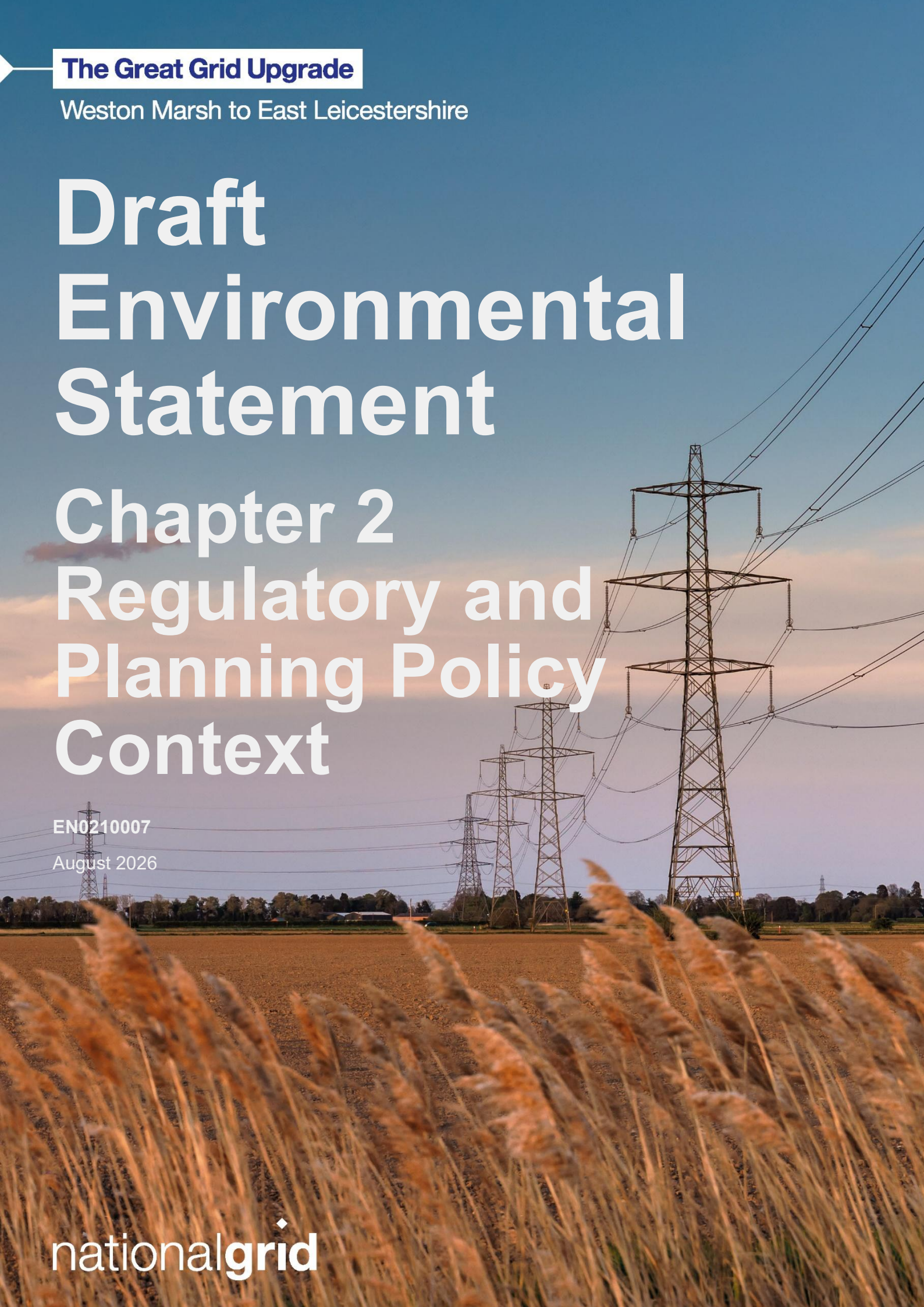




The Great Grid Upgrade

Weston Marsh to East Leicestershire

Draft Environmental Statement

Chapter 2 Regulatory and Planning Policy Context

EN0210007

August 2026

nationalgrid

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2. Regulatory and Planning Policy Context

