must identify, describe and assess, the direct and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, positive and adverse significant effects of the Projects upon specific environmental factors. The requirement of Schedule 4 of the EIA Regulations will be met through the assessment of effects for each environmental aspect assessed as part of the EIA. Further details on the approach to the EIA are outlined in **Volume 1, Part 1, Chapter 5: PEIR Approach and Methodology** and in the scope of environmental aspects outlined in the environmental aspect chapters in **Volume 1, Part 2, Part 3 and Part 4**
- 2.2.11 The EIA will be undertaken in line with legislation and policy and specifically in accordance with the requirements of the EIA Regulations (Ref 2.2).

Marine and Coastal Access Act (2009)

- 2.2.12 A spatial planning system for the management of the marine environment was introduced by the Marine and Coastal Access Act (2009) (MCAA) (Ref 2.3). This introduced a requirement to obtain Marine Licences for works at sea.

¹ Schedule 1 development comprising that which would mandatorily require EIA.

- 2.2.13 The Marine Management Organisation (MMO) is responsible, under Part 4 of the MCAA (2009), for administering marine licensing of activities related to construction or removal of any substance or object in English inshore and offshore waters² and also for regulating activities where they are undertaken outside of the territorial limit e.g. within the English Exclusive Economic Zone (EEZ). They do so by issuing a Marine Licence.
- 2.2.14 The Planning Act (2008) enables an applicant for a DCO to apply for a 'Deemed Marine Licence' (DML) as part of the DCO process by virtue of Section 149A of the Planning Act (2008) which was inserted by the MCAA (2009). It is intended that the DCO will contain separate DMLs.
- 2.2.15 In addition, Section 126 of the MCAA (2009) sets out that where a public authority has the function of determining an application that is capable of affecting (other than insignificantly) the protected features of a Marine Conservation Zone (MCZ), or the processes on which those features depend, then they have a duty to consider MCZs during their decision making (Ref 2.3).
- 2.2.16 The Applicant intends to apply for two DMLs for the English Offshore elements of the EGL 3 Project and the EGL 4 Project respectively. Much of the offshore cabling will lie beyond UK territorial seas (12 nautical miles (NM)) within the Exclusive Economic Zone (EEZ). United Nations Convention on the Law of the Sea (UNCLOS) provides the freedom to lay, maintain and repair cables on and off the continental shelf and further states that the coastal State (MMO and SoS in this case) may not impede the laying of such cables. The MCAA therefore includes a number of provisions to ensure the rights conferred by UNCLOS are maintained within the marine licensing regime.
- 2.2.17 Section 81(1) of the MCAA 2009 sets out that nothing in Part 4 of the MCAA applies to any activity done in the course of laying or maintaining an offshore stretch (defined in Section 81(4) as being beyond the seaward limits of the territorial sea) of an 'exempt cable', Section 81(5) sets out a handful of exceptions to the applicability of the exemption; the Projects do not fall within any of these categories. Furthermore, Section 81(2a), of the MCAA states that where subsection 81(1) of the MCAA has effect in relation to part (but not the whole) of an 'exempt cable', the MMO must grant any marine licence application to lay any inshore stretch (within the seaward limits of the territorial sea (12 NM) of the cable.
- 2.2.18 There are certain activities, however, associated with cable laying that this does not apply to, including the placement of cable protection and dredging activities associated with sandwave levelling. The draft DCO (and DML) to be submitted with the final ES will therefore be structured to reflect this.
- 2.2.19 Preliminary assessment of effects in **Volume 1, Part 3** for the English Offshore Scheme do consider cable laying beyond 12 NM, however this is to provide a holistic view of the English Offshore Scheme only, and the Applicant will not be seeking consent for the 'exempt cable'.
- 2.2.20 In addition, the tidal river crossings of the River Welland and River Nene fall under Article 35 of the Exempted Activities Order (2011), being a construction of a 'bored tunnel' carried out wholly under the seabed. The entry and exit of the bored tunnel lies

² 'English waters' is a term used to describe the inshore and offshore area. The inshore area is the area of sea within 12 nautical miles of the English coastline. This is also called the territorial limit. The offshore area is the area of sea beyond the territorial limit but which is in the designated the English Exclusive Economic Zone (EEZ) and within the UK sector of the continental shelf.

within the terrestrial environment and therefore these effects are considered in **Volume 1, Part 2** for the English Onshore Scheme of this PEIR.

