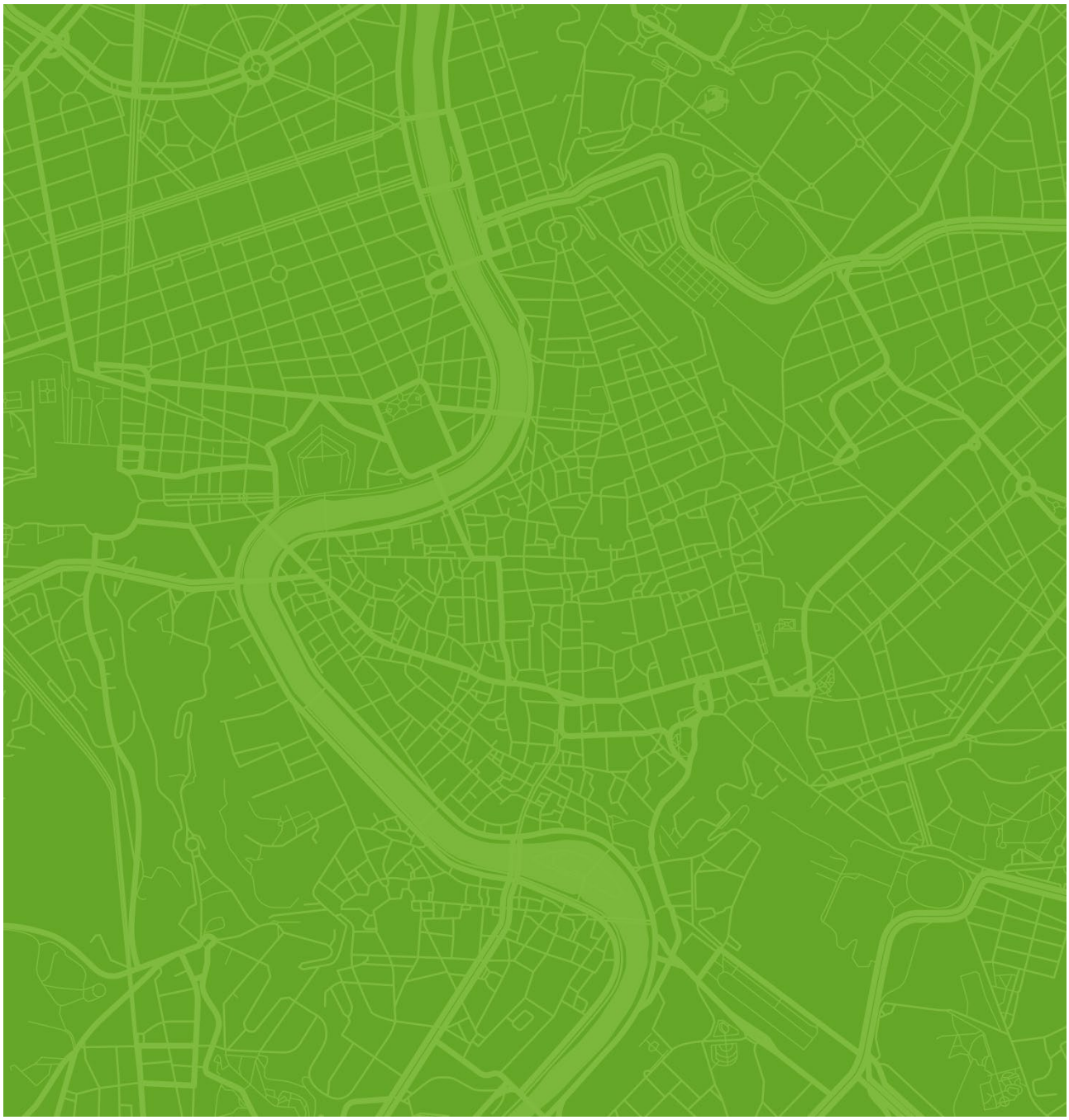
North Yorkshire Council

Guidance for Nationally Significant Infrastructure Projects

Final Guidance

Final report
Prepared by LUC
August 2025



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Guidance for Nationally Significant Infrastructure Projects
Final Guidance

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Introduction

Purpose

1.1 This guidance document has been prepared to assist developers of Nationally Significant Infrastructure Projects (NSIPs). It clearly sets out the expectations of the host authority in relation to landscape, ecology and biodiversity, heritage, public and environmental health, and the water environment.

1.2 This guidance document was funded by the Innovation and Capacity Fund which invited Local Authorities to consider ways in which their role in the NSIP process could be improved or done differently to help drive better, faster and more resilient delivery of NSIP projects. The requirements of projects bidding for the Fund were that they should drive better and more effective engagement with developers, for benefits for local communities in line with Government's ambitions for better, faster and more resilient infrastructure delivery.

1.3 The primary purpose of the guidance is to guide developers and Development Consent Order (DCO) applicants through the scoping and development stages of their application, by setting out clear recommendations for applicants to take on. Applicants should use the guidance in preparing EIA deliverables including the Scoping Report, Preliminary Environmental Information Report (PEIR) and Environmental Statement (ES), and to develop environmental management plans and off-site mitigation requirements.

1.4 The guidance is focused on the former Selby district council area but may be of relevance to NSIPs elsewhere in North Yorkshire. The Local Government Reorganisation in North Yorkshire consolidated eight district and borough councils into one area. The unitary authority of North Yorkshire now oversees all local government services, with the exception of the City of York, which remains a separate authority.

Aims

1.5 The guidance is intended to drive better, greener and faster delivery of NSIPs by providing a coherent environmental strategy which will result in the following outcomes:

- Providing clear expectations of information to provide at pre-application stage
- Providing clear expectations of North Yorkshire Council's Environmental Impact Assessment needs
- Providing clear design principles
- Providing clear community engagement expectations
- Delivering greater cumulative biodiversity net gain through the use of green infrastructure strategies
- Supporting environmental mitigation and enhancement strategies to inform environmental management plans and off-site mitigation requirements

Need for the Guidance

1.6 This guidance has been prepared to respond to specific environmental issues arising within the former Selby district area as a result of recent NSIPs. There is a clear need for this guidance as a result of the changes in legislation and policy surrounding the move towards renewable energy and increasing capacity in the Grid, resulting in energy projects coming forward around National Grid connection points, and responding to the legacy and significance of the former power stations in the area.

1.7 A number of NSIPs have come forward and are expected to be delivered in the former Selby district, resulting in cumulative effects on the environment. These are predominantly energy schemes whose locations are linked to connection points to the National Grid; for example, the new Wren Hall Convertor Station for the Eastern Green Link 2 is located at Drax Power Station to connect to the substation.

1.8 The former Selby district area has a long history in energy generation, with Drax Power Station the largest supplier of energy in the UK, in addition to Eggborough Power Station. There are hotspots of development around these former power stations to take advantage of the existing connections to the National Grid Electricity Distribution network. There are also projects responding to the legacy of these power stations, such as the Humber Carbon Capture Pipeline project establishing carbon dioxide pipelines to facilitate the delivery of carbon from emitters in the Humber region including Drax Power Station, to Easington to secure offshore storage in the North Sea. Also, a Bioenergy and Carbon Capture and Storage proposal was granted at Drax, to reduce the level of carbon dioxide being released into the atmosphere.

1.9 Other NSIPs in various stages of development in the area – and likely to come forward in the future – include; improvements to electricity network infrastructure (to enable renewable energy generated by offshore wind farms in the North Sea to access the grid more effectively), the Yorkshire GREEN project, part of the National Grid's Great Grid Upgrade (upgrading and reinforcing the electricity network in Yorkshire). NSIPs are therefore driving wider change across the County by enabling other energy generation projects.

1.10 Secondly, there is a broad and wide-ranging move in national legislation and policy to delivering additional electricity generation via renewable energy. This requires delivering improvements to ensure the grid networks can cope with the additional electricity being generated and stored during fluctuations in the system where necessary. It is highly likely that in the short-term, projects for wind farms within North Yorkshire and potentially the former Selby district will be submitted to PINS. Research by Friends of the Earth has identified North Yorkshire as being a top area for potential for new onshore wind and solar projects. The former Selby district has also been identified as having potential for geothermal energy opportunities given its rich mining history.

1.11 The purpose of this guidance is to raise expectations and awareness of applicants to the bigger picture and wider issues of climate change, nature recovery, maintaining quality of submissions, proposals being sensitive to place and local sensitivities, and supporting ecology where possible. Therefore, this guidance aims to help streamline the process and drive better, greener and faster delivery of NSIPs for all parties involved.

Users of the Guidance

1.12 The primary audience for this document is developers and applicants of DCOs, and those involved in preparing DCO applications such as planning consultants, project managers and EIA chapter authors. The guide will also be of assistance to Council Officers in reviewing NSIP proposals. It is expected to assist resourcing within the Council by providing key information together in one document. The guidance will also be of use to the Planning Inspectorate when assessing DCO applications.

1.13 Some members of the public may also find this guidance document useful when involved in public consultations surrounding NSIPs, although it should be noted that as it was not written for this purpose and contains frequent use of acronyms, a full list of all acronyms used in the document is at Appendix A.

Guidance Content

1.14 The guidance focuses on the expectations of North Yorkshire Council (NYC) during the DCO process, with a focus on the pre-application stage. The Council considers that this early stage of the process offers the best stage for proposals to be amended to respond to the unique challenges present. Expressing the needs of the Council simply, and before pre-application discussions even commence, will ensure that the DCO process can be greener, better and faster.

1.15 The guidance also considers all other stages of the DCO process, setting out how NYC will engage at each stage. It is supported by national and local adopted and emerging planning policy.

1.16 The guidance is split into the following topic areas:

- Chapter 5: Landscape and Visual
- Chapter 6: Historic Environment
- Chapter 7: Ecology and Biodiversity
- Chapter 8: Water Environment
- Chapter 9: Environmental Health
- Chapter 10: Public Health

1.17 For each of the above topics the guidance presents

- Scoping requirements and desired methodologies for Environmental Impact Assessment (EIA)
- Best practice for assessing cumulative impacts
- Mitigation options and maintenance requirements

1.18 The guidance also covers the need for applicants to consider the cumulative impacts of multiple NSIP projects being brought forward within close proximity. It requires applicants to consider the above topics cohesively, alongside other NSIP and other energy scheme applications as part of pre-application considerations.

North Yorkshire Context

1.19 The Authority of North Yorkshire Council came into effect on 1 April 2023. Prior to this there was a two-tier system consisting of North Yorkshire County Council and seven different District and Borough Councils:

- Selby District Council
- Craven District Council
- Hambleton District Council
- Harrogate Borough Council
- Richmondshire District Council
- Ryedale District Council
- Scarborough District Council

1.20 Figure 1.1 (Appendix C). shows the former and current authority boundaries. The unitary authority of North Yorkshire now oversees all local government services, with the exception of the City of York, which remains a separate authority.

1.21 NYC has been the host authority to several recent NSIPs and associated energy schemes under the Town and Country Planning Act 1990 (TCPA). This guidance focuses on NSIPs, yet some of the content may be relevant to application for consent under the TCPA too.

Table 1.1 Consented NSIPs in North Yorkshire

Name	Reference	Type of NSIP	Location
Thorpe Marsh Gas Pipeline	EN070003	Other Pipelines	1.5km west of Camblesforth to Thorpe Marsh CCGT Power Station
White Rose Carbon Capture and Storage Project	EN010048	Generating Station	Drax Power Station, Selby, North Yorkshire
Yorkshire and Humber Carbon Capture & Storage (CCS) Cross Country Pipeline	EN070001	Other Pipelines	Drax Power Station, Drax YO8 8PH, North Yorkshire
Eggborough CCGT	EN010081	Generating Stations	Near Eggborough village, Selby District, North Yorkshire
Drax Re-power	EN010091	Generating Stations	At, and in the vicinity of, Drax Power Station, New Road, Drax, Selby, North Yorkshire YO8 8PH
Drax Bioenergy with Carbon Capture and Storage Project	EN010120	Generating Stations	Drax, North Yorkshire to Barmston, East Riding of Yorkshire
Yorkshire GREEN	EN020024	Electric Lines	Approximately 2km to the northwest of York, extending 36km south to Monk Fryston substation

1.22 Figure 1.1 (appendix C) shows the location of these schemes. It is clear that the majority of the consented NSIPs fall within the former Selby district area. At the time of writing, three NSIPs have been determined in the area around Drax Power Station, in addition to one at Monk Fryston Substation and one at Eggborough Power Station, and one at Ferrybridge Power Station adjacent to the former district.

1.23 Furthermore, NYC are also interested parties for NSIPs that lie outside the administrative boundaries of North Yorkshire, such as the Ferrybridge Carbon Capture and Storage proposal and Ferrybridge Next Generation Power Station in West Yorkshire.

Table 1.2 NSIP Applications being determined in North Yorkshire

Name	Reference	Type of NSIP	Location
East Yorkshire Solar Farm	EN010143	Generating Station	Approximately 1.4km north-west of Howden. Underground pipeline to connect to National Grid Drax Substation (within former Selby District Council)
Helios Renewable Energy Project	EN010140	Generating Station	Land to the southwest of the village of Camblesforth and to the north of the village of Hirst Court (former Selby District Council)
Humber Carbon Capture Pipeline	EN0710003	Other Pipelines	Linear route extending from Drax (North Yorkshire) to Easington (East Riding of Yorkshire).
Light Valley Solar Limited	EN0110012	Generating Stations	Rural expanse between Monk Fryston, Hambleton and Escrick

1.24 The cumulative impact of these applications within a relatively small geographical area has created a strain on the physical landscape and environmental character of the area.

Former Selby District: Environmental Sensitivities

1.25 This guidance has a targeted focus on the former Selby district area, yet it may also be relevant to NSIPs elsewhere within North Yorkshire.

1.26 NYC are finding clusters of NSIPs emerging around Drax Power Station as well as areas where there are connections into the National Grid electricity transmission network such as Monk Fryston Substation and Ferrybridge Substation (with projects currently within Wakefield Metropolitan District Council).

1.27 The former Selby district is located towards the south of North Yorkshire and is known for its mix of picturesque rural landscapes, market towns, and rich heritage, characteristic of the wider county. It is centred around the River Ouse and River Aire and contains the historical settlements of Selby, Tadcaster, and Sherburn-in-Elmet. Selby Abbey, a Grade I listed building stands as a prominent landmark and symbol of the district's heritage.

1.28 The former district is largely rural. The town of Selby has a population of around 92,000 as of 2021 estimates according to the Office for National Statistics and its economy closely resembles that of the rest of North Yorkshire. The energy sector is important to the area. It accommodates pioneering technologies such as the co-firing and conversion into energy generation from biomass energy.

1.29 The main environmental sensitivities of the area are covered in detail within this guidance, landscape sensitivity, ecological and heritage assets and designations, and flood risk.

Cumulative Considerations

1.30 NYC considers it important that developers of NSIP schemes consider the cumulative impacts that can result from a large number of 'non-significant' (in EIA terms) impacts that collectively can be a concern. For example, where impacts are not classed as significant (in EIA terms), but are, or could, occur on numerous occasions, the cumulative impact assessments within the EIA would not address these. NYC is keen to ensure that such potential cumulative impacts are not missed. The Council would like to see cumulative non-significant impacts identified and addressed early in the DCO process.

Chapter 2
NSIPs and the DCO Process

Nationally Significant Infrastructure Projects (NSIPs)

2.1 NSIPs are development projects within either energy, waste, transport, wastewater or water categories, over a certain threshold. They are considered by the Government to be of such a size and national importance that permission needs to be given at a national level, by the responsible Secretary of State rather than the Local Planning Authority. The Planning Act 2008 defines the thresholds for infrastructure projects to be defined as NSIPs.

Energy

- Onshore electricity generation of more than 50 MW
- Offshore electricity generation of more than 100 MW for offshore projects

Transport

- New or alterations to the strategic road network with a length over 12.5 miles
- New railway lines or major extensions to existing networks and national rail routes
- New port facilities or the expansion of existing facilities handling freight exceeding 0.5 million tonnes per year, or a passenger capacity of over 250,000 per year
- Airport developments increasing cargo capacity by more than 10,000 air traffic movements per year, or increasing passenger capacity by over 10 million passengers per year

Water and Wastewater

- New water supply systems with a capacity of more than 80 million litres per day
- New wastewater treatment plants processing over 500,000 m^3 of wastewater per day

Waste

- New facilities that treat, store, or dispose of hazardous waste in excess of 30,000 tonnes per year

Gas and Transmissions

- Any overhead electricity transmission line with a nominal voltage of at least 132 kV
- Gas storage with a capacity of at least 42 million m^3
- Gas pipelines with a length of at least 40 km and a diameter of at least 800 mm

2.2 NSIPs are submitted to the Planning Inspectorate (PINS), the Examining Authority. Independent Inspectors within PINS examine the application and make their recommendation to the Secretary of State, who makes the final decision.

Development Consent Orders (DCOs)

2.3 Sections 15 to 30A of the Planning Act 2008 (as amended) deal with the development consent process for NSIPs. DCOs are legal orders consolidating multiple required consents into a single consent. A DCO can incorporate the below components, dependent on the works proposed:

- Planning Permission
- Compulsory Land Acquisition
- Highways and Street Works Consents
- Environmental Permits and Licences
- Marine Licenses
- Heritage Consents
- Rights and Easements
- Water Abstraction and Impoundment Licenses
- Traffic Regulation Orders
- Deemed Planning Obligations

2.4 The consenting process for DCO applications is a series of stages, including pre-application consultation, acceptance, examination by the Planning Inspectorate, and the final decision of the Secretary of State (SoS).

Chapter 3
North Yorkshire Council's Role and General Expectations for DCO Applicants

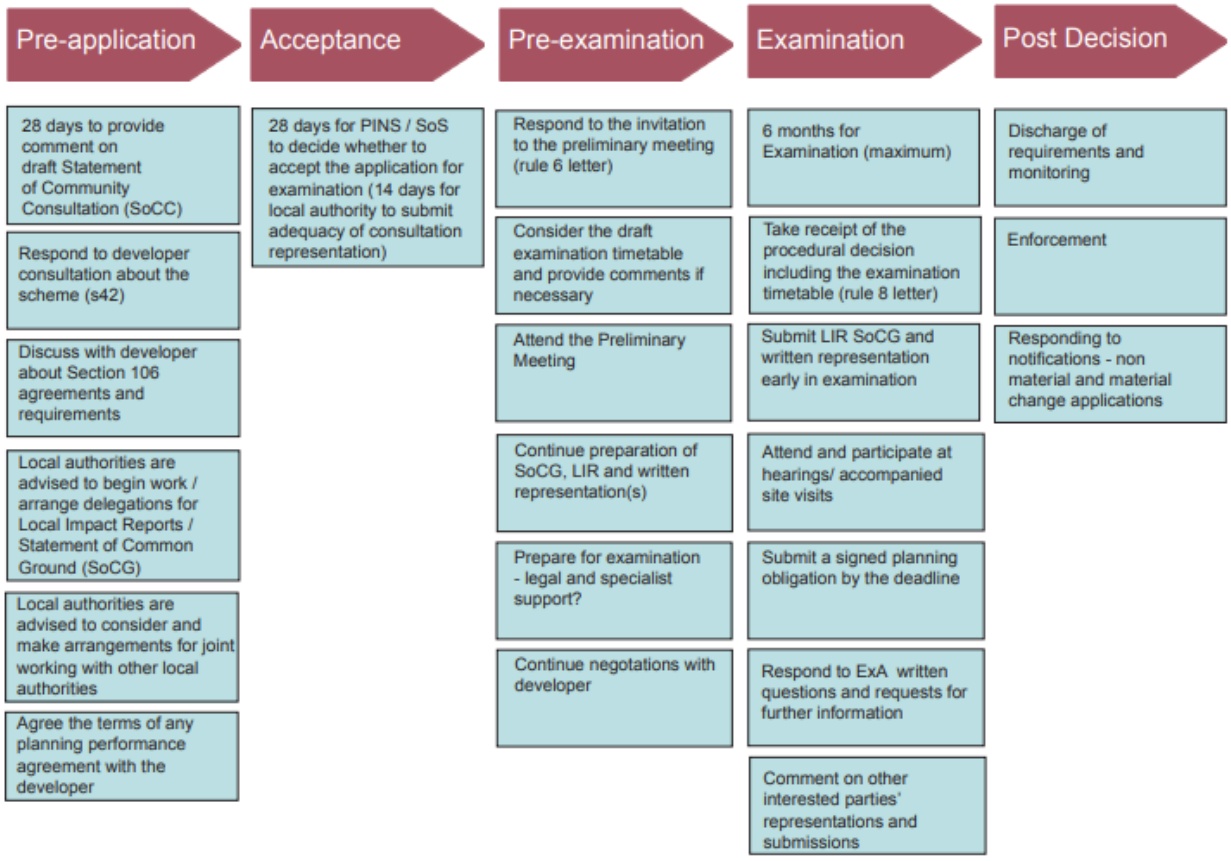
Role of The Local Planning Authority

3.1 Local Authorities have a key role to play in the consenting of NSIPs. Whilst they are not the decision maker in the DCO process, they have a unique perspective on potential local impacts and concerns. Local Authorities are not obliged to take part in the DCO process, though it is advised. As the host authority, the Council is a key consultee, and its views carry weight to the Examining Body.

3.2 NYC is keen to be an active participant in all NSIP proposals within North Yorkshire and this section of the guidance explains the role the Council can and will play at each stage of the process. It also confirms general expectations that will apply to all DCO applications. Specific guidance on the topics of landscape impacts, water environment, historic environment, ecology and biodiversity is provided in the relevant chapters.

3.3 The diagram below sets out the role of a local authority in the DCO process. Whilst North Yorkshire Council will take part in all stages of the DCO process, they will have the most input during Pre-Application and Examination stages.

Figure 3.1 Role of Local Authorities in the DCO process[1]



Pre-Application Stage

3.4 Under Section 42 of the Planning Act 2008, developers are required to engage in meaningful pre-application consultations with relevant prescribed bodies, including the Local Authority, prior to submitting a DCO application. This ensures the proposed project considers local planning policies, impacts, and community needs. Once the applicant provides notification under Section 46 of the Planning Act 2008, the Council will respond to the consultation and comment on the quality of the applicant's consultation process by reviewing the Statement of Community Consultation.

3.5 The Council considers itself a primary consultee for all NSIP projects. NYC can help developers to identify key issues in relation to their projects and can advise on the scope and nature of consultations that need to be carried out with the local community, ensuring all consultations are comprehensive and inclusive.

North Yorkshire Council require that developers agree a Planning Performance Agreement (PPA) with them, to facilitate their involvement in the project, as early as possible. The Council have templates that can be used but developers are also able to provide their own templates for review. The PPA needs to cover all stages of the process, from pre-application through to Examination.

[1] *Source: The Planning Inspectorate (2015) 'The role of local authorities in the development consent process'* Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010019/TR010019-Advice-00006-2-Advice_note_2_The%20role%20of%20local%20authorities%20in%20the%20development%20consent%20process.pdf

The Council would prefer to proactively engage with developers at an early stage to offer feedback on proposals, highlight local planning policy, and identify potential issues related to community impacts, environmental concerns, and planning obligations.

3.6 The applicant should prepare a Principal Areas of Disagreement Summary Statement (PADSS) with the Council to set out the areas of disagreement at pre-application. The Statement will set out the principal issues that the Council have with the project, and confirm what needs to change, or be included, or be amended so as to overcome the disagreement. NYC will respond to applicant's initiating PADSS at the beginning of pre-application stage and prepare the Summary Statement, updating it regularly. The preparation of PADSS will contribute towards the preparation of Statements of Common Ground (SoCGs). Pre-application PADSS can help to narrow and focus the issues that may require further consideration by an Examining Authority at post-submission stages, making for a smoother and potentially faster process for everybody involved.

The applicant should initiate the production of a Principal Areas of Disagreement Summary Statement with the Council at the beginning of the pre-application stage and the Council will complete this.

EIA - Scoping

3.7 NSIPs require thorough Environmental Impact Assessment (EIA) to identify, assess, and mitigate the environmental impacts of the proposed project. The purpose of EIA is to undertake an assessment of the potential effects of a development on the environment, taking account of relevant legislation, policy and guidance, consultation responses and embedded design measures.

3.8 Potential impacts and their significance are identified according to the interaction between the baseline environment and the development proposed. Mitigation measures are then identified to avoid, prevent, reduce or offset potential impacts (the mitigation hierarchy) using 'applied' and/or 'additional' mitigations, prioritising those potential impacts that are considered to be of moderate significance or above (i.e. those that are deemed significant in terms of the EIA Regulations). A summary of significant effects and residual effects is then collated across each topic, in addition to assessing the impacts with cumulative sites and considering the in-combination effects on receptors.

3.9 Robust, consistent and clear implementation of the proposed assessment methodology, in determining the significance of impacts, using established baseline sensitivity criteria and magnitude of impact criteria, is essential in order to demonstrate understanding of the issues concerned and mitigation measures identified.

3.10 The mitigation hierarchy indicates that avoidance is the priority, and offsetting should only be relied on as a last resort. Guidance on mitigation measures, including these terms and how to apply them, is provided in Impact Assessment Guidelines: Implementing the Mitigation Hierarchy from Concept to Construction (IEMA)[2].

3.11 North Yorkshire Council will be formally consulted by the Planning Inspectorate (PINs) on the Scoping Reports supporting scoping requests for DCOs and will prepare a scoping consultation response to feed into the Scoping Opinion prepared and collated by PINS.

3.12 During statutory consultation, NYC will review and comment on the Preliminary Environmental Information Report (PEIR).

3.13 This guidance will assist developers by providing required information for Scoping Requests and desired methodologies for EIA, which will fast-track the engagement process with the Local Planning Authority (LPA).

3.14 North Yorkshire Council will also engage with applicants in the preparation of draft SoCG.

[2]IEMA. (2024). Impact Assessment Guidelines: Implementing the Mitigation Hierarchy from Concept to Construction

The Council point applicants to the SoCG prepared by the Council and the applicant for the Drax Bioenergy with Carbon Capture and Storage project. This used a traffic light system to show the position, with areas of disagreement (red), working on (amber), and agreement (green). The National Infrastructure Planning website also provides good examples of SoCG templates on the 'example documents' webpage.

EIA - Environmental Statement

3.15 The Infrastructure Planning (Environmental Impact Assessment) Regulations[3] set out the legal requirements for EIA. Statutory guidance is available from the Ministry of Housing, Communities and Local Government[4]. Guidance on implementation of the EIA Regulations is also available from a number of sources, for example the 'Environmental Impact Assessment Guide to: Climate Change Resilience and Adaption, by Institute of Environmental Management and Assessment[5] (IEMA).

Acceptance

3.16 NYC will submit an Adequacy of Consultation Representation to PINS once the application has been submitted.

The Council requests that the applicant notifies NYC of developments at this stage (accepting that PINs will also provide notifications). When the Council is notified directly and provided with key documents at an early stage it ensures that relevant representations and the Local Impact Report can be prepared expediently.

Pre-Examination

3.17 The Council will work with the applicant to prepare a SoCG and update a PADSS.

3.18 Once the DCO has been accepted, the Council will submit a Local Impact Report (LIR) within the given deadline. The SoS must have regard to any LIRs submitted on time when making their decision. North Yorkshire's LIR will set out the likely positive, negative and neutral effects of the development on the local area with regard to local planning policies and other local considerations.

3.19 Negotiations with the developer over planning obligations will continue at pre-examination stage.

3.20 NYC will also attend site visits and respond to Inspector's written questions and requests for further information.

The Council anticipates that a strong working relationship with the applicant will have developed during the pre-application stages and that this will continue during Pre-examination.

Examination

3.21 The Council will actively participate in the Examination. The SoCG and LIR will be submitted to PINS. The Council will make further written representations to the process by responding to the Inspector's questions and requests for further information. Within these representations, the Council may feed into position statements, present evidence throughout proceedings, suggest mitigation measures, and comment on the applicant's supporting documents.

[3] The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
[4] Ministry of Housing, Communities and Local Government. (2020). Environmental Impact Assessment Guidance.
[5] IEMA. 2020. Environmental Impact Assessment Guide to: Climate Change Resilience and Adaption, by Institute of Environmental Management and Assessment.

3.22 This guidance provides information to inform environmental management plans and off-site mitigation requirements prepared during Examination.