2.1 Introduction

- 2.1.1 This chapter of the non-statutory Draft Environmental Statement (DES) (referred to in this document as “DES” and non-statutory DES”) provides an overview of the legislation and national, regional, onshore and marine planning policy context that applies to the Weston Marsh to East Leicestershire Project (the Project). A summary of key legislation and policies relevant for different environmental topics is set out below with specific details included in **Appendix 2A Key Legislation**, **Appendix 2B National and Regional Policy** and **Appendix 2C Local Policy**.
- 2.1.2 The Planning Statement which will accompany the application for development consent will include a full planning policy review. It will identify and consider relevant legislation and policies and provide analysis on planning policy compliance. It will present evidence to allow the Secretary of State (SoS) to determine the application in accordance with section 104 of the Planning Act 2008 (PA 2008) (Ref 2.1).

2.2 Key Legislation

Planning Act 2008

- 2.2.1 The PA 2008 (Ref 2.1) provides the statutory framework for determining development consent order (DCO) applications for Nationally Significant Infrastructure Projects (NSIPs). It also defines the application process under which a DCO is sought. The PA 2008 provides that projects meeting certain defined criteria are classified as NSIPs. It requires that developers wishing to construct, operate and maintain NSIPs must obtain a DCO from the relevant SoS to authorise the Project.
- 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) and section 16 of the PA 2008, as amended by the Planning Act 2008 (Nationally Significant Infrastructure Projects) (Electric Lines) Order 2013 and therefore it is necessary to seek permission via a DCO from the SoS.

Planning and Infrastructure Act 2025

- 2.2.3 The Planning and Infrastructure Act 2025 (PIA 2025) received Royal Assent in December 2025 and introduces a series of amendments to the PA 2008 in relation to applications for development consent (Ref 2.2). The PA 2008 will continue to provide the statutory framework for determining applications for development consent and the amendments introduced under the PIA 2025 do not affect the classification of the Project as an NSIP.
- 2.2.4 There are two parts of the National Infrastructure Planning Guidance that are relevant to the pre-application stage:

- Planning Act 2008: Guidance on preparing an application: Part 1 — Pre-application steps (July 2026) (Ref 2.3), which provides guidance on pre-application engagement, consultation, publicity and other steps applicants may take in preparing a proposed application for development consent; and
- Planning Act 2008: Guidance on preparing an application: Part 2 – Application contents (July 2026) (Ref 2.4), which explains that statutory requirements covering the submission of an application for an order granting development consent. The guidance covers a range of matters that an applicant should consider in preparing an application for development consent.

- 2.2.5 Under section 50 of the Planning Act 2008, applicants must have regard to guidance issued to assist them in complying with the duty to publicise a proposed application under section 48. The Secretary of State must also issue guidance setting out best practice in relation to steps that applicants might take in preparing a proposed application. National Grid will have regard to this guidance in preparing the application for development consent.
- 2.2.6 National Grid notes that there is no statutory requirement to engage or consult during the pre-application stage, but will undertake proportionate engagement and consultation as a matter of good practice, in line with the guidance, to support the preparation of a robust and examination-ready application.
- 2.2.7 The Project is therefore proceeding with a voluntary, non-statutory, Stage 2 Consultation. This includes the preparation of this non-statutory DES to assist consultees in understanding the likely environmental effects of the Project.
- 2.2.8 The non-statutory DES and supporting environmental documents were substantially prepared before the publication of the July 2026 guidance and the commencement of the relevant provisions of the Planning and Infrastructure Act 2025. Those documents were therefore prepared in accordance with the regulatory framework and guidance in force at the time, including the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the then-current pre-application guidance. National Grid has reviewed the documents in light of the updated guidance and is satisfied that they remain fit for purpose and consistent with the approach now set out in the July 2026 guidance. Where appropriate, minor updates have been made to ensure alignment with the current framework, but the substantive content and environmental assessments reflect the position as at the time of preparation. Nothing in the updated guidance requires the DES or supporting environmental documents to be re-prepared or materially revised.