Electricity Act (1989)

- 2.2.21 Section 9(2) of the Electricity Act (1989) places general duties on NGET as a license holder (Ref 2.4) :

“To develop and maintain an efficient, co-ordinated and economical system of electricity transmission...”

- 2.2.22 In addition, Section 38 and Schedule 9 of the Electricity Act (1989) requires an electricity licence holder such as NGET, when formulating proposals for new lines and other works, to:

“have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and shall do what it reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.”

- 2.2.23 NGET’s Stakeholder, Community and Amenity Policy (Ref 2.5), published December 2016, sets out how the company will meet the Schedule 9 duty placed upon it by the legislation.

Countryside and Rights of Way Act (2000)

- 2.2.24 A National Landscape is, from November 2023 the rebranded name of Areas of Outstanding Natural Beauty (AONB). They are designated under the provisions of Part IV of the Countryside and Rights of Way (CROW) Act (2000) for the purpose of conserving and enhancing the natural beauty of an area and securing its permanent protection against development that would damage its special qualities (Ref 2.6). NGET as a statutory undertaker, has a duty under Section 85 of the Act (as amended in s245 of the Levelling up and Regeneration Act (2023)) (Ref 2.7) which states:

“In exercising or performing any functions in relation to, or so as to affect, land in an AONB in England, a relevant authority must seek to further the purpose of conserving and enhancing the natural beauty of the AONB”.

2.3 Other Assessments

- 2.3.1 In addition to the EIA, the DCO application for the Projects requires other standalone assessments to support the application and meet the requirements of other relevant policies. Three such assessments are the Flood Risk Assessment (FRA), Water Framework Directive Assessment and the Habitats Regulations Assessment.
- 2.3.2 Whilst the outcomes of these assessments may be drawn upon when undertaking the EIA (and vice versa), the scope of these other assessments will be discussed and agreed with appropriate regulatory authorities in line with their own regulatory requirements and relevant policy and legislation. These additional documents will be submitted alongside the DCO application.
- 2.3.3 Where appropriate, the environmental aspect chapters in this PEIR outline where the findings of one of the additional assessments are to be drawn upon when undertaking

the EIA, and any proposed scope of the relevant additional assessment is set out to facilitate consultation with relevant consultees in relation to this PEIR.

Habitat Regulations

- 2.3.4 The Habitats Regulations transposed the requirements of European Council Directive 92/43/EEC ('the Habitats Directive') (Ref 2.8) and 2009/147/EC ('the Birds Directive') (Ref 2.9) into English law. The Habitats Regulations apply to plans and projects that may have significant effects on the UK National Site Network (sites designated under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (Ref 2.10)). Sites designated UK National Site Network sites (NSN) in England under the Habitats Regulations include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).
- 2.3.5 It is also government policy that Ramsar sites, potential SPAs, proposed SACs, and sites used to compensate for adverse effects on European sites are considered in the Habitats Regulation Assessment (HRA) process. This is described in paragraph 5.4.5 of NPS EN-1.
- 2.3.6 The Habitats Regulations require an Appropriate Assessment if a project is likely to have a significant effect on a European site. NGET must provide a report (a HRA Report) with the application showing the site(s) that may be affected together with sufficient information to allow the Appropriate Assessment to take place. The competent authority (SoS) will be responsible for undertaking the Appropriate Assessment. If the Appropriate Assessment concludes that a project will have an adverse effect on a NSN site, then the project may only proceed if it meets the derogation tests under Regulation 64 (as amended). The Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments (Ref 2.11) details the stages of assessment and the requirements of each stage.
- 2.3.7 As a precursor to the HRA Report, a HRA Screening will be undertaken and, in accordance with the Advice on Habitats Regulations Assessments (Ref 2.11), the screening will determine whether the Project may result in Likely Significant Effects on any Habitats site. A draft HRA report, outlining the Screening assessment undertaken to date and covering both the English Onshore Scheme and English Offshore Scheme, is provided as a standalone document alongside this PEIR (**EGL 3 and EGL 4 Draft HRA Report (May 2025)**, document reference EGL-WSP-CONS-XX-RP-Y-001).

