

## 4. Legislation and Planning Policy

### 4.1 Introduction

4.1.1 This chapter has been produced for the purpose of providing an overview of the legislative and policy context which is relevant to the Project. The chapter is structured as follows:

- **Section 4.2** details the legislative decision-making framework, as set out in the Planning Act 2008<sup>1</sup>.
- **Section 4.3** provides an overview of the National Policy Statements (NPSs) which are relevant to the Project. This includes the Overarching NPS for Energy (EN-1)<sup>2</sup>; the NPS for Renewable Energy (EN-3)<sup>3</sup>; and the NPS for Oil and Gas Supply and Storage (EN-4)<sup>4</sup>.
- **Section 4.4** provides an overview of recent UK Government climate change and energy policy which establishes clear objectives for decarbonising the power/industrial sectors and achieving the legally binding commitment to achieve 'net zero' in terms of greenhouse gas emissions by 2050. These include a number of national infrastructure plans and assessments; the Clean Growth Strategy<sup>5</sup>; the UK Carbon Capture Utilisation and Storage (CCUS)

<sup>1</sup> UK Government (2008). Planning Act 2008. (online) Available at:

<https://www.legislation.gov.uk/ukpga/2008/29/contents> (Accessed August 2022).

<sup>2</sup> Department of Energy & Climate Change (2011). Overarching National Policy Statement for Energy (EN-1). (online) Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/37046/1938-overarching-nps-for-energy-en1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/37046/1938-overarching-nps-for-energy-en1.pdf) (Accessed June 2022).

<sup>3</sup> Department of Energy & Climate Change (2011). National Policy Statement for Renewable Energy Infrastructure (EN-3). (online) Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/37048/1940-nps-renewable-energy-en3.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/37048/1940-nps-renewable-energy-en3.pdf) (Accessed June 2022).

<sup>4</sup> Department of Energy & Climate Change (2011). National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4). (online) Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/37049/1941-nps-gas-supply-oil-en4.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/37049/1941-nps-gas-supply-oil-en4.pdf) (Accessed June 2022).

<sup>5</sup> Department for Business, Energy & Industrial Strategy (2018). Clean Growth Strategy. (online) Available at: <https://www.gov.uk/government/publications/clean-growth-strategy> (Accessed June 2022).

Deployment Pathway<sup>6</sup>; the Ten Point Plan<sup>7</sup>; and the Energy White Paper<sup>8</sup>, amongst others.

- **Section 4.6** provides an overview of relevant policies contained within the National Planning Policy Framework (NPPF)<sup>9</sup>.
- **Section 4.7** identifies the relevant policy documents within the Development Plans and supporting policies for the six host Local Authority areas. **Appendix 4A** identifies the relevant policies from within these documents.

## 4.2 Legislative and Decision-making Framework

- 4.2.1 The Project would be defined as a Nationally Significant Infrastructure Project (NSIP) under Part 14(1)(f) ('the construction of a pipe-line by a gas transporter') of the Planning Act 2008<sup>1</sup> (as amended) if it blended gas into the existing gas network. However, given ongoing regulatory uncertainty as to whether the Project will include blending into the existing gas network Cadent requested a section 35 direction for the Project to be treated as development of national significance. The Secretary of State (SoS) responded to this request on 05 July 2022 to confirm that Project should be dealt with as being nationally significant with the exception of the proposed pipeline spurs. It was considered that these would not be nationally significant although it was recognised that they could be treated as associated development in any application made in respect of the Project under the Planning Act 2008.
- 4.2.2 The Applicant intends to submit an application for an order granting development consent (Development Consent Order (DCO)) under Section 37 of the Planning Act 2008<sup>1</sup> to the Secretary of State. The application will comprise details of all development proposals and will be accompanied by an Environmental Statement (ES) conforming to the EIA Regulations.
- 4.2.3 Section 115 (1) (b) of PA 2008<sup>1</sup> provides that, in addition to the development for which development consent is required under Part 3 of the Act ("the principal development"), consent may also be granted for associated development - development which is associated or has a direct relationship with the principal

<sup>6</sup> Department for Business, Energy & Industrial Strategy (2018). The UK carbon capture usage and storage deployment pathway: an action plan. (online) Available at: <https://www.gov.uk/government/publications/the-uk-carbon-capture-usage-and-storage-ccus-deployment-pathway-an-action-plan> (Accessed June 2022).

<sup>7</sup> HM Government (2020). The Ten Point Plan for a Green Industrial Revolution. Building back better, supporting green jobs, and accelerating our path to net zero. (online) Available at: <https://www.gov.uk/government/publications/the-ten-point-plan-for-a-green-industrial-revolution> (Accessed June 2022).

<sup>8</sup> Department for Business, Energy & Industrial Strategy (2020). Energy white paper: Powering our net zero future. (online) Available at: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future> (Accessed June 2022).

<sup>9</sup> Ministry of Housing, Communities & Local Government (2021). National Planning Policy Framework. (online) Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> (Accessed June 2022).

development, but should be subordinate to the principal development - the SoS must decide on a case by case basis whether development should be treated as associated development.