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

- 2.2.9 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) (Ref 2.5) govern the Environmental Impact Assessment (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, '*Construction 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 new 400 kV overhead electricity transmission line over approximately 60 km, therefore the Project falls under Schedule 1 and an EIA is required.

- 2.2.10 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)'.*
- 2.2.11 These factors are considered within the topic-specific chapters (**Chapter 6** to **Chapter 18**).
- 2.2.12 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 Scoping Report, provided in **Appendix 5A EIA Scoping Report**. In the Scoping Opinion, it was agreed that significant effects from the Project in respect of new or the exacerbation of existing 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. The Scoping Opinion is provided in **Appendix 5B Scoping Opinion**.
- 2.2.13 Regulation 14 sets out the minimum requirements that should be included in the ES. This is supported by Schedule 4 of the EIA Regulations which sets out the additional information for inclusion in the ES. Paragraph 5(e) 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 **Chapter 19 Cumulative Effects**.
- 2.2.14 There is a requirement on the SoS under EIA Regulation 32 (Ref 2.5) to consider transboundary effects, that is, those effects that could affect the environment in a European Economic Area (EEA) State. No transboundary effects have been predicted by National Grid in relation to the Project, as there is no pathway for effects to occur outside the UK. A transboundary screening exercise was undertaken by the Planning Inspectorate (on behalf of the SoS) on 11 March 2026 (Ref 2.6) and concluded that the Project is not likely to have a significant effect on the environment in an EEA State. The duties set out in EIA Regulation 32 apply until a decision on the application for development consent is made.

Electricity Act 1989

- 2.2.15 National Grid owns and operates the transmission system within England and Wales and is licensed under section 6(1)(b) of the Electricity Act 1989. As such, it is bound by legal obligations set out in the Electricity Act 1989 (Ref 2.7) and the licence.
- 2.2.16 Under section 9(2) of the Electricity Act 1989 (Ref 2.7) National Grid has a duty to:
- develop and maintain an efficient, co-ordinated and economical system of electricity transmission;
 - facilitate competition in the supply and generation of electricity;
 - ensure safety, operability, accessibility, and maintenance capability of the transmission network; and
 - protect the assets, land interests, and access rights necessary to maintain the integrity and resilience of the transmission network.
- 2.2.17 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:
- ‘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.’*
- 2.2.18 Licence Condition C17 (Transmission System security standard and quality of service) requires National Grid at all times to plan, develop and operate the transmission system in accordance with the National Electricity Transmission System Security and Quality of Supply Standard.
- 2.2.19 These legislative and licence requirements clearly establish the functional requirements that the transmission system must meet as well as the need to mitigate potential effects on the built and natural environment where possible.
- 2.2.20 National Grid’s Stakeholder, Community and Amenity Policy (Ref 2.8), published November 2025, sets out how the company will meet the Schedule 9 duty placed upon it by the legislation.

Countryside and Rights of Way Act 2000 As Amended by the Levelling-Up and Regeneration Act 2023

- 2.2.21 The Countryside and Rights of Way Act 2000 (CRoW) Act (Ref 2.9) sets out the legal basis to ensure public access to the countryside and strengthens environmental protections. It has five key parts: Part I grants the public a legal ‘right to roam’ on designated open land (including registered common land); Part II sets out the legal basis for the definition of Public Rights of Way (PRoWs); Part III boosts nature conservation and enhances the powers of conservation bodies; Part IV provides a statutory framework for the protection and management of Areas of Outstanding Natural Beauty (AONBs) (now called National Landscapes following amendments under the Levelling-up and Regeneration Act 2023 (LUR Act) (Ref 2.10)); and Part V

includes various supplementary provisions to support the CRoW Act's implementation.

