

Supplementary Preliminary Environmental Information Report: Section 5 New Weston Marsh Substations A and B

Volume 2 Part A Introduction and Overview

Chapter 2 Legislative, Regulatory and Planning Policy Context

November 2025

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Grimsby to Walpole Document control

Document Properties			
Organisation	Arup AECOM		
Approved by	National Grid		
Title	Supplementary Preliminary Environmental Information Report: Section 5 New Weston Marsh Substations A and B Volume 2 Part A Introduction and Overview Chapter 2 Legislative, Regulatory and Planning Policy Context		
Document Register ID	GWNC-ARU-SS50-XXXXXX-RPT-ES-000002		
Data Classification	Public		
Version History			
Date	Version	Status	Description / Changes
November 2025	1.0	Final	First Issue

2. Legislative, Regulatory and Planning Policy Context

2. Legislative, Regulatory and Planning Policy Context

2.1 Introduction

2.1.1 This chapter of the Supplementary Preliminary Environmental Information (PEI) Report provides an overview of the legislation and national, regional onshore and marine planning policy context relevant to the Grimsby to Walpole Project (the Project), as well as an overview of the local planning policy relevant to Section 5 of the Project only. This chapter reflects that previously published in the June 2025 PEI Report (Ref 1), which formed part of the Stage 2 Consultation completed between 11 June and 6 August 2025, as there have been no updates to the policy since the publication of the June 2025 PEI Report.

2.1.2 A summary of key legislation and policies relevant to the environmental assessment are set out below with specific details included in **Supplementary PEI Report Volume 3 Part A Appendix 2A Key Legislation** and **Supplementary PEI Report Volume 3 Part A Appendix 2B National and Regional Planning Policy**. This has been considered within the environmental topic assessments in **Supplementary PEI Report Volume 2 Part B Section Specific Assessment** and **Supplementary PEI Report Volume 2 Part C Route-wide Assessment**.

2.1.3 Local planning policy of relevance to Section 5 of the Project is set out in **Supplementary PEI Report Volume 3 Part B Appendix 2C Local Plan Policy: Section 5**. This has been considered within the environmental topic assessments in **Supplementary PEI Report Volume 2 Part B Section Specific Assessment** and **Supplementary PEI Report Volume 2 Part C Route-wide Assessment**. In addition, the environmental topic assessments in **Supplementary PEI Report Volume 2 Part B Section Specific Assessment** and **Supplementary PEI Report Volume 2 Part C Route-wide Assessment** also include reference to relevant published local strategy and implementation documents.

2.1.4 The Planning Statement which will accompany the Development Consent Order (DCO) application for the Project will include a full planning policy review and set out how the Project is compliant with planning policy and will form a conclusion and make recommendation for determination of the Project.

2.2 Key Legislation

The Planning Act 2008

2.2.1 The Planning Act 2008 (Ref 2) provides the statutory framework for making and deciding applications for a DCO for Nationally Significant Infrastructure Projects (NSIPs). The PA 2008 defines projects meeting certain defined criteria as NSIPs. A DCO must be obtained from the relevant Secretary of State (SoS) to authorise the construction and operation of an NSIP.

2.2.2 As the Project consists of the installation of an electric line above ground of more than 132 kV and more than 2 kilometres (km) in length, it is classified as an NSIP under Section 14(1)(b) of the PA 2008 and therefore requires a DCO from the SoS.

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

2.2.3 The Infrastructure Planning (Environmental Impact Assessment (EIA)) Regulations 2017 (the EIA Regulations) (Ref 3) govern the EIA process relevant to NSIPs. Schedule 1 of the EIA Regulations lists those projects for which an EIA is required. This includes, at paragraph 20 of Schedule 1, “[c]onstruction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km”. The Project comprises the construction and operation of a 400 kV overhead electricity transmission line over approximately 140 km. Therefore, the Project falls under Schedule 1 and EIA is required.

2.2.4 EIA Regulation 5 sets out the EIA Process. This includes Regulation 5(2) which states that the EIA must:

“identify, describe, and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors-

- (a) population and human health;*
- (b) biodiversity, with particular reference to species and habitats protected under Directive 92/43/EEC and 2009/147/EC;*
- (c) land, soil, water, air, and climate;*
- (d) material assets, cultural heritage and the landscape;*
- (e) the interaction between the factors referred to in sub-paragraphs (a) to (d). ”*

2.2.5 As with the June 2025 PEI Report, these factors are considered within the Supplementary PEI Report, within the environmental topic chapters included in **Supplementary PEI Report Volume 2 Part B** and **Supplementary PEI Report Volume 2 Part C**.