3.23 NYC will also actively represent the views of local residents, negotiating with NSIP developers to secure acceptable construction management practices and procedures including working hours, and appropriate mitigation – although it should be noted that residents are also able to submit their comments to PINS directly. The Council will seek to finalise Section 106 agreements with applicants where this is necessary during Examination.

The Council would welcome a PPA to cover the Examination stage. Ongoing discussion to assist in resolving outstanding matters is welcome.

Post-Decision

3.24 The DCO will include requirements which will control the construction, commissioning, operation, and if appropriate, the decommissioning of the approved works.

3.25 Once a DCO has been granted, NYC will have responsibility for:

- Discharging the requirements of the DCO
- Responding as a consultee about the discharge of requirements
- Monitoring the works
- Enforcing breaches of the terms of the DCO if required
- Advising on changes to the DCO if a non-material or material change is sought

The Council would welcome a PPA to cover the discharge of conditions. The Council expects at least 8 weeks for discharge of requirements. Shorter timeframes have proved to be unworkable. It would be helpful if a projected timetable can be provided to assist the Council in organising resources.

3.26 Throughout the DCO process the Council encourages regular progress update meetings between the developer and the NYC project lead so that the Council can understand project progress and issues arising. The Council requests that the NYC project lead is copied into all correspondence so that they can understand what discussions are taking place with technical officers, and to encourage direct dialogue between technical leads on both sides (setting up meetings, discussing matters, and resolving issues as they arise).

3.27 As highlighted above it is useful for applicants to notify the Council directly of any consultations and submission (in addition to this happening through formal channels). This ensures the Council is always updated and provided with maximum time to input and assist.

Community Benefit Funds

3.28 Some NSIP proposals are accompanied by community benefits. These can be monetary or non-monetary, but the intention is for the developer to provide benefits to local community groups to ensure communities which host NSIP projects see the benefits locally. Community benefits are entirely separate from and not a material planning considerations of the DCO process and play no part in decision making. However, they are an important aspect of NSIPs to local communities. North Yorkshire Council does not currently have a policy on community benefits[6] but will seek to assist and support negotiations between developers and local groups.

[6] Other Authorities (such as North Kesteven District Council) have adopted policies covering this area: https://www.n-kesteven.gov.uk/sites/default/files/2024-02/NKDC%20Community%20Benefit%20Policy.pdf

Chapter 4
Legislative and Policy Context

4.1 This chapter of the guidance sets out the legislative and policy framework that applicants of NSIPs should identify and comply with. It signposts to the National Policy Statements but does not repeat their content. It focuses on the local planning policies that may be relevant.

National Policy Statements

4.2 The Planning Act 2008 established the Infrastructure Planning Commission and created the regime for major infrastructure projects, including the introduction of National Policy Statements. National Policy Statements (NPS) are the primary policy basis for the determination of NSIPs. The Planning Act 2008 Section 104(2) and 105(2) requires the SoS to have regard to relevant NPS in determining DCO applications.

4.3 Where there is no relevant NPS for the NSIP proposed Section 105 of the Planning Act 2008 sets out what the SoS must have regard to in making his or her decision. This includes any matter the SoS deems important and relevant to their decision. This could include a draft NPS, if one exists.

4.4 National Policy Statement's set out the government's objectives for infrastructure development;

- How they will contribute to sustainable development;
- How these objectives have been integrated with other government policies;
- How actual and projected capacity and demand have been taken into account;
- Safety or technology issues;
- Circumstances where it would be important to address the adverse impacts of development; and,
- Specific locations to provide a clear framework for investment and planning decisions.

4.5 Each NPS covers a specific sector and the relevant NPS will depend on the category of NSIP: energy, waste, transport, wastewater, or water.

4.6 Proposed NSIPs within North Yorkshire Council should be compliant with the relevant adopted and draft NPS at the point of determination:

- Overarching NPS for energy (EN-1) (designated 17 January 2024)
- NPS for natural gas electricity generating infrastructure (EN-2) designated on 17 January 2024
- NPS for renewable energy infrastructure (EN-3) designated on 17 January 2024
- NPS for natural gas supply infrastructure and gas and oil pipelines (EN-4) designated on 17 January 2024
- NPS for electricity networks infrastructure (EN-5) designated on 17 January 2024
- NPS for nuclear power generation (EN-6) designated on 17 January 2024
- NPS for Ports designated on 26 January 2012

- National Networks NPS designated on 24 May 2024
- Airports NPS designated on 26 June 2018
- NPS for Hazardous Waste published on 6 June 2013
- NPS for Wastewater published on 9 February 2012
- NPS for Water Resources Infrastructure designated on 18 September 2023

4.7 Recent NSIPs in the former district of Selby have all fallen within the scope of EN-1. In addition to EN-3 and EN-5 where relevant.

- EN-1: Overarching NPS for Energy
  - Sets out the UK policy framework for the development of NSIPs, establishing the need for low-carbon energy supplies, and provides guidance on the decision-making process for energy DCOs.
- EN-3: NPS for Renewable Energy Infrastructure
  - Provides specific guidance on the development of renewable energy projects, including onshore and offshore wind, biomass, energy from waste and solar.
- EN-5: NPS for Electricity Networks Infrastructure
  - Provides specific guidance on the development of electricity networks, including overhead lines, underground cables and associated infrastructure.

National Planning Policy Framework

4.8 The National Planning Policy Framework ('NPPF') was originally adopted in March 2012 and most recently revised in February 2025 following an update in December 2024. The NPPF provides guidance and is a material consideration for local planning authorities in the determination of planning applications.

4.9 Paragraph 5 of the NPPF confirms the document does not contain specific policies for NSIPs. NSIPs are determined in accordance with the decision-making framework in the PA2008 and relevant national policy statements for major infrastructure, as well as any other matters that are relevant. However, the NPPF may can be relevant to NSIPs where it sets out national planning requirements on protecting environmental assets.

4.10 The principles of the NPPF as they relate to the key issues that North Yorkshire Council has been dealing with are as follows:

- Supporting the transition to a low carbon future and supporting low carbon and renewable energy infrastructure (paragraphs 161 - 169)
- Reducing landscape and visual impact (paragraphs 187) and conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes (Paragraph 189)
- Recognising the benefits that green infrastructure provides (Paragraphs 96, 164 and 187)
- Delivering biodiversity net gain and refusing planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated or compensated for (Paragraph 187)
- Protect designated and non-designated assets of the historic environment (Paragraphs 207 – 212)
- Limiting impacts on the Green Belt (Paragraphs 153 – 160)
- Creating well-designed, beautiful and safe places (Paragraph 8, 96, 131 - 141)

4.11 The NPPF also sets out general development management policies which should be referred to where necessary. For example, policies on promoting healthy and safe communities (Section 8); promoting sustainable transport (Section 9); making effective use of land (Section 11); achieving well-designed places

(Section 12); managing flood risk (Section 14); conserving and enhancing the natural environment (Section 15); and conserving and enhancing the historic environment (Section 16).

Local Planning Policy Context

4.12 Local plan policies are an important and relevant consideration in the determination of DCO applications. The SoS will have regard to LIRs produced by North Yorkshire Council per section 104(2) and 105(2) of the Planning Act 2008 when determining a DCO. NYC will refer to relevant local planning policies and any other relevant local considerations in preparing their LIR.

4.13 DCO applicants should have regard to the provisions of the adopted development plan. This guidance is focused on the former Selby district area and as such considers the policy position in that area only.

Selby Adopted Development Plan

4.14 The adopted development plan for the area within the boundaries of former Selby District Council comprises:

- The Selby District Core Strategy Local Plan (adopted 22 October 2013)
- The saved policies of the Selby District Local Plan (adopted 8 February 2005) which have not been superseded by the Core Strategy
- The Minerals and Waste Joint Plan (adopted February 2022)
- Appleton Roebuck and Acaster Selby Neighbourhood Plan (made 7 December 2017)
- Church Fenton Neighbourhood Development Plan (made 29 September 2021)
- Escrick Neighbourhood Development Plan (made 13 December 2022)

4.15 The following policies in the adopted development plan are likely to be of relevance to NSIPs and should be complied with. Other relevant Development Plan policies are referenced within the topic chapters that follow.

Energy Development

4.16 Policy SP13 Scale and Distribution of Economic Growth of the Core Strategy Local Plan ('CSLP') states that "*In rural areas, sustainable development (on both Greenfield and Previously Developed Sites) which brings sustainable economic growth through local employment opportunities or expansion of businesses and enterprise will be supported*."

4.17 The supporting text at Paragraph 6.32 confirms that the energy sector continues to be important to the economy of the District. Drax and Eggborough Power Station are major employers which contribute to national energy infrastructure as well as the local economy. "*They also have the potential for future development of renewable and low carbon energy, and Drax is pioneering co-firing technologies and energy generation from biomass. Both locations have the advantage of a direct connection to the National Grid. It is recognised that there is a need for further investment in energy infrastructure in line with national policy70 as a prominent contributor to economic prosperity. Supporting the energy sector will assist in reinvigorating, expanding, and modernising the District's economy*."

4.18 Policy EMP10 Additional Industrial Development at Drax and Eggborough Power Stations states that "*Additional industrial/business development may be permitted at or close to Drax and Eggborough power stations provided the proposal:*

1. *Is directly related to the process of generating electricity, either by making use of by-products from the power station or utilising a direct source of electricity;*

2. *Would be suitably linked to the strategic highway and rail networks and would not create conditions prejudicial to highway safety;*
3. *Would not create environmental problems associated with noise, smell or water pollution or dust emissions;*
4. *Would not have a significant adverse effect on residential amenity in nearby settlements;*
5. *Would be related to existing development and would be well screened, including provision for earth mounding and strategic off-site planting; and*
6. *Would not harm nature conservation interests or sites of archaeological importance*."

4.19 Policy SP17 Low-Carbon and Renewable Energy states at point (C) that all development proposals for new sources of renewable energy and low-carbon energy generation and supporting infrastructure must meet the following criteria:

are designed and located to protect the environment and local amenity or

can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity, and

impacts on local communities are minimised.

4.20 The Policy continues at point (d) that, "In areas designated as Green Belt, elements of many renewable energy projects will comprise inappropriate development and in such cases applicants must demonstrate very special circumstances if projects are to proceed and proposals must meet the requirements of Policy SP3 and national Green Belt policies"

Emerging Selby Local Plan

4.21 In September 2019, Selby District Council agreed to prepare a new Local Plan. Consultation on the Preferred Options took place in 2021, and consultation on the Publication Local Plan was held in Autumnn 2022.

4.22 Following the establishment of the unitary authority of North Yorkshire Council, the decision was taken to proceed with the Local Plan for the former Selby district. A key driver for this was the need to ensure a continued supply of housing sites in Selby and to retain a plan-led approach to housing delivery in line with the updated NPPF, until the new North Yorkshire Local Plan was formally adopted[7]. On the 26th February 2025 the Council opted to halt work on the Selby Local Plan. For further information please see the NYC website: Selby Local Plan

Emerging North Yorkshire Council Local Plan

4.23 The Council is now preparing a new Local Plan for the whole of North Yorkshire. This plan will replace all plans adopted by the former districts and boroughs. The draft timetable for the preparation of the new North Yorkshire Local Plan indicates that initial public consultation on the Issues and Options will take place in Spring 2025 with subsequent consultations on the draft plan taking place thereafter.

4.24 The Council intend to work to the following timetable to complete the preparation of a new Local Plan:

- Q2 2025: Public consultation on issues and options (Regulation 18)
- Q4 2026: Public consultation on preferred options (Regulation 18)
- Q4 2027: Publication of the pre-submission version of the Local Plan (Regulation 19)
- Q3 2028: Submission to the Secretary of State (Regulation 22)

[7] North Yorkshire Council (2022). *Selby New Local Plan*. Available at: https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-your-local-area/selby-planning-policy/selby-new-local-plan

- 2028-2029: Examination (Regulation 24)
- 2029: Adoption (Regulation 26)

4.25 For further information please see the NYC website: North Yorkshire Local Plan

Climate Change Strategy 2023-2030

4.26 On the 5th July 2022, North Yorkshire Council formally declared a climate emergency.[8] The Climate Change Strategy 2023-2030 was published by the Council in 2023 and sets out how the Council will respond to the climate emergency by reducing greenhouse gas emissions, preparing for the changing climate and supporting nature to thrive.

4.27 The Strategy sets out NYC's approach to fulfilling its ambition to become net zero in operational activities by 2030 and to work with partners to achieve York and North Yorkshire net zero by 2034 and carbon negative by 2040.

4.28 The land use targets at Diagram 2 of the Strategy include to plant 37,000 hectares of new woodland by 2038, increase the amount of hedgerows in the region of 20% by 2038 alongside improvements in hedgerow width and health; 100% of upland and lowland peatlands under restoration by 2038.

4.29 The power targets at Diagram 2 are to upgrade the electricity infrastructure to enable over double the existing demand by 2038; install an additional 2,500MW capacity from solar, onshore wind and hydropower by 2038l and install Carbon Capture and Storage to large biomass and fossil plants, capturing 8 Mt CO2 by 2030 and CCS retrofits onto Energy from Waste.

4.30 Key theme 1 is mitigation, reducing the impact on the climate by decreasing greenhouse gas emissions that are produced in North Yorkshire. The mitigation priorities are:

a. Renewable energy transition – increasing the amount of energy the Council generate and store from renewable sources such as solar power, hydro, geothermal and emerging technology and markets for 'green' hydrogen is an important priority, after the energy reduction measures outlined in the Strategy.

4.31 The Council's priorities to adapt to a changing climate (key theme 2), include the following relevant priorities:

d. Creating a resilient built environment - making sure infrastructure and buildings can cope with a changing climate.

e. Placing nature at the heart of adaptation – use nature-based solutions in our adaptation activities. Maximising habitat protection and management, and providing habitat corridors to allow species to move freely, can reduce this impact. Nature needs to be supported to adapt.

4.32 The relevant supporting nature priorities (key theme 3) include:

b. Prioritise nature-based solutions in climate change activity, such as natural flood management using trees and soils.

c. implementing statutory requirements – ensure that legislative requirements are used to support nature, including the North Yorkshire and York Local Nature Recovery Strategy, Biodiversity Net Gain, and the Local Plan when it is adopted.

d. Support nature through economic growth -

e. Sustainable land use and green spaces – ensure that land managers in the private sector support nature in the way that the land is managed.

[8] North Yorkshire Council (2022). *Minutes of meeting held 5th July 2022*. Available at: https://edemocracy.northyorks.gov.uk/ieListDocuments.aspx?CId=1147&MId=6413&Ver=4

f. Tree planting at scale – plant 37,000 hectares of new woodland across North Yorkshire

North Yorkshire Health and Wellbeing Strategy

4.33 The North Yorkshire Heath & Wellbeing strategy sets out the priorities identified within the Joint Strategic Needs Assessment that local government, the NHS and other partners will deliver through the North Yorkshire Health & Wellbeing Board. The Strategy sets out priorities for action to reduce health inequalities and provide improved health and wellbeing outcomes.

4.34 The priorities are presented under the headings “People”, “Place” and “Prevention”, though the interlinkages between these are recognised. The priorities within the “Place” section of the report are most relevant. The strategy aims to:

- Influence healthy design in the North Yorkshire Local Plan - we will prioritise the design of places to improve health and wellbeing; ensure developments do not adversely affect health; and use planning to promote creation of healthy places which make healthier choices easier.
- make best use of open spaces & natural environments;
- Make sure that all partners have a shared understanding of what is meant by a place-based approach, by agreeing together our vision and principles for healthy, happy places, and change the way that we communicate about the building blocks of health to increase public and partner understanding.
- Maximise the opportunities to improve the health and wellbeing of our population through the devolution deal for North Yorkshire and York which will support economic growth and strategic infrastructure.

Chapter 5
Landscape and Visual

Introduction

Overview

5.1 The former Selby district is a primarily rural landscape of relatively flat, low-lying farmland with a dispersed settlement pattern consisting of market towns, villages, hamlets and farmsteads. Whilst the District features numerous key transport routes and railway lines, there is still a strong sense of rurality and tranquillity across much of the landscape. It is therefore inevitable that large scale development will bring about landscape and visual impacts, as well as affecting the local character and the network of green infrastructure within the district. This chapter sets out the key considerations that any new NSIP scale development must consider.

Key Principles

Good Design

5.2 NPS EN-1 (paragraph 5.10.5) recognises that NSIPs are very likely to have adverse impacts on the landscape, but also notes the beneficial effects that may arise from mitigation. This includes the siting and design of projects which can be undertaken carefully in response to the local landscape.

5.3 The 'Criteria for good design for Energy Infrastructure' are set out in Section 4.7 of NPS EN-1. This sets out a holistic approach to design, including but not limited to aesthetic appearance. Above all, good design should be sustainable and sensitive to place.

5.4 The Planning Inspectorate has prepared 'Nationally Significant Infrastructure Projects: Advice on Good Design' (October 2024), which explains "*why good design is important, what success might look like and how it might be delivered*".

5.5 Good design needs to be built in from the project outset, rather than something that is appended at the final stages. A clear statement of design principles and/or an overarching 'design vision' for the project will set the tone and ensure design is embedded throughout the project.

Early engagement

5.6 Applicants for NSIP developments should seek to make best use of advice from the local authority. This may inform early stages of the project, helping to establish clear principles for design and mitigation of the proposals. Local authority landscape officers can advise on appropriate siting, layout responses, and can advise on how the proposals could contribute more meaningfully to the local landscape and green infrastructure through implementation of mitigation, enhancement and offsetting. Local authority officers can also advise on the potential cumulative effects of the proposals and methods by which these could be mitigated.

Policy Context

5.7 Paragraph 187 of the NPPF states that "Planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs…"

5.8 Paragraph 188 states that Plans should "distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries."

5.9 Policy SP2 Spatial Development Strategy of the Core Strategy Local Plan (CSLP) states that "Development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13; or meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances."

5.1 Policy SP3 Green Belt of the CSLP states that development within the defined Green Belt will not be granted planning permission where it is deemed inappropriate, unless the applicant demonstrates very special circumstances to justify development.

5.2 Policy SP15 Sustainable Development and Climate Change includes requirements for the design and layout of development, to ensure development contributes towards reducing carbon emissions and are resilient to the effects of climate change. These include inter alia, protecting, enhancing and creating habitats to improve biodiversity resilience to climate change and using biodiversity to contribute to climate change mitigation and adaption; including tree planting and new woodlands and hedgerows in landscaping schemes.

5.3 Policy SP17 is on Low-Carbon and Renewable Energy and in relation to landscape and visual impacts, it states that all development proposals for new sources of renewable energy and low-carbon energy generation and supporting infrastructure must be designed and located to protect the environment and local amenity, or can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity, and impacts on local communities are minimised.

5.4 Policy SP18 relates to protecting the environment and this includes safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance. Protecting and enhancing locally distinctive landscapes, areas of tranquillity, public rights of way and access, open spaces and playing fields.

5.5 Policy SP19 Design Quality of the CSLP expects all development proposals to contribute to the enhancement of community cohesion by achieving a design that is contextual with the local character and identity of its surroundings. Consideration should be given to the enhancement of Public Rights of Way (PRoW), public facilities, off-site landscaping, promotion of access to open spaces and green infrastructure, and to adopt sustainable construction principles whilst promoting community safety and minimising the risk of or fear of crime.

5.6 Saved Local Plan Policy ENV1 Control of Development states development proposals will be permitted provided "a good quality of development would be achieved". This accounts for the development's effect upon the character of the area and its design (materials and layout) fitting with the landscape. It concerns a development's impacts upon the highway network and local services to ensure there is sufficient capacity to

serve the proposal without negatively affecting existing infrastructure. The potential loss of and adverse impact upon heritage natural and built environments are to be considered as well as the needs of the public.

5.7 Saved Policy ENV3 Light Pollution requires outdoor lighting to be restricted. Outdoor lighting will only be permitted where lighting schemes are presented as part of the development proposal that clearly identify the level of light required for security and operational purposes, demonstrate that the design of lighting has been informed to minimise glare and spillage, would not adversely affect the safety of road networks, and that lighting of the development would not detract from the character of a rural area by a significant amount.

5.8 Saved Local Plan Policy ENV15 Conservation and Enhancement of Locally Important Landscape Areas requires that priority is given to the conservation and enhancement of the character and quality of important landscape areas over development. As such, developments must consider appropriate layout, design and use of materials to minimise adverse impacts on the landscape and traditional character of the built environment.

Local Sensitivities

Landscape Designations

5.9 Whilst North Yorkshire features a number of National Parks and National Landscapes, there are no international or national level landscape designations within the former Selby district area.

5.10 Local landscape designations within the district include Locally Important Landscape Areas, which are identified by the adopted local plan and core strategy (Policy ENV15). The extent and number of the Locally Important Landscape Areas have recently been reviewed as part of the emerging local plan and which were identified by the Selby District Local Landscape Designation Review, December 2019.

5.11 Strategic countryside gaps are also identified within the district (Policy SG7), to maintain and enhance the open character of the countryside within defined areas.

5.12 Both the adopted and emerging local plan set out specific polices in relation to protecting and enhancing landscape character, as well as the importance of high-quality design.

Preferred Information Sources

5.13 As set out in NPS EN-1 paragraph 5.10.17, applicants are expected to refer to relevant landscape character assessments and associated studies. These are noted below, but applicants are expected to use these documents to develop project-specific information around the relationship between the proposed development and the receiving landscape.

Selby District Landscape Sensitivity Study, September 2019

5.14 The Landscape Character Assessment (LCA) includes 17 locally specific landscape character areas covering the district. The document identifies the key characteristics, landscape character, key sensitivities, principal forces for change and management guidelines for each landscape character area.

5.15 The LCA should be used as a starting point to inform:

- the siting of the proposed development from the outset;
- the design and mitigation strategies in line with landscape character area management guidelines; and
- the baseline for the landscape and visual impact assessments.

5.16 In all cases, the information in the LCA should be supplemented with site-specific material that relates to the scale of the proposed development.

North Yorkshire and York Landscape Characterisation Project, North Yorkshire County Council, May 2011

5.17 The County-wide LCA includes a number of landscape character types (LCTs) that occur within the former Selby district, namely:

- 001: Urban Landscapes
- 006: Magnesian Limestone Ridge
- 023: Levels Farmland
- 024: River Floodplain
- 028: Vale Farmland with Plantation Woodland and Heathland

5.18 These LCTs provide higher level information than the Selby LCA but set the context within which the LCA was developed. See Figure 5.1 and figure 5.2 (Appendix C).

Selby District Landscape Sensitivity Study, September 2019

5.19 A number of areas surrounding settlements were assessed for their landscape sensitivity to residential and commercial development. In addition, the landscape sensitivity of LCTs within the former Selby district to wind energy developments (turbines up to 80m) was assessed.

5.20 Whilst the sensitivity study document is unlikely to be specifically relevant to the type and scale of NSIP projects, it provides an understanding of where the sensitivities lie within particular areas surrounding settlements and within landscape character types and can be used to gauge the appropriateness of the NSIP development type. It can inform site selection for developments that may be proposed closer to settlements, and may inform the baseline for assessments. For wind turbines, although 80m wind turbines are below the likely scale of NSIPs, there are general principles that may be relevant to site selection and design.

5.21 As with other baseline information, an understanding of landscape sensitivity should be developed based on the specifics of the proposed development and the receiving landscape.

Best Practice Guidance and the DCO Process

5.22 All landscape and visual impact assessments (LVIA) for NSIP projects must be guided by:

- Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, Third Edition (‘GLVIA3’); and
- Landscape Institute (2024) Notes and Clarifications on Aspects of GLVIA3, Technical Guidance Note LITGN-2024-01.

5.23 The exception to this is for new road or rail projects, where Design Manual for Roads and Bridges: LA 107 Landscape and visual effects (Highways England, 2020) and Design Manual for Roads and Bridges: LA 104 Environmental assessment and monitoring (Highways England, 2020) are applicable to reports/chapters.

Pre-Application Expectations

Scoping

5.24 This stage of the process is key to setting out the required landscape and visual information for the project. Key landscape and visual considerations which are essential to include within the Scoping Report are:

- A clear description of the Proposed Development, setting out the elements that may affect landscape and visual receptors, and the design choices that have informed the 'Rochdale Envelope' parameters (refer to Planning Inspectorate Advice Note Nine);
- Explanation of the site selection process, and reasoning for choice of site within the landscape;
- The extents of the landscape and visual study area, including justification of why it has been set at this distance;
- A clear understanding of the baseline conditions and information sources to draw upon, including national and local planning policy and landscape character;
- An understanding of the visual baseline including visual receptors to be affected, which include local residents/settlements and a clear list of representative viewpoints;
- An indicative list of proposed viewpoints that will be used to inform the assessment, presented alongside an initial zone of theoretical visibility (ZTV) map, and details of the receptors that each viewpoint represents;
- The legislation, planning policies and guidance that will underpin the assessment;
- The method and approach to assessment work, based on industry standards;
- The approach to landscape mitigation including consideration to embedded, standard and additional measures, and how this responds to the character of the receiving landscape;
- An understanding of cumulative sites within the study area and an early appreciation of the potential cumulative effects, along with the potential to provide appropriate combined mitigation measures;
- A comprehensive list of landscape and visual effects to be scoped in and scoped out of future assessment work; and
- Standards to be used for photography and visualisations.

5.25 Early engagement with the landscape officer is essential to align expectations and to avoid unnecessary changes to the approach later on within the pre-application or examination stages.

5.26 It is essential for the applicant to fully appreciate other development sites within the study area to understand the potential cumulative landscape and visual effects brought upon the inherent landscape. Therefore, wherever practicable, any mitigation measures should also consider effects of nearby planned development sites, to address the effects upon the wider landscape and to ensure that the wider green and blue infrastructure is addressed. The principles to this approach should be agreed with the landscape officer at an early stage and form an integral part of site parameters.

5.27 Should mitigation measures be deemed appropriate outside of the application boundary by the landscape officer, or should contributions be deemed appropriate to local initiatives in the local area, the mechanisms of securing this land and/or funding should be established prior to examination, as well as ensuring long-term management and maintenance.

5.28 Good design at the pre-application stage could include preparation of a Design Approach Document (DAD) as recommended by Planning Inspectorate guidance on Good Design. The DAD should provide a summary of key design processes, the options and solutions considered, and the design decisions that have been made. It should set out principles and commitments that have been established at this point, and should be clear about how these will be implemented through the development of the project through application to detailed design. The DAD can be updated throughout the application and implementation stages, so there is a clear continuity of approach to design.

Environmental Impact Assessment

Landscape and Visual Impact Assessment

5.29 In line with the approach set out in GLVIA3, the key steps in the methodology for assessing both landscape and visual effects are as follows:

- The 'study area' is defined and the area from which the Proposed Development may theoretically be visible is established through creation of a ZTV map based on the maximum parameters within the Rochdale Envelope;
- The landscape of the study area is analysed, and landscape receptors are identified, drawing on a combination of desk-based research and observations made in the field;
- The visual baseline is recorded in terms of the places where people are likely to be affected by views of the Proposed Development, and the nature of views and visual amenity, as seen by different groups of people;
- Representative viewpoints (potentially including both daytime and night-time views) are selected and agreed with the local planning authority;
- Likely effects, including cumulative effects, on landscape and visual resources are identified;
- The sensitivity of each receptor is judged, considering its susceptibility, and the value placed on the landscape or view by society;
- The magnitude of change to the receptor is judged, which considers a combination of assessments including the scale, geographical extent, duration and reversibility of the impact; and
- The level and significance of landscape and visual effects are judged with reference to the sensitivity of the receptor magnitude of change.

5.30 The assessment should clearly and unambiguously state which effects are considered to be 'significant' for the purposes of the EIA Regulations.

5.31 Effects should be fully considered during the construction and operation stages of the project, as well as during decommissioning if such effects are likely to be materially different to those of construction. Construction effects should be sure to consider the effects of all temporary accesses, working and storage areas within the draft Order Limits.

Residential Visual Amenity

5.32 Where visual impacts of the development have the potential to adversely affect the amenity or 'living conditions' of local residents, it may be deemed appropriate for the applicant to produce a Residential Visual Amenity Assessment. The Landscape Institute provides guidance within its 'Technical Guidance Note 02/19 'Residential Visual Amenity Assessment (RVAA)', March 2019. The local authority should be consulted on the scope of any required RVAA.