- 2.2.22 A National Landscape is designated under the provisions of Part IV of the CRoW Act. National Grid, as a statutory undertaker, has a duty under section 85 of the CRoW Act (as amended in section 245 of the LUR Act) (Ref 2.10) 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'.*
- 2.2.23 This amendment replaces the previous duty to 'have regard' to the purposes of conserving and enhancing the natural beauty of a National Landscape.
- 2.2.24 There are no National Landscapes within the draft Order Limits or any that are likely to be affected by the Project; however, the CRoW Act may be relevant in respect of PRoWs or habitats within the draft Order Limits. Further information on designated landscapes is included in **Chapter 6 Landscape**. Information on habitats is included in **Chapter 8 Ecology and Biodiversity** and information on PRoWs is included in **Chapter 16 Socio-economics, Recreation and Tourism**.

Related Assessments

- 2.2.25 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 aspect chapters of this DES and their associated appendices, where applicable. These include the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') (Ref 2.11), as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (Ref 2.12); the Flood Risk Regulations 2009 (Ref 2.13); and the Water Environment (Water Framework Directive (WFD)) (England and Wales) Regulations 2017 (Ref 2.14).

Habitats Regulations

- 2.2.26 The Habitats Regulations (Ref 2.11) transposed the requirements of European Council Directive 92/43/EEC ('the Habitats Directive') (Ref 2.15) into English law. The Habitats Regulations apply to plans and projects that may have significant effects on the UK National Site Network (NSN) (sites designated under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (Ref 2.12)). Sites designated UK NSN sites in England under the Habitats Regulations include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).
- 2.2.27 It is also government policy that listed or proposed Ramsar sites, potential SPAs, possible SACs, and sites used as compensatory measures for adverse effects on European sites, are considered in the Habitats Regulations Assessment (HRA) process. This is described in paragraph 5.4.5 of National Policy Statement (NPS) EN-1 (Ref 2.16).
- 2.2.28 The Habitats Regulations require an Appropriate Assessment if a project is likely to have significant effect on a European site (now included within the NSN). In such cases, 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 the integrity of a NSN site, then a derogation case must be considered. The Nationally Significant Infrastructure Projects: Advice on

Habitats Regulations Assessments (Ref 2.17) details the stages of assessment and the requirements of each stage.

- 2.2.29 National Grid has prepared a HRA Screening Report (Stage 1) to inform consultation with Natural England and other relevant consultees, which can be found in **Appendix 8A Habitat Regulations Assessment Screening**. The HRA Screening Report identifies whether the Project would result in likely significant effects on the qualifying features of European site(s), to subsequently inform the need for an Appropriate Assessment (Stage 2).

Flood Risk Assessment

- 2.2.30 The Flood and Water Management Act 2010 (FWMA) (Ref 2.18) places a series of responsibilities on local authorities with the primary aim of improving local flood risk management.
- 2.2.31 The FWMA requires an appropriate FRA is undertaken for the Project which will be submitted as part of the application for development consent. 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. A Preliminary FRA is provided as **Appendix 10B Preliminary Flood Risk Assessment**.

Water Framework Directive

- 2.2.32 The WFD (2000) (Ref 2.19) was transposed into domestic law by the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (the 'WER Regulations') (Ref 2.14). It provides a structure for the protection and enhancement of surface fresh water, estuaries, coastal waters, and ground water.
- 2.2.33 The primary aim of the WER Regulations is to improve/maintain the ecological status/ecological potential of all water bodies and to prevent deterioration in status of the water bodies and their associated WFD quality elements.
- 2.2.34 Regulatory bodies responsible for implementing the WER Regulations are the Environment Agency (main rivers) and Local Authorities/Lead Local Flood Authorities (ordinary watercourses).
- 2.2.35 A WER Assessment considering the compliance of the Project on relevant designated water bodies will be provided as a standalone technical appendix with the ES. WFD/WER compliance for surface water bodies 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. The Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive (Ref 2.20), details the stages of assessment and the requirements of each stage. A preliminary assessment, including a preliminary assessment of WFD compliance for groundwater bodies, is included in **Appendix 10E Preliminary Water Environment Regulations Assessment** of this DES. This assessment will be updated and reported in the ES.