- 4.2.4 Section 33 of PA 2008<sup>1</sup> states that to the extent that development consent is granted for associated development, Section 33 applies to associated development as it applies to development for which development consent is required, in that other consents such as planning permission are not required.
- 4.2.5 National Policy Statements (NPS) set out the government's policy on nationally significant infrastructure development. They are the primary policy used by the SoS to examine and determine applications for NSIPs, in accordance with Section 104 of the PA 2008<sup>1</sup> which requires the SoS to 'decide the application in accordance with any relevant NPS, except to the extent that one or more of subsections (4) to (8) applies'.
- 4.2.6 In the Section 35 Direction, the SoS decided that he would not direct that the Energy National Policy Statements should apply to this Project and that any application should be determined in accordance with section 104 of the 2008 Act. This means that when the application for development consent is considered, the SoS will decide how much weight to give the National Policy Statements at that stage.
- 4.2.7 Irrespective of whether NPS are treated as primary policy or as policy that is important and relevant the following NPSs are considered by the Applicant to be of relevance to the Project, and are considered within this chapter:
- NPS for Overarching Energy (EN-1), July 2011<sup>2</sup>; and
  - NPS for Oil and Gas Supply Infrastructure and gas and Oil Pipelines (EN-4), July 2011<sup>4</sup>.
- 4.2.8 In making decisions on NSIPs, the PA 2008 (Section 105) also states that the SoS must have regard to any Local Impact Report submitted by a relevant local authority, any relevant matters prescribed in relation to the NSIP and any other matters that the SoS thinks are both "important and relevant".
- 4.2.9 In the case of the Project, other matters that are important and relevant may include recent and relevant UK Government energy and climate change policy, including national infrastructure plans and assessments; the Clean Growth Strategy<sup>5</sup>; the UK CCUS Deployment Pathway<sup>6</sup> and the Ten Point Plan<sup>7</sup> amongst others. Such documents will be considered throughout the assessment work and updates or replacement policy will be identified within the ES.
- 4.2.10 The government's target of achieving net zero in terms of greenhouse gas emissions by 2050 was enshrined in law in June 2019. These policy documents set out how the government will support decarbonising of the power and industrial sectors.
- 4.2.11 Other matters that the SoS thinks are both important and relevant may include the policies within the NPPF<sup>9</sup> (February 2019) (paragraph 5 of the NPPF is clear that it does not contain specific policies for NSIPs but that the NPPF may be considered important and relevant) and local development plan documents.

## 4.3 National Policy Statements

### NPS for Overarching Energy (EN-1), July 2011<sup>2</sup>

- 4.3.1 This document establishes the need for nationally significant energy projects, with paragraph 1.4.2 quoting the Planning Act 2008<sup>1</sup> and confirming that this infrastructure includes gas transporter pipelines. Part 3.8 of the NPS sets out the need for significant gas infrastructure, but this focuses upon natural gas and does not mention hydrogen.
- 4.3.2 The NPS recognises that the UK is reliant on fossil fuels, which are likely to play a significant role for some time to come, however it also states that the UK needs to wean itself off such a high carbon energy mix: to reduce greenhouse gas emissions, and to improve the security, availability and affordability of energy through diversification. The NPS provides a presumption in favour of energy NSIP proposals: *"Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the IPC should start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused."* (paragraph 4.1.2)
- 4.3.3 For NSIP proposals which require an Environmental Impact Assessment (EIA), Section 4.2 of the NPS sets out how the EIA should be undertaken. It notes that in some cases, it would not be possible for all elements of the proposed NSIP to be settled in precise detail, and where this is the case the Applicant should explain where this is the case and why. The assessment of these elements should then examine the likely maximum extent of impact, to ensure the proposals have been properly assessed.
- 4.3.4 Section 4.3 of the NSP also provides policy on Appropriate Assessment under the Habitats and Species Regulations. Any work required for an Appropriate Assessment will take into account work undertaken for the EIA on the relevant habitats and species.
- 4.3.5 Section 4.4 covers the consideration of alternatives. Section 4.4 notes that there is no general policy requirement within NPS EN-1 to consider alternatives, but there are certain requirements of EIAs and Appropriate Assessment to consider alternatives. Other relevant NPSs may also include policy requirements for the consideration of alternatives. Where there is a legislative or policy requirement to consider alternatives, paragraph 4.4.3 sets out principles for how they should be considered. These principles include that any consideration should be undertaken in a proportionate manner, whether the alternatives could realistically deliver the same infrastructure capacity in the same timescale, and whether the alternatives would be commercially viable.
- 4.3.6 Section 4.8 of the NSP covers the Government's energy and climate change strategy and sets out how applicants should take the effects of climate change into account when developing and constructing infrastructure. Applicants should use the latest UK Climate Projections available at the time to do this. Where adaptation

work to accommodate climate change may create impacts in its own right, this will need to be assessed within the DCO submission.

- 4.3.7 Part 5 of the NPS covers a range of relevant topic areas to energy developments and provides advice on how generic issues through these topics should be considered. The following paragraphs outline this advice.

### *Air Quality and Emissions*

- 4.3.8 Within the EIA, the Applicant should undertake an assessment of the impacts of the proposed project. The NPS sets out what should be described as significant air emissions, the mitigation and the effects and how to distinguish them between the project stages. It also indicates that the predicted absolute emission levels of the project should consider existing air quality levels, any changes from them and their potential eutrophication impacts and that the determination process will give air quality considerations substantial weight where a project might lead to deterioration of air quality in an area and if air quality limits are to be breached, so that the applicant should work with the relevant authorities to secure mitigation measures.

### *Biodiversity*

- 4.3.9 Within the EIA, the Applicant should set out any effects on international, national or local designated sites, and on species and habitats which are protected or of principle importance to biodiversity conservation. The NPS provides advice on how each of these matters should be considered including that international designations are identified as the most important areas for biodiversity and that adverse effects on a SSSI are identified as a reason for refusal unless the benefits of the development clearly outweigh the harm caused. For regional and local designations, they should be given due consideration but not be used in themselves as a reason to refuse consent. The NPS also indicates that the applicant should show how mitigation has been designed to reduce impacts and that the proposals have taken advantage of opportunities to conserve and enhance biodiversity interests.

### *Civil and military aviation and defence interests*

- 4.3.10 Civil and military aerodromes, aviation technical sites, and other types of defence interests (both onshore and offshore) can be affected by new energy development. The NPS advises that the Ministry of Defence, Civil Aviation Authority, NATS and any aerodrome - licensed or otherwise - likely to be affected by the Project should be consulted. The assessment must include any potential impacts and it should also assess the cumulative effects of the project and other relevant projects in relation to aviation and defence. If the assessment shows that the project will impact aviation or defence then it may be possible to utilize 'Grampian', or other forms of condition which relate to the use of future technological solutions, to mitigate impacts.