Lighting and Tranquillity

5.33 For all developments introducing additional night-time lighting, whether temporary or permanent and no matter how infrequent, LVIAs are to be supplemented by consideration of the effects of lighting on nighttime views. This assessment should include appropriate baseline photography to demonstrate current nighttime conditions. The presentation of photomontages accurately representing proposed lighting at night may be challenging, due to unknown factors particularly for temporary lighting. Applicants should consider what material may best illustrate the potential light levels and discuss these with the local authority.

5.34 Further advice on assessing effects of lighting is provided in the Landscape Institute's Technical Guidance Note LITGN-2024-01, paragraph 8(2).

5.35 An assessment of the visual effects of lighting is separate from a technical assessment of light levels, light spill, or other types of 'light nuisance' which needs to be considered by a specialist lighting expert.

5.36 Tranquillity is a particular aspect or quality of landscape character that is susceptible to impacts from built development, and can be affected by visual intrusion, light and noise. It may be appropriate to carry out a specific assessment of tranquillity to determine how the proposals may impact on this aspect of landscape. The Landscape Institute has published a Technical Information Note on Tranquillity (March 2019).

5.37 Baseline mapping of both relative tranquillity and relative night-time light levels has been published by CPRE and is available online.

Site Photography and Photomontages/Visualisations

5.38 Standards for the preparation of visualisations are set by the Technical Guidance Note 06/19 Visual Representation of development proposals (2019) produced by the Landscape Institute. It is considered that all baseline site photography should be taken and presented to 'Type 1' standard as defined within the technical note. Photomontage visualisations are essential to include in support of LVIAs and should be produced to 'Type 3' standards as a minimum. In some cases, alternative wireline type views may be useful in providing supplementary information. The presentation of visualisations should be discussed with the local planning authority.

Trees and Vegetation

5.39 The impact of the proposed development on trees and vegetation can be quantified through use of an Arboricultural Survey meeting British Standard BS5837. A Tree Survey Plan of the site should be drawn up to show the locations of trees in relation to the proposed development. The Applicant should demonstrate how measures have been taken to avoid or minimise the loss of trees. The retention of trees and vegetation can be a central part of mitigation measures to ensure that the proposals can be accommodated in the receiving landscape.

Soils and Agricultural Land

5.40 While not directly related to LVIA, an understanding of soils will inform the development of appropriate landscape mitigation proposals. Applicants should undertake agricultural land classification survey and assessment of potential effects on soils and agricultural land within the whole draft Order Limits, and this should be included within the EIA. A Soil Resource Plan and Soil Management Plan will be needed in order to protect and manage site soils, including protection and restoration of best and most versatile land where appropriate.

Cumulative Interactions

5.41 The location of cumulative sites within the study area, as defined at scoping stage, will be assessed appropriately using guidance provided within GLVIA3. The ways in which projects interact and have combined effects, as well as additional effects, should be considered and clearly set out in the LVIA. Opportunities should be taken to explore appropriate mitigation measures that reduce overall cumulative landscape and visual effects across different projects. Early engagement and potential collaboration between developers of projects that would interact in these ways is strongly encouraged wherever possible.

Mitigation

5.42 Landscape mitigation measures are an essential part of reducing landscape and visual effects and providing enhancements to the local landscape. The following are all necessary to ensure landscape mitigation can be delivered. It is important to reiterate that all applicants need to consider design of the proposals throughout the NSIP process, not just as mitigation at the end.

5.43 Mitigation measures should form a coherent whole, guided by initial principles and developed throughout the project so that a clear rationale can be presented for all design choices. The mitigation design

is likely to include some landscape screen planting, but this should not be delivered in isolation but should form part of a site-wide landscape strategy that ties together design and mitigation decisions at all levels. Site selection and layout should clearly be guided by design-led principles, noting that technical constraints will also need to be addressed.

5.44 Mitigation should be designed and developed to reduce the overall impact of the proposed development. This can be undertaken regardless of whether or not effects are found to be significant in EIA terms. Any measures which assist in better accommodating development into the landscape can be beneficial, whether the effects of the proposed development are already limited, or if they would remain significant in the longer term. Application of design should seek wherever possible to not simply reduce negative impacts, but to deliver landscape benefit.

Design Guidance

5.45 All applications are to provide information setting out how design is considered within the assessment, in accordance with national guidance.[9][10] Specifically, this should address all landscape and visual impacts and respond effectively to the character and sensitivities of the site and the surrounding landscape.

5.46 Particularly where a 'Rochdale envelope' approach is taken, where detail design is undertaken post-consent, the applicant should provide a design guide or design principles that will secure good design. The parameters plan will serve as the basis for this, but measures will need to be secured through the post-consent detailed development process. The design principles should be discussed and agreed through engagement with the LPA throughout the process.

5.47 The design guidance document(s) should include (but should not be limited to) the following essential components:

- Landscape baseline conditions and an understanding of the landscape and its character.
- Overall design vision and associated design principles, including any relevant approaches to good design and appropriateness to local landscape character.
- Consideration of landscape character zones with specific design principles.
- Principles for hard and soft landscape design, including the broad choice of materials and plant species.
- Specific detailed guidance in relation to building massing, material and colour choices, fencing and planting.
- Landscape management and maintenance, including responsibilities.

5.48 The design guidance should provide any additional information as requested by local authority officers and be coordinated with other disciplines, including ecology, heritage, arboriculture, hydrology etc.

Parameters Plan

5.49 It is essential that the parameters plan that forms the basis for assessments includes all landscape mitigation, including sufficient detail to secure the delivery of appropriately detailed proposals, post decision. All mitigation proposed on the parameters plan needs to be within control of the applicant and/or within the application boundary. Other material such as landscape masterplans, landscape strategy plans or similar should only be relied upon as mitigation with securing requirements in the draft DCO. The type of details required should ideally include:

[9] Planning Inspectorate (2024) Nationally Significant Infrastructure Projects: Advice on Good Design. Available at: Nationally Significant Infrastructure Projects: Advice on Good Design - GOV.UK
[10] National Infrastructure Commission () Design Principles for National Infrastructure. Available at https://nic.org.uk/app/uploads/NIC-Design-Principles.pdf

- Types of planting including woodland, scrub, hedgerows or any planting deemed as essential mitigation to reducing landscape and visual effects, to be specifically defined.
- Heights of all types of planting at the time of planting. Average heights are to be avoided, instead percentages of different heights are encouraged.
- An indication of whether planting is either deciduous or evergreen with appropriate percentages provided.
- Assumptions of growth rates for all types of planting over the period covered by the LVIA.
- Any artificial earth bunds including heights relative to existing/proposed ground levels and the steepness of slopes. Average heights and steepness are to be avoided, with appropriate variations set out at reasonable intervals.
- The treatment of publicly accessible routes through sites i.e. public rights of way, including surface treatment, signage, fencing/gates etc.

5.50 Where mitigation measures are deemed to be appropriate beyond planning application boundaries, the same level of detail for parameters are to be secured.

5.51 Mitigation measures need to be coordinated with future statutory Biodiversity Net Gain (BNG) requirements, ensuring that landscape and ecological requirements are complementary to one another.

5.52 It is encouraged that a plant palette is agreed in conjunction with both landscape, ecological and arboricultural officers prior to examination.

Wider Benefits

5.53 Applicants must consider not only the necessary mitigation measures for their proposed scheme, but also how they could contribute to wider enhancements to local communities and those living, working and using the landscape. These wider benefits are expected to have an emphasis upon health and well-being and must respond to specific local community needs. Applicants are encouraged to engage with local authority officers to ascertain how they can best provide local enhancements and that this becomes integral to overall development proposals.

5.54 For example, applicants may be able to contribute to green infrastructure enhancements, or to woodland creation in the local area. This may be appropriate to offset impacts of development, including cumulative impacts.

5.55 Mitigation measures planned outside the draft Order Limits cannot be secured through the DCO process. It may be necessary to seek Section 106 agreements to secure necessary measures such as off-site planting. This will need to be discussed with the local planning authority.

Post-Decision Expectations

5.56 The Environmental Management Plan must include details of landscape management for all hard and soft landscape elements of the project. It may be possible to incorporate ecological mitigation and BNG requirements into the landscape mitigation proposals. While this is desirable, it should be noted that the functions of landscape mitigation and BNG are separate and that each must meet its own necessary requirements.

5.57 An initial establishment period of five years is typically required. During this period, regular monitoring and replacement of any failures will be necessary to ensure that planting becomes established, and that it will begin maturing towards the desired level of growth.

5.58 The scope of landscape management must cover a minimum of 30 years, or the lifetime of the scheme, whichever is longer, and should be combined with ecological input. Landscape management should include details of the following:

- Landscape baseline conditions
- Landscape Aims and Design Principles
- Landscape management during construction and during operation, including an outline maintenance schedule
- Responsibilities for Management operations
- Monitoring and Reviewing – with any suggested changes to management regimes to be sent to the relevant officer for approval.

5.59 The landscape management should state the relevant standards for all operations to be undertaken, which should be in accordance with British Standards or other relevant industry guidance. Periods of monitoring and reviewing should be agreed with the landscape officer, which could coincide with ecological requirements.

5.60 The local planning authority will review the landscape management plan post-consent and will offer guidance on improvements as appropriate, prior to approving the plan for construction.

5.61 Where a Design Panel or similar review process is proposed, the local planning authority should be consulted on:

- The makeup and membership of the Design Panel;
- The terms of reference of the Design Panel; and
- The commentary of the Design Panel, which should be supplied alongside the final design plan documents for review by the local planning authority.

Chapter 6
Historic Environment

Introduction

6.1 The former Selby district is a largely rural area, composed of relatively flat, low-lying farmland. The area has a long and varied history of settlement and, due to its central position and being criss-crossed by key communication routes, has been touched by most of the major processes in British history. Consequently, the former district hosts a wide range of assets of national importance and a complex archaeological record that can be susceptible to the effects of major development.

Overview

6.2 Selby's geography has had a major influence on its historic environment. Although largely low-lying, the presence of the Southern Magnesian Limestone Ridge in the west of the area created a natural routeway through the landscape from the earliest times – enabling human communities to traverse an otherwise wet and inhospitable landscape on the fringe of the proglacial Lake Humber.

6.3 The ridge is punctuated by the corridors of major rivers, cutting through from west to east, and serving as 'prehistoric highways' for Mesolithic, Neolithic and later prehistoric communities to travel up and down waterways – such as the River Wharfe – between seasonal resources and settlements. The importance of these locations is underlined through the presence of major ritual and funerary complexes, including the Newton Kyme henge monument and barrow cemetery.

6.4 The ridge remained an important communications route throughout history, with the Romans establishing formal roads and a network of fortifications (e.g. the Copmanthorpe to Tadcaster road, and the Newton Kyme fort complex), with subsequent waves of invaders also making use of the established routes and its link to the sea afforded by the River Ouse – with Viking, Anglian, Saxon and Norman settlers all arriving by sea. The proximity to the Roman and then Viking city of Eboracum/Yorvik meant that Selby district, and the town itself, were at the crossroads of many of the major events in British history. Indeed, the main transport corridors of the A1 and the East Coast Main Line still follow this feature today.

6.5 The strategic importance of the area, as the safe western route around the marshes of the Humberhead Levels, provided a focus for ecclesiastical activity, with various religious orders establishing monastic houses in the region – including the first post-Norman Conquest foundation at Selby (Benedictine, f.1069), the Augustinian priory at Drax, the Knights Templar foundation at Temple Hirst, and Cawood Castle, the former residence of the powerful medieval Archbishops of York. Similarly, military installations – such as the motte and bailey castle at Selby – partly mirror the distribution of earlier Roman fortifications and illustrate the need to maintain control of newly-conquered territory. The mark of conflicts through history can still be read in the landscape, with the Towton Registered Battlefield (1461, Wars of the Roses), and the role of Tadcaster Bridge and the presence of later military installations up to and including WW2 and Cold War-era airfields. The archaeological potential of the Ridge is therefore particularly high.

6.6 More intensive settlement of the landscape and improving agricultural technologies through the medieval and post-medieval period saw the development of drainage schemes and the expansion of agriculture into former wetland areas. The area has a particularly dense distribution of moated sites,

reflecting the agricultural potential of the area – and the desire of the Crown and nobles to maintain control of the region. These processes give Selby a rich historic landscape record that is underappreciated and vulnerable to the effects of landscape-scale change. Similarly, the low-lying nature of the east of the district means that the effects of climate change are particularly marked – along with the need to deliver adaptation. The high geoarchaeological and palaeoenvironmental potential of former wetland deposits are a key consideration in large-scale flood alleviation works, major development and infrastructure planning.

6.7 The dispersed settlement pattern of the district largely reflects the medieval and post-medieval scatter of market towns and subsidiary villages, interspersed with extensive field systems. This pattern, and the morphology of settlements themselves, are vulnerable to change.

6.8 The proximity of the area to the coalfields, the existing railway network and the availability of water resources from the Ouse and the Wharf, made the area a natural choice for the establishment of coal-fired power stations at Drax, at Eggborough, and on the edge of the district at Ferrybridge, in Wakefield District. These enormous complexes and their distinctive hyperboloid cooling towers dominated the skyline of the area for decades, but have recently been decommissioned and demolition work is complete at Eggborough, and is ongoing at Ferrybridge. However, the area's strategic position on the National Grid transmission network means that energy development, making use of this capacity and the potential for wind, solar and battery storage opportunities, are likely to remain a key pressure on heritage assets and the historic environment in the coming decades.

Key Principles

Front-loading understanding the historic environment

6.9 Understanding the potential for development to interact with the historic environment should be a key part of the design development process. This can help to ensure that a strong understanding of the character, significance and setting relationships of affected assets is fed into the constraints mapping and iterative design approach, for example influencing the routeing of overhead lines or the position of solar arrays in the landscape to avoid and/or reduce adverse impacts. Waiting until the assessment stage creates unnecessary and avoidable problems, results in higher costs for applicants, and generally produces less satisfactory results all around.

Avoiding impacts by design

6.10 Major infrastructure will almost inevitably have some level of environmental impact, and effects to heritage assets are no exception. However, ensuring that effects are minimised through the design process is a key means of demonstrating that any unavoidable impacts that need to be mitigated (e.g. through archaeological excavation) are necessary and have been kept to a minimum – saving costs to developers, illustrating the robustness of design and assessment processes, and ultimately minimising the level of damage.

Early engagement

6.11 In addition to the statutory consultation processes, applicants for major development should aim to take advantage of the advisory services offered by the local authority curatorial archaeologists, conservation officers, and Historic England (HE). This can secure a range of efficiencies in terms of understanding:

- Information requirements and scope of assessment
- Key issues and likely sensitivities
- Information on previous and ongoing work in the area to inform the understanding of the historic environment resource
- Public sector colleagues' perspectives and requirements, establishing positive working relationships to smooth and support statutory consultation.

Integration

6.12 EIA and the design of major development can often be a relatively siloed process, with specialists sticking to their own subjects and not necessarily communicating – or having communication facilitated – effectively. This can often lead to design moves to avoid impacts on other environmental interests having unintended consequences. A classic example is where extensive ecological mitigation plans, including habitat creation and other compensatory measures, end up being more likely to result in adverse effects to archaeological assets in particular, than the scheme itself.

6.13 Applicants should ensure that their specialist teams prepare and provide integrated information to ensure that harm is avoided and benefits optimised wherever possible.

Policy context

6.14 Chapter 16 of the NPPF sets out requirements with regards to conserving and enhancing the historic environment.

6.15 Saved Policy ENV27 Scheduled Monuments and Important Archaeological Sites states the settings of heritage sites and features should not be adversely affected by development proposals and that there is an assumption in favour of their physical preservation during the decision-making process. It is only in exceptional circumstances, where the need for development is clearly demonstrated, permission will only be permitted where archaeological remains can be preserved in situ through sympathetic layout or design.

6.16 Saved Policy ENV28(A) Other Archaeological Remains concerns development proposals that affect sites of known or possible archaeological interest. In such cases, the Policy requires that a development proposal is accompanied by an appropriate archaeological assessment / evaluation.

6.17 Under Saved Policy ENV16, Development Affecting Historic Parks and Gardens, proposals affecting historic parks or gardens will only be permitted where the appearance, setting, character or amenity of the asset would not be harmed. Similarly, the same restrictions apply to historical, archaeological or landscape interest of registered historic battlefields will not be permitted by Saved Policy ENV17 Historic Battlefields.

6.18 Policy SP18 of the Core Strategy Local Plan relates to protecting the environment and this includes safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance.

Local Sensitivities

General susceptibility to major development

6.19 Heritage assets, regardless of levels of protection, can be susceptible to **physical effects** – where proposed development would result in loss of or change to historic fabric or archaeological deposits – and to **setting change**, where the surroundings and relationships of the asset that contributes to its significance would be altered by proposed development.

6.20 For major developments, the potential for both types of effect are necessarily higher, with more substantial losses of fabric and more extensive setting change likely (e.g. large-scale grid infrastructure or generating facilities). Similarly, the larger the project, the greater the potential for **cumulative effects** – introducing additional effects to assets already harmed by similar projects, or having a more extensive effect on the same or similar asset or historic landscape types, eroding their overall significance.

6.21 The very flat topography of the Humberhead Levels means that taller development has the potential to be visible over significant distances, particularly from the few areas of higher ground and from the settlements on the Southern Magnesian Limestone ridge.

Designated assets (see figure 6.1, Appendix C)

Listed buildings

6.22 The majority of the area's listed buildings are concentrated within settlements, focused on the historic core of the market towns and larger villages, protecting their churches, historic industrial buildings, commercial and institutional buildings. In contrast to much of North Yorkshire, there are comparatively small number of large country houses – reflecting the relatively late agricultural development of the Humberhead Levels. Conversely, the area has a particularly fine record of 19th century agricultural heritage, relating to the intensification of production necessary to cater to the burgeoning industrial centres of West Yorkshire.

Key issues

6.23 While it is unlikely that major infrastructure schemes will directly affect the fabric of listed buildings, the potential for effects arising from setting change is high. For example, in compromising the ability to understand and appreciate the agricultural origins and landholding relationships of 19th century farmsteads and farmhouses, or in obscuring the rural setting of former agricultural villages.

6.24 In addition, the rural road network and roadside assets, and particularly bridges, are vulnerable to damage as a consequence of vibration or accidental collisions, and need to be considered carefully in the planning and assessment of large-scale projects.

6.25 The setting of listed buildings is afforded statutory and policy protection. It is therefore essential for applicants to ensure that the contribution to significance of the setting for potentially affected buildings is understood at an early stage. For the majority of assets within towns and villages, extensive setting relationships are often less likely – but for larger and higher-status country houses, ecclesiastical buildings and monumental structures long-distance views, both of and from, assets can be important.

Scheduled monuments

6.26 The designated assets of the area span from the 4th millennium BCE through to the 1940s, encompassing assets as diverse as henge monuments, Roman fortifications and World War II defences.

6.27 The medieval period is particularly strongly represented, with a number of high-status sites – including the Grange of the Prior of Bolton Abbey, Cawood Castle - the residence of the medieval Archbishops of York, Tadcaster motte and bailey castle, and a series of aristocratic moated sites.

Key issues

6.28 Predicted physical impacts on a scheduled monument would very rarely be considered acceptable, given the level of legal and policy protection afforded and the need for separate Scheduled Monument Consent from Ministers. Avoidance of physical interactions must therefore be a key design principle for all major developments.

6.29 Recent legislative change, via the Levelling-up and Regeneration Act 2023, provides statutory protection for the setting of scheduled monuments on the same basis as already existed for listed buildings.[11] While policy protection, via National Policy Statements, was already in place this increases the priority that applicants need to give to understanding and conserving the setting of scheduled monuments. Unfortunately, there is often an assumption that archaeological assets, and particularly below-ground features, 'do not have a setting'. This runs counter to both National Policy Statements and associated guidance; all assets have a setting – and it is incumbent on applicants to ensure the nature and level of its contribution to assets' significance is properly understood and demonstrated. For major infrastructure projects, as noted above, this is best done during the feasibility and early stages of the design process to ensure that potential constraints are taken into account and can facilitate early and positive engagement with consultees.

[11] The 2023 Act adds Section 58B to the Town and Country Planning Act 1990

Registered parks and gardens

6.30 Registered Parks and Gardens (RPGs) are inherently larger-scale, area-based designations that often encompass many phases of development, and incorporate archaeological and built heritage assets, in addition to the character and significance of the designed landscape itself. As complex, composite assets, bringing together the appropriate expertise to understand the various elements of significance is important. This can also include habitat, species and horticultural values, as well as more familiar heritage values.

6.31 There are only two RPGs in the former district – Moreby Hall and Nun Appleton Hall. However, designated areas represent only part of the wider design and landholdings that contribute to their significance. Understanding the historical extent of such assets, their relationships with earlier and contemporaneous built and archaeological assets, and the mutual support to significance is therefore a priority.

Key issues

6.32 Understanding and avoiding severance of key views and functional relationships between assets is a key consideration, particularly for linear infrastructure. Similarly, the potential for cumulative effects within designed views requires thoughtful approaches to design and mitigation.

Registered battlefields

6.33 The Towton registered battlefield is a particularly extensive asset, covering around 660ha of open countryside between the villages of Towton and Saxton.

6.34 The battle, in 1461, was a key engagement in the Wars of the Roses (1455-87), and the battle that secured Edward IV's position on the throne of England. It is reputed to have been the largest, and bloodiest, battle fought on British soil, with an estimated 9,000-11,000 dead out of a combined force of 50-80,000. Due to these factors, and the good levels of preservation, it is one of the best-researched battlefields in England, including the first battlefield mass grave to have been subject to systematic archaeological excavation.[12]

Key issues

6.35 While the battlefield was on the Heritage at Risk Register for a number of years due to development pressure, this is no longer the case – however, managing the physical integrity and the setting relationships (particularly in terms of legibility of troop movements and principal engagements) will be a key consideration for any development in the vicinity.

6.36 As a general principal, avoiding physical interaction with the battlefield should be the approach taken by prospective applicants. The complexity of the archaeology, its relationships with topographical features and the need to conserve and manage these factors – as well as relationships with other assets – is likely to prove challenging.

Conservation areas

6.37 The former district's conservation areas comprise the historic urban cores of the larger market towns, including Selby and Tadcaster, and villages with their origins in the medieval period, such as Womersley, Snaith and Stillingfleet. While their significance lies principally in the architectural and historical interest of the settlements and their historic character, many do derive a portion of that significance from setting relationships. As historically agricultural settlements, the rural setting – including strip fields, relict ridge-and-furrow cultivation, and associated historic landscape structure – makes an inherent contribution to their character and significance. Similarly, the distinctive morphology of medieval settlements, and their relationship to surviving town fields, back lanes and historic routes through the landscape all combine to create a strong sense of time-depth.

[12] Fiorato, *et al.* 2007 *Blood Red Roses: The Archaeology of a Mass Grave from the Battle of Towton AD1461.*

Key issues

6.38 The conservation area designation hinges on the character and appearance of the area, and the desirability in planning terms of protecting that. For prospective applicants, understanding how the settlements work at a system level – as well as establishing the interest and importance of individual buildings – is critical. Each conservation area is more than the sum of its parts, and all enjoy a complex relationship with later phases of development, their environmental context and their rural hinterlands.

Preferred Information Sources

Nationally designated assets

6.39 Information on all national designations can be obtained, free of charge, from HE via the National Heritage List for England website (NHLE) for quick reference, and from the HE's Open Data Hub for spatial data to facilitate appropriate analyses.

6.40 NHLE data is a starting point for understanding designated assets, rather than the last word on their significance. Applicants should ensure that a range of sources are consulted, including published information and grey literature held by the North Yorkshire Historic Environment Record (HER).

Locally designated assets

6.41 Information on conservation areas can be sourced from North Yorkshire Council, which provides online mapping of these assets along with published conservation area appraisals, containing detailed information on the history, development and management requirements for these historic places.

Undesignated heritage assets

6.42 The North Yorkshire Historic Environment Record (HER) is the most up-to-date source of information on archaeological assets and archaeological investigations ('events') in the region. For commercial searches, there is a charge for data licencing and officer time, starting at £177.50.

6.43 The HER can also supply the Historic Landscape Characterisation (HLC) data, providing spatial data and associated documentation on the history and development of the region's landscapes.

6.44 Applicants are required to consult the HER as a minimum and should be prepared to share sufficient spatial information to ensure that appropriate search areas are agreed. In turn, the HER will commit to confidentiality.

Best practice guidance and the DCO process

Pre-application expectations

Scoping

6.45 This stage of the process is key to setting out the required historic environment information for the project. Key considerations that are essential to include within the Scoping Report are:

- A clear description of the Proposed Development, setting out the elements that may affect historic environment receptors (i.e. heritage assets and historic landscape character).
  - This should include, as far as practicable at this stage, allowances for temporary works required to facilitate construction and operation – such as construction compounds, borrow-pits, temporary access, fencing, soil storage mounds etc.
- Explanation of the site selection process, and reasoning for choice of site with reference to key historic environment constraints;
- The extents of the intended study area, including justification of why it has been set at this distance:

  - This should include the use of a zone of theoretical visibility (ZTV) model to identify assets that may be at risk of impacts due to setting change.
- A clear understanding of the baseline conditions and information sources to draw upon, including National Policy Statements and local planning policy.
- An understanding of the historic environment baseline including assets likely to be affected, and an appropriate understanding of archaeological potential within the proposed development footprint.
- The legislation that applies.
- The guidance to be applied in formulating and delivering the methodology.
- The method and approach to assessment work, and the standards applied.
- Discussion of the proposed approach to pre-consent archaeological investigations necessary to support the baseline understanding of the study area / development footprint – e.g. where and what type of geophysical survey will be applied, how that will inform any necessary evaluation trenching and, in turn, the approach to informing the mitigation strategy.
- The approach to integrated mitigation including consideration of embedded (i.e. design, and best-practice measures built into the scheme as part of a Construction Environmental Management Plan) and additional mitigation (i.e. measures required over and above the scheme itself, such as landscape design or screening) to be applied, and compensatory measures (such as archaeological excavation) necessary.[13]
- An understanding of cumulative developments within the study area, and an early appreciation of the potential cumulative effects.
  - Generally, cumulative effects in this context will be confined to setting change to assets. However, in certain circumstances, attention should be given to the potential for multiple developments to give rise to cumulative losses of archaeological material or palaeoenvironmental deposits that may be affected by multiple schemes and additional pressures.
- A comprehensive list of historic environment effects to be scoped in and scoped out of future assessment work; and
- Standards to be used for photography and supporting visualisations to accompany the later stages of environmental assessment, including an indicative list of asset viewpoints.
  - Applicants should take care to consider not only views **from** affected assets, but also the potential for in-combination views of assets with the proposed development (which may not show as having direct intervisibility in ZTVs).
    This could include, for example, wind turbines in views of a historic village, radically changing its sense of rurality; or overhead transmission lines in key views of a rural church, changing its sense of scale and prominence as a skyline feature in an otherwise strongly horizontal landscape.

6.46 Early engagement with the local authority archaeologist and conservation officer is essential at this early stage, to align expectations and to avoid unnecessary changes to the approach at later stages in the pre-application or examination stages. Similarly, where the proposed development has the potential to affect scheduled monuments, grade I or II* listed buildings, registered parks and gardens and/or registered battlefields, HE must also be consulted.

Pre-application discussions

6.47 In addition to the formal scoping process, engaging with local authority historic environment officers and HE is strongly recommended. The pattern and distribution of effects arising from NSIPs are often complex and wide-ranging, and building a shared understanding of the scheme, and the necessary means of

[13] Although often described as 'mitigation', in EIA terms, archaeological excavation is a compensatory measure. It does not reduce the level of impact on the asset itself or its significance – the original fabric is still lost, along with its contextual relationships, and can never be replaced. However, the information recovered does offset that impact to a degree – but this can never be 100% and does not change the irreversible loss of historic fabric or the opportunity to study and understand that directly for future generations.

understanding, assessing and presenting the outcomes of the EIA process, is important in reducing the burden on applicants and public bodies alike. Similarly, building trust and confidence between the appointed specialists and regulators is critical in ensuring the delivery of good quality assessments and smooth passage through the relevant stages of the DCO process.