Environment Act 2021

- 2.2.36 The Environment Act 2021 (Ref 2.21) 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 the 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 through amendments to the Planning Act 2008. Applications for development consent submitted on or after 2 November 2026, the date this requirement comes into force, will need to meet biodiversity gain objectives defined in a biodiversity gain statement. The Department for Environment, Food and Rural Affairs (Defra) published guidance on 2 June 2026 for applicants to inform their approach to delivering Biodiversity Net Gain for NSIPs (Ref 2.22). National Grid is currently working with other organisations to identify how Biodiversity Net Gain can best be implemented and the securing mechanisms for maintaining habitats for the specified period.

2.3 National Planning Policy

- 2.3.1 This section sets out the current national planning policy documents which the SoS must have regard to when determining the application for development consent for the Project, and which are considered relevant in the context of the EIA and in preparation of this DES.
- 2.3.2 The Project is an NSIP which requires development consent under the PA 2008 (Ref 2.1). Section 104 of the PA 2008 outlines the importance of NPSs in the decision-making process against which applications for development consent are considered. Section 104(2) states, *inter alia*:
- ‘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’) ...*
- d) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State’s 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 2.16), 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:
- Overarching National Policy Statement for Energy (EN-1) (NPS EN-1) (adopted 6 January 2026) (Ref 2.16); and
 - National Policy Statement for Electricity Networks Infrastructure (EN-5) (NPS EN-5) (adopted 6 January 2026) (Ref 2.23).
- 2.3.5 Reference should also be made to the National Policy Statement for Renewable Energy (EN-3) (NPS EN-3) (adopted 6 January 2026) (Ref 2.24) 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 (6 January 2026) 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. Further details are provided below in sections on NPS EN-1, EN-3 and EN-5.

Overarching National Policy Statement for Energy (EN-1)

- 2.3.7 NPS EN-1 (Ref 2.16) 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, in paragraph 2.1.2, 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’*. It adds, in paragraph 2.2.2, that *‘cleaning up our power system is central to the decarbonisation of our economy’*, recognising that *‘a clean electricity supply opens up routes to the electrification of heat, transport and industry and reduces pollution, protects our environment and quality of life’*. It further adds, in paragraph 3.3.65, that *‘there is an urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy objectives’*.
- 2.3.8 In addition to its prior references to net zero objectives, the latest (2026) update to NPS EN-1, in paragraphs 2.3.4 and 2.3.5, highlighted the need to meet the Clean Power 2030 Mission objectives through *‘rapid deployment of low carbon generation, flexibility infrastructure, and electricity transmission infrastructure’*. Simultaneously, in paragraph 2.5.3, it underscores how the principle of sustainable development will *‘ensure that energy infrastructure is deployed in areas with the local environmental capacity to enable those developments. This in turn will unlock economic growth, restore nature and provide critical services to communities’*.
- 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. Paragraph 3.2.5 states that the *‘government’s strategic framework includes the Clean Power 2030 Action Plan and the pathways to 2030, the Strategic Spatial Energy Plan, and the Centralised Strategic Network Plan.’* It adds that these should be considered by applicants, together with other relevant considerations, and used to inform developments of new energy infrastructure projects.
- 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 the 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 in paragraph 4.2.1:

‘Government has committed to the Clean Power 2030 Mission, 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’, 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 including network reinforcement and upgrade works, and associated infrastructure such as substations are CNP.
- 2.3.13 Section 4.6 provides details of 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.
- 2.3.14 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.’*
- 2.3.15 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.
- 2.3.16 Section 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 DES in **Chapters 6 to 19**.