Marine Conservation Zone Assessment

- 2.3.8 Section 126 of the MCCA (2009) outlines that where a public authority has the function of determining an application that is capable of affecting (other than insignificantly) the protected features of a Marine Conservation Zone (MCZ), or the processes on which those features depend, then they have a duty to consider MCZs during their decision making.

Flood Risk Assessment

- 2.3.9 The Flood and Water Management Act (2010) (Ref 2.12) places a series of responsibilities on local authorities with the primary aim of improving local flood risk management.
- 2.3.10 The Act requires an appropriate FRA undertaken for the Projects which will be submitted as part of the DCO application. The FRA will assess the flood risk both to and

from the Projects and demonstrate how that flood risk will be managed over the Projects' lifetime. The FRA will give due regard to climate change.

Water Environment Regulations

- 2.3.11 The Water Environment (Water Framework Directive) (England and Wales) Regulations (2017) (WFD) (Ref 2.13) impose duties on the SoS and the Environment Agency to carry out certain assessments when deciding whether to grant, vary or revoke certain permits and licences which affect water quality. The primary aim of the WFD is to improve/maintain the ecological status/potential of all water bodies and to prevent deterioration in status of the water bodies and their associated WFD quality elements.
- 2.3.12 Regulatory bodies responsible for implementing the WFD are the Environment Agency (main rivers) and Local Authorities/Lead Local Flood Authorities (ordinary watercourses).
- 2.3.13 The EIA will be supported by a standalone WFD compliance assessment in relation to hydrological receptors. The hydrology WFD assessment will be integrated within the ES. WFD compliance for surface waterbodies will be assessed, based on the results of assessments for hydromorphology and water quality, plus the results of the assessment of effects on aquatic biology undertaken as part of the ecology and biodiversity assessments. Assessment of WFD compliance for groundwater bodies will be reported within the Geology and Hydrogeology chapter of the ES.

Environment Act 2021

- 2.3.14 The Environment Act (2021) (Ref 2.14) provides a framework for improving environmental management across a wide spectrum of environmental issues including waste and resources, water quality, biodiversity, and air quality. It aims to deliver long-term targets to improve environmental conditions and reduce pollution, which would need to be considered by the Project. The Environment Act (2021) in Section 99 and Schedule 15 includes a requirement for NSIPs to deliver biodiversity gain as part of the application and for the areas of biodiversity net gain to be maintained for a specified period. DCOs must meet a biodiversity gain objective defined in a biodiversity gain statement. This requirement for NSIPs begins in November 2025. NGET is currently working with other organisations to identify how this can best be implemented and the securing mechanisms for maintaining habitats for the specified period.

2.4 National Planning and Marine Policy

National Policy Statements (NPSs)

- 2.4.1 In accordance with Paragraph 1.3.10 of NPS EN-1 (Ref 2.15) "*EN-1, in conjunction with any relevant technology specific NPS, will be the primary policy for Secretary of State decision making on projects in the field of energy for which a direction has been given under section 35.*"
- 2.4.2 A summary of the relevant 'Energy' NPS (EN-1, EN-3 and EN-5) is included in **Table 2-1 – Relevant National Policy Statements**.
- 2.4.3 Where relevant to the EIA, further details pertaining to NPSs in effect are provided in the **Volume 2, Part 1, Appendix 1.2.A: Regulatory and Planning Context** of this PEIR. It is acknowledged that draft updates to the Energy NPS have been published for consultation in April 2025. Any updates to the 2023 NPSs (EN-1 to EN-5) which came

into force on 17 January 2024, will be considered in the ES and other DCO Application documents as appropriate.