Methodology and guidance

6.48 It is anticipated that applicants will, without exception, apply current best practice industry and government guidance – and set out clearly what will be used in Scoping Reports. This should include the following:

- Relevant National Policy Statements that apply to NSIPs
- Planning Practice Guidance (although, strictly, this accompanies the NPPF, the content of this and the NPS regarding the historic environment are functionally identical)
- Historic England publications:
  - Good Practice Advice Notes (GPAs):
    - GPA2: Managing Significance in Decision-Taking in the Historic Environment
    - GPA3: Setting and Views
  - Advice Notes (HEANs)
    - HEAN 12: Statements of Heritage Significance
    - HEAN 13: Mineral Extraction and Archaeology (where relevant to the project)
    - HEAN 15: Commercial Renewable Energy Development and the Historic Environment (where relevant to the project)
- Methodological guidance:
  - IEMA, IHBC & CIfA Principles of Cultural Heritage Impact Assessment in the UK[14]
  - Design Manual for Roads and Bridges, LA106: Cultural Heritage Assessment
    - To be used **only** for roads development
  - CIfA Standard and Guidance for Historic Environment Desk-based Assessment
  - CIfA Standard and Guidance for Geophysical Survey
  - CIfA Code of Conduct: Professional Ethics in Archaeology

6.49 In understanding the scope of necessary works and proposing an approach, applicants should aim to provide a single, unified chapter on the historic environment / cultural heritage, that presents integrated and cross-referenced information on archaeology, built heritage and historic landscapes, including any relevant intangible heritage considerations that may apply.

6.50 Applicants should avoid unhelpful conflation of, for example, townscape and built heritage – which often leads to confusion in both the assessment and for the use of regulators and the interested public.

6.51 Regulation 14(3)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regs') requires[15] that applicants take into account 'current knowledge and methods of assessment' in preparing ESs. This enables decision-makers and regulators to insist on the use of what they consider to be the most appropriate means of assessment for any given topic.

[14] Institute of Environmental Management & Assessment; Institute of Historic Building Conservation; and Chartered Institute for Archaeologists (2021)
[15] (3) The environmental statement…**must** – [LUC emphasis, highlighting instruction, rather than advisory, clause]

Preliminary Environmental Information Report (PEIR)

6.52 A PEIR provides applicants and regulators the opportunity to share a proportionate and controlled view of the key historic environment issues, understand the information-gathering and assessment processes to date, and any potential effects that are likely to be considered to be consenting risks – and agree a means of addressing these prior to DCO application submission.

6.53 PEIR is not, however, intended as 'draft ES'. It is meant to be a key stage in the design and assessment iteration of the scheme, and a critical opportunity for regulators to feedback on assessment methods, emerging outcomes and consenting risks arising from significant environmental effects.

6.54 Local authority historic environment colleagues would anticipate being consulted prior to the formal submission of PEIR to ensure that the methods, approaches applied, and information gathered reflects those agreed at Scoping.

6.55 Applicants are reminded of the requirement, under Regulation 14(3)(a) of the EIA Regulations, that where a Scoping Opinion has been adopted, the applicant's ES should "*be based on the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)*." This means that, unless there is a very good reason, applicants should be applying the approach agreed at Scoping. If the scheme has changed so materially that the Scoping Opinion is no longer appropriate or relevant, it is the Planning Inspectorate's view that applicants should consider submitting a new scoping request.

Environmental Impact Assessment

6.56 As indicated above, it is expected that applicants will apply the relevant government and sectoral guidance in developing and applying their methodologies for assessment. While there is no single, government-mandated methodology for cultural heritage assessment, it is considered best practice to adopt that issued by the professional bodies governing archaeology and built heritage.

6.57 The exception to this is for new road projects, where the Design Manual for Roads and Bridges: LA 106: Cultural Heritage Assessment applies.

6.58 It is anticipated that, in line with the EIA Regs, only significant effects will be presented within the ES chapter itself. However, all anticipated effects should be reported in the accompanying technical appendix, accompanied by the necessary mapping and figures. Similarly, any ancillary studies undertaken (e.g. the results of geophysical survey, trial trenching, measured survey or standing building recording) should be provided as appropriate appendices, along with the Written Scheme of Investigation agreed with the local authority, a clear record of all consultation undertaken, and all relevant correspondence.

Photography and visualisation standards

6.59 No historic environment-specific guidance exists for asset-based visualisation standards. In the absence of any such guidance, applicants are expected to rely on the Technical Guidance Note 06/19 Visual Representation of development proposals (2019) produced by the Landscape Institute.

6.60 All baseline site photography should be taken and presented to 'Type 1' standard as defined within the technical note. Where photomontages are required by consultees, these should be produced to 'Type 3' standards as a minimum. (At the time of writing, this Guidance note was under review by the Landscape Institute.)

Cumulative assessment

6.61 Schemes giving rise to potential cumulative effects as a consequence of setting change should be assessed on the following basis:

- Operational and schemes under active construction: considered as part of the baseline.
- Consented schemes: assessed as part of the cumulative picture.

- Schemes in planning, from Scoping onwards: assessed as part of the cumulative picture.

6.62 Cumulative interactions are necessarily complicated, and engagement between developers at as early as practicable a stage is strongly encouraged.

Mitigation

Embedded mitigation

6.63 Good scheme design development should always include and take account of a strong understanding of the environmental baseline – in this case the constraints posed by the fabric and setting of heritage assets.

6.64 Ensuring that the design avoids and, as far as possible, reduces effects to heritage assets must be a key design principle. For example, the specification of surface-mounted solar panels (i.e. panels affixed to above-ground concrete raft foundations to avoid ground penetration) in areas of high archaeological value.

6.65 Similarly, measures built directly into the plan for scheme delivery – for example, through Construction Environmental Management Plans or the like – are considered to be **embedded mitigation**. These are part of the scheme and therefore contribute to whatever level of effect is identified. These measures cannot, as often happens, be effectively double counted against the effects the scheme would have had without them in place.

Additional mitigation

Pre-consent investigations

6.66 Any archaeological work requested by the local authority archaeologist or HE prior to consent is **not mitigation** – instead, this evaluation work, whether geophysical survey, trial trenching or open area 'strip, map and record' evaluation, forms part of the impact assessment process.

6.67 Pre-consent work will only be requested where there is uncertainty as to the nature, extent and significance of archaeological remains. As any level of invasive work results in some loss of historic fabric/archaeological material, requests for such interventions are not made lightly. Instead, such works are a critical step in informing the mitigation strategy for the proposed development – identifying where assets may be of such significance that preservation in situ is the only acceptable means of enabling the development to proceed, with necessary redesigns. Equally, investigations can demonstrate lower levels of potential than anticipated, enabling any additional work to be delivered as conditions on the consent.

Fieldwork under conditions

6.68 It is usual that, when the loss / damage to identified archaeological assets be considered acceptable with appropriate fieldwork, that the necessary work is secured by condition on the consent.

6.69 A Written Scheme of Investigation will be required to provide detailed method statements on the nature and approach to the necessary fieldwork, along with a suitable plan and funding from the application to secure the necessary post-excavation processing of finds, written records and palaeoenvironmental samples, along with publication in a journal of commensurate impact for the significance of the work undertaken and the assets involved. Programmes of post-excavation work and publication may also be secured by legal agreement.

Post-decision expectations

Environmental management plans

6.70 Plans for the responsible delivery of the scheme must include appropriate details of how the historic environment will be conserved through the construction and subsequent management processes for the operational development. It is common for such plans to be dominated by considerations of biodiversity and

landscape issues – but the effect on the historic environment, including as a result of measures to safeguard other interests – needs careful consideration.

Archaeological investigations

6.71 As noted above, the archaeological investigations and subsequent analysis and publications is a key part of the developer's responsibility. This may be secured by condition, or a combination of conditions and legal agreements to ensure that development does not commence until appropriate investigations have been undertaken, and that developers' obligations are not discharged until the appropriate publication and archiving work has taken place.

Archaeological Clerk of Works

6.72 Conditions are only as robust as the monitoring work that accompanies them, ensuring that developers meet their obligations and that work is undertaken to the necessary standards – and with the necessary collaboration with other condition monitoring officers (e.g. Ecological Clerk of Works).

6.73 The local authority and PINS may request the provision of an Archaeological Clerk of Works to monitor and support the delivery of fieldwork programmes, acting as a key point of contact for contractors and feeding back to decision-makers in terms of issues encountered and compliance with the relevant obligations.

Chapter 7
Ecology and Biodiversity

Introduction

7.1 This section of the guidance explains the key considerations of NSIPs in relation to ecology and biodiversity in the former Selby district. It focuses on the development consent process for NSIPs – including early engagement and optioneering – and the commitment to delivering nature recovery and climate change resilience, which are now formalised under the 2021 Environment Act through Local Nature Recovery Strategies.

7.2 NSIPs are inherently landscape scale, they are spatially large and temporarily long-term iterative processes. Where they have gone through optioneering (the process of evaluating different options to identify that with least impact) or masterplanning (the process of integrating disciplines and involving stakeholder engagement to develop and implement the delivery of a project) for a long time, that iterative process now needs to take into account the commitments for nature recovery, climate change and resilience building, including flooding at the catchment scale.

Legislation & Policy Context

2021 Environment Act

7.3 The 2021 Environment Act requires local planning authorities to have due regard to environmental principles including the avoidance of environmental harm and nature recovery when developing new policies. This Act took forward the Government's 25 Year Environment Plan, which sets long-term goals and ambitions for environmental improvement, including what we now term nature recovery. The legally binding targets that relate to biodiversity in the Act, and the subsequent Environment Improvement Plan (EIP) 2023, are summarised as:

- Restore or create in excess of 500,000ha of wildlife-rich habitat outside protected sites by 2042;
- Increase total tree and woodland cover from 14.5% of land area now to 16.5% by 2050;
- Halt the decline in species populations by 2030, and then increase populations by at least 10% to exceed current levels by 2042;
- Improve the Red List Index for species extinction risk by 2042, compared to 2022 levels; and
- Reduce nitrogen (N), phosphorus (P) and sediment pollution from agriculture into the water environment by at least 40% by 2038, compared to a 2018 baseline.

7.4 The 2021 Act places duties on public bodies regarding the conservation and enhancement of biodiversity, and in reporting progress in delivering against this; see later 2006 Natural Environment and Rural Communities (NERC) Act (as amended).

Local Nature Recovery Strategy (LNRS)

7.5 In recognition of the ecological emergency, the 2021 Environment Act requires a national Nature Recovery Network[16] delivered through sub-regional scale LNRS across England. A LNRS is a spatial framework to deliver priorities for nature. Each constitutes a spatial plan and a statement of priorities. The spatial plan identifies the areas of highest ecological value currently and the opportunities for delivering nature recovery where it is most needed and where the largest benefits will be seen for biodiversity. It is a key priority for the Council to prevent and reverse the effects of habitat fragmentation, habitat degradation and loss by improving ecological connectivity and landscape permeability for wildlife and delivering large scale habitat enhancement and creation initiatives. It is recognised that landscape-scale nature recovery will substantially contribute to climate change resilience.

7.6 North Yorkshire is the Responsible Authority for delivering the North Yorkshire and York LNRS for the region. The LNRS identifies the most important areas for nature recovery and provides a set of measures (actions) that can be taken to enable the restoration of habitats and associated species recovery.

The Biodiversity Duty

7.7 Additional requirements (e.g. through the 2023 Levelling-up and Regeneration Act) require public bodies to "*have regard*" to the relevant LNRS and set out a biodiversity duty for specified public bodies to report every five years on what action they have taken. Therefore, all supporting Authorities should have due regard to the LNRS when making planning decisions and determining applications, in respect of the capacity to deliver nature recovery both now and into the future.

Biodiversity Net Gain

7.8 Given that NSIPs are inherently landscape scale, delivery of BNG as part of these is an opportunity to significantly contribute to achieving nature recovery. A spatial hierarchy applies to BNG delivery, whereby delivery should be prioritised on-site (through maintaining the permeability of the development). Where this is unavoidable, off-site delivery may be considered. BNG cannot be delivered within statutory designated sites to maintain or reinstate favourable conservation status.

7.9 The spatial hierarchy is guided by 'Strategic Significance', which is identified within the LNRS, avoiding development in areas of high Strategic Significance (as determined by the LNRS). Areas of high Strategic Significance are also foci for delivery of off-site compensation such as habitat enhancement and creation opportunities, in order to have greatest benefit to biodiversity and wider environmental outcomes such as climate resilience and flood alleviation.

7.10 Defra guidance on the delivery of BNG as part of NSIPs is awaited at the time of writing. Therefore, the principles and guidance[17] set out within the statutory biodiversity metric should be followed. In addition, LPA guidance on BNG published by North Yorkshire Council[18] should be adhered to including guidance and mapping[19] to determine habitats of 'Strategic Significance'. In order to avoid development within areas of high Strategic Significance, the map of habitats of strategic significance was produced by North and East Yorkshire Ecological Data Centre (NEYEDC). The network map presents grasslands, woodlands, heathlands and wetlands. It does not apply to the National Parks.

7.11 The particular challenges with regards to NSIP developments, such as linear infrastructure including cables, pipelines and overhead lines, include the large number of landowners to coordinate during the planning and construction phases. Coordinating baseline surveys, protected species surveys and the

[16] Natural England (2024) The Nature Recovery Network. Available at: https://www.gov.uk/government/publications/nature-recovery-network
[17] Defra (2024) Statutory Biodiversity Metric. Available at: https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides
[18] https://www.northyorks.gov.uk/environment-and-neighbourhoods/conservation/biodiversity-net-gain
[19] https://northyorks.maps.arcgis.com/apps/webappviewer/index.html?id=5651247f0b8448c384cdcadc9472c085

delivery of on-site and off-site enhancements requires significant levels of engagement and co-operation with landowners.

7.12 As noted earlier, there are substantial opportunities for NSIPs, such as wind farm and linear infrastructure projects, to deliver landscape-scale habitat reinstatement or creation, such as upland grassland or peatland restoration. Additionally, contributing to the delivery of existing habitat bank schemes at local, regional and national scales.

7.13 Target habitats must take into account what is appropriate to the local landscape and ecological character. It is recognised, for example, that upland grassland or mosaic habitats that represent local conservation priorities (and are of higher distinctiveness) may score less favourably than lower distinctiveness grasslands (which are more readily created in a shorter establishment period). Prioritisation of their reinstatement over delivery of the highest BNG score must be considered in collaboration with the Council and relevant conservation bodies (Natural England). This is of particular importance for land adjacent to and /or connecting between national and international designated sites.

7.14 Note that for all NSIPs, decommissioning must be considered as well as construction and operational phases. Wind farms, for example, are typically assessed with a 25-year decommissioning lifecycle, which may cut short the requisite 30-year legacy period to manage BNG habitats. Accordingly, therefore land outside of decommissioning access and working areas form important areas to deliver BNG in perpetuity.

Other Key Elements of Legislation

7.15 The following legislation are of relevance when considering the potential impacts from NSIPs on biodiversity.

- The 2017 Conservation of Habitats and Species Regulations (as amended) transpose the requirements of the European Habitats Directive (Council Directive 92/43/EEC) and Birds Directive (Council Directive 2009/147/EC on the conservation of wild birds, replacing Directive 79/409/EEC) into UK law, enabling the designation of protected sites and species at a European level. Those sites include Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar (wetlands of international importance). Species protected at European level, termed “European protected species”, include both plants and animals. European protected species of relevance to North Yorkshire include bats, otter, beaver, dormouse, great crested newt, natterjack toad and marine cetaceans.
- The 1981 Wildlife and Countryside Act (as amended) forms the key piece of UK legislation relating to the protection of habitats and species.
- The 2006 Natural Environment and Rural Communities (NERC) Act (as amended) requires public authorities to conserve and enhance biodiversity in exercising their functions (Section 40). A public authority must consider what actions can be taken to further the biodiversity objective, agree policies and specific objectives, and act to deliver the policies and achieve objectives. Section 41 lists the habitats and species of principal importance in England. Criteria for selection of national priority habitats and species in the UK include international threats and marked national decline. Reporting on progress by the LPA is a requirement of the 2021 Environment Act, with the first reporting period running up to 01 January 2026 and each subsequent reporting period running up to 5 years thereafter.
- The 2000 Countryside Rights of Way Act provides additional support to the Wildlife and Countryside Act 1981; for example, increasing the level of protection for certain species of reptiles. The 1996 Wild Mammals (Protection) Act sets out the welfare framework in respect to wild mammals, prohibiting a range of activities that may cause unnecessary suffering.
- Badgers are subject to legal protection under the 1992 Protection of Badgers Act.
- Climate and Nature Bill 2024-25 will set new legally binding targets, require a joined strategy and create a duty for the Secretary of State to ensure that the UK implements and achieves new climate change and nature targets. The target for biodiversity would “*require it to halt and reverse its contribution to the*

degradation and loss of nature by fulfilling its commitments under the UN Convention on Biological Diversity". ...

Relevant Policy

7.16 Chapter 15 of the NPPF sets out requirements with regards to conserving and enhancing the natural environment. Paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment, by (c) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- Paragraph 192 states "To protect and enhance biodiversity and geodiversity, plans should
- identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation" and
- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

7.17 Paragraph 193 states

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 70 and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

7.18 With regards to impacts upon Habitats Sites (SAC, SPA and Ramsar sites) Paragraph 195 states, "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."

7.19 Policy SP18 Protecting and Enhancing the Environment of the Core Strategy Local Plan concerns the high quality and distinctiveness of both the natural and built environment as well as setting areas of acknowledged importance. A particular focus is placed on safeguarding sites of international, national, and local importance such as nature conservation areas including Sites of Importance for Nature Conservation (SINCs).

7.20 The policy continues that the stewardship of the district's wildlife should be promoted and that a net-gain in biodiversity should be ensured through development.

7.21 Saved Local Plan Policy ENV9 Sites of Importance for Nature Conservation states development proposals that would result in the harm of local nature reserves, sites of local importance to nature

conservation, or regionally important geological sites will not be permitted. This is unless reasonable alternative means of meeting the development need identified by the proposal cannot be identified. Where this is the case, it must be strongly demonstrated through the application that the needs for the proposal outweigh the needs and values of the sites and features of importance.

7.22 Saved Local Plan Policy ENV11 Ancient Woodland of the Local Plan requires that development is not permitted where it is likely to cause "loss of, or damage to, an ancient woodland, unless the reasons for the development outweigh the nature conservation value of the woodland.

Local Sensitivities

7.23 This is described in terms of the current baseline and the future baseline taking into account commitments to nature recovery and climate change.

Existing Baseline Condition

International and National Designated Sites

7.24 Appendix B provides a list of international and nationally designated sites within the former Selby district. Figure 7.1 in Appendix C presents the designated sites within the former Selby district and the surrounding 15km.

7.25 The protection of internationally designated 'Habitats Sites' (SAC, SPA and Ramsar), against impacts resulting from Plans and Projects is required for the site itself and any land which may support the qualifying habitats or species of that site, otherwise known as "Functionally Linked Land". Those impacts of key consideration when carrying out Habitat Regulations Assessments (HRA) of NSIPs include physical damage and loss, non-physical disturbance, toxic and non-toxic contamination, air pollution, recreation, water quantity and water quality.

7.26 Several internationally designated 'Habitats Sites' are present within the former Selby district and the surrounding area, which support breeding birds that may use areas of 'functionally linked land' outside of designated sites. Functionally linked land is defined in the draft HRA for Selby's Local Plan (2024)[20] as follows:

> With regards to birds, areas of functionally linked land typically provide habitat for foraging or other ecological functions essential for the maintenance of the designated population e.g., high tide roost on coastal populations. Functionally linked land may extend up to the maximum foraging distance for the designated bird species. However, the number of birds foraging will tend to decrease further away from the protected site and thus the importance of the land to the maintenance of the designated population will decrease.

7.27 A draft HRA[20] has been developed for the Revised Publication Selby Local Plan 2024, which concluded that the Selby Local Plan would not have significant effects on Habitats Sites. However, the Appropriate Assessment highlighted the following sensitivities to development related impacts, which would require particular consideration in the assessment of NSIPs:

1. Loss of functionally linked land of Lower Derwent Valley SPA and Ramsar and Humber Estuary SPA and Ramsar.
2. Water quality impacts upon River Derwent SAC, Lower Derwent Valley SPA and Ramsar and Humber Estuary SPA and Ramsar.

[20] AECOM (2024) Draft HRA for Revised Publication Selby Local Plan 2024. North Yorkshire Council (formerly Selby District Council). Available at: https://edemocracy.northyorks.gov.uk/documents/s28014/Appendix%206%20Draft%20HRA.pdf

3. Water quantity, level and flow impacts upon River Derwent SAC, Lower Derwent Valley SPA and Ramsar and Humber Estuary SPA and Ramsar.
4. Atmospheric pollution impacts upon Skipworth Common SAC and Lower Derwent Valley SAC, SPA and Ramsar.
5. Recreational pressure was also highlighted as a risk with regards to the Lower Derwent Valley SPA and Ramsar, Skipworth Common SAC and Humber Estuary SAC, SPA and Ramsar.

7.28 HRA assessments of plans and projects must consider impacts upon functionally linked land, both spatially, through assessment of available datasets on known or possible functionally linked land, and temporally with consideration for the mobile nature of species, and species responses to abiotic factors including climate change. In relation to birds this requires consideration of flight lines and habitat connectivity such as along river corridors, wetlands and catchments. Further information on qualifying species, is presented within the species subheading below.

7.29 Although this guidance is focused on the former Selby district, the designated sites of the wider North Yorkshire area are relevant for providing ecological context to the Selby area. Across North Yorkshire, there 10 Ramsar sites, 27 SPAs, and 87 SACs. In addition to nine National Nature Reserves (NNR) and over 380 Sites of Special Scientific Interest (SSSI). These international and national designations are supported by the Local Wildlife Site Network.

Functionally Linked Land

7.30 Protection of functionally linked land is essential as part of early optioneering, as disruptions or fragmentation to these key areas of ecological connectivity can have far reaching effects on bird populations. This type of ecological connectivity is inherently linked to geology, soils and topography and therefore direct and indirect impacts must be avoided.

7.31 The Lower Derwent Valley SPA and Ramsar lies within the former Selby district and is designated for breeding, wintering and migratory birds including waterfowl and waders, which may use functionally linked land outside of the designated site such as floodplain meadows, inland lakes, marshland, open farmland and moorland.

7.32 Designated sites which lie outside of the former Selby district, but which are designated for breeding birds that may use functionally linked land within Selby include the Humber Estuary SPA and Ramsar and Thorne and Hatfield Moors SPA. Typically, these species forage across habitats within the designated site, but they may also use surrounding land up to 2km or 5km away for most species, with golden plover considered to travel over a larger distance of up to 15km.

7.33 Thorne and Hatfield Moors SPA comprises lowland heathland, grass moorland and bog habitats which support ground nesting nightjar during the breeding season, and which may be present elsewhere within North Yorkshire providing functionally linked habitat.

7.34 Humber Estuary SPA and Ramsar supports a range of waterfowl and waders in winter and breeding birds including avocet, bittern, little tern and marsh harrier. Estuarine habitats include intertidal mudflats, sandflats, saltmarshes and reedbeds. Birds of the Humber Estuary are also likely to use habitats outside of the designated site such as floodplain meadows, inland lakes, marshland, open farmland, heathland and moorland.

7.35 The Lower Derwent Valley SAC supports otter as a qualifying feature. To the south-east of Selby, the Humber Estuary SAC and Ramsar supports migratory fish (sea lamprey and river lamprey) which are likely to commute along the River Derwent and River Ouse, which pass through Selby.

Irreplaceable Habitats and the Local Wildlife Site Network

7.36 The NPPF states the duty of protection of irreplaceable habitats when determining planning applications.

7.37 The wider landscape of North Yorkshire comprises both upland and lowland habitats including an extensive network of irreplaceable habitats with vast areas of blanket bog (54,688ha) and limestone pavements (657ha) within the upland areas, forming the North Pennine Moors SAC and SPA, and Ingleborough Complex SAC, within Yorkshire Dales National Park and to the east, within North York Moors SAC and SPA located within North York Moors National Park. There are also narrow strips of ancient woodland (14,316ha) and lowland fens (1,989ha) along valleys. Some of these ancient woodland and lowland fens are present within the former Selby district.

7.38 The Local Wildlife Site network comprises Local Nature Reserves, SINC, and other non-statutory designated sites including Plantlife, Wildlife Trust and RSPB Nature Reserves. These are presented within Figure 7.2 'Irreplaceable Habitats and Local Wildlife Site Network'.

Priority Habitats

7.39 The NERC Act states the duty of protection to habitats of "Principal Importance" listed on section 41. The Priority Habitat Inventory data provided by Natural England is set out on a national scale, but it is also reflected on a regional scale within the North Yorkshire and York LNRS. The local habitat and species priorities for LNRS may be different to the national priorities.

7.40 Within the former Selby district, a total of 41 priority habitat types occur. These are illustrated within Figure 7.3 'Priority Habitats – Terrestrial' and Figure 7.4 'Priority Habitats – Wetlands'.

7.41 The priority habitats of the surrounding area inform the mobile species assemblages which may be found within or passing through Selby. Across North Yorkshire, the terrestrial habitats which dominate the landscape include upland heathland (72,269ha), which is present as part of habitat mosaics with grass moorland (17,145ha) and the irreplaceable blanket bogs. The North York Moors National Park has the largest block of continuous heather moorland in England[21].There are also large extents of deciduous woodland (27,821ha) along the valleys, and scattered throughout the upland and lowland areas. Of the coastal habitats within the terrestrial ecosystem, maritime cliff and slope (627ha) is the most predominant habitat. It is also present in mosaic with lowland calcareous grassland, lowland meadows, lowland dry acid grassland, lowland heathland (as above) and deciduous woodland.

7.42 Priority habitats of most significance within Selby include the lowland heathlands, of which Selby and York support 2% of England's total asset[22]. This is found within sites such as Skipworth Common SAC, SSSI and NNR (within Selby) and Strensall Common SAC, SSSI within neighbouring City of York. Across North Yorkshire the land cover is 694ha lowland heathland. However, there is a significant area of fragmented heath (1,651ha), making up 2.2% of the total heathland cover (74,615ha), which is a priority for targeting restoration.

7.43 Of the wetlands, coastal and floodplain grazing marsh (6,876ha) is the most extensive habitat present, in mosaic with irreplaceable lowland fens, particularly along the rivers and tributaries of the River Hertford and River Wharfe. Approximately 10% of the national floodplain meadow resource occurs in the York area[23]. There are also lowland raised bogs, which comprise a total area of (112ha across North Yorkshire), which complete the priority wetland habitat resource of North Yorkshire. These are localised to the north-west within Malham Tarn Ramsar, and various SSSIs including Swarth Moor, Austwick and Lawkland Mosses, and Hesley Moss.

7.44 The rarer priority habitats, representing less than 50ha across wider North Yorkshire are:

- Calaminarian grassland scattered in small patches across Yorkshire Dales National Park within Ox Close SAC and SSSI, along the banks of the River Wharfe in Upper Wharfdale SSSI, at Pikedaw Calamine Caverns SSSI and Greenhow Pasture SSSI.

[21] North York Moors National Park Authority (2003) Landscape Character Assessment.
[22] Selman R., Dodd F., Bayes K. (1999) A Biodiversity Audit of Yorkshire & the Humber. ISBN 1 901930 12 2, pp 54-55.
[23] City of York Council (2010) City of York Biodiversity Audit

- Reedbeds, present alongside the qualifying feature - lowland heaths at Skipworth Common SAC and SSSI; and
- Mudflats, present along the coast, and within the estuaries of the River Esk in Whitby and River Ouse between Goule and Selby.

Species

7.45 Species are protected via various legislation and policy as described in the 'Policy Context' section above, which provide protection to rare and threatened species, and species which form the qualifying features of designated sites.

7.46 Qualifying features of international, national and local designated sites, include plants, birds, mammals, reptiles, invertebrates, amphibians and fish. In addition to these qualifying species, there are a huge range of local conservation priorities including species listed on the (NERC s41) and other local conservation priorities, reflected within the North Yorkshire and York LNRS.

7.47 The use of functionally linked land by qualifying species of the above designated sites, should be a key consideration when informing the early optioneering of NSIP.

Future Baseline: Nature Recovery and Climate Change Resilience

7.48 To ensure that NSIPs contribute most effectively to streamline targets where nature conservation and opportunities for enhancing climate resilience overlap, early optioneering and masterplanning must consider not only the current baseline but the 'committed or future baseline' as represented in the strategies for nature recovery and climate change resilience that the Council/s support. Strategic land use planning of development – including NSIPs – must respect the recovered and resilient landscapes committed to.

Nature Recovery Strategies

7.49 The North Yorkshire and York Local Nature Recovery Strategy is in development and due to be published in 2025[24]. The current timeframe is to submit the strategy for statutory public consultation during Spring 2025, with the published version of the strategy ready in September 2025.