### *Public amenity*

- 4.3.11 Within the EIA the applicant should consider any issues which may give rise to significant effects on public amenity, which could include emissions of dust or artificial light. Where appropriate, management plans to deal with any such issues may be identified through requirements on the DCO to confirm and secure appropriate mitigation measures.

### *Flood Risk*

- 4.3.12 If required, the applicant should provide a Flood Risk Assessment (FRA). The FRA should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed taking climate change into account. In order for the application to be granted the Examining Authority must be content that there is an FRA and a sequential test has been applied. The applicant is also required to demonstrate how the proposal is in line with the local flood risk management strategy and that steps have been put in place to include sustainable drainage systems and make the site resilient and resistant to floods.

### *Historic Environment*

- 4.3.13 As part of the EIA, the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the applicant should have consulted the relevant Historic Environment Record and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact. Where the loss of the whole or a material part of any heritage asset's significance is justified, the applicant must record and advance understanding of the significance of the heritage asset before it is lost. The extent of the requirement should be proportionate to the nature and level of the asset's significance.

### *Landscape and Visual*

- 4.3.14 The landscape and visual assessment should reference any landscape character assessment and any relevant policies and should include the effects created during the construction of the project. The determination will consider whether any adverse impacts are temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that is considered reasonable.

### *Land use*

- 4.3.15 As part of the EIA, the applicant should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. Applicants will need to consult the local community on any proposals to build on open space, sports or

recreational buildings and land. The impact on the best and most versatile agricultural land should be minimized, minerals resources should be safeguarded as far as possible. The NPS recognises that an underground pipeline may not be inappropriate development in Green Belt

### *Noise and Vibration*

- 4.3.16 The noise and vibration assessment should be proportionate to the likely noise impact, taking into account the proposed development and ancillary activities such as increased traffic movements. The proposed development should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.

### *Socio-economic*

- 4.3.17 The assessment should consider all relevant socio-economic impacts, whether they are positive or negative. These may include the creation of jobs, the provision of additional services and the effects on tourism. The assessment should consider temporary effects, such as through an influx of construction workers and also cumulative issues if a number of major projects were to be progressed in the same area at similar times.

### *Traffic and Transport*

- 4.3.18 If the project is going to have any significant transport implications then the applicant should undertake a transport assessment. The applicant should also prepare a travel plan including demand management measures to mitigate transport impacts, including during the construction phase of the development. Mitigation may include requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts.

### *Water quality and resources*

- 4.3.19 An assessment of the water environment should consider the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment. Greater weight would be given to impacts on water if the project would have an adverse effect on the environmental objectives of the Water Framework Directive. A Construction Management Plan may help to manage mitigation required during that stage. The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be provided.

## NPS for Oil and Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4), July 2011<sup>4</sup>

- 4.3.20 This NPS, together with NPS (EN-1)<sup>2</sup>, provides the primary basis for decisions on DCO applications for gas supply infrastructure and gas and oil pipelines as defined.
- 4.3.21 This NPS specifically only covers NSIP pipelines which transport natural gas or oil and as such would not be the determinant policy document for the project. However, as confirmed at paragraph 1.8.2 in the NPS, information in this NPS may be a useful consideration when identifying impacts arising from applications for pipelines intended to transport other substances such as hydrogen.
- 4.3.22 Sections 2.19-2.23 provide policy on specific issues relating to oil and gas pipelines, respectively covering safety, site selection advice, noise and vibration, biodiversity, landscape and visual, water quality and resources, and soil and geology. These sections refer back to the topic specific sections of NPS EN-1<sup>2</sup> and provide additional policy details where relevant.

## Review of National Policy Statements

- 4.3.23 In order to reflect the policies and approach of the Energy White Paper<sup>8</sup>, and to ensure a policy framework which can support the infrastructure required for transition to net zero, the UK government published a series of draft NPSs for energy infrastructure which when finalised, will guide decision makers on the application of government policy when determining applications for development consent for NSIP under the 2008 Planning Act. The consultation ran from 6 September to 29 November 2021. Of relevance to the Project are:
- Draft Overarching NPS-EN1, September 2021<sup>10</sup>; and
  - NPS EN-4 (Consultation) Draft National Policy Statement for gas supply<sup>11</sup>.
- 4.3.24 Draft NPS EN-1<sup>10</sup> is clear in that it is the primary policy document in relation to hydrogen pipelines, however the draft NPS EN-4<sup>11</sup> Gas Supply Infrastructure and Gas and Oil Pipelines provides policy advice which may be a material consideration in the determination of the application.

## *Draft Overarching National Policy Statement for Energy (EN-1), September 2021<sup>9</sup>*

- 4.3.25 Paragraph 1.3.3 notes that where the need for a particular type of energy infrastructure is established by the NPS, but that type of infrastructure is outside

<sup>10</sup> Department for Business, Energy and Industrial Strategy (2021). Draft Overarching National Policy Statement for Energy (EN-1). (online) Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1015233/en-1-draft-for-consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1015233/en-1-draft-for-consultation.pdf) (Accessed June 2022).

<sup>11</sup> Department for Business, Energy and Industrial Strategy (2021). Draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4). (online) Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1015237/en-4-draft-for-consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1015237/en-4-draft-for-consultation.pdf) (Accessed June 2022).



the scope of one of the technology specific NPSs, then this NPS will have effect alone and will be the primary basis for Secretary of State's decision making. It provides by one way of an example, hydrogen pipelines.

- 4.3.26 The draft EN-1 confirms that UK policy has moved on since the original EN-1 was published, and that Government policy is now to the UK to achieve net-zero greenhouse gas emissions by 2050. As such the energy system will need to be transformed to tackle emissions whilst still providing a secure, reliable and affordable supply of energy. This transformation will include increasing supply from renewables, nuclear and hydrogen from low-carbon processes.
- 4.3.27 The draft Statement notes at 3.4.10 that "*natural gas infrastructure might also be repurposed in the future for use by other gases required to deliver a net zero economy, such as low carbon hydrogen or for transportation of carbon dioxide to storage. Therefore, there is an ongoing need for retaining and developing the infrastructure for importing, storing and transporting gas*".
- 4.3.28 Paragraphs 3.4.11 - 3.4.16 set out the need for low carbon hydrogen infrastructure. 3.4.16 states "*There is an urgent need for all types of low carbon hydrogen infrastructure to allow hydrogen to play its role in the transition to net zero*".
- 4.3.29 Chapters 4 and 5 of the draft NPS cover the assessment principles and generic impacts of energy infrastructure projects, similar to those identified in the original EN-1.