National Policy Statement for Electricity Networks Infrastructure (EN-5)

- 2.3.17 NPS EN-5 (Ref 2.23) 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 EN-5

establishes the importance of a co-ordinated approach to offshore-onshore transmission.

- 2.3.18 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 electricity network reinforcement and upgrade works, and associated infrastructure...are considered to be CNP infrastructure.'

- 2.3.19 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.'

- 2.3.20 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 the 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 the 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. This is achieved through compliance with adopted design standards and does not need to be further addressed in this assessment or the ES as agreed through EIA Scoping.

- 2.3.21 NPS EN-5 includes policies on the design of electricity network infrastructure, and paragraph 2.9.21 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 National Landscape).'

- 2.3.22 These policies have been considered in the preparation of this DES as set out in **Appendix 2B National and Regional Policy**.

National Policy Statement for Renewable Energy Infrastructure (EN-3)

- 2.3.23 NPS EN-3 (Ref 2.24) 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, *'Offshore wind (including floating wind) is expected to play a significant role in meeting demand and decarbonising the energy system. This government is committed to accelerating the deployment of offshore wind to meet the Clean Power 2030 Mission, with an expectation that there will be a need for substantially more installed offshore capacity beyond 2030 to achieve net zero carbon emissions by 2050'*.

- 2.3.24 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.’*
- 2.3.25 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.

National Planning Policy Framework

- 2.3.26 The National Planning Policy Framework (NPPF) was most recently updated in December 2024 (Ref 2.25). A revised NPPF is expected but at the time of writing this DES, had not been published.
- 2.3.27 Paragraph 5 of the current 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)’.*
- 2.3.28 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 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.’*
- 2.3.29 While NPS EN-1 (Ref 2.16) and EN-5 (Ref 2.23) remain the prime decision-making documents, each technical chapter of the ES will consider whether there is important and relevant policy in the NPPF that may require consideration by the decision-making authority.
- 2.3.30 The NPPF is supported by the National Planning Practice Guidance (Ref 2.26).

2.4 Marine Legislation and Planning Policy

- 2.4.1 The Project has limited interaction with the marine environment, in so far as the proposed route of the overhead line will cross a tidal section of the River Welland, which falls under the jurisdiction of the Marine Management Organisation (MMO).

Marine and Coastal Access Act 2009

- 2.4.2 The Marine and Coastal Access Act 2009 (MCAA 2009) (Ref 2.27) sets out a spatial planning system for the management of the marine environment, which includes a requirement to obtain a marine licence for works affecting the sea from the appropriate marine licensing authority, the MMO. The MMO is responsible for determining applications in accordance with the Marine Policy Statement (MPS) (Ref

2.28) and any other applicable marine plans, unless relevant considerations indicate otherwise.

- 2.4.3 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 2.29) 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 which includes a location directly above or overhanging the sea such as a bridge, open piled structure or cantilever.
- 2.4.4 Applicants can apply for a 'Deemed Marine Licence' as part of the DCO process under Part 4 of the MCCA 2009 and by virtue of section 149A of the PA 2008 which was inserted by the MCCA 2009. The Applicant will include a Deemed Marine Licence within its draft DCO if appropriate and required to facilitate the crossing of tidal waterways of the River Welland by the overhead electricity lines proposed in the Project. As **Chapter 13 Traffic and Transport** outlines, it is proposed that short term protective scaffolding or temporary netting will be installed before conductor stringing. The approach to crossing navigable waterways, and whether a Deemed Marine Licence is required, will be confirmed within the ES.

Marine Policy Statement (MPS)

- 2.4.5 The MPS (March 2011) (Ref 2.28) provides the framework for preparing Marine Plans and taking decisions affecting the marine environment.
- 2.4.6 Relevant policies contained in the MPS will be considered as part of the assessment of the Project and compliance with the MPS.

Overarching National Policy Statement for Energy (EN-1)

- 2.4.7 Section 4.5 of NPS EN-1 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 licensing regulator (the MMO in England) is approached during the pre-application stage to understand any need for additional marine licences alongside the application for development consent.