2.2.6 In addition, Regulation 5(3) requires that this includes the operational effects of the Project. Regulation 5(4) states that the EIA should include, where relevant, *“the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development”*. This was considered at the scoping stage within Chapter 19 Major Accidents and Disasters of the EIA Scoping Report (Ref 4). The Scoping Opinion (Ref 5) provided by the Planning Inspectorate in September 2024 on behalf of the Secretary of State, confirmed that significant effects on or from natural hazards and technological or man-made hazards are not likely and can be scoped out of the Environmental Statement (ES), noting that a separate Flood Risk Assessment (FRA) would be required.

2.2.7 Schedule 4(5) of the EIA Regulations sets out the information for inclusion in the ES, and states that a description of the significant effects arising from *“the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources”* must be included. The approach

to addressing this requirement is set out within **Supplementary PEI Report Volume 2 Part A Chapter 4 Approach to Preliminary Environmental Information**.

2.2.8 There is a requirement under Regulation 32(1) to consider transboundary effects, that is, those effects that could affect receptors in other countries. A screening exercise was undertaken using Advice Note Twelve: Transboundary Impacts and Process, Annex I (Planning Inspectorate, 2020) as part of the scoping process. No transboundary effects have been predicted in relation to the Project, as there is no pathway for effects to occur outside the UK – this was confirmed at the scoping stage (Ref 6).

Marine and Coastal Access Act 2009

2.2.9 The Marine and Coastal Access Act 2009 (MCAA 2009) (Ref 7) sets out a spatial planning system for the management of the marine environment, which includes a requirement to obtain a marine licence for licensable marine activities from the appropriate marine licensing authority, the Marine Management Organisation (MMO). The MMO is responsible for determining applications in accordance with the Marine Policy Statement (MPS) and any applicable marine plans, unless relevant considerations indicate otherwise.

2.2.10 Licensable marine activities are defined under Section 66 of the MCAA 2009, and include the construction of works over the sea. The MMO Marine Licensing Definitions guidance (Ref 8) provides a definition of the 'sea' which includes any area which is submerged at mean high water springs and the waters of every estuary, river or channel where the tide flows at mean high water spring tide up to the Normal Tidal Limit (NTL). The NTL is the extent to which a body of water is affected by the ebb and flow of the tides. This may encompass rivers and their estuaries, including those areas that are controlled by locks. The guidance also provides a definition of 'over' the sea includes a location directly above or overhanging the sea such as a bridge, open piled structure or cantilever.

2.2.11 The Project proposes new overhead lines to cross over the sea at the River Welland and the River Nene and a Marine Licence is required for this aspect of the Project. Applicants can apply for a 'Deemed Marine Licence' as part of the DCO process under Part 4 of the MCAA 2009 and by virtue of Section 149A of the PA 2008 which was inserted by the MCAA 2009. National Grid Electricity Transmission plc (National Grid) will include a Deemed Marine Licence within its draft DCO. This has been confirmed during discussions with the MMO.

Electricity Act 1989

2.2.12 Section 9(2) of the Electricity Act 1989 (Ref 9) places general duties on National Grid as a license holder:

"to develop and maintain an efficient, co-ordinated and economical system of electricity transmission..."

2.2.13 In addition, Section 38 and Schedule 9 of the Electricity Act 1989 require an electricity licence holder such as National Grid, when formulating proposals for new lines and other works, to:

"(a)... 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

(b) 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.”

2.2.14 National Grid's Stakeholder, Community and Amenity Policy (Ref 10), 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

2.2.15 A National Landscape is, from November 2023, the new name for Areas of Outstanding Natural Beauty (AONB). They are designated under Section 82 of the Countryside and Rights of Way Act 2000 (Ref 11) for the purpose of conserving and enhancing the natural beauty of an area. National Grid, as a statutory undertaker, has a duty under Section 85 of the Act 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”.