#### **Draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4), September 2021<sup>11</sup>**

- 4.3.30 Paragraph 1.6.4 states that "*The need for low carbon hydrogen infrastructure is established in Section 3.4 of EN-1. The guidance that follows in this NPS has been drafted in respect of, and has effect only in relation to, natural gas infrastructure. It does not have effect for hydrogen infrastructure but may contain information that is important and relevant to the Secretary of State's decision on applications for hydrogen infrastructure*".
- 4.3.31 Paragraphs 2.19 to 2.23 provide some specific detail from a selection of environmental topics that will be relevant to the assessment of gas and oil pipeline applications. These include noise and vibration; biodiversity, landscape and visual; water quality and resources; and soil and geology. They provide similar policy advice to that provide in the original EN-1<sup>12</sup>.

## **4.4 UK Government Energy and Climate Change Policy**

### **The Energy White Paper: 'Powering our Net Zero Future'<sup>18</sup>**

- 4.4.1 The White Paper was published in December 2020 and sets out the strategic vision for how we will transform our energy system to build a cleaner, greener future for our country, people and planet. It states that "*decarbonising the energy system over the next 30 years means replacing - as far as it is possible to do so -*

*fossil fuels with clean energy technologies such as renewables, nuclear and hydrogen".*

- 4.4.2 The Paper recognises that setting a net zero target as a means of reducing the effects of future climate change requires investment and innovation. It refers to the Ten Point Plan and the National Infrastructure Strategy providing a strategy for the wider energy system which includes for the delivery of a greener energy system, to include low carbon hydrogen.
- 4.4.3 The Paper states that *"by 2050, we expect low-carbon options, such as clean hydrogen and long-duration storage, to satisfy the need for peaking capacity and ensure security of supply at low cost, likely eliminating the reliance on generation from unabated gas"*.

### The Ten Point Plan, November 2020<sup>7</sup>

- 4.4.4 The Government's Ten Point Plan for a Green Industrial Revolution aims to make the UK a global leader in green technologies. It identifies technologies which brought forward together will deliver significant numbers of new jobs and support the UK to ultimately address its climate change commitments by 2050.
- 4.4.5 Point 2 is 'driving the growth of low carbon hydrogen' and the government has set an aim of delivering 5GW of low carbon hydrogen production capacity by 2030, attainment of which would be supported by a £240m Net Zero Hydrogen Fund.

### The Sixth Carbon Budget, April 2021<sup>12</sup>

- 4.4.6 In April 2021, the Government announced that it would set in law the World's most ambitious climate change target as part of the sixth Carbon Budget (CB6). This will cut emissions by 78% by 2035 compared to 1990 levels and for the first time will incorporate the UK's share of shipping and aviation emissions. This will bring the UK more than three quarters of the way to achieving net zero in less than 15 years.

### UK Hydrogen Strategy, August 2021<sup>13</sup>

- 4.4.7 The Strategy sets out the role of hydrogen in meeting the UK's legally binding commitment to achieve net zero by 2050. It establishes the case for low carbon hydrogen and the role of hydrogen in meeting net zero, recognising that it will play "an important complementary and enabling role alongside clean electricity in decarbonising our energy system", stating *"low carbon hydrogen will be essential for achieving net zero, and ahead of that, meeting our world-leading CB6 target to reduce emissions 78 per cent on 1990 levels by 2035"*. (p9).

<sup>12</sup> Climate Change Committee (2020). The Sixth Carbon Budget. The UK's Path to Net Zero. (online) Available at: <https://www.theccc.org.uk/publication/sixth-carbon-budget/> (Accessed June 2022).

<sup>13</sup> Department for Business, Energy & Industrial Strategy (2021). UK Hydrogen Strategy. (online) Available at: <https://www.gov.uk/government/publications/uk-hydrogen-strategy> (Accessed June 2022).

- 4.4.8 Furthermore, the Strategy states that hydrogen is suited to use in a "*number of sectors where electrification is not feasible or is too costly, and other decarbonisation options are limited*". The report gives examples such as generation of high temperature heat, industrial furnaces, long-distance and heavy-duty transport.
- 4.4.9 The report acknowledges the UK's opportunity to demonstrate global leadership in low carbon hydrogen due to its geography, geology, infrastructure and capabilities, and states "*Our ambition for 5GW of low carbon hydrogen production capacity by 2030 is a signal of the government's firm commitment to work with industry to develop a strong and enduring UK hydrogen economy*".

## 4.5 British Energy Security Strategy, April 2022<sup>14</sup>

- 4.5.1 The document recognises the challenges facing international and domestic energy markets since the pandemic and Russia's invasion of Ukraine. It recognises that a long-term solution is to reduce dependence upon imported oil and gas and where gas and oil is still required, to use it cleanly and securely.
- 4.5.2 Pages 22 and 23 set out the Government's encouragement to the use of hydrogen, referring to 'long-term signals' and 'immediate support'. It references a doubling of ambition to generate up to 10GW of low carbon hydrogen production capacity by 2030, to provide further support to electrolytic hydrogen production and to design by 2025 new business models for hydrogen transport and storage infrastructure which it recognises as being essential to grow the hydrogen economy.