Table 2-1 – Relevant National Policy Statements

Plan	Summary
Overarching National Policy Statement for Energy (EN-1) (Ref 2.15)	
Paragraph 1.3.10	This paragraph states, that EN-1 in conjunction with any relevant technology specific NPS - will be the primary policy for Secretary of State decision making on projects in the field of energy for which a direction has been given under section 35 of the Planning Act (2008) (Ref 2.1).
Paragraph 3.3.80	This paragraph acknowledges the potential for unwarranted and avoidable disruption, inefficiency, and visual impacts along the onshore - offshore boundary and notes that co-ordination of onshore transmission, offshore transmission, and offshore generation and interconnector developments should be considered at both the strategic and more detailed project design levels. This coordinated approach is likely to provide the highest degree of consumer, environmental, and community benefits.
Paragraph 4.2.5	EN-1 sets out the critical national priority (CNP) for low carbon infrastructure. The Government's energy security and net zero ambitions will only be delivered if the UK can enable the development of new low carbon sources of energy at speed and scale. Paragraph 4.2.5 of EN-1 specifically notes that all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations are considered to be critical low carbon infrastructure. These works do not have to be associated with a specific generation technology, as it is considered that new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the existing electricity transmission system.
National Policy Statement for Electricity Networks Infrastructure (EN-5) (Ref 2.16)	
Paragraph 1.6.4	This section confirms that EN-5 also applies to developments that require development consent pursuant to section 35 of the Planning Act (2008).
Paragraph 2.9.19	A summary of the Horlock Rules to provide guidelines for the design and siting of substations (in addition to cable sealing end compounds and line entries). These rules, the basis of which was established in 2009 state that when considering new electricity infrastructure, NGET has regard to the degree to which options comply or deviate from these rules.
Paragraph 2.12.4	As identified in EN-1, this paragraph re-emphasises that it is important that the network planning for offshore transmission is much more closely coordinated with the planning and development of the onshore transmission network than previously. Paragraph 2.13.14 notes how co-ordinated transmission proposals are expected to reduce the overall environmental and community impacts associated with bringing offshore transmission onshore compared to an uncoordinated, radial approach.

Plan	Summary
National Policy Statement for Renewable Energy Infrastructure (EN-3) (Ref 2.17)	
	This NPS may also have relevance to the Projects, in the view of the need for the Projects to reinforce boundary flows and facilitate future connections from offshore wind.

Marine Policy Statement (MPS)

- 2.4.4 The framework for preparing Marine Plans and decisions affecting the marine environment is contained within the MPS, which was adopted in 2011. The MPS has been considered in the development of this PEIR, particularly, within the chapters relating to the English Offshore Scheme.
- 2.4.5 Guidance to the UK MPS from 1 January 2021 provides statutory guidance which explains how references to EU law in the UK MPS should be interpreted following the UK's withdrawal from the EU (Ref 2.18).

Marine Plans

- 2.4.6 The East Inshore and East Offshore Marine Plan, April 2014 (Ref 2.19) has been considered in the development of this PEIR. Further details can be found in **Volume 2, Part 1, Appendix 1.2.B Marine Plan Assessment**.
- 2.4.7 The Guidance to the UK MPS from 1 January 2021 provides statutory guidance which explains how references to EU law in the UK MPS should be interpreted following the UK's withdrawal from the EU. This Marine Plan has been considered in the development of this PEIR (Ref 2.20).

British Energy Security Strategy

- 2.4.8 The British Energy Security Strategy (Ref 2.21) was published by the UK Government in April 2022. It sets out the Government's ambition to improve energy efficiency, transition away from oil and gas, and build a self-sufficient and secure energy system
- 2.4.9 The Strategy sets out the UK's ambition to deliver up to 50 gigawatts (GW) of offshore wind by 2030 and outlines a number of ways in which the time taken for development and deployment of offshore wind farms will be reduced. This includes through streamlining the consenting process and strengthening the Renewable NPSs.
- 2.4.10 The Strategy also prioritises the need for flexibility in matching supply and demand, so that minimal energy is wasted, thus creating a more efficient and locally responsive energy system.

Accelerating Electricity Transmission Network Deployment: Electricity Networks Commissioner's recommendations

- 2.4.11 In August 2023 independent recommendations were provided by the UK's Electricity Networks Commissioner, Nick Winser, on how to accelerate the deployment of electricity transmission infrastructure. The key recommendations that are considered relevant to the Projects are:

- The production of a Strategic Spatial Energy Plan (SSEP), which would forecast supply and demand characteristics and their likely whereabouts. This Plan would bridge the gap between government policy and infrastructure delivery plans.
- A new document to be created, the Electricity Transmission Design Principles, which will provide a clear basis for communities and stakeholders to understand proposals and a clear foundation for the Planning Inspectorate's consideration.
- Implementation of reforms to the DCO process. In particular, having an updated suite of NPSs which reference and are supported by a SSEP, associated network plans and Design Principles, will reduce the pre-application period and assist the Planning Inspectorate

2.4.12 While these recommendations by the Electricity Networks Commissioner have been acknowledged in the preparation of this PEIR, it is important to note that at the time of writing, they have not yet been implemented. Their status will be monitored, and should they be implemented during the EIA process, they will be duly considered (Ref 2.22).