Regional Marine Plans

- 2.4.8 Regional Marine Plans are also relevant to the Project. The East Inshore and East Offshore Marine Plan (Ref 2.30) will be considered in the application for development consent.
- 2.4.9 For further information, see **Appendix 2B National and Regional Policy**.

2.5 Local Planning Policy

- 2.5.1 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. 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.

2.5.2 The full list of plans is provided in **Appendix 2C Local Policy**. The main local policy documents that could be relevant to the Project include:

- Lincolnshire County Council:
 - Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, adopted in 2016 (Ref 2.31).
 - Lincolnshire Minerals and Waste Local Plan, Site Locations, adopted 2017 (Ref 2.32).
 - A new Lincolnshire Minerals and Waste Development Local Plan is being prepared and consultation on the Preferred Approach took place between July and September 2024. The council will now update the plan ahead of the next consultation stage set for summer 2026 (Ref 2.33).
- South Holland District Council:
 - The South East Lincolnshire Local Plan 2011-2036, adopted 2019 (Ref 2.34), was produced with Boston Borough and South Holland District Council to shape future development.
 - The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) (Ref 2.35) is used to undertake the Sequential Test for flood risk in South Holland.
- South Kesteven District Council:
 - The South Kesteven District Council Local Plan 2011-2036, adopted 2020 (Ref 2.36).
 - A new South Kesteven District Council Local Plan is being prepared and the consultation on the Regulation 18 Draft Local Plan focusing on Additional Sites ran until August 2025. The council will now update the plan ahead of the next consultation stage due to take place in September 2026 (Ref 2.37).
 - Colsterworth & District Neighbourhood Plan, adopted 2017 (Ref 2.38).
 - Corby Glen Neighbourhood Plan 2023 – 2036, adopted 2024 (Ref 2.39).
 - Rippingale Neighbourhood Plan 2023 – 2036, adopted 2023 (Ref 2.40).
- Leicestershire County Council:
 - The Leicestershire Minerals and Waste Local Plan, adopted 2019 (Ref 2.41).
- Melton Borough Council:
 - Melton Local Plan 2011-2036, adopted 2018 (Ref 2.42).
 - A Melton Borough Local Plan Partial Update has been submitted for examination (March 2026) and Melton Borough Council have received and responded to initial questions from inspectors on the submitted Local Plan. Commencement of hearing sessions is scheduled for 2nd September 2026. This updated submission follows the council's November 2025 decision, after Pre-Submission consultation in January and February 2025 (Ref 2.43). A

full new Local Plan is planned to start after the adoption of the Partial Update (Ref 2.44).

- Melton is also covered within the Leicestershire Minerals and Waste Local Plan up to 2031, adopted 2019 (Ref 2.41).
- Ab Kettleby Neighbourhood Plan, adopted 2019 (Ref 2.45).
- Asfordby Neighbourhood Plan, adopted 2023 (Ref 2.46).
- Clawson, Hose and Harby Neighbourhood Plan, adopted 2018 (Ref 2.47).
- Nether Broughton and Old Dalby Neighbourhood Plan, adopted 2018 (Ref 2.48).
- Scalford Parish Neighbourhood Plan 2019 – 2036, adopted 2021 (Ref 2.49).
- Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan 2017 – 2036 (Ref 2.50).
- Wymondham and Edmondthorpe Neighbourhood Plan, adopted 2018 (Ref 2.51).
- **Harborough District Council:**
 - Harborough Local Plan 2011-2031, adopted 2019 (Ref 2.52).
 - A new Harborough Local Plan for 2020-2041 has been submitted for examination (April 2026) and inspectors appointed on 5th May 2026, the council have now received and responded to 3 examination panel notes. This follows a Regulation 19 consultation held between March and May 2025 (Ref 2.53).
 - Harborough District is also covered within the Leicestershire Minerals and Waste Local Plan up to 2031, adopted 2019 (Ref 2.41) .
- **North Northamptonshire Council:**
 - North Northamptonshire Local Plan includes the Joint Core Strategy (2016) (Ref 2.54).
 - Northamptonshire Minerals and Waste Local Plan Update (2017) (Ref 2.55).
 - A new North Northamptonshire Local Plan and revised Local Development Review is being prepared and consultation on the Scope and Issues was undertaken between March and May 2022 (Ref 2.56). A Local Plan scoping consultation launched (running 20 May to 1st July). Consultation on the proposed local plan content and evidence is set for October and November 2026.
- **West Northamptonshire Council:**
 - West Northamptonshire Local Plan was adopted in 2014, which includes the Joint Core Strategy (Part 1) and Local Plans (Part 2) (Ref 2.57).
 - A new West Northamptonshire Local Plan is being prepared, and consultation on a Regulation 18 Draft Plan was undertaken between April and June 2024 (Ref 2.58). An additional round of consultation on the Regulation 18 Draft Plan took place between January and March 2026. Formal consultation on the final