## 4.6 National Planning Policy Framework (Ministry of Housing, Communities & Local Government), July 2021<sup>9</sup>

- 4.6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how they should be applied. The SoS may consider the policies in the Framework relevant when deciding an application for an NSIP.
- 4.6.2 Paragraph 5 confirms the NPPF "*does not contain specific policies for nationally significant infrastructure projects. 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)*".
- 4.6.3 At the heart of the framework is a presumption in favour of sustainable development (Para 11). This means (for decision-making):
- "c) approving development proposals that accord with an up-to-date development plan without delay; or*

<sup>14</sup> HM Government (2022). British Energy Security Strategy 2022 (Online). Available at British energy security strategy – GOV.UK ([www.gov.uk](http://www.gov.uk)). (Accessed August 2022).

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

- 4.6.4 With regards to Green Belt, paragraph 147 states that *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"*.
- 4.6.5 Paragraph 150 lists engineering operations as a form of development not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it.
- 4.6.6 Paragraph 151 clarifies *"When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources."*
- 4.6.7 Paragraph 152 requires the planning system to *"support renewable and low carbon energy and associated infrastructure"* and paragraph 158 requires planning authorities not to require applicants to demonstrate need for renewable or low carbon energy, recognising even small-scale valuable contributions to cutting greenhouse gas emissions and approving applications where impacts are (or can be made) acceptable.
- 4.6.8 Paragraph 215 requires Minerals Planning Authorities to *"encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility."*

## 4.7 Local Planning Policy

### Introduction

- 4.7.1 The Project Site encompasses land within the administrative boundaries of six local authority areas. These represent the 'host' local authorities of Cheshire East, Cheshire West and Chester, Halton, St. Helens, Trafford and Warrington.
- 4.7.2 The Development Plans of the host authorities, emerging planning policy (depending on its status), Supplementary Planning Documents and Neighbourhood Plans within their boundaries all represent local planning policy, which may be relevant to the Project.

## Cheshire East

- 4.7.3 Development Plan policy within Cheshire East, which is relevant to the Project, consists of the Local Plan Strategy<sup>15</sup>, the saved policies of the Macclesfield Local Plan<sup>16</sup>, the saved policies of the Saved Cheshire Replacement Minerals Local Plan<sup>17</sup> and the saved policies of the Cheshire Replacement Waste Local Plan<sup>18</sup>.
- 4.7.4 The Cheshire East Local Plan Strategy<sup>15</sup> was adopted on 27 July 2017 and sets out the overall vision and planning strategy for development in the Borough.
- 4.7.5 The Macclesfield Borough Local Plan<sup>16</sup> was adopted in 2004, the Cheshire Replacement Minerals Plan was adopted in 1999 and the Cheshire Replacement Waste Plan<sup>17</sup> was adopted in 2007. A number of policies from each document were saved by directions made in 2007 and 2010. Some of these saved policies were subsequently replaced by policies in the Local Plan Strategy. However, a number of saved policies from all three documents remain as adopted policy.
- 4.7.6 The Local Plan Site Allocations and Development Policies document<sup>19</sup> was submitted to the Secretary of State in April 2021 for examination. Following the examination, the Planning Inspector issued comments on the main modifications that would be required to make the document sound in January 2022 and consultation on the main modifications commenced in April 2022.
- 4.7.7 Cheshire East has a number of adopted Supplementary Planning Documents (SPDs) which may provide guidance applicable to the Project. These include:
- Rural Development<sup>20</sup>; and

<sup>15</sup> Cheshire East Council (2017). Local Plan Strategy 2010-2030. (online) Available at: [https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire\\_east\\_local\\_plan/local-plan-strategy/local\\_plan\\_strategy.aspx](https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire_east_local_plan/local-plan-strategy/local_plan_strategy.aspx) (Accessed June 2022).

<sup>16</sup> Cheshire East Council (2004). Macclesfield Borough Local Plan. (online) Available at: [https://www.cheshireeast.gov.uk/planning/spatial-planning/saved\\_and\\_other\\_policies/macclesfield\\_local\\_plan/macclesfield\\_local\\_plan.aspx](https://www.cheshireeast.gov.uk/planning/spatial-planning/saved_and_other_policies/macclesfield_local_plan/macclesfield_local_plan.aspx) (Accessed April 2022).

<sup>17</sup> Cheshire East Council (1999). The Cheshire Replacement Minerals Local Plan. (online) Available at: [https://www.cheshireeast.gov.uk/planning/spatial-planning/saved\\_and\\_other\\_policies/cheshire\\_minerals\\_local\\_plan/cheshire\\_minerals\\_local\\_plan.aspx](https://www.cheshireeast.gov.uk/planning/spatial-planning/saved_and_other_policies/cheshire_minerals_local_plan/cheshire_minerals_local_plan.aspx) (Accessed June 2022).

<sup>18</sup> Cheshire East Council (2007). Cheshire Replacement Waste Local Plan. (online) Available at: [https://www.cheshireeast.gov.uk/planning/spatial-planning/saved\\_and\\_other\\_policies/cheshire\\_waste\\_local\\_plan/cheshire\\_waste\\_local\\_plan.aspx](https://www.cheshireeast.gov.uk/planning/spatial-planning/saved_and_other_policies/cheshire_waste_local_plan/cheshire_waste_local_plan.aspx) (Accessed June 2022).

<sup>19</sup> Cheshire East Council (2021). Site Allocations and Development Policies Document. (online) Available at: [https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire\\_east\\_local\\_plan/site-allocations-and-policies/site\\_allocations\\_and\\_policies.aspx](https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire_east_local_plan/site-allocations-and-policies/site_allocations_and_policies.aspx) (Accessed June 2022).

<sup>20</sup> Congleton Borough Council (2008). Supplementary Planning Document No. 7 Rural Development. (online) Available at: <https://www.cheshireeast.gov.uk/pdf/planning/spatial-planning/strategic-planning/en-pp-spd-rural.pdf> (Accessed June 2022).



- Nature Conservation Strategy<sup>21</sup>.

4.7.8 The only Neighbourhood Plan in Cheshire East that is relevant to the Project is the proposed High Legh Neighbourhood Plan<sup>22</sup>. This has yet to be adopted, with consultation on the pre-submission version of the Plan occurring in 2021.