Related Assessments

2.2.16 In addition to the EIA, the Project will be assessed in accordance with other regulatory regimes, where they apply. Information on these is included in the environmental topic chapters of this Supplementary PEI Report where applicable. These include the Conservation of Habitats and Species Regulations 2017 (Ref 12) the Flood Risk Regulations 2009 (Ref 13) and The Water Environment (Water Framework Directive) (WFD) (England and Wales) Regulations 2017 (Ref 14).

Habitat Regulations

2.2.17 The Habitats Regulations transposed the requirements of European Council Directive 92/43/EEC ('the Habitats Directive') (Ref 15) 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 16)). 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).

2.2.18 It is also government policy that Ramsar sites, potential SPAs, possible SACs, and sites used to compensate for adverse effects on European sites are considered in the Habitats Regulations Assessment (HRA) process. This is described in paragraph 5.4.5 of NPS EN-1.

2.2.19 The Habitats Regulations require an Appropriate Assessment if a project is likely to have a significant effect on a European site. National Grid must provide a report with the application showing the site(s) that may be affected together with sufficient information to allow the Appropriate Assessment to take place. If that Appropriate Assessment concludes that a project will have an adverse effect on a NSN site, then a derogation case must be considered. The Nationally Significant Infrastructure

Projects: Advice on Habitats Regulations Assessments (Ref 17), details the stages of assessment and the requirements of each stage.

2.2.20 National Grid will initially prepare a HRA Screening Report (Stage 1) to inform consultation with Natural England and other relevant consultees. The aims of HRA Screening Report will be to identify whether the Project would result in likely significant effects on the qualifying interest features of European sites, and to subsequently inform the need for a Stage 2 appropriate assessment.

2.2.21 At this preliminary stage of assessment, HRA Screening for the Project has not yet been completed. This is primarily due to the ongoing survey activities, given that ornithology data in particular is a key input to the HRA Screening process for the Project. Therefore, a HRA Screening report was not included as part of the June 2025 PEI Report and is not included in this Supplementary PEI Report. An initial high level appraisal of potential impacts upon European designated sites is instead presented within **Supplementary PEI Report Volume 2 Part B Chapter 4 Ecology and Biodiversity**, and within **Supplementary PEI Report Volume 2 Part C Chapter 2 Ecology and Biodiversity**.

2.2.22 Further detail is provided within **Supplementary PEI Report Volume 3 Part B Appendix 4B Environmental Impact Assessment Methodologies and Scope - Chapter 4 Ecology and Biodiversity**.

Flood Risk Regulations

2.2.23 The Flood and Water Management Act 2010 (Ref 18) places a series of responsibilities on local authorities with the primary aim of improving local flood risk management.

2.2.24 The Act requires that an appropriate FRA is undertaken for the Project which will be submitted as part of the DCO application. The FRA will assess the flood risk both to and from the Project and demonstrate how that flood risk will be managed over the Project's lifetime. The FRA will take account of climate change.

Water Environment Regulations

2.2.25 The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (Ref 14) 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.

2.2.26 Regulatory bodies responsible for implementing the WFD are the Environment Agency (main rivers) and Local Authorities/Lead Local Flood Authorities (ordinary watercourses).

2.2.27 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. A preliminary assessment is included in **Supplementary PEI Report Volume 3 Part C Appendix 5B Preliminary WFD Assessment**.

Assessment of WFD compliance for groundwater bodies will be reported within the Geology and Hydrogeology chapter of the ES.

Environment Act 2021

2.2.28 The Environment Act 2021 (Ref 19) 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 May 2026. National Grid 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.

2.3 National Planning and Marine Policy

2.3.1 This section sets out the current national planning policy documents which the SoS must have regard to when determining the DCO application for the Project. The following documents have been considered relevant in the context of the EIA and in the preparation of this Supplementary PEI Report.

2.3.2 The Project is an NSIP which requires development consent under the PA 2008. Section 104 of the PA 2008 provides for the role of National Policy Statements (NPS) in the decision-making process by which applications for development consent are considered. Section 104(2) states, so far as relevant:

“In deciding the application, the Secretary of State must have regard to -

- a) any additional policy statement which has effect in relation to development of the description to which the application relates (a ‘relevant national policy statement’);*
- aa) the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009; ...*
- d) any other matters which the SoS thinks are both important and relevant to the SoS decision”*

2.3.3 Section 104(3) requires the SoS to decide the DCO application in accordance with any relevant NPS, except to the extent that one or more of the exceptions set out in Section 104 applies.