7.50 Prior to the development of the LNRS, North Yorkshire and York Local Nature Partnership (LNP) published a Strategy in 2014[25] "To see the natural environment of North Yorkshire & York conserved, enhanced and connected for the benefit of wildlife, people and the economy." The strategy includes a number of priority themes and objectives, largely focusing on the strengthening of the Green Infrastructure (GI) network and providing natural solutions to climate change mitigation and adaptation including restoration of degraded peatlands and delivery of flood alleviation schemes supporting enhanced biodiversity.

7.51 Priority areas were published in the LNP Strategy, which includes a rural priority area in Selby alongside six other rural landscape areas and two urban GI priority areas in the City of York and Harrogate Town.

7.52 Selby Town Council developed a Nature Recovery Action Plan 2024-2030[26], which sets out a series of actions that will be undertaken to deliver habitat enhancements and creation initiatives and provide measures to protect species and increase biodiversity within Selby. The actions aim to be deliverable within Town Council owned land and by other stakeholders such as local schools. The Action Plan also aims to secure funding to deliver nature recovery projects across Selby by 2030.

[24] North Yorkshire Council (2024) Local Nature Recovery Strategy. Available at: https://www.northyorks.gov.uk/environment-and-neighbourhoods/conservation/local-nature-recovery-strategy#What_have_we_already_done
[25] North Yorkshire and York Local Nature Partnership (2014) Local Nature Partnership Strategy. Available at: https://www.nypartnerships.org.uk/sites/default/files/Partnership%20files/Environment/LNP%20strategy.pdf
[26] Selby Town Council (2024) Nature Recovery Action Plan 2024-2030. Available at: https://eg96j2rvri3.exactdn.com/wp-content/uploads/2024/08/Nature-Recovery-Public-Action-Plan.pdf

Climate Change Resilience Strategies

7.53 The former Selby District Council published a low carbon strategy in 2021[27], which set out the Council's plans to achieve Net Zero by 2030 and to reduce and fully offset their direct carbon emissions by 2023. The Strategy was written in the context of the forthcoming unitarisation of Selby District Council to form North Yorkshire Council by aligning the strategy with others across North Yorkshire. Some of the key actions with regards to the natural environment and biodiversity are as follows:

- Membership of the White Rose Forest Partnership to get access to expert advice and funding opportunities to implement a strategic tree planting programme.
- Engagement with the community, landowners and Town and Parish Councils to identify opportunities for large scale tree planting and to promote community led tree planting.
- Collaboration with Esrick Park Estate to deliver Biodiversity Offsetting through Natural England's national BNG credit pilot.

7.54 North Yorkshire Climate Change Strategy 2023-2030[28] includes an action plan and priorities for mitigation, adaptation and resilience.

7.55 There is a Net Zero Fund for York and North Yorkshire which sets out £7 million for net zero investment[29]. This sets out 12 capital projects and 11 revenue projects across North Yorkshire. Further climate initiatives are being developed by a community group 'Our Zero Selby'[30] funded by National Lottery Heritage Community Fund who have identified 25 projects to be delivered including nature projects, active travel, and other local small-scale sustainability initiatives.

Sensitivity to Different Types of NSIPs

7.56 Ecological sensitivity can be defined in relation to a given impact from an action (such as construction) and the ability of an ecological feature (such as a habitat, species or ecosystem) to adapt or respond to it. The converse of sensitivity is resilience. Where an ecological feature has resilience to an impact it is able to adapt or respond in order to persist without change to condition or conservation status.

7.57 The effect of an impact is the result on the feature (site/ habitat/ species). Effect will depend on the type and level of exposure (the duration, frequency, scale and proximity of the impact) as well as the sensitivity of the receptor to it; for example, upland nesting birds may be more sensitive to disturbance from recreational access (at certain times of year) than the upland habitats on which they nest. The degree of sensitivity of an ecosystem will depend on the floral and faunal communities within that area.

7.58 Examples of ecological impact include physical damage and loss of habitat, non-physical disturbance or pollution. Examples of ecological impact in the context of NSIPs are provided under the subheadings below. Impact may be incurred at the construction, operation and/ or decommissioning stages.

7.59 Note that ecological impacts are described as temporary or permanent independent on the effect on a receptor. 'Temporary' applies to an ecological impact where this is reversible. A 'temporary construction access', for example, may incur permanent habitat loss (of hedgerows, grassland, etc) but temporary disturbance (for the period of work).

7.60 In accordance with the mitigation hierarchy, impact avoidance should be achieved where possible, particularly accounting for ecological features of highest value such as designated nature conservation sites,

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[27] Selby District Council (2021) Low Carbon Strategy 2021-2030.
[28] North Yorkshire Council (2023) Climate Change Strategy 2023-2030. Available at: https://www.northyorks.gov.uk/sites/default/files/2024-04/Climate%20Change%20Strategy%202023%20to%202030%20-%20accessible_0.pdf
[29] York and North Yorkshire Combined Authority (2024) Net Zero Fund. Available at: https://yorknorthyorks-ca.gov.uk/york-and-north-yorkshire-net-zero-fund/
[30] Our Zero Selby. Available at: https://www.ourzeroselby.org.uk/

irreplaceable and priority habitats, and habitats supporting protected or priority species. Minimisation of impact should be met through:

- optioneering (including site selection, route selection),
- masterplanning and design,
- phasing of work stages and timing to account for sensitive seasonal periods and working practices.

7.61 Unavoidable impacts should be fully mitigated. Where residual impacts remain, compensation is required. This is further explored under the later subheading of 'Best Practice guidance for Biodiversity in the DCO Process'. Within the EIA process, impact assessment should describe the development, taking into account the early stages of impact avoidance and minimisation.

Physical Damage and Loss of Habitat

7.62 All types of NSIP result in physical damage and loss of habitat. This may be permanent or temporary during construction; depending on the type of project. Typical examples include power infrastructure, renewable energy development and linear infrastructure, which result in habitat loss and fragmentation. Habitat fragmentation may arise for terrestrial habitats (such as lowland heathlands), wetland habitats (such as streams, lowland fens and other groundwater dependent terrestrial ecosystems (GWDTE) and for dispersal corridors (such as bird or bat flight lines as a result of wind turbines and linear infrastructure (overhead lines, road and rail)).

7.63 Heathlands and grasslands are particularly sensitive to habitat fragmentation. Fragmentation of these habitats results in reduced condition of the habitat as a whole, and development in areas immediately adjacent to these habitats can have significant impact on the birds, bats, reptiles and mammals which rely on it for nesting, foraging, shelter and hibernation. It can also reduce the resilience of habitats to impacts such as climate change, resulting in compounding effects.

7.64 Reinstatement of high value habitats, such as priority habitats including long established species-rich grasslands, lowland heathland and wetlands, is complex and takes a long time as these habitats rely on very specific soil types, conditions and nutrient levels. These habitats take a significant time to develop, with different species compositions established through the successional stages of the habitat. Due to the complexity of establishing these habitats, they require a long-term commitment and a reinstatement plan, with management and monitoring. It is important that where there is loss or disturbance to soils supporting high value habitats, that this is minimised where avoidance is not possible.

7.65 Although the direct habitat loss resulting from solar farm development is considered small in scale due to the relatively small footprint of supporting structures for solar arrays, the solar arrays themselves have a much larger footprint and therefore, make the remaining habitat unsuitable for ground nesting birds which require large open fields and sight lines; habitat loss for the species can be substantially higher. Skylark, a ground nesting farmland bird, is known to be particularly affected by solar farm development, due to loss of breeding territory. Where numerous solar farms are in development across a region the compounding effect of this habitat loss has significantly detrimental impact on the population. Skylark is a species of Principal importance under section 41 of the NERC Act and red listed as a UK bird of conservation concern, as it is in significant decline nationally with a loss of over 50% of the UK population over the last 25 years[31]. Agricultural intensification and the loss of grassland mosaics is a key factor contributing to this decline, however it is likely that solar farm development may also be contributing.

7.66 The delivery of offsite compensatory habitat is key to addressing habitat losses, and long-term habitat and species monitoring of both onsite and offsite compensation and mitigation measures is essential.

7.67 River crossings, such as for gas and carbon dioxide pipeline infrastructure, can result in fragmentation of the river corridor, affecting bankside habitats and resulting in loss of tree canopy and marginal vegetation

[31] Holden, P. and Cleeves, T. (2002). RSPB Handbook of British Birds

which can impact upon riparian mammals such as otters and water voles, and riparian birds such as kingfishers. Typically, clear span or Horizontal Directional Drilling crossings are selected to avoid fragmentation and minimise habitat loss. EIA as an iterative process is important to then refine the design and methods of working, to avoid, minimise or mitigate non- physical disturbance.

Non-physical Disturbance

7.68 All NSIPs have potential to result in non-physical disturbance during construction and decommissioning, and some may result in non-physical disturbance during operation too. Examples include power stations and road or rail infrastructure which result in visual, noise and vibrational impacts. Waterfowl and wading birds are highly sensitive to this type of disturbance and as a result there are particular HRA considerations required regarding the potential for non-physical disturbance of birds resulting from industrial development around the Humber SPA and Ramsar.

7.69 Species sensitive to disturbance in rural areas include otters, which are a qualifying species of Lower Derwent Valley SAC and River Derwent SAC, and likely also present along the tributaries of these rivers. Other mammals which are sensitive to disturbance in rural settings, where they are not habituated to background levels of human disturbance, include badger (protected under the 1992 Protection of Badgers Act) and brown hare (section 41 species of Principal importance under the NERC Act).

7.70 The River Ouse, River Derwent and associated tributaries through the former Selby district may provide migratory corridors and therefore functionally linked land for river lamprey and sea lamprey of the Humber SAC. The River Derwent SAC is also designated as it supports these species, in addition to bullhead. Migratory fish species are sensitive to underwater vibration and noise associated with drilling and other high impact construction methods within or adjacent to rivers.

Toxic and Non-toxic Contamination

7.71 The risks of toxic and non-toxic contamination are most significant during construction of power plant, pipeline and renewable energy projects due to the potential for toxic soil contamination such as via oil spills from construction machinery and non-toxic contamination from the formation of dust, which can smother vegetation and soils. Toxic and non-toxic contamination of soils can have significant and long-lasting consequences for soil health due to the resultant impact on the soil microbiome (the soil invertebrates, and fungal species present). Harm to the soil microbiome can result in direct impact upon habitats with potential to result in the loss of vegetation and trees. This may also result in water pollution, where contamination occurs in areas of surface run off, and soil erosion such as in catchments prone to flooding.

7.72 Energy production facilities and power stations such as new gas fired power stations (combined cycle gas turbines), which will replace existing coal fired power stations have the potential to result in toxic contamination with similar effects on soil health and the soil microbiome.

7.73 Additionally, new carbon capture and storage facilities (CCS) have the potential to result in toxic contamination of soils. The risks of construction and operation of this type of plant and pipeline infrastructure are likely to be associated with the containment of high pressurised systems. The hazards involved in transporting CO_2 are currently understood to be similar to the hazards of transporting natural gas. Carbon dioxide poses particular risk in high concentration with potential for resulting in direct harm to plants and animals if leached to soils.[32] Therefore, the risks to biodiversity described in the above paragraph apply.

Air Pollution

7.74 Air quality impacts may result from power plant infrastructure itself, such as through the burning of fossil fuels, but also during the construction phase and the operational phase as a result of traffic and transport. Air

[32] Energy Institute (2010) Technical guidance on hazard analysis for onshore carbon capture installations and onshore pipeline. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070008/EN070008-000653-Residents%20of%20Corner%20Farm%20Written%20Representations%20WR,%20including%20summaries%20of%20all%20WRs%20exceeding%201500%20words%209.pdf

pollution impacts include acidification and nitrogen deposition (eutrophication). The air pollutants sulphur dioxide, nitrogen oxides and ammonia can contribute to acidification; nitrogen oxides and ammonia can also contribute to terrestrial eutrophication. Air pollutants resulting from vehicle emissions which are of most concern with regards to impact to habitats include nitrous oxides (NOx, i.e. NO and NO_2) and ammonia (NH_3).

7.75 Deposition of nitrogen compounds may lead to both soil and freshwater acidification, and NOx and NH_3 can cause eutrophication of soils and water. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen levels, which can then affect plant health, productivity and species composition.

7.76 Habitats have different critical loads, to acidification and soil deposition (eutrophication), which are thresholds above which significant harmful effects may occur to sensitive habitats. Habitats which are particularly sensitive to air pollution which are present within the former Selby district, include freshwater habitats such as lakes, ponds, and floodplain marshes, heathland, acid and calcareous grasslands, and coniferous and broadleaved woodlands.

7.77 Although outside of Selby, Thorn and Hatfield Moors SPA, SAC and SSSI, lies in neighbouring South Yorkshire and comprises an extensive lowland raised mire, which is the largest remaining lowland peatland in England. The mosaic of mire and heathland present supports a range of protected species including nightjar, which is a qualifying species of the SPA, adder, grass snake, water vole and several rare and threatened plant species such as bog-rosemary and round-leaved sundew in bogs. The habitats of Thorne and Hatfield moors are particularly sensitive to nitrogen deposition and therefore, a key consideration when considering air pollution impacts as a result of nearby NSIP development.

Recreation

7.78 Although NSIP projects are unlikely to result directly in increases in recreational pressure, masterplanning for such developments may involve greenspace provision or creation of community facilities. The location and type of such provisions should ensure no recreational impact to sensitive habitats or species including Habitat Sites either directly due to proximity or upon functionally linked land.

Water Quantity

7.79 NSIPs which demand water for cooling purposes include coal and nuclear power plants and electricity and hydrogen production. Surface water abstraction to provide cooling can have detrimental impacts upon habitats through reducing the water levels of surface water and risk of reducing the water table of hydrologically connected groundwater sources. The effects of water consumption must also be considered, where water is not returned and instead results in evaporation. This impact is an increasing consideration in current and future energy production and reliance on electricity and renewable energy. CCS and hydrogen production both have additional water requirements beyond the current water-cooling use of coal and nuclear power plants[33].

7.80 New water supply systems including reservoirs and dams, need to complement natural systems and require catchment scale planning to ensure no impacts on water levels elsewhere in the catchment, and on potential water dependant ecosystems including wetlands, and ground water dependant terrestrial ecosystems (peatlands, bogs).

7.81 Flood alleviation schemes (FAS) may also be an NSIP development type. Opportunities for nature-based solutions as part of NSIP projects should be located within the same catchment and hydrologically connected. Considerations when assessing impacts on water quantity need to consider the influence of the development on the site itself but also downstream within the wider catchment. The development of FAS

[33] JEP (2021) Projections of water use in electricity and hydrogen production to 2050, under 2020 Future Energy and CCC Scenarios. Available at: https://www.energy-uk.org.uk/wp-content/uploads/2023/03/ImportantContextforJEP20WT0914Jun21.pdf

requires cross boundary collaboration and consideration of flood risk strategies and consultation between neighbouring Lead Local Flood Authorities (LLFAs).

Water Pollution (water quality)

7.82 Water pollution impacts affect surface waterbodies including rivers, lakes and wetlands. These impacts are most likely to arise during construction where watercourse crossings are required, such as for road and rail infrastructure, and pipeline infrastructure. Where cumulative impacts may arise from a development, catchment scale assessment is required.

7.83 Water pollution impacts may also affect ground water dependant terrestrial ecosystems (peatlands, bogs) sensitive to subterranean works such as underground cables and other infrastructure such as pipelines.

7.84 Where residential development may result in significant increase in water demands, expansion or relocation of existing facilities or new wastewater treatment plants may be required, which may be of NSIP scale. Standard construction and operation of the built infrastructure has potential to result in a range of impacts. Wastewater treatment plants also have the potential to result in water pollution, as a result of inadequate design and/ or operation. Opportunities should be sought to incorporate constructed wetlands, as part of new and updated wastewater treatment facilities. These harness the water purification and remediation qualities of semi-natural habitats such as reedbeds, which provide sedimentation, filtration and absorption of organic nutrients, heavy metals and pharmaceuticals.

Preferred Information Sources

7.85 There are a range of national, regional and local data sources available to inform assessment of NSIPs in terms of impacts and opportunities for biodiversity. National datasets are available from Natural England (designated sites, priority habitats), the Environment Agency (EA) (flood, climate change, working with natural processes woodland creation datasets) and nature conservation organisations.

7.86 Local data on Local Wildlife Sites (LWS) and protected, priority and notable species and priority habitats can be sought from NEYEDC. Additional information can be sought from local biodiversity groups and county recorders, such as county bird reports and wetland bird survey data, which provides information on wetland bird species.

Best Practice Guidance and the DCO Process

7.87 It is assumed that the fundamental principles of the mitigation hierarchy (avoid, reduce, mitigate, compensate, enhance) are applied including relevant best practice guidance in ecological assessment[34] and iterative design incorporating good design principles[35]. NSIP projects typically involve baseline assessment over several years. This section will explain elements of best practice which are essential to the DCO process and North Yorkshire Council's requirements during pre-application and post-decision.

Pre-Application Expectations

7.88 An important element of this pre-application stage is consideration of what is considered a significant impact in EIA terms and setting out the approach to providing supporting evidence to inform this assessment, which is proportionate to the scale of the project. This is an important distinction from the development management process, whereby supporting evidence is required to inform protected species licencing requirements. The assessment of protected species licencing requirements may not add value to the assessment of significance in EIA terms, instead these licencing requirements should be determined through

[34] https://cieem.net/wp-content/uploads/2018/08/EcIA-Guidelines-v1.3-Sept-2024.pdf
[35] https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-good-design

pre-construction surveys. This avoids abortive work, and the need to resurvey due to the long timeframe and iterative nature of EIA. This has positive benefit to the EIA process, reducing the overall delivery timeframe.

Feasibility Studies, Early Optioneering and Masterplanning

7.89 Initial stages of NSIP projects require desk-based screening of potential ecological impacts and opportunities to inform feasibility studies and inform where early consultation is required prior to the optioneering process.

7.90 The early optioneering and masterplanning process should make consideration for ecological features and sensitivities through applying the mitigation hierarchy. Avoiding impact to international and national designated sites including areas of functionally linked land, irreplaceable habitats, local wildlife sites and priority habitats and protected species.

7.91 Consultation with the Council and the PINS is essential to inform the early optioneering through identification of key sensitivities for consideration. This should be supported by early consultation with statutory bodies (Natural England), and environmental NGOs (Yorkshire Wildlife Trust and the RSPB).

7.92 Consultation is also essential to determine ecological survey scope and proportionate methodology, taking into account the lengthy optioneering process and the specific requirements of EIA. Location specific protected species surveys to determine impacts of direct habitat loss should come once a final design has been agreed, at pre-construction stage. This avoids abortive work, and substantive data gathering, which may not be necessary to inform EIA.

Habitats Regulations Assessment

7.93 Reference should be made to national guidance[36] for carrying out HRA for NSIPs. Depending on the type of development and qualifying features of nearby designated sites, consideration should be made to Habitats Sites up to 20km away, which may be affected by potential impacts as a result of the development.

7.94 There are specific types of guidance available to support assessments of particular impacts such as non-toxic contamination (dust)[37], impacts on water quantity as a result of freshwater demand from power plant[38], and impacts on air quality which are most significant where they occur in combination with other plans and projects. Guidance is available from the Institute of Air Quality Management (IAQM)[39] on the assessment of air quality impacts upon international (SAC, SPA, Ramsar), national (SSSI, NNR) and local designated nature conservation sites (Local Nature Reserve, LWS and Ancient Woodland). Information is also available on habitat and species, sensitivities to air pollution from the Air Pollution Information Service (APIS)[40]. This sets out the critical levels (atmospheric NOx and NH3) and critical loads (nitrogen deposition and acidification) of each receptor.

Biodiversity Net Gain

7.95 Natural England is currently preparing guidance on how to assess BNG in NSIP projects. This is expected to be published in November 2025. In the absence of this, reference should be made to existing best practice guidance[41],[42].

7.96 BNG is a legally required delivery mechanism for ensuring ecological improvements are integrated into all infrastructure projects. Long-term management monitoring (over a minimum of 30 years) is essential in ensuring that BNG commitments are met over time, and that there is transparency about the improvements

[36] https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-habitats-regulations-assessments
[37] IAQM (2014) Guidance on the assessment of dust from demolition and construction. Version 1.1. Available at: https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf
[38] https://www.energy-uk.org.uk/wp-content/uploads/2023/03/Report_JEP21WT02_V1.pdf
[39] Institute of Air Quality Management (2019) A guide to the assessment of air quality impacts on designated nature conservation sites. Available at: https://iaqm.co.uk/text/guidance/air-quality-impacts-on-nature-sites-2019.pdf
[40] APIS. Available at: https://www.apis.ac.uk/habitat_table.html
[41] https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development/
[42] https://www.gov.uk/guidance/biodiversity-net-gain

in biodiversity. These long-term management and monitoring commitments should form part of early optioneering and landowner negotiations. Where the committed enhancements are not being achieved, an enforcement mechanism must be in place, such as through a section 106 agreement or conservation covenant, to ensure that management is adapted and adequate monitoring in place to successfully deliver the biodiversity targets of that plan. It is important to recognise, that while traditionally, the focus has been on habitat monitoring, there is growing emphasis on species-level data, particularly for declining species such as skylark. These commitments are detailed within the 'Delivery and Monitoring' heading below.

7.97 NSIPs present opportunities to deliver landscape scale habitat enhancement and restoration projects, which can provide BNG units, and may be able to contribute towards existing habitat banking schemes at the local and national scale.

7.98 Reference should be made to the BNG register when optioneering and identifying opportunities for delivering enhancements, will in due course be a statutory requirement.

Centralised Data

7.99 Survey data to support planning applications must be submitted in a complete, accessible and standardised format. Habitat survey must be completed in UK Habitat Classification. LPAs have a duty to report on nature recovery. The habitat and species data collected to inform NSIP projects provides extensive baseline information. Baseline survey data and results from habitat and species monitoring should be shared with NEYEDC and North Yorkshire Council in a digital format that can be collated centrally, accessible for collective analysis to enable the duty for reporting on nature recovery, effective monitoring and reporting.

7.100 Where landscape scale habitat enhancement projects are delivered, as part of mitigation which aligns with the North Yorkshire and York LNRS, or provide off-site BNG, these should be registered to recognise their contribution to nature recovery projects both locally and as part of a network of projects at the national scale.

7.101 Centralised data collated and analysed by NEYEDC and North Yorkshire Council enables strong evidence-based decision making to inform catchment scale and cross boundary land use planning and management, nature recovery, climate change adaptation and mitigation.

Scoping

7.102 North Yorkshire Council expects to see adherence to the best practice guidance on Ecological Impact Assessment and Scoping set out by CIEEM[43].

Preliminary Environmental Information Report

7.103 The PEIR should consider seasonally dependent ecology surveys and help to inform the iterative process of EIA and set out the delivery programme for EIA. Certain habitats require survey in specific seasons when plants are in flower, for example ancient woodland early spring, grasslands early summer. Additionally, protected species with long survey seasons such as birds, bats and dormice require particular consideration. Taking account of the data analysis and reporting period which follows, is equally essential. The proportionate methodology for assessing these impacts should have been identified at pre-consultation (as described above) and confirmed at Scoping.

Environmental Impact Assessment

7.104 Dependant on the nature of the NSIP, the EIA screening of impacts should apply varying scales, for example as follows:

- Habitat Sites (SAC, SPA and Ramsar) – 5-20km

[43] https://cieem.net/wp-content/uploads/2018/08/EcIA-Guidelines-v1.3-Sept-2024.pdf

- National nature conservation designations (SSSI, NNR) – 5km
- Local nature conservation designations (LNR, LWS, SINC) – 2km
- Protected and notable species – buffer for consideration is dependent on type, scale of impact and level of sensitivity

7.105 The topic chapter of the ES should contain a series of sub-headings with a summary of assessment information. The full results may be presented in standalone reports which sit in the appendix.

Cumulative Interactions

7.106 Within the EIA process, the PINS portal should be reviewed to identify other NSIPs which may have cumulative impact, additionally LPAs, wildlife trust and statutory nature conservation bodies should be consulted on appropriate development projects to consider.

7.107 Cumulative impacts may include the loss of a certain habitat type such as grassland type or hedgerows across a number of developments both permanent (built footprint) and temporary (construction access roads for example).

7.108 The plans or projects to be considered need to be agreed with North Yorkshire Council. The extent of cumulative assessment beyond a site boundary will be dependent on the type of development and potential pathways and receptors. For example, those impacts on watercourses, or highly mobile species may appropriately consider a greater distance. Larger buffers are required for consideration of cumulative impacts.

7.109 Examples of cumulative impact which may result from NSIP development include possible impacts on nesting upland birds such as golden plover which could be displaced by wind farm developments. If multiple wind farms come forward in different upland areas, this could result in local loss of breeding habitat. There is also potential for cumulative impact upon breeding skylark as a result of solar farm development, which requires appropriate survey and ecological assessment to determine appropriate offsite mitigation areas. Compensatory habitat cannot be delivered on-site, so suitable habitats must be identified off-site, which are like for like and in close proximity. Receptor sites must have appropriate baseline assessment to determine sites with suitable habitat cover, land use and management. It is also essential to whether the site has capacity to support the displaced population. Therefore, the receptor site also requires breeding bird surveys to understand the location and number of existing skylark breeding territories.

7.110 Assessment of in-combination effects are also required as part of the HRA process. Considering qualifying features of Habitats Sites, which could be affected by multiple projects occurring in proximity to one another spatially and/ or temporally, see earlier subheading on HRA best practice.

Cumulative opportunities

7.111 Information set out within the section above on ‘Future Baseline: Nature Recovery and Climate Change Resilience’ and the key delivery documents – North Yorkshire and York LNRS and North Yorkshire Climate Change Strategy 2023-2030 – should inform investment into and implementation of mitigation and offsetting projects. Alignment of NSIP projects with LNRS and BNG, enables targeting of opportunities for biodiversity corridors and habitat restoration at the landscape scale. Leading to successful delivery of local conservation priorities.

7.112 Despite the inherent challenges and sensitivities of NSIP delivery with regards to ecology, certain types of projects such as solar farms and other renewable energy projects, can result in positive outcomes for biodiversity. These outcomes are achieved through early optioneering and consultation and should take into account the opportunity areas and nature recovery priorities, which are being committed to by Supporting Authorities within the LNRS. These priorities for habitats and species which are considered throughout optioneering until detailed design, should also help guide the development of enhancement and mitigation projects.

Mitigation

7.113 A key consideration is not just the design but also the delivery of successful mitigation, given the large scales of NSIPs there is opportunity for substantive benefit that reflects the ecology at a landscape scale. North Yorkshire Council expect to see adherence to the best practice guidance on mitigation set out by CIEEM[44].

7.114 The mitigation hierarchy (avoid, reduce, mitigate, compensate, enhance) is integral to avoiding significant impact to biodiversity. Within EIA there are two types of mitigation, 'embedded mitigation', which is the process of mitigating impacts in the design stage of a project's development. Embedded mitigation must be clearly presented as such within the EIA and approved by the Planning Inspectorate. 'Mitigation', is also required where significant adverse effects remain as a result of the development. In this case mitigation is required to prevent, reduce and offset any remaining significant adverse effects.

7.115 Combined approaches between NSIP projects where there may be several power stations or overhead line projects in the same corridor resulting in several areas affected by severance of flight lines for examples, will result in the most effective mitigation for habitats and species. Mitigation should be broadly planned for these areas such as the Drax corridor, where there will be areas prioritised for NSIP development types such as power stations. Connections to the gird where there is opportunity to streamline cable upgrades for example, should be planned with logical phasing to minimise works footprint and reduce habitat loss and fragmentation and minimise disturbance to species during long term operation.

7.116 A key element of design to maximise BNG, is focusing NSIP development within areas of lower distinctiveness and condition. Mitigation can also be delivered through on-site and, where necessary, off-site BNG. Opportunities for delivery of BNG within development should also be targeted to habitats of low ecological value (low distinctiveness), or poor condition habitats, which can be enhanced as part of the development and managed in the long term. Opportunities to provide enhancement appropriate to the local landscape should be prioritised. Opportunities to co-deliver and complement the commitments set out for nature recovery within the LNRS, within Landscape Recovery projects, Protected Sites Strategies, Protected Species Strategies and the national targets set out by the 2021 Environment Act, as described above, should be sought. Target habitat types should prioritise what is locally appropriate taking into account landscape character such as upland grasslands and wetland mosaics etc.