## Cheshire West and Chester

4.7.9 The Local Plan (Part 1) Strategic Policies<sup>23</sup> was adopted by the Council on 29 January 2015. The Local Plan (Part 2) Land Allocations and Detailed Policies<sup>24</sup> was adopted on 18 July 2019.

4.7.10 Cheshire West and Chester undertook public consultation in 2021 on whether the adopted Local Plan needed to be updated. At a cabinet meeting in April 2022 it was agreed that the Local Plan should be reviewed but to date there has not been a Local Development Scheme published, which will confirm the scope and timetable for these works.

4.7.11 A number of adopted SPDs may provide guidance applicable to the Project. These include:

- Oil and Gas Exploration, Production and Distribution<sup>25</sup>.

4.7.12 The Project passes through land within the following Neighbourhood Plan areas: Cuddington, Hartford, Helsby and Moulton, and an emerging Neighbourhood Plan is being prepared in Ince Parish.

<sup>21</sup> Macclesfield Borough Council (2006). Nature Conservation Strategy. (online) Available at: <https://www.cheshireeast.gov.uk/pdf/planning/supplementary-planning-documents/en-pp-spd-ncstrat.pdf> (Accessed June 2022).

<sup>22</sup> High Legh Parish Council (2021). Draft High Legh Neighbourhood Development Plan (Regulation 14 Version) 2020-2030.

<sup>23</sup> Cheshire West and Chester Council (2015). The Local Plan (Part 1) Strategic Policies. (online) Available at:

[http://consult.cheshirewestandchester.gov.uk/portal/cwc\\_ldf/adopted\\_cwac\\_lp/lp\\_1\\_adopted?tab=files](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?tab=files) (Accessed June 2022).

<sup>24</sup> Cheshire West and Chester Council (2019). Local Plan (Part Two) Land Allocations and Detailed Policies. (online) Available at:

[https://consult.cheshirewestandchester.gov.uk/portal/cwc\\_ldf/adopted\\_cwac\\_lp/parttwo\\_adopted?tab=files](https://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/parttwo_adopted?tab=files) (Accessed June 2022).

<sup>25</sup> Cheshire West and Chester Council (2017). Supplementary Planning Document: Oil and Gas Exploration, Production and Distribution. (online) Available at:

[https://consult.cheshirewestandchester.gov.uk/portal/cwc\\_ldf/spd/oil\\_gas\\_spd?tab=files](https://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/spd/oil_gas_spd?tab=files) (Accessed June 2022).

## Halton

- 4.7.13 Halton's Development Plan consists of two documents: the Delivery and Allocations Local Plan<sup>26</sup> (incorporating remaining policies from the Core Strategy Local Plan), and the Joint Merseyside and Halton Waste Local Plan<sup>27</sup>.
- 4.7.14 The Delivery and Allocations Local Plan was adopted on 2 March 2022 and sets out the long-term spatial vision and strategic policies for development to 2037, including new homes, employment provision, shops, services, infrastructure, climate change, conservation and enhancement of the natural and historic environment.
- 4.7.15 With the Delivery and Allocations Plan having been adopted in 2022, there are no emerging plans for Halton Borough Council.
- 4.7.16 Halton has a number of adopted SPDs which may provide guidance applicable to the Project. These include:
- Planning for Risk SPD<sup>28</sup>; and
  - Design of New Commercial and Industrial Development SPD (February 2006)<sup>29</sup>.
- 4.7.17 There are currently no Neighbourhood Plans adopted or emerging within the Halton area.

<sup>26</sup> Halton Borough Council (2019). Delivery and Allocations Local Plan (incorporating Partial Review of the Core Strategy). (online) Available at: <https://moderngov.halton.gov.uk/documents/s56900/Halton%20Local%20Plan%20-%20PropSubmsn%20Committee%202019-02-28%201831%20r1.pdf> (Accessed June 2022).

<sup>27</sup> Halton Council, Knowsley Council, Liverpool City Council, Sefton Council, St. Helens Council and Wirral Council (2013). Joint Waste Local Plan. (online) Available at: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-plans/joint-waste-local-plan-merseyside> (Accessed June 2022).

<sup>28</sup> Halton Borough Council (2009). Planning for Risk Supplementary Planning Document. (online) Available at: [https://www3.halton.gov.uk/Documents/planning/planning%20policy/spd/Adopted/Planning\\_for\\_Risk\\_SPD\\_%282009%29.pdf](https://www3.halton.gov.uk/Documents/planning/planning%20policy/spd/Adopted/Planning_for_Risk_SPD_%282009%29.pdf) (Accessed June 2022).

<sup>29</sup> Halton Borough Council (2006). Design of New Commercial & Industrial Development Supplementary Planning Document. (online) Available at: [https://www3.halton.gov.uk/Documents/planning/planning%20policy/spd/Adopted/Design\\_of\\_New\\_Industrial\\_and\\_Commercial\\_Development\\_SPD\\_%282006%29.pdf](https://www3.halton.gov.uk/Documents/planning/planning%20policy/spd/Adopted/Design_of_New_Industrial_and_Commercial_Development_SPD_%282006%29.pdf) (Accessed June 2022).

## St Helens

- 4.7.18 The Core Strategy Local Plan<sup>30</sup> alongside the saved policies of the 1998 Unitary Development Plan<sup>31</sup>, the Merseyside and Halton Joint Waste Local Plan<sup>27</sup> and the Bold Forest Park Area Action Plan<sup>32</sup> form the Development Plan for the Borough.
- 4.7.19 The St Helens Borough Local Plan 2020-2035 Submission Draft<sup>33</sup> was submitted for examination on 29 October 2020. The Inspector's Report was published to St Helens Borough Council on 18 May 2022, which contained a list of main modifications that are required to be made to the emerging Local Plan. The Council adopted the Plan on 12 July 2022<sup>34</sup>.
- 4.7.20 This emerging Local Plan allocates new sites for residential and employment developments, continues to afford protection to the natural and historic assets of the area (including their character and setting) and continues to place importance on the Green Belt not being compromised by development.
- 4.7.21 St Helens Council has a number of adopted SPDs which may provide guidance applicable to the Project. These include:
- Biodiversity,<sup>35</sup>

<sup>30</sup> St Helens Council (2012). St. Helens Local Plan Core Strategy. (online) Available at: [https://www.sthelens.gov.uk/media/2394/Core-Strategy-2012/pdf/St\\_Helens\\_Local\\_Plan\\_Core\\_Strategy\\_2012.pdf?m=637800921001770000](https://www.sthelens.gov.uk/media/2394/Core-Strategy-2012/pdf/St_Helens_Local_Plan_Core_Strategy_2012.pdf?m=637800921001770000) (Accessed June 2022).