2.3.4 As identified in paragraph 1.3.4 of the Overarching NPS for Energy EN-1 (Ref 20), for infrastructure projects providing above ground electric lines at or above 132 kV (meeting the thresholds set out in the PA 2008), the following NPSs will be the primary basis for SoS decision making:

- i. Overarching National Policy Statement for Energy (EN-1) (NPS EN-1) (Adopted 2024) (Ref 20); and
- ii. National Policy Statement for Electricity Networks Infrastructure (EN-5) (NPS EN-5) (Adopted 2024) (Ref 21).

2.3.5 Reference should also be made to National Policy Statement for Renewable Energy (EN-3) (NPS EN-3) (Adopted 2024) (Ref 22) which includes support for the onshore infrastructure required to deliver new offshore wind developments. This is relevant given the purpose of the Project includes enabling such projects to connect to the transmission system.

2.3.6 NPS EN-1, EN-3 and EN-5 (17 January 2024) include policies to ensure the appropriate balance between the need to build vital infrastructure and the impacts this can have on the environment and communities and to ensure that the planning policy framework is suitably robust to support the infrastructure required for the transition to net zero carbon emissions. Low-carbon infrastructure, including electricity grid infrastructure projects, are given 'Critical National Priority' (CNP) status to reflect the need for critical national infrastructure.

2.3.7 New draft versions of the energy NPSs, including EN-1, EN-3 and EN-5 were published for consultation on 24 April 2025. At the time of writing this chapter, these draft NPSs are subject to change and have not been reviewed in detail for the Supplementary PEI Report. The Supplementary PEI Report considers policies currently in force within the NPSs that are particularly relevant to the Project. Any updates to the 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 in due course.

Overarching National Policy Statement for Energy (EN-1)

2.3.8 NPS EN-1 sets out the Government's overarching policy regarding the development of NSIPs in the energy sector. NPS EN-1 emphasises the need for new energy projects to contribute to a secure, diverse, and affordable energy supply. NPS EN-1 is underpinned by the principle that there will be a need for significant amounts of new large-scale energy infrastructure to meet the Government's energy objectives. NPS EN-1 recognises that to 'produce the energy required for the UK and ensure it can be transported to where it is needed, a significant amount of infrastructure is needed at both local and national scale. High quality infrastructure is crucial for economic growth, boosting productivity and competitiveness' (Para 2.1.3). It continues 'There is an urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy objectives' (Para 3.3.65).

2.3.9 Section 3 of NPS EN-1 explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers that the need for such infrastructure is urgent.

2.3.10 NPS EN-1 paragraph 3.3.68 states that substantial onshore reinforcement works are needed to meet decarbonisation targets, and that forecasts show that the transmission network will require a doubling of north to south power transfer due to increased generation in Scotland and North of England, with substantial reinforcement in the Midlands to accommodate increased power flows.

2.3.11 Section 4.2 sets out the CNP for low carbon infrastructure and states: "*Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology*" (para 4.2.1), concluding that there is a CNP for the provision of nationally significant low carbon infrastructure.

2.3.12 For electricity grid infrastructure, all power lines in scope of NPS EN-5 are CNP, including network reinforcement and upgrade works and associated infrastructure, such as substations.

2.3.13 Section 4.5 provides details of how effects on the marine environment should be considered, noting that individual Marine Plans must be consulted to understand the marine relevant specific considerations, and suggests that the marine license regulator (the MMO in England) are approached during the pre-application stage to understand any need for additional marine licenses alongside the DCO application.

2.3.14 Section 4.6 provides guidance as to how environmental and biodiversity net gain should be approached. Environmental net gain, of which biodiversity net gain is an essential component, is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. The ES should include a statement demonstrating how wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design of the Project.

2.3.15 Section 4.7 provides details on the criteria for good design for energy infrastructure. Paragraph 4.7.1 states:

“The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.”

2.3.16 Section 4.10 of NPS EN-1 details how the effects of climate change should be taken into account during the design stage to ensure new energy infrastructure is sufficiently resilient against the possible impacts of climate change. Specifically, as new energy infrastructure is typically likely to remain operational over many decades, the direct and indirect impacts of climate change, when considering the Project location, design, build, operation and where appropriate decommissioning, will need consideration.