7.117 Mitigation, restoration, enhancement and habitat creation opportunities need to take into account the soil types (which may be influenced by previous land uses) and where adjacent land is under consideration for off-site habitat enhancement. This should take into account datasets and analysis such as soils to accurately inform robust restoration and creation proposals and long-term management.

7.118 It is recognised that habitats of high distinctiveness which are also local conservation priorities, take a longer time to establish and therefore may not score the same biodiversity units as habitats of lower distinctiveness. However, the pursuance of locally appropriate habitats, over high scoring habitats (of lower distinctiveness and condition), should be determined through early consultation with the Council and statutory bodies.

Post-Decision Expectations

Delivery and Monitoring

7.119 Mitigation will only be successful where there is a clear and detailed process of management and monitoring in place to reduce risks. This is best achieved through developing an Ecological Design Strategy or Environmental Management Plan (EMP) which sets details the mitigation, compensation and enhancement measures to be incorporated and sets out the methods and responsibilities for delivery. The

[44] https://cieem.net/wp-content/uploads/2018/08/EcIA-Guidelines-v1.3-Sept-2024.pdf

plan should detail timescales for delivery, a monitoring and reporting schedule and key criteria for judging success.

7.120 Other specific management and monitoring plans, which may be required include Construction Environmental Management Plans (CEMP), which provide measures to avoid and reduce direct risks to the environment, including biodiversity, during the construction phase. Additionally, Habitat Management and Monitoring Plans (HMMP), which are required to set out how BNG will be achieved. Guidance on delivering BNG within NSIP developments is due to be published in November 2025 and should be consulted with regards to securing BNG. The current best practice is for BNG to be secured through a legal agreement and delivered through a Section 106 agreement or Conservation Covenant. Management of on-site and off-site BNG is required for a minimum 30-year period. This is a statutory requirement. However, depending on the habitats proposed, this management and monitoring period may be required to be longer, such as for habitats of very high distinctiveness.

7.121 Species monitoring is also an integral part of NSIP mitigation, secured through the DCO Schedule of Requirements. Monitoring ensures appropriate measures are in place to support and protect a habitat or species, it enables refinement of management measures and delivery of remedial actions if required.

7.122 Monitoring reports should be submitted to North Yorkshire Council at each of the agreed timeframes. The applicant will need to meet the requirements of the DCO (or other legal agreement) obligations for monitoring intervals. The collation and analysis of monitoring data not only informs the on-going mitigation, management and monitoring of the NSIP, but it also informs best practice, and the results should be used to inform future schemes, such as the development of specific habitat restoration methods, or specific species recovery actions such as for skylark and other taxon. Monitoring reports can feed into the Council's duty to report on biodiversity, as described within the earlier heading "The Biodiversity Duty". Therefore, underlining the importance for North Yorkshire Council to hold centralised data as set out within the "Best Practice Guidance in the DCO Process" heading above.

Chapter 8
Water Environment

Introduction

8.1 The water environment is likely to be relevant to most NSIPs, whether directly relating to water resources and water infrastructure and/or indirectly as a result of changes in the nature of the water environment induced by the NSIP. Rainfall and subsequent runoff must be managed within the proposed NSIP in order to protect potential receptors on-site and off-site. In respect of flooding, the NPS make clear that flood risk must not increase as a result of an NSIP.

8.2 Examples of NSIPs that impact water resources, as well as the nature of the surrounding water environment, include major new water supply infrastructure, particularly raw water systems such as reservoirs and large surface water or groundwater abstractions with their associated distribution networks, as well as water treatment works. Also, wastewater treatment works for residential, commercial and industrial purposes with their associated discharge points

8.3 Common themes relating to NSIPs and flooding include the linear nature of grid connections, transmission lines, pipelines, highways and railways, as well as the scale of operational sites.

8.4 This chapter sets out the key considerations that any new NSIP must consider in respect of the water environment with a particular focus on flooding. A number of other topics are essential to the underlying EIA process, as it applies to the water environment, therefore commentary is also provided on these topics.

Policy Context

National Policy Statements

8.5 In respect of flooding, the NPS typically outline strategies to reduce flood risks through planning, infrastructure improvements, and community preparedness, whilst aiming to preserve the natural functions of floodplains, which can help mitigate flood impacts and support ecosystems. The NPS also encourage public participation in flood management decisions to ensure community needs and concerns are addressed.

Planning Policy

8.6 Relevant sections of the NPPF to the water environment include Section 14: ‘Meeting the challenge of climate change’. This chapter considers the impact of climate change to flood risk and coastal change.

8.7 Paragraphs 170 to 182 set out the need to avoid areas at risk of flooding and for developments to be made safe for their lifetime. Where this cannot be achieved, national policy is clear that new development should not be allowed.

8.8 Policy SP15 Sustainable Development and Climate Change of the Core Strategy Local Plan states the design and layout of developments must contribute toward reducing carbon emissions and be resilient to the effects of climate change. Where necessary and appropriate designs should improve energy efficiency, incorporate sustainable design and construction techniques, and incorporate water-efficient design and sustainable drainage solutions. This should in-turn promote groundwater recharge.

8.9 Saved Policy ENV12 River and Stream Corridors states development proposals that are likely to harm the natural features of or access to river, stream and canal corridors will not be permitted unless the

importance of the development outweighs these interests and adequate compensatory measures are provided. These linear features provide important amenity and wildlife resources, and their importance cannot be underestimated.

8.10 Saved Policy ENV13 Development Affecting Ponds concerns the importance of ponds, and the habitat support they provide for key wildlife and plant species. ENV13 states that development proposals which would harm the value of a pond to wildlife, the landscape, townscape, or historical environment will not be permitted. As per other policies, this can be overcome where the need for a particular development can clearly be demonstrated to outweigh the value of the pond. Similarly, if an equivalent habitat can be created on site or elsewhere in the locality, a development proposal could be considered acceptable. Finally, appropriate management measures would need to be incorporated regardless.

Water Quality Standards and Objectives

8.11 The water quality of England's rivers is classified by the EA, which has developed a classification scheme for surface waters following the requirements of the Water Framework Directive (WFD)[45], as part of its River Basin Management Plans (RBMP).

8.12 The scheme assesses the condition of each river, lake, estuary and coastal water and assigns it a 'status' of either high, good, moderate, poor or bad. If a water body is classified as high or good status, then it has a healthy ecology which deviates only slightly from natural conditions. Such a water body is an important natural heritage asset and can support a wide range of uses such as recreation, fishing and drinking water supply. If a water body is classified as moderate, poor or bad, then the ecology is adversely affected and the range of uses which can be supported is reduced.

8.13 As part of the river basin management plans, waterbody data are published by the EA containing details of the current waterbody classification, current pressures on the waterbody and measures to address these and classification objectives for 2021 and 2027.

National Planning Practice Guidance

8.14 The NPPF is supported by the National Planning Practice Guidance[46] (NPPG) which provides guidance across a range of topic areas. The section entitled 'Flood Risk and Coastal Change' provides guidance on the 'sequential test' and 'exception test' which must be applied to steer development to areas with the lowest probability of flooding. The document also provides guidance on Flood Risk Assessments (FRA) and sets out flood risk issues from different types of development. Practitioners should also review national policy documents specific to individual infrastructure type (e.g. electricity generation and electricity transmission). Guidance on surface water management including consultation with the LLFA is also included. Of particular importance to Flood Risk Assessment is an appreciation of the EA's Flood Zone mapping[47] and the implications this has upon different types of development.

8.15 Guidance on climate change focuses on suitable mitigation and adaptation measures in the planning process. This includes considering availability of water and water infrastructure for the lifetime of a development and designing responses to promote water efficiency and protect water quality.

Local Sensitivities

8.16 The former Selby district is crossed by several main rivers including the Ouse, Wharfe, Aire and Derwent and their associated washlands, which in the case of the River Derwent supports internationally important wetland. Fluvial food zones for these rivers, in the Selby area and as currently mapped by the EA, are shown in Figure 8.1. Applicants must take account of these and their implications for planning at all stages of the NSIP process.

[45] Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.
[46] Ministry of Housing, Communities and Local Government, 2019. National Planning Practice Guidance.
[47] Environment Agency. 2025. [Online], available at: Flood Map for Planning: https://flood-map-for-planning.service.gov.uk/

8.17 Much of the area is also subject to tidal flooding from the River Humber. Large parts of the area are low lying and susceptible to flooding.

8.18 In terms of flood risk, the former Selby district and North Yorkshire are covered by the EA's Humber River Basin District Flood Risk Management Plan 2021-2027 (FRMP)[48]. The FRMP aligns with the EA's Humber RBMP[49] which addresses the water environment and management strategies for the Humber River Basin District as a whole, including the Selby area.

8.19 Pluvial flood risk, due to surface water accumulating from the occurrence of heavy rainfall exceeding infiltration and runoff rates, typically impacts smaller watercourses, classified by the EA as ordinary watercourses and thereby a focus of surface water flood risk. Pluvial flood risk may also arise in urban areas when rainfall intensity exceeds drainage capacity. The EA's Flood Maps for Planning[47] provide an initial indication of pluvial flood risk. In all such cases pluvial flood risk is typically localised and dependent on local topography, local soils and locally installed drainage (where present) and therefore will require site specific consideration and design to mitigate.

8.20 Groundwater flooding usually occurs in low lying areas underlain by permeable rock and aquifers that allow groundwater to rise to the surface through the permeable subsoil following long periods of wet weather. Low lying areas may be more susceptible to groundwater flooding because the water table is usually at a much shallower depth and groundwater paths tend to travel from high to low ground.

8.21 Selby Level 1 Strategic Flood Risk Assessment (SFRA)[50] identifies areas in proximity to the River Wharfe, River Ouse and River Aire to be more susceptible to groundwater flooding. Areas to the north, southwest and southeast of Selby District are therefore more susceptible to groundwater flooding. These areas generally coincide with the Sherwood Sandstone Group bedrock and Alluvium superficial deposits, which are classified by the EA as Primary and Secondary A aquifers, respectively. Groundwater flooding risks are, however, often highly localised and dependent upon geological interfaces between permeable and impermeable subsoils. It is therefore essential that an understanding of site-specific ground conditions is achieved through site survey and/or review of detailed borehole data.

8.22 The application of Sustainable Drainage Systems may not be appropriate in areas of shallow groundwater, as the near surface may already be saturated. Similarly, they may not be appropriate in the presence of contaminated land, where encouraging groundwater recharge may mobilise contamination.

River Ouse

8.23 Along the River Ouse, several areas are particularly vulnerable to flooding, especially during periods of heavy rainfall. Details are available via the EA's Upper Ouse Flood Alert System[51]. Some of the most affected locations include:

- York City Centre: Areas like King's Staith, Queen's Staith, and South Esplanade are prone to flooding due to their proximity to the river;
- Naburn Lock: This area often experiences flooding, affecting low-lying land and roads around Naburn Lock;
- Riverside Footpaths: Footpaths along the river, especially those in low-lying areas, are frequently at risk.

[48] Environment Agency. 2025. Humber River Basin District Flood Risk Management Plan 2021-2027.
[49] Environment Agency. 2022. Humber River Basin Management Plan

[51] Environment Agency. Upper Ouse Flood Alert Area. [Online], available at: https://check-for-flooding.service.gov.uk/target-area/065WAF441

River Wharfe

8.24 Along the River Wharfe areas particularly vulnerable to flooding, especially during periods of heavy rainfall, are noted in the EA's Lower River Wharf Flood Alert System and include:

- Otley: Properties on Newhall Park, Mill Lane, and Riverdale Road are at risk;
- Ilkley: Areas around Denton Road, Middleton Avenue, and the Cricket, Football, and Rugby Grounds are prone to flooding;
- Collingham: The Avenue, Kingfisher, Osprey, and Tern Roads, as well as properties on and adjacent to Bishopdale Drive, Low Farm, and The Stables;
- Pool in Wharfedale: The Yorkshire Water Pumping Station on Warren Lane and Mill Farm are vulnerable.

River Aire

8.25 A number of areas along the River Aire are particularly vulnerable to flooding, especially during periods of heavy rainfall. Details are available via the EA's Middle River Aire Flood Alert System[52]. Some of the most affected locations include:

- Stockbridge to Castleford: This stretch includes areas like Bradford Beck, Oulton Beck, and Kippax Beck;
- Leeds: Urban areas in Leeds are at high risk due to the impermeable surfaces that increase runoff;
- Bingley: The River Aire at Bingley is prone to flooding, impacting local communities and infrastructure.

River Derwent

8.26 Areas along the River Derwent particularly vulnerable to flooding, especially during periods of heavy rainfall, are noted in the EA's Lower River Derwent Flood Alert System[53] and include:

- Stamford Bridge: This area often experiences flooding, affecting properties and roads around the Weir Caravan Park and Kexby Bridge;
- Buttercrambe Mill: North of Stamford Bridge, this area is prone to flooding;
- Norton-on-Derwent: High water levels in the River Derwent can lead to flooding, particularly affecting properties and infrastructure;
- Elvington: Low-lying land around Elvington is also at risk.

River Humber

8.27 The River Humber has several areas that are particularly vulnerable to flooding, especially during periods of heavy rainfall and high tides. Some of the most affected locations include, as noted in the EA's River Humber Flood Alert System[54]:

- Goole: This town is at risk due to its low-lying position near the confluence of the River Ouse and the River Humber;
- Selby: Areas around Selby are prone to flooding, particularly during high river levels;

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[52] Environment Agency. Middle River Aire Catchment Flood Alert Area. [Online], available at: https://check-for-flooding.service.gov.uk/target-area/123WAF961
[53] Environment Agency. Lower River Derwent Flood Alert Area. [Online], available at: https://check-for-flooding.service.gov.uk/target-area/122WAF950
[54] Environment Agency. River Humber Flood Alert Area. [Online], available at: https://check-for-flooding.service.gov.uk/target-area/053WAF102THT

- Humber Estuary: The estuary itself is vulnerable to tidal flooding, which can impact surrounding low-lying areas.

Local Flood Risk Strategy

8.28 North Yorkshire Council developed a Local Flood Risk Strategy in 2023[55]. This includes a policy framework and action plan alongside other supporting sections such as a review of flooding incidents, roles and responsibilities and financing for flood risk management. The Flood Risk Strategy sets out the ambition to deliver flood risk management measures which have multiple benefits including social, economic and environmental, and which align with the council's ambitions regarding climate change, net zero carbon and net environmental gain.

8.29 Applicants should note that the Council has committed within its Flood Risk Strategy to the following actions, which are considered most relevant to the assessment and mitigation of NSIPs. Efficiencies throughout the planning process are likely to be achieved where NSIP processes align with the Council's commitments as follows:

- respond to requests for input on planning consultations for major developments in accordance with national planning policy;
- undertake periodic reviews of North Yorkshire Sustainable Urban Drainage (SuDS) Design Guidance[56];
- maintain a prioritised programme of flood alleviation and resilience projects in the context of the Regional Flood and Coastal Committee Medium Term (6 year) programme and other funding sources and opportunities;
- work with neighbouring LLFAs and partners to provide catchment-based approaches to tackle flood risk across administrative boundaries;
- improve and maintain the LLFA Flood Risk Management web pages within the North Yorkshire County Council website. Signposting best practice case studies, success stories, funding opportunities and advice for communities.

8.30 A Strategic Flood Risk Assessment (Level 1) was developed for Selby in 2015[50]. This provides useful overview of the specific landscape, topography and land use of Selby area, which is low lying and agriculturally dominated. The open, exposed landscape and intensive farming results in soil erosion through wind and flooding impacting both the land, floodplains and river systems.

Preferred Information Sources

8.31 The LLFA hosted by North Yorkshire Council, has a responsibility to bring together all Risk Management Authorities (RMAs) with a flood risk responsibility including key regulators such as the EA, the Inland Drainage Boards (IDBs) and the Highways Authority and consultees such as Yorkshire Water (or other relevant water companies). The emergency services also contribute, as do local groups at District and Parish level, including volunteer groups where appropriate.

8.32 In addition to flood risk, there are a number of other sub-topics within the water environment for EIA that need to be considered to ensure comprehensive treatment of the subject. Although not the focus of this guidance they are briefly mentioned here for completeness, with the responsible authority also indicated, in Table 8-1 Water Environment Sub-topics for EIA.

[55] North Yorkshire County Council, 2023. Local Flood Risk Strategy 2022-2027.
[56] North Yorkshire. 2019. Sustainable Urban Drainage (SuDS) Design Guidance.

Table 8-1 Water Environment Sub-topics for EIA

Sub-Topic	Regulatory Body & Data Sources	Commentary
Flood Risk	Lead Local Flood Authority, EA, Inland Drainage Boards (IDBs)	The Lead Local Flood Authority has coordinated access to relevant bodies (RMAs) concerned with flood risk and is therefore an essential source of information in this regard, as is the EA which provides detailed information on the nature and extent of flood risk within river basins, including flood risk zone mapping. The IDBs are also a vital part of managing water levels in the Selby area. Impact assessment and mitigation measures for any proposed development is expected to be founded on information supplied by these sources.
Water Quality and the Water Framework Directive	Environment Agency (supported by Inland Drainage Boards)	The EA regulate the quality of our water environment. Water Quality Objectives and Status are set out in River Basin Management Plans (RBMPs) as required under the Water Framework Directive. Developers must include proposals that do not jeopardise water quality objectives and status.
Water Quantity	Environment Agency (supported by Inland Drainage Boards)	The EA regulate the quantity of water within our water ways, including main rivers, ordinary rivers, and groundwater, as represented by flow and water level criteria necessary to protect the water environment. Developers must include proposals that do not jeopardise water quantity status and objectives established in the Agency's Catchment Abstraction Management Plans or the IDBs Water Level Management Plans.
Private Water Supplies	North Yorkshire Council	Owners of private water supplies are responsible for the quality and quantity of water derived from their supply. The Council are responsible for maintaining a register of Private Water Supplies in their area. Developers must consider risks to private water supplies from the Proposed Development.
Public Water Supplies	Environment Agency	Abstractions of water from surface water or groundwater above 20 m^3/day require an abstraction licence from the EA. However, abstractions for public water supply for towns and cities are substantially greater than this and are in themselves of national significance. Developers must include proposals that do not jeopardise licenced public water supplies.
Designated Sites and Protected Species	Environment Agency and Natural England	Areas that are especially sensitive to the environment and in particular depend upon the water environment are protected in law, primarily under the terms of the Habitats Directive and also the Water Framework Directive. These may comprise SSSIs, SACs, SPAs and Ramsar Sites. Locally important wildlife sites and nature reserves are maintained by Wildlife Trusts, however, these do not benefit from legal protection in UK law. Protected Species, such as a number of fish and aquatic invertebrates are protected under the Wildlife and Countryside Act 1981 and the Habitats

Sub-Topic	Regulatory Body & Data Sources	Commentary
		Regulations 1994. Developers must consider, and where appropriate mitigate, risks to designated sites and protected species.
Groundwater Dependent Terrestrial Ecosystems (GWDTE)	Environment Agency	GWDTE are, by definition, groundwater fed and therefore maintained by ambient groundwater levels and inflows. Their water quality is typically more mineralised than other surface water bodies, due to groundwater residence times and therefore also sensitive to changes in their water supply, particularly from surface water sources. In consequence GWDTE are considered sensitive water features and protected under the Water Framework Directive. Developers must consider, and where appropriate mitigate, risks to GWDTE.
Contaminated Land	North Yorkshire Council and the Environment Agency	Under Part IIA of the Environmental Protection Act 1990, enabled by Section 57 of the Environment Act 1995, County Councils are responsible for regulating contaminated land in their area. The nature of contaminated land can be highly varied, however, impacts to human health and the water environment are central to the legislation, therefore, developers must consider whether any changes to the water environment due to their proposals are likely to interfere with contaminated land and therefore put human health or the water environment at increased risk of harm.

8.33 Measures to address the sub-topics in Table 8-1, in addition to a technical appendix concerning Flood Risk Assessment, should typically be addressed through the inclusion of further technical appendices to the ES that comprise for, example: a WFD Assessment, a PWS Risk Assessment, a Habitat Management Plan, a Soil Management Plan, a GWDTE Assessment and a Land Quality Assessment. In each case the risks to the receptors must be identified and measures to protect them from significant impacts arising from the proposed NSIP described. Table 8-1 provides details of the elements that may potentially arise in these respects.

8.34 Where transport routes are required to cross watercourses, a watercourse crossing assessment is also required to assess and manage the risk of flooding around any constriction in the watercourse that may arise due to the crossing. A watercourse crossing assessment is a process to evaluate the potential impact of a proposed crossing (like a road or pipeline) on a watercourse, to ensure the crossing design minimises negative impacts on the watercourse and its ecosystem. Where appropriate the watercourse crossing must identify potential impacts on flood risk, aquatic habitats, fish migration and water quality. The assessment will be used to inform the relevant permits and consents required under the Land Drainage Act 1991 and Water resources Act 1991 and which must therefore be consulted on via the EA and Inland Drainage Boards.

8.35 Depending on the location, a watercourse crossing assessment may comprise:

- a desk study to compile existing data, maps and information about the watercourse and the proposed crossing location;
- a field survey to collect site specific data about the watercourse at the proposed crossing location, such as its cross-sectional profile, overall width, depth, flow regime and the surrounding environment;
- an ecological assessment to evaluate the potential impacts on aquatic life, including fish passage, habitat connectivity and water quality;
- a geomorphological assessment to evaluate the potential impacts on ground conditions surrounding the proposed crossing, including the banks and bed of the watercourse;
- a hydrological assessment to evaluate the impact of the crossing on flow rates and water levels, including groundwater levels and water quality;
- an engineering assessment to gather together all the relevant impacts and mitigations to inform the design of the crossing and to ensure it is fit for purpose.

Best Practice Guidance and the DCO Process

Pre-Application Expectations

8.36 As this stage sets out the road map for the DCO process (a full overview of the stages of a DCO is set out in Chapter 3), it is important to maintain an overview of the process itself, so that the most accurate information is provided during the required stages of the process. Applicants should be aware that consultation is, in reality, an ongoing process but most usefully occurs to inform production of the PEIR and ES. Furthermore, the design process must be iterative in order to enable design revisions to accommodate consultation and impact assessment stages. Best practice guidance on consultation and design iterations is available from a number of sources, including 'Environmental Impact Assessment Guide to: Climate Change Resilience and Adaption, by IEMA[57].

8.37 Note that whilst flood risk may be an over-riding concern, gathering all the required information from the relevant data sources at the same time, as described in table 8.1, will provide significant efficiencies in time and expense for the applicant, as well as for the Council and others who have a statutory duty to respond to requests for information.

[57] IEMA. 2020. Environmental Impact Assessment Guide to: Climate Change Resilience and Adaption, by Institute of Environmental Management and Assessment.

Scoping

8.38 The key considerations which are essential to include within the Scoping Report relating to the water environment are:

- A clear description of the Proposed Development, setting out the elements that may affect water environment receptors;
- Explanation of the design process and reasoning for how the site layout seeks to protect the water environment, including where appropriate, selection of construction lay down areas, batching and borrow pit locations, access and egress points including wheel washing and network connections;
- The legislation and guidance to be used, drawing on UK Government's guidance on Flood Risk and Coastal Change[58] where appropriate;
- Consideration of all types of flooding (and an explanation of why any particular type or types may have been scoped out); types of flooding to initially be considered include, now or in the future: rivers (fluvial) and the sea (coastal), direct rainfall on the ground surface (pluvial), rising groundwater levels, overwhelmed sewers and drainage systems (sewer flooding), reservoirs, canals and lakes and other artificial sources;
- The assessment methodology to be used based on industry standards, including the methodology for identifying sources, pathways and receptors as well as how significance will be determined using defined sensitivity and magnitude criteria;
- Key components of the water baseline pre-development and including where appropriate, water features, existing flood risk, WFD water quality status and objectives for the ambient water bodies, private and public water supplies, designated sites including any GWDTE present and any potentially contaminated land due to historic or current land use;
- The rationale for scoping out any components of the water environment not in hydraulic continuity with the Proposed Development or not relevant to the baseline (e.g. reservoir flooding when there are no reservoirs in the baseline);
- The approach to mitigation including consideration of embedded, applied and additional measures as well as the deployment of SuDS where appropriate;
- An understanding of cumulative and in-combination effects within the study area, along with the potential to provide appropriate combined mitigation measures;
- A comprehensive summary list of water effects to be scoped in or scoped out of future assessment work.

8.39 Note that the scoping report is based on initial consultations, the results of which will serve to inform the PEIR and subsequent further consultations, to be used in production of the ES and DCO application. Impact assessment is conducted on closure of the consultation process and ahead of production of the ES.

Environmental Impact Assessment

8.40 Recent advice from the UK Government on EIA and the WFD provides more detail concerning the water environment in particular and should be considered for all NSIPs[59]. This advice addresses the relationship between EIA and Habitat Regulation Assessment, to which applicants should give particular attention on matters relating to hydrology and ecology (see in-combination effects below).

[58]Ministry of Housing, Communities and Local Government. (2022). Guidance on Flood Risk and Coastal Change.
[59] UK Government. 2024, Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive,

Cumulative and In-Combination Effects

8.41 With regard to flooding, there are a number of ways in which cumulative and in-combination issues in EIA may arise.

Cumulative Issues

8.42 Examples where flood risk may present cumulative concerns are:

- harm to peatlands due to erosion within newly formed drainage paths;
- in a river corridor where flood risk upstream may cascade to receptors further downstream;
- inter-basin transfers that consume capacity in the receiving river basin;
- erosion of riverbanks causing harm to riparian users and aquatic habitats;
- water pollution from flooded treatment works impacting water resources.

8.43 A well-constructed flood risk assessment should take such factors naturally into account by virtue of flood mitigation measures identified during the design process, in particular the industry standard requirement to reduce flood flows to greenfield run-off rates within the proposed development.

In-Combination Issues

8.44 In-combination issues are those that may arise due to flood risk but have consequences for other environmental receptors. For example:

- harm to ecological receptors, especially designated ecological receptors, due to disruption of water dependent ecosystems, especially GWDTE that are protected under UK law and the terms of the Water Framework Directive;
- harm to archaeological remains, especially designated archaeological receptors, due to erosion and exposure to atmosphere or groundwater flooding and inundation;
- critical infrastructure that may suffer outage due to water inundation and/or harm due to lack of access for maintenance;
- safety issues for industrial sites, especially those with 24-hour operations and essential transport routes that are required to remain open for emergency services.

8.45 As with cumulative issues, a well-constructed flood risk assessment should take such factors naturally into account, by virtue of flood mitigation measures identified during the design process, in particular the requirement to reduce flood flows to greenfield run-off rates within the proposed development.

Mitigation

8.46 The principles of mitigation follow the hierarchy set out in the EIA Regulations.

8.47 Potential mitigation measures should be considered from the outset of a proposed development, not only towards the later stages. The concept, feasibility and site selection phases of the project provide the best opportunities for avoiding significant environmental impacts.

8.48 Mitigation of water environment impacts generally fall into three categories and may apply, in combination or individually, to construction, operation and / or decommissioning phases of a proposed development:

- **Primary or embedded mitigation**: include the use of flood defences to contain river flows, elevated platforms to raise development levels above flood levels and the use of topographic ridges or contour-parallel access tracks to minimise down-gradient erosion pathways;

- **Secondary or applied mitigation**: are typically secured through planning conditions and permits, e.g. an environmental permit is required for flood risk related purposes, from the EA, for development in a flood plain, on or near a main river, flood defence structure or sea defences; similarly the abstraction and discharge of cooling water for a power station is regulated by the EA under the terms of its abstraction licencing and discharge consenting regimes respectively;
- **Tertiary or additional mitigation:** is required regardless of any EIA assessment, as it is imposed, for example, as a result of legislative requirements and/or standard codes of practice e.g. the UK's Guidance for Pollution Prevention documents (non-statutory in England); these types of tertiary mitigation may also be captured in the outline CEMP or contained in a Surface Water Management Plan; such measures are standardised and often covered by other forms of legislation or controls, therefore they do not need to be presented in extensive detail in the EIA.

Post-Decision Expectations

8.49 Although the conditions attached to a DCO will vary according to the nature of the proposed development, from an engineering and environmental perspective, the principles remain the same. It is expected the permitting requirements of the DCO will have been the subject of consultations prior to, during and subsequent to the consenting process.