Transmission Acceleration Action Plan

2.4.13 The Action Plan sets out the Government's response to the above recommendations from the Electricity Networks Commissioner and was published in November 2023. In summary, the Government accepts the Commissioner's recommendations in all areas, and in some cases seeks to go further. The Action Plan also seeks to halve the end-to-end build time of electricity transmission network infrastructure, from 14 to 7 years (Ref 2.23).

National Planning Policy Framework

2.4.14 The revised National Planning Policy Framework (NPPF) was most recently updated in December 2024 (Ref 2.24). Paragraph 5 of the NPPF sets out that it does not contain specific policies for NSIPs and states that:

"These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework)"

2.4.15 Notwithstanding the above, paragraph 161 of the NPPF confirms the Framework's support for the transition to a low carbon future in a changing climate. It states that:

"The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

2.4.16 While EN-1 and EN-5 remain the prime decision-making policy, where they do not provide guidance, each technical chapter will consider whether there is important and relevant policy in the NPPF that may require consideration by the decision-making authority.

2.4.17 At this stage, it is not possible to confirm if such secondary guidance will be considered important or relevant by the SoS, and it is therefore included for completeness.

2.4.18 Paragraph 164 of the NPPF states that:

“New development should be planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and*
- b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the Government’s policy for national technical standards”*

2.4.19 Paragraph 168 also states that:

“When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the proposal’s contribution to renewable energy generation and a net zero future;*
- b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;*
- c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site”*

2.4.20 The NPPF is also supported by the National Planning Practice Guidance (NPPG) (Ref 2.25).

2.5 Local Planning Policy

2.5.1 The NPPF states that the planning system should be genuinely plan-led. As such, local plans are prepared by the Local Planning Authority (LPA), usually the Council or the national park authority for the area. Succinct and up-to-date local plans should provide a positive vision for the future of each area and a framework for addressing housing needs and other economic, social and environmental priorities.

2.5.2 Local plans must be positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act (2004) (as amended) (Ref 2.26) and the NPPF (Ref 2.24). Once adopted, local plans provide the framework for development across England, including in the boroughs that EGL 3 and EGL 4 would be developed in.

2.5.3 On 16 December 2024, the government published a policy paper entitled ‘English Devolution White Paper’ (Ref 2.27). The White Paper announced that government will facilitate a programme of local government reorganisation for two-tier areas, and for unitary councils where there is evidence of failure or where their size or boundaries may be hindering their ability to deliver sustainable and high-quality public services. The White Paper confirms that the government intends to work at pace and to ambitious timeframes in the delivery of devolution and local government reorganisation. All remaining two-tier areas were invited to provide a view on the local government reorganisation proposals by the 10 January 2025.

- 2.5.4 Lincolnshire County, North Lincolnshire Council and North East Lincolnshire Council responded to this government call suggesting the county goes from ten councils to two in the future. If this occurs then all Lincolnshire's district councils will be abolished. There is therefore potential for impact to the Projects should this occur within the application and examination period, and NGET will have to be fully engaged with this process alongside delivery of the project to remain compliant. Currently Lincolnshire do not meet the criteria to be a priority for local government reorganisation, and so there is no timeline for when this will occur.
- 2.5.5 A summary of the relevant, adopted local planning policies for the seven boroughs relevant to the Projects are included in **Table 2-2**.