2.3.17 Part 5 of NPS EN-1 identifies generic impacts in respect of matters such as air quality and emissions, greenhouse gas emissions, biodiversity and geological conservation, civil and military aviation and defence interests, coastal change, dust and odour, flood risk, historic environment, landscape and visual, land use, noise and vibration, socio-economics, traffic and transport, resource and waste management, and water quality and resources, and how these should be assessed. This has been considered in the preparation of this Supplementary PEI Report.

Overarching National Policy Statement for Energy (EN-5)

2.3.18 NPS EN-5 relates to electricity networks, and Part 2 provides general assessment principles and technology-specific policies relating to matters including climate change adaptation, consideration of good design, biodiversity and geological conservation, landscape and visual and noise and vibration. Section 2.12 of NPS EN-5 establishes the importance of a co-ordinated approach to offshore-onshore transmission.

2.3.19 Paragraph 2.1.5 of NPS EN-5 reinforces Section 4.2 of NPS EN-1, which supports the urgent need for new low carbon infrastructure and confirms 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 CNP infrastructure.”

2.3.20 Paragraph 2.2.10 of NPS EN-5 reiterates the duties under Section 9 of the Electricity Act 1989, both in relation to developing and maintaining an economical and efficient network and, in formulating proposals for new electricity network infrastructure, to:

“have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiological features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and...do what [they] 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.”

2.3.21 Section 2.3 of NPS EN-5 details how electricity network infrastructure should consider climate change adaptation and resilience within the design of new schemes. Paragraph 2.3.2 details that applicants should set out to what extent the proposed development is expected to be vulnerable and how it has been designed to be resilient to: flooding, particularly for substations; the effect of wind and storms on overhead lines; higher than average temperatures leading to increased transmission losses; and earth movement or subsidence caused by flooding or drought, for underground cables.

2.3.22 NPS EN-5 includes policies on the design of electricity network infrastructure, and paragraph 2.9.20 states:

“Although it is the government’s position that overhead lines should be the strong starting presumption for electricity networks developments in general, this presumption is reversed when proposed developments will cross part of a nationally designated landscape (i.e. National Park, The Broads, or Area of Outstanding Natural Beauty).”

2.3.23 These policies have been considered in the preparation of this Supplementary PEI Report.

National Policy Statement for Renewable Energy (EN-3)

2.3.24 NPS EN-3 also includes support for the onshore infrastructure required to deliver new offshore wind developments. Section 2.8 deals with offshore wind, paragraph 2.8.1 states that, *‘as set out in the British Energy Security Strategy, the Government expects that offshore wind... will play a significant role in meeting demand and decarbonising the energy system. The ambition is to deploy up to 50GW of offshore wind capacity by 2030, with an expectation that there will be a need for substantially more installed offshore capacity beyond this to achieve net zero carbon emissions by 2050’*.

2.3.25 Paragraphs 2.8.34 to 2.8.43 reiterate the position set out in NPS EN-1 and NPS EN-5 that a co-ordinated approach to onshore-offshore transmission is required. Paragraph 2.8.35 states that, *‘the previous standard approach to offshore-onshore connection involved a radial connection between single wind farm projects and the shore.’* Paragraph 2.8.38 states that, *‘As part of the transition to more co-ordinated*

transmission, it is anticipated that some proposals for transmission could be consented separately to those for the wind farm application.'

2.3.26 NPS EN-3 also includes references to CNP Infrastructure outlining that the assessment principles outlined in Section 4 of NPS EN-1 continue to apply to this. Applicants must show how likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.

Marine Policy Statement

2.3.27 The MPS (March 2011) (Ref 23) provides the framework for preparing Marine Plans and taking decisions affecting the marine environment.

2.3.28 The objective of Marine Plans is to ensure that marine resources are used in a sustainable way in line with the high level marine objectives and thereby: promote sustainable economic development; enable the UK's move towards a low-carbon economy, in order to mitigate the causes of climate change and ocean acidification and adapt to their effects; ensure a sustainable marine environment which promotes healthy, functioning marine ecosystems and protects marine habitats, species and our heritage assets; and contribute to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues.

2.3.29 The Project has limited interaction with the marine environment, although the proposed route of the Project will necessitate the crossing of two navigable rivers which fall under the jurisdiction of the MMO: the River Welland and the River Nene. Only the River Welland is relevant to Section 5. Relevant policies contained in the MPS will be considered as part of the assessment of the Project and compliance with the MPS. **Supplementary PEI Report Volume 3 Part A Appendix 2B National and Regional Planning Policy** contains reference to the MPS and the East Inshore and East Offshore Marine Plans which will be considered through the evolution of the Project.