8.50 For flood risk related purposes, a permit from the EA is required for development in a flood plain, also on or near a main river, flood defence structure or sea defences. At a higher level of government, for example, constructing a barrage in UK tidal waters typically requires an Act of Parliament. This is because such projects often involve significant environmental, economic, and social impacts, and they usually need to navigate complex regulatory frameworks. The process ensures thorough scrutiny and public consultation, addressing concerns such as flood risk, navigation, environmental protection, and land use.

8.51 By way of example, the Tees Barrage, between Stockton and Middlesbrough, required the River Tees Barrage and Crossing Act 1990, to authorise its construction, operation and management. Today the barrage serves to prevent flooding, generate electricity and provide freshwater amenity in the local area. Whilst no barrages are currently being considered in North Yorkshire, their multifunctional purposing may provide a range of benefits in the future, to communities located near tidal waters, particularly those exposed to an increasing level of flood risk due to climate change.

8.52 The Council remains a key consultee within the DCO process and also has a lead role as the LLFA and in regard to SuDS. SuDS are designed to manage surface water runoff in a way that mimics natural drainage, helping to reduce flood risk and improve water quality. Note that Schedule 3 of the Flood and Water Management Act 2010, which would establish local authorities in the role of SuDS Approval Bodies (SAB), has not yet been enacted in England. At the present time therefore, SABs do not yet exist in England. Furthermore, there is also no revised timetable for implementation of Schedule 3 in England and therefore the LLFA continues, for now, to be a statutory consultee to the planning process only.

Monitoring Requirements

8.53 In general terms the monitoring requirements for DCO applications will mimic those for planning applications made under the Town and Country Planning Act 1990. The locations, frequency, duration and parameters monitored must reflect:

- **effects that are intended to be prevented, reduced or offset** e.g. monitoring around watercourse crossings to ensure that measures to prevent scour and erosion due to flooding are effective;
- **the outcome the mitigation is designed to achieve**; is the mitigation designed to completely prevent an effect or is it targeted at the reduction of an effect (and if so, by how much) e.g. the use of transverse drains to prevent the build-up of flood water up-gradient of access tracks;

- **a methodology that references design standards**, published methodologies or good practice benchmarks e.g. such as NYC's SuDS design guide and the Design Manual for Roads and Bridges (typically used for access tracks);
- **locations where the effect is most likely to be observed** e.g. discharge points;
- **the duration, timing and frequency of events likely to be of concern** e.g. high intensity rainfall events that may cause flooding within or downstream of the Proposed Development;
- **the party responsible for carrying out the monitoring and any skills, competences or licences required** e.g. an Environment Clerk of Works acting for the Applicant, a regulatory body or a third party;
- **any legal requirements** e.g. planning conditions, requirements or legal agreements to cover the mitigation proposed, to ensure it is correctly carried out, such as reporting of monitoring data to regulatory authorities;
- **adaptive requirements** e.g. measures required in the event that monitoring is insufficient for the purpose it was intended, such as increasing monitoring frequency using automated instrumentation to capture more infrequent events;
- **verification and validation of results** e.g. EA acceptance of reported monitoring.

Chapter 9
Environmental Health

Introduction

9.1 This section of the guidance explains the expectations that North Yorkshire Council have with respect to the impact of NSIPs on environmental health in the area. The scope of environmental health for this guidance is limited to noise, dust and air quality.

9.2 This section of the guidance outlines the environmental health sensitivities in the area, and the Council's preferred assessment methods; mitigation for construction works; monitoring regimes; and the Council's position on working hours.

Policy Context

9.3 Applicants of NSIPs should have regard to the relevant National Policy Statements that are designated at the point of submission.

9.4 The overarching NPS EN-1 for energy projects provides national policy on air quality and emissions (Section 5.2); dust, odour, artificial light, smoke, steam and insect infestation (Section 5.7); and noise and vibration (Section 5.12). These policies should be complied with.

9.5 The National Networks NPS provides guidance on air quality at Paragraphs 5.7-5.25; dust, odour, artificial light, smoke and steam at Paragraphs 5.117- 5.125; and noise and vibration at Paragraphs 5.227-5.242.

9.6 Paragraph 192 of the NPPF is also relevant, which confirms planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

9.7 Paragraph 198 states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

9.8 Applicants of NSIPs should have regard to the following policies of the adopted development plan that relate to environmental health:

- Saved Policy ENV2 'Environmental Pollution and Contaminated Land' of the Selby District Local Plan
- Saved Policy ENV4 'Hazardous Substances' of the Selby District Local Plan
- Saved Policy EMP10 'Additional Industrial Development at Drax and Eggborough Power Stations' of the Selby District Local Plan

- Policy SP17 ‘Low Carbon and Renewable Energy’ of the Selby District Core Strategy Local Plan
- Policy SP19 ‘Design Quality’ of the Selby District Core Strategy Local Plan

Local Sensitivities

Sensitivity to different types of NSIPs

9.9 The type of NSIPs in North Yorkshire recently have either been linear projects (such as the A66 Northern Transpennine DCO and the Thorpe Marsh Gas Pipeline) where the impact during construction is short-lived, or projects that are located around Drax or Eggborough, relatively remote areas. It is anticipated that these types of projects are indicative of the nature of future potential projects in the area and this therefore limits the type and extent of environmental health impacts anticipated.

9.10 All projects during the construction phase are expected to have some level of environmental health impacts, specifically noise and dust. Impacts on air quality during operation are expected from generating stations, waste projects involving combustion and road projects that would increase road traffic emissions.

Air Quality and Dust

9.11 The major source of pollution and the primary factor affecting air quality is nitrogen dioxide and particulate matter (PM10) from road traffic emissions. The A1, A66, the A19 and A59 run across the County in addition to various highway schemes and bypasses within urban and rural areas.

9.12 There is one Air Quality Management Area (AQMA) in the former Selby district. This covers an area within the town of Selby around New Street and Ousegate and was declared in February 2016 for levels of nitrogen dioxide. The Council’s Draft Air Quality Action Plan[60] of March 2024 identifies localised measures and district-wide initiatives, including projects to better monitor nitrogen dioxide and particulate matter (PM10 and PM2.5) using new monitors. The Air Quality Action Plan confirms that one of the Council’s priorities to address air quality is monitoring in AQMA’s and at other locations across the district, to highlight any potential exceedances of air quality objectives.

9.13 Air quality is required to be assessed at the operational phase for some NSIPs in the former Selby district. Whilst air quality is generally not a significant concern for most NSIPs, due to the remote nature of many developments, it is important to set controls for dust during the construction phase.

Noise

9.14 Noise impacts during operation and construction may be an issue depending on the location of the development. Generally, the background noise levels in the former Selby district are very low.

9.15 For example, for projects coming forward around Drax Power Station, there are very low noise levels given its remote location, yet there are also existing residential properties in Camblesforth which need to be appropriately considered. There is a need to protect the existing residential receptors around Drax from further excessive noise during construction.

9.16 If there are no sensitive receptors that need to be assessed, then then construction noise could be scoped out.

Best Practice Guidance and the DCO Process

9.17 This section provides North Yorkshire Council’s preferences and expectations with respect to construction noise and working hours; operational noise; construction codes of practice and monitoring.

[60] https://edemocracy.northyorks.gov.uk/documents/s30020/NYCAQAP2024DRAFT.pdf

Construction Noise and Working Hours

9.18 ES submitted with NSIPs should assess the impacts of the proposed construction working hours. The Council's stance on working hours is that applicants should stick to core construction working hours between 8am and 6pm Monday-Friday, 8am-1pm on Saturdays and there should be no regular working on Sundays and Bank Holidays. This is to safeguard residential amenity in the early morning, evening and on Sundays and Bank Holidays. If a project requires longer working hours, such as starting work at 7am and ending at 7pm, North Yorkshire Council would expect to see an assessment that compares the two scenarios with respect to impacts on sensitive receptors.

9.19 The assessment should comply with BS 5228: Code of practice for noise and vibration control on construction and open sites. It is accepted that complying with this standard does not necessarily equate to no impact in planning terms. However, the Council will not accept construction noise levels above those set out in BS 5228.

9.20 The Council will accept some short-term flexibility with regards to working hours and therefore construction noise. It is accepted that due to the critical national priority for the provision of low carbon infrastructure (established by Section 4.2 of EN-1) there may be a basis for this. The Council also accept that some temporary construction practices for NSIPs may require working outside of these hours. Justification should be provided for this.

Controls for out of hours working

9.21 The Council require early engagement and justification for out of hours working and instances of particularly noisy working that would breach these standards. If very noisy works are required, such as driven piles, the onus is on the applicant to demonstrate that this method of construction is required. The Council encourage as early engagement as possible with the Environmental Health team.

9.22 The Council will seek to control construction noise through a requirement of any DCO.

9.23 The Control of Pollution Act 1974 (CoPA) gives the Council powers to control noise and vibration from construction sites and other works. Section 61 allows contractors to apply for Prior Consent and agree working hours, site noise levels and other measures prior to work starting. Where Section 61 prior consent has not been agreed, Section 60 allows the Council to serve a notice of its requirements for the control of site noise at any point during the works.

9.24 If applicants are to use applications under Section 61 of the CoPA for out of hours working, the Council would request applicants to incorporate this within the DCO so that it can be assessed at Examination, rather than deferring it until post-Decision. Due to the long timescales associated with constructing NSIPs and the associated amount of information behind a Section 61 application, if an applicant of a DCO project wants to submit a Section 61 application post-Decision, early engagement with the Environmental Health Officer (EHO) is recommended so they can have input during the drafting of the application. A local authority has 28 days to determine these, so it is not acceptable for the EHO to see the Section 61 application for the first time when it is submitted. Applicants should allow adequate time for a Section 61 application to be reviewed.

9.25 The Council considers that the combination of construction noise being conditioned in a Requirement to the DCO, and the implementation of a residential engagement communications strategy should negate the need for a Section 61 application.

Operational Noise

9.26 Where the NSIP proposed may result in operational noise, the Council will expect applicants to assess the noise impacts on nearby noise sensitive receptors. The impact of operational noise will be partly dictated by the background levels of noise.

9.27 Due to the very low background noise levels in parts of the former Selby district (including around Drax Power Station), an assessment using BS 4142 (a method to assess the impact on humans in residential

premises from industrial premises, manufacturing premises or fixed installations) generally comes out as very significant. The Council's experience is that developers will then use BS 8233:2014 (guidance on sound insulation and noise reduction for buildings) which is not the preferred approach. The Council would prefer developers to accept where impacts are significant, if they are, and provide justification and commentary as to why those issues will be temporary.

Construction Code of Practice

9.28 The Council would like to see Construction Codes of Practice submitted with each DCO application. These should cover noise, vibration and dust and should be based on the relevant British Standard for construction on open sites. North Yorkshire Council's priority for this is avoiding substantiated and justified complaints from residents relating to construction noise.

9.29 The Construction Code of Practice should include a clear method for communications with residents, set out in a communication plan, including a complaints procedure which should include a number for residents to ring.

Noise Monitoring

9.30 If applicants are undertaking noise monitoring to inform their assessments for the ES, they should discuss and seek early agreement with the EHO on monitoring locations and methodologies (such as attended/unattended and duration) as early as possible in the process. This will assist in avoiding any abortive work if the location is not agreed.

9.31 The Council wish to avoid noise monitoring equipment being located adjacent to roads if the aim of the monitoring is for results to be representative of residential gardens. Every attempt should be made to achieve monitoring in true representative locations.

Environmental Impact Assessment

Operational Air Quality

9.32 DCO applications in North Yorkshire tend to scope out air quality during operation, considering the environmental quality of the area. The only AQMA in the County is in the urban area of Selby so it is unlikely that any NSIPs would have any indirect or direct impacts. Operational air quality could therefore be scoped out of the ES subject to the type of project and its environmental effects. Air quality during construction should be scoped in.

Operational Noise

9.33 The methodology within ES should accord with BS 4142 and be aware of the very low background noise levels across much of the district. The Council are happy for existing noise data available to be used in an ES.

Construction Noise

9.34 Given the prevalence of residential receptors across the former Selby district, construction noise will generally need to be scoped into the ES, but if there are no sensitive receptors in the area, it may be possible to be scoped out.

Post-Decision Expectations

Monitoring

9.35 Developers should ensure proper noise and dust monitoring mechanisms are in place during construction works, especially for sites with sensitive receptors. The Council request that applicants measure dust via site monitoring and keeping logs.

9.36 North Yorkshire Council want to see provisions for noise monitoring on-demand, if complaints are received, to test whether the sound requirements have been breached.

Chapter 10
Public Health

Introduction

10.1 This section of the guidance explains the expectations that North Yorkshire Council have with respect to the impact of NSIPs on public health. The World Health Organisation defines health as, “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”. Public health, or population health, concerns the health of the human population in an area, which is influenced by environmental, social and economic factors as well as personal lifestyle choices.

10.2 Public health has the potential to be affected by development projects, including NSIPs. These impacts can occur from as early as the pre-application stage once proposals enter the public domain, and throughout the construction, and operational phases into decommissioning. Developments including NSIPs can give rise to a range of potential adverse impacts on public health, such as the effects of disruption to daily lives from increased vehicle traffic, landscape changes which impact upon the enjoyment and participation in active travel or daily physical activity, and noise and air quality impacts (considered in different chapters of this guidance). In addition, NSIP development can give rise to less tangible mental health impacts, such as increased anxiety, emotional distress, fear, uncertainty and intimidation.

10.3 This chapter provides guidance as to how North Yorkshire Council would expect NSIPs to assess, mitigate against, and control their public health impacts with a specific focus on protecting community wellbeing. The aims of this chapter are to:

- raise awareness of these less tangible impacts on public health;
- require applicants to appropriately assess impacts on public health, including mental health within ES;
- recommend that NSIP developments are accompanied by a detailed Population and Human Health Chapter which appropriately considers, addresses and mitigates the potential and perceived health impacts on vulnerable population groups;
- undertake more through community consultation beyond the minimum legislative requirements; and
- recommend that NSIP developers survey the local community to build up an evidence base of the impacts of NSIPs within North Yorkshire, for both the benefit of the Council and future project promoters.

10.4 It is acknowledged that there is currently an absence of evidence into the impact of NSIPs on community wellbeing especially during the pre-application stage. However, the absence of evidence in an emerging and changing industry does not automatically mean the absence of harm. Therefore, North Yorkshire’s stance is that applicants, as part of a robust community engagement plan, should undertake a series of community surveys to ensure the applicant is appropriately mitigating potential and perceived impacts of development and further develop the industry evidence on required embedded mitigation which will in turn help inform the Council’s understanding to ensure developments do not inappropriately impact upon their local communities.

10.5 The Council are generally supportive of DCO applications where their public health impacts have been appropriately assessed and can be made acceptable. This guidance confirms the need for effective dialogue with communities; seeks to ensure assessment of community wellbeing is included within EIA as a standalone Population Health chapter; and seeks to secure appropriate community support for public health

(to mitigate against potential negative impacts of development upon wellbeing, mental health, and quality of life).

Policy Context

10.6 NSIPs applicants should have regard to the relevant National Policy Statements that are designated at the time of submission. The overarching NPS for energy projects (EN-1) notes at Paragraph 4.4.3 that, *"indirect effects of new energy infrastructure may affect the composition and size of the local population, and in doing so may have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity".* The direct impacts of health mentioned at this Paragraph include air pollution, dust and noise (considered in the Environmental Health chapter of this guidance).

10.7 NPS EN-1 also requires applicants to assess the effects of the proposed project on humans, and identify any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. Cumulative impacts of more than one development should be considered where appropriate (Paragraph 4.4.4).

10.8 Applicants of NSIPs in the former Selby district should have regard to the following policies of the adopted development plan which are relevant to public health:

- **Policy SP17 Low Carbon and Renewable Energy –** all development proposals for new sources of renewable energy and low carbon energy generation and supporting infrastructure must meet all of the criteria in the Policy, which includes minimising impacts on local communities.
- **Saved Policy T8 Public Rights of Way -** development proposals that would have significant adverse effects on PRoW networks will not be permitted unless satisfactory and attractive alternative routes are able to be provided with adequate signage. Additionally, new alternative routes must make provision for users of all classifications, where reasonable, including walkers, cyclists, horse riders, and people with sight or mobility impairments.

Local Sensitivities

10.9 The Public Health team at the Council have identified that NSIP projects can potentially cause distress, worry and uncertainty for local communities. Communities in the former Selby district are disproportionately experiencing the impacts of NSIP schemes (as identified by Figure 1.1). Public health is considered more sensitive around areas with several live or consented NSIP projects, such as Drax.

10.10 The former Selby district has an ageing population in addition to other vulnerable populations, such as people with life-long limiting conditions, that should be appropriately considered in any ES to support an NSIP. With a rapidly growing population of adults over 65 years old and a larger proportion relative to the rest of England, public health impacts from infrastructure projects could be exacerbated.

10.11 Within the former district, men in the most deprived wards live on average 8.4 years less, and women on average 10.2 years less, than those in the least deprived wards. Men in the most deprived wards live on average 11.5 fewer years in good health, and women live 4.1 fewer years in good health on average, compared to the least deprived wards.

10.12 Wider determinants of health in the former Selby district that may contribute to differences in life expectancy and healthy life expectancy include a lower employment rate and higher proportion of schools rated "requires improvement" or "inadequate" by Ofsted. The proportion of adults and reception age children who are overweight or obese is higher than the England average. The rate of Sexually Transmitted Infection (STI) testing in Selby is significantly below the England average.

10.13 A link has been made between NSIPs affecting access to open space and enjoyment of views, which can affect both physical and mental health during the operational stage. Some NSIPs may also limit the community's ability to engage in active travel and enjoy outdoor spaces. However, there is a limited

evidence base surrounding this. This guidance aims to encourage developers to undertake surveys into the impact of NSIPs on people's mental and physical health to build up a local evidence base.

10.14 The impact of NSIPs on the landscape is considered in the chapter on Landscape and Visual Impact.

Sensitivity to different types of NSIPs

10.15 Different types of NSIPs can have different public health implications. With projects that will be decommissioned within a specified timescale, such as solar or wind generating stations, the public health impacts of the project may be very different at decommissioning, due to changes in the population composition.

10.16 Pipelines and linear projects such as roads, where construction is staged and takes multiple years, may cause increased stress and worry over more time, due to impacts on resident's daily lives. For example, road closures may cause increased congestion or impact everyday activities which may in turn cause stress and anxiety. These impacts are often disregarded as they are relatively short-term and minor, yet North Yorkshire Council would like to see them recognised.

Best Practice Guidance and the DCO Process

Pre-Application Stage

10.17 The Council recognise that some of processes that are most likely to result in mental wellbeing impacts take place during consenting and before construction and operation. Therefore, identification of potential harm and appropriate mitigation measures must be integrated into the pre-application consultation process.

Community Wellbeing

10.18 The Council wants project developers to acknowledge that community wellbeing can be affected as soon as plans for an NSIP enter the public domain during pre-application and could last throughout construction and even operation. Whilst impacts on the environment caused by NSIPs are assessed using EIA, the temporal scope of EIA does not cover effects on the human population prior to construction starting and consent being granted. For that reason, NSIPs may have effects on wellbeing in the community prior to the project being consented, which are not fully recognised presently by DCO submissions.

10.19 The time from the launch of the project into the public domain until construction commences can be when significant uncertainty, annoyance, frustration and consequently mental health pressures are felt in the community. The Council's view is that it is imperative for applicants to attempt to mitigate these impacts on residents by going beyond the statutory requirements for community engagement.

10.20 The timescales for impact on population health commence as soon as the application is in the public domain. In addition, acknowledgement that the impacts that are considered reversible will still have a lasting effect on the population and take time to reverse and should not be dismissed.

10.21 In addition to the statutory requirements for community engagement set out in the Planning Act 2008 (s47), North Yorkshire Council would like project promoters to:

- build relationships of trust between the local community in order to progress to statutory consultation;
- employ regular surveys to check the impact of the project on mental and physical health for local residents; and
- consult with the Council on the Statement of Community Consultation.

Meaningful Community Engagement

10.22 The Council would like to emphasise the importance of making community engagement meaningful and ensuring residents feel heard throughout the process. Early, effective and robust community engagement must be undertaken which meaningfully and continually puts the community, and their concerns, at the heart of the proposal.

10.23 North Yorkshire Council consider that most developers approach to engagement to date has had a tactical focus, whereby developers consult communities by informing them about the emerging and evolving details of the project. Whilst this is necessary and this will fall under the statutory consultation requirements, the Council consider this is not sufficient. The Council request that the wellbeing of the community is at the heart of the consultation. The community should feel their views are being listened to and feel that they are able to provide concerns and have input as to where the Community Benefit Fund will be spent.

10.24 The Council considers that consultation should principally be focused on building and maintaining trust, confidence and understanding in the early stages, by creating an effective framework for dialogue, conflict resolution and management. This will create a space into which informing the community about a project, and discussing issues and options around it, can then be placed.

10.25 The International Association for Public Participation's (IAP2) Spectrum of Public Participation defines types of consultation into a spectrum from 'inform', which is the lowest impact that a community can have on a project, to 'empower'. The Council wish project promoters to consult and involve the public in the decisions, at the minimum. To 'involve' is to work with communities to ensure concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

iap2

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Figure 10.1 IAP2 Spectrum of Public Participation

10.26 Suffolk County Council's Community Engagement and Wellbeing guidance document provides some helpful guidance on key principles for good engagement that should be followed: [61]

- Comprehensive and honest engagement;
- Clear explanation of the process and related timelines;
- Demonstrable and ongoing appreciation of, and responsiveness to, the impacts of multiple projects in the area, and consequent impacts on the communities wellbeing, and capacity to engage with a specific project;

[61] International Association for Public Participation (2018). *Spectrum of Public Participation*. Available at: https://www.iap2.org/page/pillars

- Clarity around the purpose and scope of specific engagement with communities;
- Early signposting of any emerging proposals in principle, for community benefit or shared ownership schemes;
- Consideration of the timing of consultations, for example, avoiding main holiday times of year;
- Practical support including phone helpline and drop-in events;
- Clear and comprehensive complaints and grievance mechanism;
- Regular in-person presence;
- A scheme for ongoing community engagement during the operation of the project.

Statement of Community Consultation

10.27 It is recommended that developers consult on their Statement of Community Consultation with the Council as early as possible. Developers should ensure that the Statement of Community Consultation for the project is effective; in order that meets the test of adequacy as defined in s55(5) of the Planning Act 2008, but also, that the quality and process of engagement rather than just the extent, reach, and duration of consultation, facilitates co-design with communities and protects community wellbeing.

Scoping

10.28 The fear, uncertainty, and conflict caused by long-term development projects such as NSIPs can have significant mental health implications for the residents of North Yorkshire. The Council consider there is a need to acknowledge these concerns within the EIA process as best they can be, and they should be given the same weight as physical health with respect to impacts of a development on the environment.

10.29 North Yorkshire Council expect to see Population and Human Health scoped into all ES to support DCO applications, using an approved methodology that follows IEMA's Guide on "Effective Scoping of Human Health in Environmental Impact Assessment" published in 2022.

10.30 The Council expects applicants to engage with Public Health Officers and Planning Officers, to discuss and agree the scope of mental health and wider human health impact assessments that should be included within the ES, and any required avoidance and mitigation measures. This should include agreeing the vulnerable populations in North Yorkshire and the potential impacts to be considered (such as respiratory health, mental health or sexual health).

10.31 The Council consider that a lack of evidence does not equate to a lack of harm. Therefore, where evidence is absent or limited, the applicant must demonstrate how it will gather evidence to support assumptions. A monitoring regime should be put into place to assess the impacts on the community.

Environmental Impact Assessment

10.32 All ES to support an NSIP scheme should include a Population and Human Health chapter, which should consider the impacts – perceived and tangible – upon the population as a whole, and sub-populations. As well as considering heath factors individually, the assessment must also appropriately consider the cumulative effect of these individual health impacts on population and human health (which will include those from across all chapters of the assessment relevant to the wider determinants of health as well as those exclusively identified in the human health chapter).

10.33 An appropriate assessment on public health should follow IEMA's Guide on "Determining Significance for Human Health in Environmental Impact Assessment". Additional guidance published by the International Association for Impact Assessment and European Public Health Association called, "Human Health: Ensuring a High Level of Protection", should also be referred to.

10.34 Reversible impacts are those that are limited to less than 6 months.

Methodology

10.35 To date, North Yorkshire Council have seen a lack of proper cumulative impact assessments for NSIPs with respect to public health. Applicants should ensure their assessments include both inter-project and intra-project cumulative effects with respect to population health. For instance, the long-term presence of multiple NSIPs (e.g., solar farms and pipelines) in one area could negatively affect access to healthcare services, mental health, and community well-being.

10.36 There is a need for developers to consider cumulative impacts with respect to inter-project and intra-project impacts.

10.37 Chapters on Population and Human Health should use the North Yorkshire Joint Strategic Needs Assessment which has up to date information on population health.[62]

Monitoring of Community Wellbeing

10.38 The Council recommend that developers undertake a series of surveys at appropriate points, to be agreed via consultation with the Public Health Officers, to maintain understanding of the impacts of the project on the population and be able to measure the impacts. Developers should include surveys to gather insights from the local community early in the process. This will improve developers' knowledge of the effects of uncertainty and fear on residents' mental health as soon as NSIP projects are proposed.

10.39 This would have multiple benefits to both the Council and the developer; building the Council's understanding of the impact of these projects on local communities and benefit the developer as the findings can be used to guide their consultation processes. More empirical evidence is required for this purpose. The Council would welcome being able to understand the full range of impacts on the community, if for example the proposals are having a beneficial impact on the community.

10.40 The Council have suggested examples of questions prior to the project being consented, which could be adapted once consent has been granted and construction has ended, as well as at regular intervals during the NSIP's operational lifetime:

- Do you think this project will have a positive/neutral/negative effect on your physical health? (Multiple choice answer and give space for details)
- Do you think this project will have a positive/ neutral/negative effect on your mental health & wellbeing? (Multiple choice answer and give space for details)

10.41 The Council consider that an additional way that developers should monitor community wellbeing should be to form a community liaison group. This group would include representatives from the local community who could feed back on the impact of the proposals. A neutral chair for this may be useful.

10.42 If the results of the surveys indicate that the proposal is having significant adverse impacts on certain elements of community wellbeing, the Council would expect some form of mitigation, similar to the way for identifying impacts and their significance in EIA.

10.43 If the impacts on the community could not be mitigated, then they would need to be compensated for. There is anecdotal evidence for an impact on health services during construction. In the past, North Yorkshire Council have asked if developers could contact local GP practices to understand their patient numbers and see if there is capacity to cope with an influx of workers who may use local health services. If this is realised, then the Council may request contributions from developers to cover these costs.

10.44 Early and continuous engagement with communities will not only improve community understanding of the project as well as alleviate particular impacts upon mental health, by providing a sense of control,

[62] North Yorkshire Council (2024). North Yorkshire Joint Strategic Needs Assessment. Available at: https://app.powerbi.com/view?r=eyJrIjoiZDQxYzY0ZGItY2UxNC00N2Y1LWIyYTgtYWQ2NDEwYzAwYWJjIiwidCI6ImFkM2Q5YzczLTk4MzAtNDRhMS1iNDg3LWUxMDU1NDQxYzcwZSIsImMiOjh9&disablecdnExpiration=1722372300

inclusion and participation[63]. Such community engagement activities detailed above could be considered mitigation.

Post-Decision Expectations

10.45 The Council want developers to re-assess the baseline of the population in terms of human health at the point of decommissioning (for example, 40 years into the future), and re-assess the impacts to see if any new mitigation needs to be put into place at that point.

10.46 The developer should continue to undertake regular surveys, at a frequency to be agreed with the Public Health Officers, to build up a picture of the project's impacts on health, to understand the impact of the proposal during construction, operation and decommissioning.