Table 2-2 – Relevant local planning policy

Plan	Summary
South East Lincolnshire Joint Strategic Planning Committee (Boston Borough, South Holland District and Lincolnshire County Council)	
South East Lincolnshire Local Plan (2011-2036) (Adopted March 2019) (Ref 2.28)	The South East Lincolnshire Local Plan (2011-2036) was produced by the South East Lincolnshire Joint Strategic Planning Committee (the Joint Committee) and adopted in March 2019. The Joint Committee is a partnership of Boston Borough, South Holland District and Lincolnshire County Councils. The Local Plan will guide development and the use of land in South East Lincolnshire from 1 April 2011 to 31 March 2036, and will help to shape how the area will change over this period.
East Lindsey District Council	
East Lindsey Local Plan Core Strategy (Adopted July 2018) (Ref 2.29)	The East Lindsey Local Plan Core Strategy was adopted in July 2018 and sets out the vision and strategic policies for the growth and development of the district up to 2031.
East Lindsey Local Plan Review: Issues & Options (Ref 2.30)	East Lindsey District Council is undertaking a partial review of the East Lindsey Local Plan (2018). The Issues and Options Paper sets out certain issues within the adopted local plan which are being considered in the partial review and suggests potential options in relation to these – in particular relating to whether or not the Plan continues with its current strategy of separate policies for the coastal area or brings the policies together with one strategy for the District. The Council also undertook a call for land. Those with an interest in developing land within East Lindsey were asked to submit sites to the Council for consideration. Sites were being sought for both housing and employment land. Both the Issues and Options Paper consultation and the Call for Land consultations ran for an 8-week period between 15 February 2021 and 12 April 2021.
Fenland District Council	
Fenland Local Plan (Adopted May 2014) (Ref 2.31)	The Fenland Local Plan was adopted in May 2014 and contains the policies and broad locations for the growth and regeneration of Fenland up to 2031.

Plan	Summary
Fenland Draft Local Plan (Ref 2.32)	Fenland District Council consulted on the Draft version of the Local Plan between 25 August 2022 and 19 October 2022. The Draft Plan sets out the emerging policies and proposals for growth and regeneration, and the proposed sites to deliver the growth.

King's Lynn and West Norfolk Council

Local Development Framework – Core Strategy (Adopted July 2011) (Ref 2.33)	The Local Development Framework was adopted in July 2011 and sets out the spatial planning framework for the development of the borough up to 2026.
Local Plan review (2016-2036) (Ref 2.34)	The Local Plan Review was submitted to the Secretary of State for Levelling Up, Housing and Communities on 29 March 2022. The first round of Local Plan examination hearings was held during December 2022/ January 2023. In January the Inspectors adjourned the hearings to allow the Council to undertake further work to justify the spatial strategy and distribution of housing in the Local Plan Review. The Examination hearings were held during March 2024 and April 2024 and the remaining hearing was held in September 2024. The Planning Inspector issued a letter requesting what - if any effect - the 2023 Housing Delivery Test measurement would have on the 5-year housing land supply calculation for the review on adoption. The Borough Council have published their Response Letter confirming this would have no impact, although they've challenged the figures.

Norfolk County Council

Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) (2010-2026) (Adopted September 2011) (Ref 2.35)	The Core Strategy and Minerals and Waste Development Management Policies DPD (2010-2026) was adopted in September 2011 and sets out the spatial vision for future mineral extraction and associated development and waste management facilities in Norfolk. The Core Strategy plans for facilities to manage the waste that is expected to arise and also where to extract the minerals that are needed over the Plan period to the end of 2026.
Minerals Site Specific Allocations Development Plan Document (Adopted October 2013) (Ref 2.36)	The Minerals Site Specific Allocations DPD was adopted in October 2013. Its purpose is to set out specific, allocated sites where mineral extraction sites are considered acceptable in principle.
Waste Site Specific Allocations	The Waste Site Specific Allocations DPD was adopted in October 2013. Its purpose is to set out specific, allocated sites where waste management facilities are considered acceptable in principle.

Plan	Summary
Development Plan Document (Adopted October 2013) (Ref 2.37)	
Norfolk Minerals and Waste Local Plan (Ref 2.38)	Norfolk County Council is preparing a Norfolk Minerals and Waste Local Plan, to consolidate the three adopted DPDs into one Local Plan, ensure that the policies within them remain up-to-date and to extend the plan period to the end of 2038. The Norfolk Minerals and Waste Local Plan was submitted to the Planning Inspectorate for independent examination on 20 December 2023.
Cambridgeshire County Council	
The Cambridgeshire and Peterborough Minerals and Waste Local Plan (Adopted July 2021) (Ref 2.39)	The Cambridgeshire and Peterborough Minerals and Waste Local Plan was adopted in July 2021 and guides minerals and waste development over the plan period to 2036.
Lincolnshire County Council	
Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies (Adopted June 2016) (Ref 2.40)	The Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies was adopted in June 2016. The Core Strategy and Development Management Policies document sets out the key principles to guide the future winning and working of minerals and the form of waste management development in the County up to 2031.
Lincolnshire Minerals and Waste Local Plan Site Locations (Adopted December 2017) (Ref 2.41)	The Site Locations document was adopted in December 2017 and includes specific proposals and policies for the provision of land for mineral and waste development.
Lincolnshire Minerals and Waste Local Plan (Ref 2.42)	Lincolnshire County Council is reviewing the Lincolnshire Minerals and Waste Local Plan. The Development Scheme timetable indicates that the draft Local Plan will be submitted to the Secretary of State in Summer 2024.