National Planning Policy Framework

2.3.30 The National Planning Policy Framework (NPPF) was most recently updated in December 2024 (Ref 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)".

2.3.31 Notwithstanding the above, paragraph 161 of the NPPF confirms the Framework's support for the transition to net zero by 2050 whilst taking full account of changing climate impacts. It states that:

"the planning system should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience...and support renewable and low carbon energy and associated infrastructure."

2.3.32 While NPS EN-1 and NPS EN-5 remain the prime decision-making documents, where they do not provide guidance, each environmental topic chapter will consider

whether there is important and relevant policy in the NPPF that may require consideration by the decision-making authority.

2.3.33 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.

2.3.34 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) can 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.”*

2.3.35 The revised NPPF put more emphasis on the need for renewable energy and low carbon development. Paragraph 168 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 Regional Planning Policy

2.4.1 The East Inshore and East Offshore Marine Plans (Ref 25) seek to apply or clarify the intent of national policy in the East Inshore and Offshore areas, taking into account the specific characteristics of the plan areas. The plan identifies that in the East Marine Plan areas the volume of new marine infrastructure is set to increase, both offshore (e.g. Offshore Wind Farms) and inshore (e.g. land-based infrastructure). **Supplementary PEI Report Volume 3 Part A Appendix 2B National and Regional Planning Policy** provides further information on relevant policies in the East Inshore and East Offshore Marine Plan which will be considered in the design of the Project and in the preparation of the DCO application documents.

2.5 Local Planning Policy

2.5.1 The following text below focuses specifically on the regional and local planning policies relevant to Section 5 of the Project. For information regarding the regional and local planning policies relevant to other Sections of the Project, refer to Part A Chapter 2 of the June 2025 PEI Report (Ref 1).

2.5.2 As set out above, the NPSs are the primary basis for decision making, but the SoS must also have regard to any other matters which they think are both important and relevant to the decision and this could include regional and local planning policies.

2.5.3 In so doing, the SoS may have regard to the local impact reports produced by the relevant local planning authorities, for consideration during the examination of the application. Local planning policies provided by relevant County and District or Unitary Authorities has been considered within the environmental topic assessments in **Supplementary PEI Report Volume 2 Part B and Part C**. The main local planning policy documents relevant to Section 5 of the Project comprise the following:

- i. Lincolnshire County Council
 - Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, adopted in 2016 (Ref 26) and Minerals and Waste Site Locations, adopted 2017 (Ref 27).
 - A new Lincolnshire Minerals and Waste Development Local Plan is being prepared and includes a preferred approach to the future planning of minerals and waste in Lincolnshire covering policies and a series of mineral aggregate sites to meet future requirements. A consultation on the preferred approach was undertaken between 30th July and 24th September 2024 (Ref 28).
- ii. South East Lincolnshire (covering South Holland District Council and Boston Borough Council)
 - South East Lincolnshire Local Plan (South Holland District Council and Boston Borough Council joint plan), adopted 2019. (Ref 29).

2.6 Non-Statutory Guidance

Planning Inspectorate Advice Notes

2.6.1 In August 2024 the Planning Inspectorate has published a series of non-statutory advice notes to inform developers, consultees, the public and other interested parties about a range of procedural matters in relation to the Planning Act process. Not all these Advice Notes are applicable to this Supplementary PEI Report, although those that are integral, and have informed the environmental assessment process for the Project, are discussed further below:

- i. Introduction to National Infrastructure Planning Guidance (April 2024) (Ref 30) which sets out the role and scope of the National Infrastructure Planning Guidance;
- ii. Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects (April 2024) (Ref 31), which provides guidance on the pre-application stage for NSIPs;

- iii. Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents (August 2024) (Ref 32), which explains how application documents and supporting information should be prepared, organised and submitted to the Planning Inspectorate for NSIPs; and
- iv. Nationally Significant Infrastructure Projects: Advice on Preparing Applications for Linear Projects (February 2025) (Ref 33) which provides advice on applications for DCOs for linear NSIPs. It is for applicants, all interested parties (IP) and persons with rights over land (affected persons (AP)).