<sup>31</sup> St Helens Metropolitan Borough Council (2007). St. Helens Unitary Development Plan (Originally Adopted by St. Helens Metropolitan Borough Council on 2nd July 1998) As Amended by a Direction from the Secretary of State for Communities and Local Government under Paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004. (online) Available at: [https://www.sthelens.gov.uk/media/2395/Saved-Policies-of-the-Unitary-Development-Plan-1998/pdf/St\\_Helens\\_Saved\\_Policies\\_of\\_the\\_Unitary\\_Development\\_Plan\\_1998.pdf?m=637800921480200000](https://www.sthelens.gov.uk/media/2395/Saved-Policies-of-the-Unitary-Development-Plan-1998/pdf/St_Helens_Saved_Policies_of_the_Unitary_Development_Plan_1998.pdf?m=637800921480200000) (Accessed June 2022).

<sup>32</sup> St Helens Council (2017). Bold Forest Park Area Action Plan. (online) Available at: [https://www.sthelens.gov.uk/media/2393/Bold-Forest-Park-AAP-2017/pdf/Bold\\_Forest\\_Park\\_AAP\\_2017.pdf?m=637800919756800000](https://www.sthelens.gov.uk/media/2393/Bold-Forest-Park-AAP-2017/pdf/Bold_Forest_Park_AAP_2017.pdf?m=637800919756800000) (Accessed June 2022).

<sup>33</sup> St Helens Council (2019). St Helens Borough Local Plan 2020-2035 Submission Draft. (online) Available at: <https://www.sthelens.gov.uk/article/3491/Local-Plan-examination-library> (Accessed June 2022).

<sup>34</sup> St Helens Council (2022). St Helens Borough Local Plan Up to 2037 July 2022. (online) Available at: [https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local\\_Plan\\_Written\\_Statement\\_-\\_FINAL\\_adoption\\_version.pdf?m=637940059004200000](https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local_Plan_Written_Statement_-_FINAL_adoption_version.pdf?m=637940059004200000) (Accessed August 2022).

<sup>35</sup> St Helens Council (2011). Supplementary Planning Document Biodiversity. (online) Available at: [https://www.sthelens.gov.uk/media/2398/Biodiversity-June-2011/pdf/Biodiversity\\_SPD\\_2011.pdf?m=637800925387000000](https://www.sthelens.gov.uk/media/2398/Biodiversity-June-2011/pdf/Biodiversity_SPD_2011.pdf?m=637800925387000000) (Accessed June 2022).

- Design Guidance<sup>36</sup>;
- List of Locally Important Buildings<sup>37</sup>; and
- Trees and Development<sup>38</sup>.

4.7.22 There are currently no Neighbourhood Plans or Neighbourhood Areas within the St Helens area.

## Trafford

4.7.23 The Trafford Local Plan Core Strategy<sup>39</sup> was adopted in January 2012. It sets out an overarching strategy and development principles for Trafford to guide development until at least 2026.

4.7.24 Places for Everyone<sup>40</sup> is a collaborative policy document between nine councils in Greater Manchester. The document was approved by Trafford Metropolitan Borough Council (TMBC) in July 2021 and the document was submitted for consultation in October 2021 and will shortly be reviewed by the Secretary of State and appointed independent inspectors. TMBC proposes two, large scale allocations at New Carrington and Timperley Wedge, both of which would provide residential and employment land. The Project intersects with the land allocated in the New Carrington allocation.

4.7.25 TMBC is currently in the process of producing a new Local Plan. A Regulation 18 Draft Local Plan<sup>41</sup> was produced and consulted upon during the months of

<sup>36</sup> St Helens Council (2007). Supplementary Planning Document Design Guidance. (online) Available at: [https://www.sthelens.gov.uk/media/2400/Design-Guidance-September-2007/pdf/Design\\_Guidance\\_SPD\\_2007.pdf?m=637800926445600000](https://www.sthelens.gov.uk/media/2400/Design-Guidance-September-2007/pdf/Design_Guidance_SPD_2007.pdf?m=637800926445600000) (Accessed June 2022).

<sup>37</sup> St Helens Council (2011). Supplementary Planning Document List of Locally Important Buildings. (online) Available at: [https://www.sthelens.gov.uk/media/2405/List-of-Locally-Important-Buildings-June-2011/pdf/List\\_of\\_Locally\\_Important\\_Buildings\\_SPD\\_2011.pdf?m=637800929415570000](https://www.sthelens.gov.uk/media/2405/List-of-Locally-Important-Buildings-June-2011/pdf/List_of_Locally_Important_Buildings_SPD_2011.pdf?m=637800929415570000) (Accessed June 2022).

<sup>38</sup> St Helens Council (2008). Supplementary Planning Document Trees and Development. (online) Available at: [https://www.sthelens.gov.uk/media/2411/Trees-and-Development-June-2008/pdf/Trees\\_and\\_Development\\_SPD\\_2008.pdf?m=637800931813700000](https://www.sthelens.gov.uk/media/2411/Trees-and-Development-June-2008/pdf/Trees_and_Development_SPD_2008.pdf?m=637800931813700000) (Accessed June 2022).

<sup>39</sup> Trafford Council (2012). Trafford Local Plan: Core Strategy. (online) Available at: <https://www.trafford.gov.uk/planning/strategic-planning/local-plan/core-strategy.aspx> (Accessed June 2022).