version of the Local Plan is set for September 2026 ahead of submission and examination towards the end of 2026.

- Rutland County Council:
 - Rutland Local Development Framework, adopted 2011 (Ref 2.59).
 - Market Overton Neighbourhood Plan 2018 – 2036, adopted 2023 (Ref 2.60).
- Charnwood Borough Council:
 - Charnwood Local Plan 2021-37, adopted January 2026 (Ref 2.61).
 - The Wolds Villages Neighbourhood Plan 2018-2028, adopted June 2021 (Ref 2.62).

2.6 Non-Statutory Guidance

2.6.1 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 PA 2008 (Ref 2.1) process. Those that are integral, and are being used to inform the environmental assessment for the Project, are discussed further below:

- Planning Act 2008: Introduction to National Infrastructure Planning Guidance (Updated 3 July 2026) (Ref 2.63) which provides an introduction to National Infrastructure Planning Guidance;
- Planning Act 2008: Guidance on preparing an application: Part 1 – Pre-application steps (Updated 3 July 2026) (Ref 2.3) which provides guidance on the pre-application stage for DCO applications;
- Planning Act 2008: Guidance on the acceptance stage of an application (Updated 3 July 2026) (Ref 2.4) which provides guidance on the acceptance stage for NSIPs;
- Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents (updated 29 July 2026) (Ref 2.65), which explains how application documents and supporting information should be prepared, organised and submitted to the Planning Inspectorate for NSIPs;
- Nationally Significant Infrastructure Projects: Advice on Preparing Applications for Linear Projects (updated 14 July 2026) (Ref 2.66) which provides advice on applications for DCOs for linear NSIPs; it is for applicants, all interested parties and persons with rights over land (affected persons);
- Nationally Significant Infrastructure Projects – Pre-Application Advice on Environmental Impact Assessment (27 July 2026) (Ref 2.67) which provides advice on elements of the EIA process during the pre-application stage;
- Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment (30 July 2026) (Ref 2.68) which provides advice on the process for undertaking cumulative effects assessments in the context of NSIPs under the PA 2008 (Ref 2.1);
- Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments (30 July 2026) (Ref 2.17) which provides advice on the obligations of applicants under the Habitats Regulations in the context of NSIPs; and

- Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive (30 July 2026) (Ref 2.20) which provides advice on the requirements of the Water Environment Regulations 2017 (Ref 2.14) in relation to NSIP applications.

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:

- National Grid's Stakeholder, Community, and Amenity Policy 2025 (Ref 2.8): 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.
- National Grid's Approach to Consenting (Ref 2.69): This document outlines the project development process for major infrastructure projects, from initial inception to consent and construction.

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 2.70) 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 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

Rule	Description
	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, so as 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 2.71) 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.
 - 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 towers, 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.
- 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 towers 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 towers on prominent ridges should be minimised by siting towers against a background of trees rather than open skylines.

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