2.5.6 Further aspect-specific details on local planning policy, including specific policies of relevance to the Projects, are provided in **Volume 2, Part 1, Appendix 1.2.A Regulatory and Planning Context** and will be included in the Planning Statement.

2.6 National Grid Policy and Guidance

2.6.1 NGET has its own policies and processes that are followed when developing projects. The key policies that are applicable to the Projects include:

- **Holford Rules (Ref 2.43):** A series of guidelines/rules for the routeing and design of new overhead lines or overhead line extensions. The guidelines were initially developed in 1959 and have been reviewed on a number of occasions by NGET and by the other UK transmission licence holders. The guidelines provide a set of design criteria that have become accepted industry best practice in overhead line routeing. The guidelines now form an important part of national planning policy relating to the development of electricity networks, as set out in National Policy Statement EN-5. The general principles underlying the Holford Rules – the avoidance of adverse impacts by careful routeing – are to a degree also relevant to the routeing of underground cables, although the balance of impacts and constraints will often be different.
- **Horlock Rules (Ref 2.44):** A series of guidelines/rules for the siting and design of new converter stations, substations, or substation extensions, including consideration of line entries and sealing end compounds. The guidelines were initially developed in 2003 and were updated in 2006 by NGET, and further revised in 2009. The Horlock Rules provide a set of principles which avoid, or reduce the environmental impacts associated with the development of new substation infrastructure. The Horlock Rules contain the following guidelines in relation to siting:
 - Overall System Options and Site Selection - In the development of system options including new substations, consideration must be given to environmental issues from the earliest stage to balance the technical and capital cost requirements for new developments against the consequential environmental effects to keep adverse effects to a reasonably practicable minimum.
 - Amenity, Cultural or Scientific Value of Sites - The siting of new National Grid Company (NGC) substations, sealing end compounds and line entries should as far as reasonably practicably seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections. Areas of local amenity value, important existing habitats and landscape features including Ancient Woodland, historic hedgerows, surface and ground water sources and nature conservation areas should be protected as far as reasonably practicable.
 - Local Context, Land Use and Site Planning - The siting of substations, extensions and associated proposals should take advantage of the screening provided by landform and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum. The proposals should keep the visual, noise and other environmental effects to a reasonably practicable minimum. The land use effects of the proposal should be considered when planning the siting of substations or extensions.
 - Design - In the design of new substations or line entries, early consideration should be given to the options available for terminal pylons, equipment, buildings, and ancillary development appropriate to individual locations, seeking to keep effects to a reasonably practicable minimum. Space should be used effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation. The design

of access roads, perimeter fencing, earthshaping, planting and ancillary development should form an integral part of the site layout and design to fit in with the surroundings.

- Line Entries - In open landscape especially, high voltage line entries should be kept, as far as possible, visually separate from low voltage lines and other overhead lines to avoid a confusing appearance. The inter-relationship between pylons and substation structures and background and foreground features should be studied to reduce the prominence of structures from main viewpoints. Where practicable the exposure of terminal pylons on prominent ridges should be minimised by siting pylons against a background of trees rather than open skylines.
- NGET's Stakeholder, Community, and Amenity Policy (Ref 2.5): This document describes the ten commitments that NGET has made to the way that electricity and gas works are carried out in the UK. This includes setting out how NGET will meet its amenity responsibilities and how stakeholders and communities are involved on projects.
- NGET's Approach to Consenting (Ref 2.45): This document outlines the project development process for major infrastructure projects, from initial inception to consent and construction. NGET's Approach to Consenting is divided into six stages, as detailed within **Volume 1, Part 1, Chapter 3: Reasonable Alternatives Considered**.

2.6.2 NGET also has an extensive range of process and guidance documents that govern how projects are designed and implemented. Specific documents are referenced later in the PEIR chapters where relevant.

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