<sup>40</sup> Greater Manchester Combined Authority (2021). Places For Everyone Joint Development Plan Document – Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford, Wigan. (online) Available at: <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/submission-documents/> (Accessed June 2022).

<sup>41</sup> Trafford Council (2021). Trafford Local Plan Regulation 18 Consultation Draft. (online) Available at: <https://www.trafford.gov.uk/planning/strategic-planning/local-plan/Trafford->

February and March 2021. TMBC is currently in the process of reviewing any consultation responses received and updating the Draft Local Plan. TMBC currently anticipates having a publication version of the new Local Plan by Summer 2022, which would be a version of the Plan sufficiently advanced as to provide a steer on the future planning policy of the area. (The Plan had yet to be published as of August 2022).

4.7.26 Trafford Council has a number of adopted SPDs, which may provide guidance applicable to the Project. These include:

- Revised SPD1: Planning Obligations 2014<sup>42</sup>; and
- SPD5: Conservation Areas<sup>43</sup>.

4.7.27 The only Neighbourhood Area that intersects with the Project is Warburton Parish, which was designated as a Neighbourhood Area in March 2019. Warburton Parish has yet to produce a Neighbourhood Plan.

## Warrington

4.7.28 The Warrington Local Plan Core Strategy<sup>44</sup> was adopted in July 2014. It sets out an overarching strategy and development principles for Warrington to guide development until at least 2027.

4.7.29 The Warrington Updated Proposed Submission Version Local Plan 2021-2038<sup>45</sup> was submitted to the Secretary of State for independent examination on 22 April 2022 and the examination is still ongoing with hearings scheduled to begin on 06 September 2022. Due to the advanced nature of this new Local Plan, it can provide a strong indication of what the future planning policy and allocations for the Warrington area will be. This new Local Plan continues to place considerable

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Local-Plan-Consultations.aspx#Regulation18DraftLocalPlanConsultationFebruary2021 (Accessed June 2022).

<sup>42</sup> Trafford Council (2014). Supplementary Planning Document SPD1: Planning Obligations. (online) Available at: [https://www.trafford.gov.uk/planning/strategic-planning/Supplementary-Guidance/supplementary-planning-documents.aspx#DynamicJumpMenuManager\\_1\\_Anchor\\_1](https://www.trafford.gov.uk/planning/strategic-planning/Supplementary-Guidance/supplementary-planning-documents.aspx#DynamicJumpMenuManager_1_Anchor_1) (Accessed June 2022).

<sup>43</sup> Trafford Council (2016). SPD 5 – Conservation Areas. (online) Available at: [https://www.trafford.gov.uk/planning/strategic-planning/Supplementary-Guidance/supplementary-planning-documents.aspx#DynamicJumpMenuManager\\_1\\_Anchor\\_5](https://www.trafford.gov.uk/planning/strategic-planning/Supplementary-Guidance/supplementary-planning-documents.aspx#DynamicJumpMenuManager_1_Anchor_5) (Accessed June 2022).

<sup>44</sup> Warrington Borough Council (2014). Local Plan Core Strategy. (online) Available at: [https://www.warrington.gov.uk/sites/default/files/2019-08/local\\_plan\\_core\\_strategy\\_adopted\\_2014.pdf](https://www.warrington.gov.uk/sites/default/files/2019-08/local_plan_core_strategy_adopted_2014.pdf) (Accessed June 2022).

<sup>45</sup> Warrington Borough Council (2022). Warrington Updated Proposed Submission Version Local Plan 2021-2038. (online) Available at: <https://www.warrington.gov.uk/LocalPlan#:~:text=The%20key%20changes%20in%20our%20draft%20local%20plan%202021&text=The%20key%20changes%20we%20are,the%20Green%20Belt%20for%20development>. (Accessed June 2022).



importance on the preserving of the Green Belt the historic and landscape assets of the Area.

4.7.30 Warrington Council has a number of adopted SPDs which may provide guidance applicable to the Project. these include:

- Design and Construction SPD<sup>46</sup>;
- Environmental Protection SPD<sup>47</sup>; and
- Planning Obligations SPD<sup>48</sup>.

4.7.31 The Project passes through one adopted Neighbourhood Plan area within Warrington (Appleton Thorn)<sup>49</sup> and through two emerging plans (Lymm and Stretton).

4.7.32 Further detail on how the Project aligns with national and local planning policy will be provided in the DCO application, primarily in the Planning Statement and Environmental Statement.

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<sup>46</sup> Warrington Borough Council (2016). Supplementary Planning Document Design and Construction. (online) Available at: [https://www.warrington.gov.uk/sites/default/files/2019-08/design\\_and\\_construction\\_spd\\_-\\_2010.pdf](https://www.warrington.gov.uk/sites/default/files/2019-08/design_and_construction_spd_-_2010.pdf) (Accessed June 2022).

<sup>47</sup> Warrington Borough Council (2013). Environmental Protection Supplementary Planning Document. (online) Available at: <https://www.warrington.gov.uk/sites/default/files/2020-09/Environmental%20protection%20-%20supplementary%20planning%20guidance.pdf> (Accessed June 2022).

<sup>48</sup> Warrington Borough Council (2017). Planning Obligations Supplementary Planning Document. (online) Available at: <https://www.warrington.gov.uk/sites/default/files/2020-09/Planning%20Obligations%20Supplementary%20Planning%20Document%20-%20Jan%202017.pdf> (Accessed June 2022).

<sup>49</sup> Warrington Borough Council (2017). Appleton Parish Thorn Ward Neighbourhood Development Plan to 2027. (online) Available at: [https://www.warrington.gov.uk/sites/default/files/2019-09/appleton\\_thorn\\_ndp\\_adopted\\_plan\\_june\\_2017.pdf](https://www.warrington.gov.uk/sites/default/files/2019-09/appleton_thorn_ndp_adopted_plan_june_2017.pdf) (Accessed June 2022).

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