2.7 National Grid Policy and Guidance

2.7.1 National Grid has its own policies and processes that are followed when developing projects. The key policies that are applicable to the Project include:

- i. National Grid's Stakeholder, Community, and Amenity Policy 2016 (Ref 10): This document describes the ten commitments that National Grid has made to the way that electricity and gas works are carried out in the UK. This includes setting out how National Grid will meet its amenity responsibilities and how stakeholders and communities are involved on projects.
- ii. National Grid's Approach to Consenting (Ref 34): This document outlines the project development process for major infrastructure projects, from initial inception to consent and construction. National Grid's Approach to Consenting is divided into six stages.

2.7.2 Further details in relation to the guidelines for overhead line routeing and the siting and design of new substations are provided below.

Holford Rules

2.7.3 Guidelines on overhead line routeing were first formulated in 1959 by Sir William, later Lord, Holford, as advisor to the Central Electricity Generating Board. Holford developed a series of planning guidelines in relation to amenity issues, that have subsequently become known as the Holford Rules (Ref 35) and remain a valuable tool in selecting and assessing potential overhead line route options as part of the options appraisal process. A summary of the Holford Rules can be found in **Table 2.1**. 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 NPS EN-5. The principles of the Holford Rules are being applied to the Project.

Table 2.1 The Holford Rules

Rule	Description
Rule 1	Avoid altogether, if possible, the major areas of highest amenity value, by so planning the general route of the first line in the first place, even if the total mileage is increased in consequence.

Rule	Description
Rule 2	Avoid smaller areas of high amenity value, or scientific interests by deviation; if this can be done without using too many angle towers, i.e., the more massive structures which are used when lines change direction.
Rule 3	Other things being equal, choose the most direct line, with no sharp changes of direction and thus with fewer angle towers.
Rule 4	Choose tree and hill backgrounds in preference to sky backgrounds wherever possible; and when the line must cross a ridge, secure this opaque background as long as possible and cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees.
Rule 5	Prefer moderately open valleys with woods where the apparent height of towers will be reduced, and views of the line will be broken by trees.
Rule 6	In country, which is flat and sparsely planted, keep the high voltage lines as far as possible independent of smaller lines, converging routes, distribution poles and other masts, wires, and cables, to avoid a concentration or 'wirescape.'
Rule 7	Approach urban area through industrial zones, where they exist; and when pleasant residential and recreational land intervenes between the approach line and the substation, go carefully into the comparative costs of the undergrounding, for lines other than those of the highest voltage.

Horlock Rules

2.7.4 National Grid devised the Horlock Rules (Ref 36) in 2003 and these were subsequently updated in 2006. The Horlock Rules provide guidelines for the siting and design of new substations, or substation extensions, to avoid or reduce the environmental effects of such developments. In summary, like the Holford Rules, they facilitate consideration of environmental and amenity considerations within the design and siting of new substation infrastructure.

2.7.5 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.

iii. 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.

iv. 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, earth shaping, planting and ancillary development should form an integral part of the site layout and design to fit in with the surroundings.

v. 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.

2.8

Emerging Legislation

2.8.1

The Planning and Infrastructure Bill (Ref 37) was introduced into Parliament on 11 March 2025 as part of the Government's growth agenda. The Planning and Infrastructure Bill's aim is to expedite the delivery of 1.5 million homes and fast-track 150 major infrastructure planning decisions by the end of the current parliamentary term. The Planning and Infrastructure Bill sets out five overarching objectives:

- i. delivering a faster and more certain consenting process for critical infrastructure;
- ii. introducing a more strategic approach to nature recovery;
- iii. improving certainty and decision-making in the planning system;
- iv. unlocking land and securing public value for large scale investment; and
- v. introducing effective new mechanisms for cross boundary strategic planning.

2.8.2 The Planning and Infrastructure Bill aims to make the process of delivering NSIPs quicker and easier through: streamlining the consultation requirements; reviewing NPSs every five years to keep them up to date with technological developments and changes to government policy; reducing the opportunity for judicial review challenges; and, the SoS will be able to direct projects out of the NSIP regime if it would be better suited to consent via an alternative route which would increase flexibility on consenting routes.

2.8.3 At the time of writing, the Planning and Infrastructure Bill has progressed through the first and second reading stages in the House of Commons, and is now in the committee stage and may be subject to change. The Applicant will take account of changes to legislation relevant to the Project in the preparation of future documents.

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