[63] IEMA (2022). *Guide to Effective Scoping of Human Health in Environmental Impact Assessment.* Available at: https://www.iema.net/resources/blogs/2022/11/17/iema-launch-of-the-eia-guidance-for-considering-impacts-on-human-health-november-2022/

Appendix A

Acronyms List

List of all acronyms used in the document

Abbreviation	Un-shortened text
AQMA	Air Quality Management Area
BNG	Biodiversity Net Gain
CCS	Carbon Capture and Storage
CEMP	Construction & Environmental Management Plan
CIEEM	Chartered Institute of Ecology & Environmental Management
CIFA	Chartered Institute for Archaeologists
COPA	Control of Pollution Act
CPRE	Campaign for the Protection of Rural England
CSLP	Core Strategy Local Plan
DAD	Design Approach Document
DCO	Development Consent Order
EA	Environment Agency
EHO	Environmental Health Officer
EIA	Environmental Impact Assessment
EIP	Environment Improvement Plan
EMP	Environmental Management Plan
ES	Environmental Statement
FAS	Flood Alleviation Scheme
FRA	Flood Risk Assessment
FRMP	Flood Risk Management Plan
GI	Green Infrastructure
GLVIA	Guidelines for Landscape & Visual Impact Assessment

Abbreviation	Un-shortened text
AQMA	Air Quality Management Area
GPA	Good Practice Advice
GWDTE	Groundwater Dependent Terrestrial Ecosystems
HE	Historic England
HEAN	Historic Environment Advice Note
HER	Historic Environment Record
HLC	Historic Landscape Characterisation
HRA	Habitats Regulations Assessment
IAP	International Association for Public Participation
IDB	Inland Drainage Boards
IEMA	Institute of Environmental Management and Assessment
IHBC	Institute of Historic Building Conservation
LCA	Landscape Character Area
LCT	Landscape Character Type
LIR	Local Impact Report
LLFA	Lead Local Flood Authority
LNP	Local Nature Partnership
LNRS	Local Nature Recovery Strategy
LPA	Local Planning Authority
LVIA	Landscape & Visual Impact Assessment
LWS	Local Wildlife Sites
NERC	Natural Environment and Rural Communities
NGO	Non-governmental organisation
NHLE	National Heritage List for England
NNR	National Nature Reserves
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project

Abbreviation	Un-shortened text
AQMA	Air Quality Management Area
NYC	North Yorkshire Council
PADSS	Principal Areas of Disagreement Summary Statement
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
PPA	Planning Performance Agreement
PROW	Public Right of Way
RBMP	River Basin Management Plan
RMA	Risk Management Authorities
RPG	Registered Park and Gardens
RSPB	Royal Society for the Protection of Birds
RVAA	Residential Visual Amenity Assessment
SAB	SuDs Approval Bodies
SAC	Special Area of Conservation
SFRA	Strategic Flood Risk Assessment
SINC	Sites of Importance for Nature Conservation
SOCG	Statement of Common Ground
SOS	Secretary of State
SPA	Special Protection Areas
SSSI	Site of Special Scientific Interest
STI	Sexually Transmitted Infection
SUDS	Sustainable Urban Drainage Systems
TCPA	Town and Country Planning Act
WFD	Water Framework Directive
ZTV	Zone of Theoretical Visibility

Appendix B

Designated Sites within 15km of the former Selby District

List of designated sites

Designation type	Designation name	Distance from Selby (m)	Distance from Selby (km)
Ramsar	Humber Estuary	1052.02	1.05
Ramsar	Lower Derwent Valley	0.00	0.00
NNR	Humberhead Peatlands	5540.80	5.54
NNR	Lower Derwent Valley	0.00	0.00
NNR	Skipwith Common	0.00	0.00
SAC	Hatfield Moor	11732.45	11.73
SAC	Humber Estuary	1052.02	1.05
SAC	Kirk Deighton	6723.15	6.72
SAC	Lower Derwent Valley	0.00	0.00
SAC	River Derwent	0.00	0.00
SAC	Skipwith Common	0.00	0.00
SAC	Strensall Common	14274.81	14.27
SAC	Thorne Moor	5400.65	5.40
SSSI	Beckhead Plantation	14848.08	14.85
SSSI	Potteric Carr	14615.95	14.62
SSSI	Hay-a-Park	14519.63	14.52
SSSI	Hatfield Chase Ditches	14390.98	14.39
SSSI	Strensall Common	14274.81	14.27
SSSI	South Cliffe Common	14181.36	14.18
SSSI	Bishop Wilton Poor Land	14115.60	14.12
SSSI	Upper Dunsforth Carrs	14065.41	14.07

Designation type	Designation name	Distance from Selby (m)	Distance from Selby (km)
SSSI	Cadeby Quarry	13085.35	13.09
SSSI	Denaby Ings	12974.72	12.97
SSSI	Sprotbrough Gorge	12694.16	12.69
SSSI	Birkham Wood	12595.27	12.60
SSSI	Eastoft Meadow	12473.67	12.47
SSSI	Hatfield Moors	11732.45	11.73
SSSI	Sandall Beat	11690.52	11.69
SSSI	Eccup Reservoir	11685.57	11.69
SSSI	Dearne Valley Wetlands	11664.96	11.66
SSSI	Carlton Main Brickworks	11048.54	11.05
SSSI	Newsome Bridge Quarry	8990.78	8.99
SSSI	East Keswick Fitts	8942.82	8.94
SSSI	Nostell Brickyard Quarry	8733.63	8.73
SSSI	White Carr Meadow	8147.23	8.15
SSSI	Bilham Sand Pits	7698.33	7.70
SSSI	Clifton Ings And Rawcliffe Meadows	7052.53	7.05
SSSI	Kirk Deighton	6723.15	6.72
SSSI	Allerthorpe Common	6619.83	6.62
SSSI	Linton Common	6236.05	6.24
SSSI	Newton Mask	5424.65	5.42
SSSI	Thorne, Crowle and Goole Moors	5400.65	5.40
SSSI	Aubert Ings	5361.28	5.36
SSSI	Fulford Ings	5196.90	5.20
SSSI	Pocklington Canal	5095.90	5.10
SSSI	Hetchell Wood	5058.71	5.06
SSSI	Townclose Hills	4611.73	4.61
SSSI	Mickletown Ings	4455.71	4.46
SSSI	Owston Hay Meadows	4376.96	4.38
SSSI	Naburn Marsh	4221.20	4.22

Designation type	Designation name	Distance from Selby (m)	Distance from Selby (km)
SSSI	Norwood Bottoms	3853.37	3.85
SSSI	South Elmsall Quarry	3467.12	3.47
SSSI	Roach Lime Hills	3370.80	3.37
SSSI	Heslington Tillmire	3026.90	3.03
SSSI	Shirley Pool	2821.69	2.82
SSSI	Melbourne and Thornton Ings	2603.69	2.60
SSSI	Church Ings	2021.64	2.02
SSSI	Askham Bog	1955.59	1.96
SSSI	Barn Hill Meadows	1897.13	1.90
SSSI	Wentbridge Ings	1790.37	1.79
SSSI	Went Ings Meadows	1771.94	1.77
SSSI	Hook Moor	1707.23	1.71
SSSI	Humber Estuary	1052.02	1.05
SSSI	Micklefield Quarry	690.26	0.69
SSSI	Madbanks and Ledsham Banks	174.06	0.17
SSSI	Acaster South Ings	0.00	0.00
SSSI	Bolton Percy Ings	0.00	0.00
SSSI	Breighton Meadows	0.00	0.00
SSSI	Brockadale	0.00	0.00
SSSI	Burr Closes, Selby	0.00	0.00
SSSI	Derwent Ings	0.00	0.00
SSSI	Eskamhorn Meadows	0.00	0.00
SSSI	Fairburn and Newton Ings	0.00	0.00
SSSI	Forlorn Hope Meadow	0.00	0.00
SSSI	Kirkby Wharfe	0.00	0.00
SSSI	River Derwent	0.00	0.00
SSSI	Sherburn Willows	0.00	0.00
SSSI	Skipwith Common	0.00	0.00
SSSI	Stutton Ings	0.00	0.00

Designation type	Designation name	Distance from Selby (m)	Distance from Selby (km)
SSSI	Tadcaster Mere	0.00	0.00
SPA	Humber Estuary	1052.02	1.05
SPA	Lower Derwent Valley	0.00	0.00
SPA	Thorne & Hatfield Moors	5400.65	5.40

Appendix C
Figures

Figures

North Yorkshire Council: Selby NSIP Guidance
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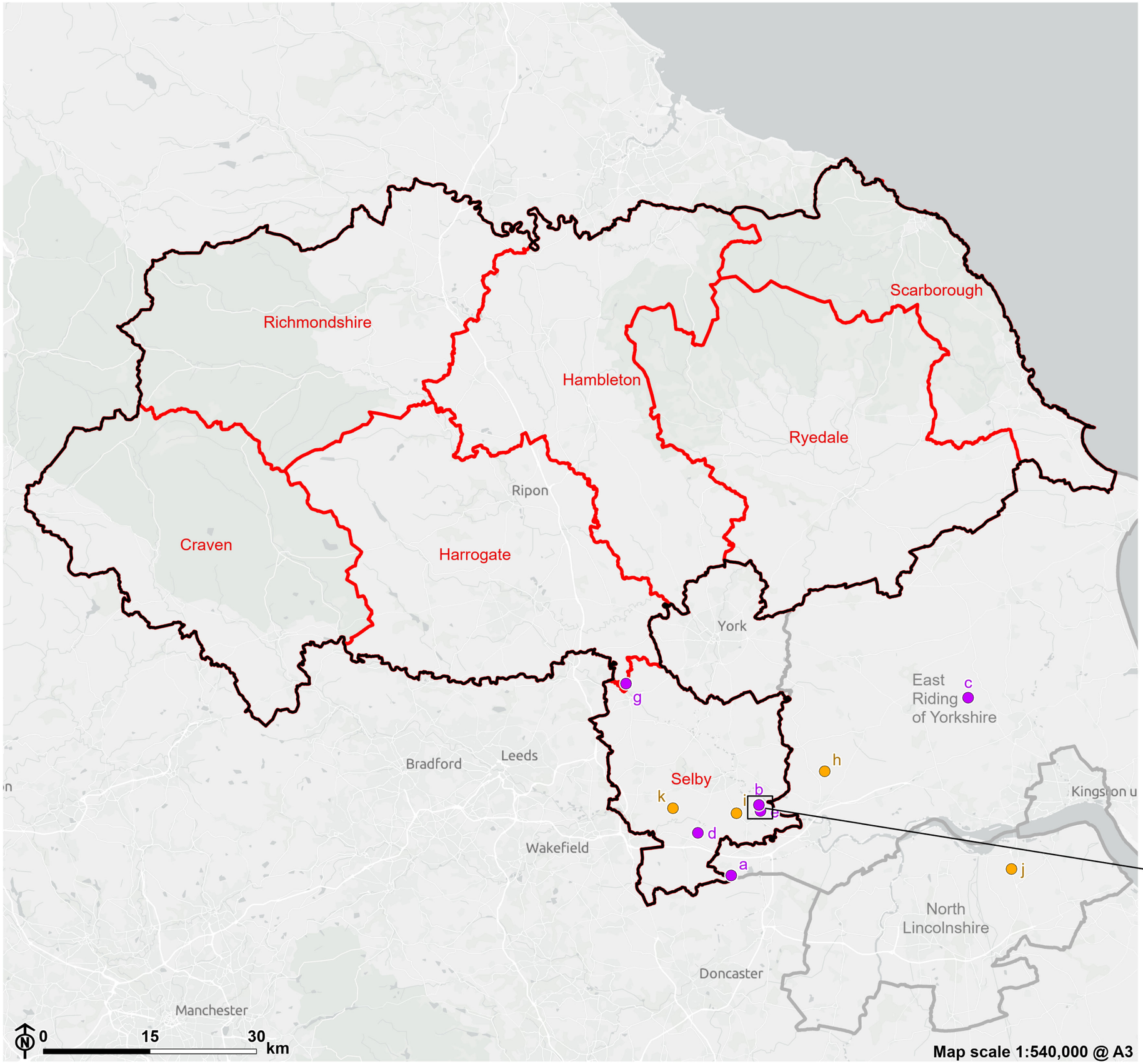
Figure 1.1: Former District Councils within North Yorkshire Council and Consented NSIPs



- North Yorkshire boundary
- Former district council
- Surrounding district council containing NSIPs

NSIPs surrounding Selby

- Consented NSIPs surrounding Selby
- Application being determined

a. Thorpe Marsh Gas Pipeline
b. White Rose Carbon Capture and Storage Project
c. Yorkshire and Humber CCS Cross Country Pipeline
d. Eggborough CCGT
e. Drax Re-power
f. Drax Bioenergy with Carbon Capture and Storage Project
g. Yorkshire GREEN
h. East Yorkshire Solar Farm
i. Helios Renewable Energy Project
j. Humber Carbon Capture Pipeline
k. Light Valley Solar Limited

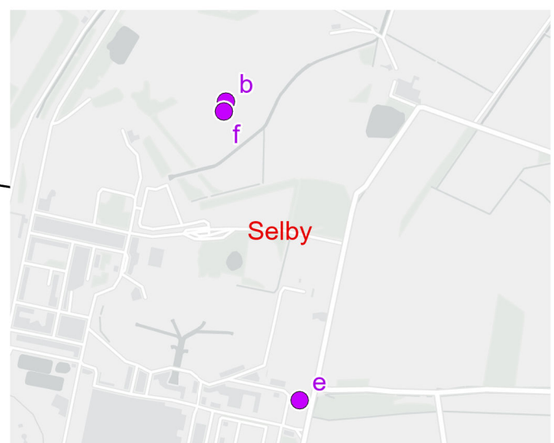


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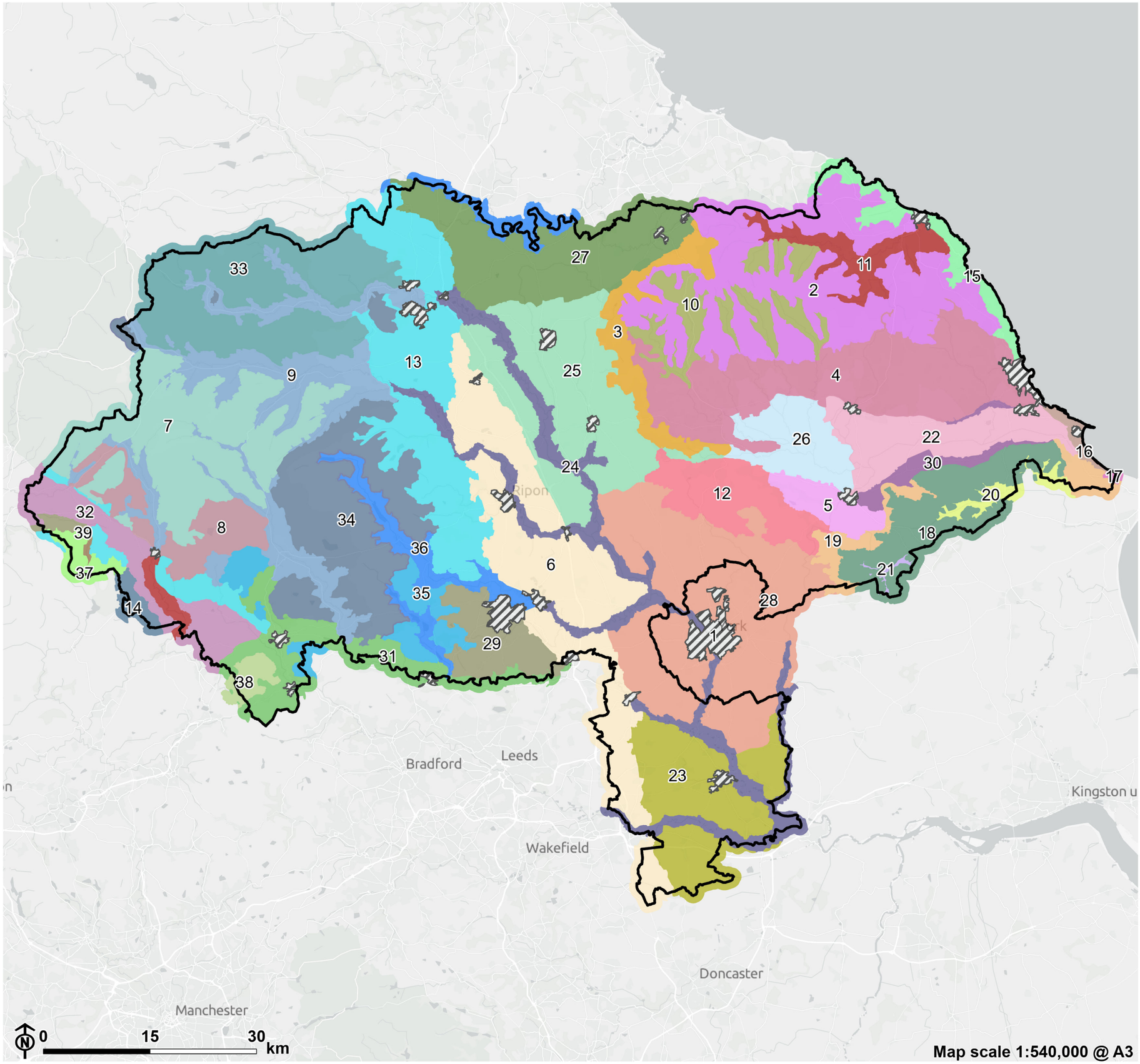
Figure 5.1: North Yorkshire and York Landscape Characterisation within North Yorkshire



- North Yorkshire boundary

Landscape Character Type

- 1: Urban Landscapes
- 2: Sandstone Moors
- 3: Sandstone Moors Foothills
- 4: Limestone Foothills and Valleys
- 5: Limestone Ridge
- 6: Magnesian Limestone Ridge
- 7: Yoredale Moors and Fells
- 8: Limestone Moors/ Scarp
- 9: Farmed Dale
- 10: Narrow Upland Dale
- 11: Broad Valleys
- 12: Wooded Hills and Valleys
- 13: Moors Fringe
- 14: Rolling Upland Farmland
- 15: Rugged Cliffs, Coastal Valleys and Bays
- 16: Soft Coastal Cliffs and Bays
- 17: Chalk Headland
- 18: Chalk Wolds
- 19: Chalk Foothills
- 20: Broad Chalk Valley
- 21: Narrow Chalk Valley
- 22: Open Carr/Vale Farmland
- 23: Levels Farmland
- 24: River Floodplain
- 25: Settled Vale Farmland
- 26: Enclosed Vale Farmland
- 27: Vale Farmland with Dispersed Settlements
- 28: Vale Farmland with Plantation Woodland and Heathla
- 29: Undulating Lowland Farmland
- 30: Sand and Gravel Vale Fringe
- 31: Settled Industrial Valleys
- 32: Drumlin Valleys
- 33: Gritstone High Plateau
- 34: Gritstone High Moors and Fells
- 35: Gritstone Low Moors and Fells
- 36: Gritstone Valley
- 37: Siltstone and Sandstone High Moors and Fells
- 38: Siltstone and Sandstone Low Moors and Fells
- 39: Siltstone and Sandstone Valley

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Figure 5.2: North Yorkshire and York Landscape Characterisation within Selby District

Selby District boundary

Landscape Character Type

- 1: Urban Landscapes
- 6: Magnesian Limestone Ridge
- 23: Levels Farmland
- 24: River Floodplain
- 28: Vale Farmland with Plantation Woodland and Heathla

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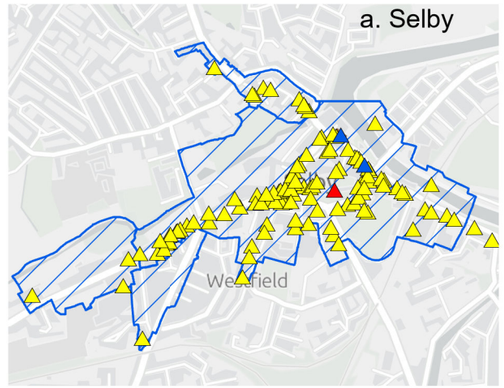
Figure 6.1: Designated Historic Assets

Selby District boundary
Conservation area
Registered battlefield
Scheduled monument
Registered Parks and Gardens

Listed building

Grade I
Grade II*
Grade II



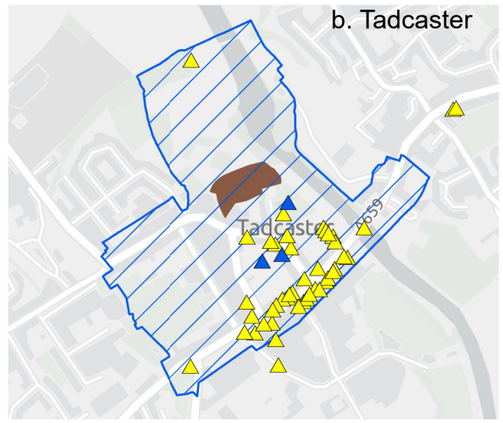


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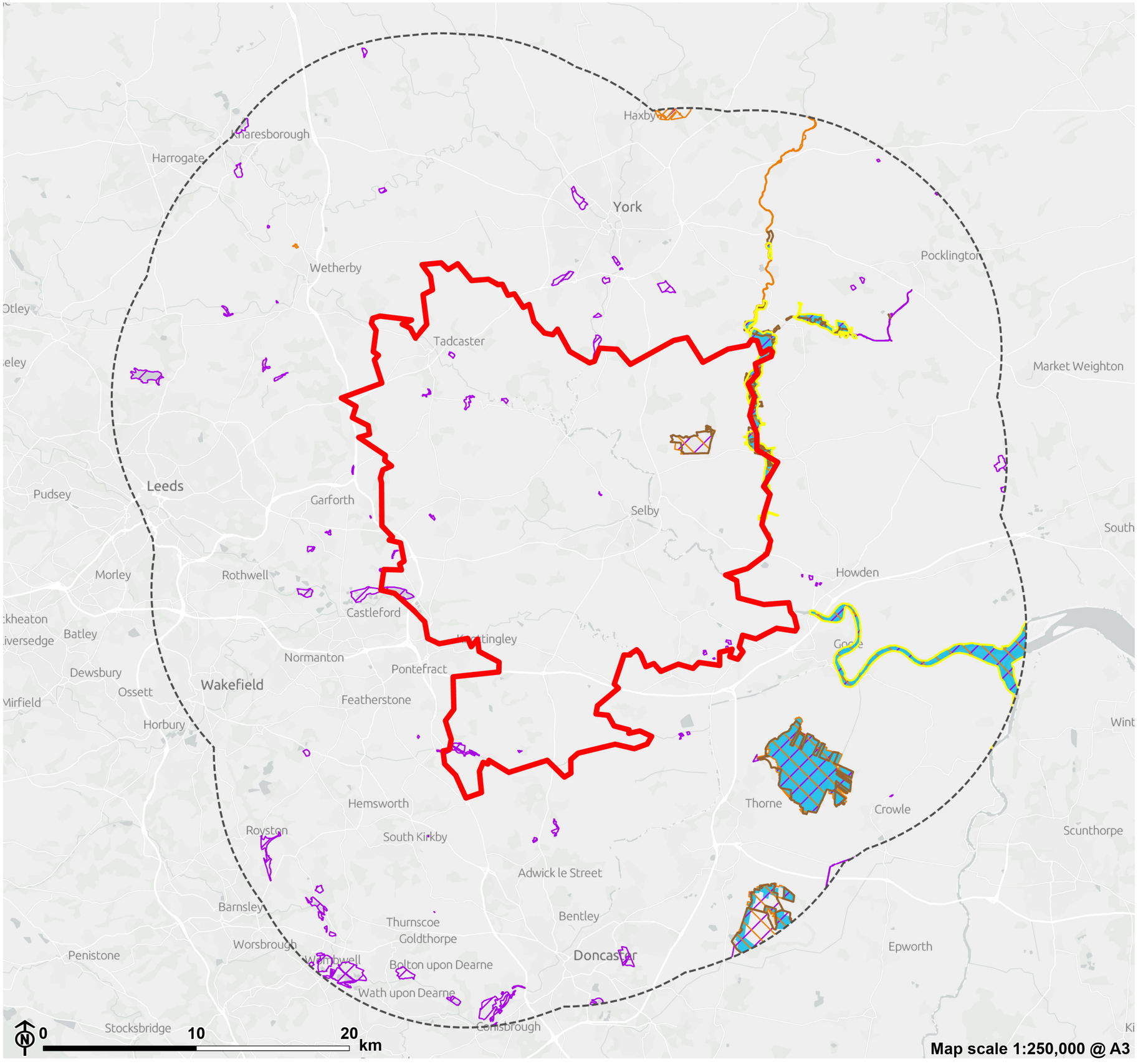
Figure 7.1: International and National Designated Sites



- Selby District boundary
- 15km buffer of Selby District
- Ramsar
- Special Protection Area
- Special Area of Conservation
- Site of Special Scientific Interest
- National Nature Reserve

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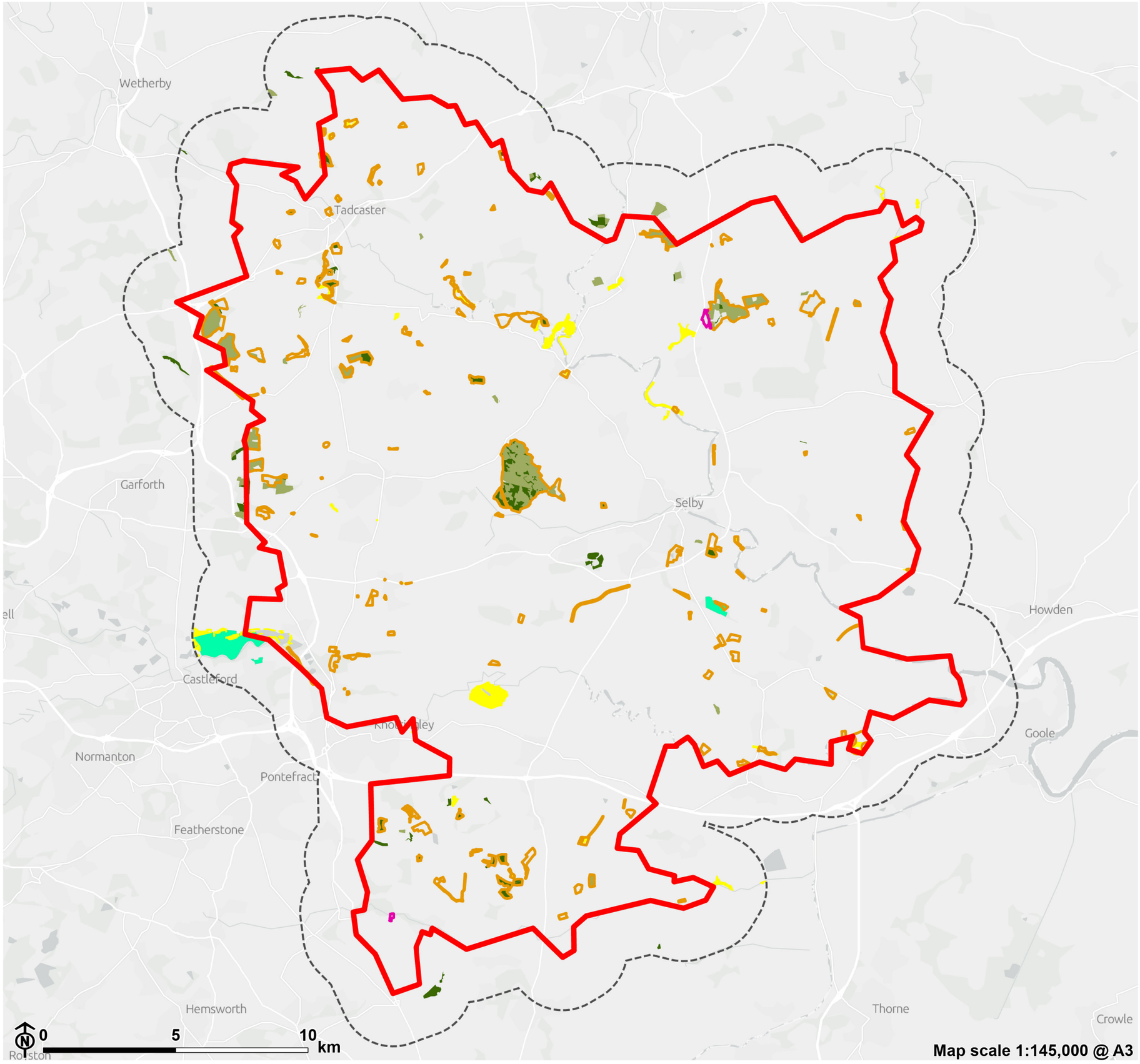
Figure 7.2: Irreplacable Habitats and the Local Wildlife Sites Network



- Selby District boundary
- 2km buffer of Selby District
- Local Nature Reserve
- Plantlife Nature Reserve
- Site of Importance for Nature Conservation (SINC)*

Ancient Woodland

- Ancient and semi-natural woodland
- Ancient replanted woodland

Priority Habitats Inventory

- Lowland fens

*SINC data is only available for the Selby area.

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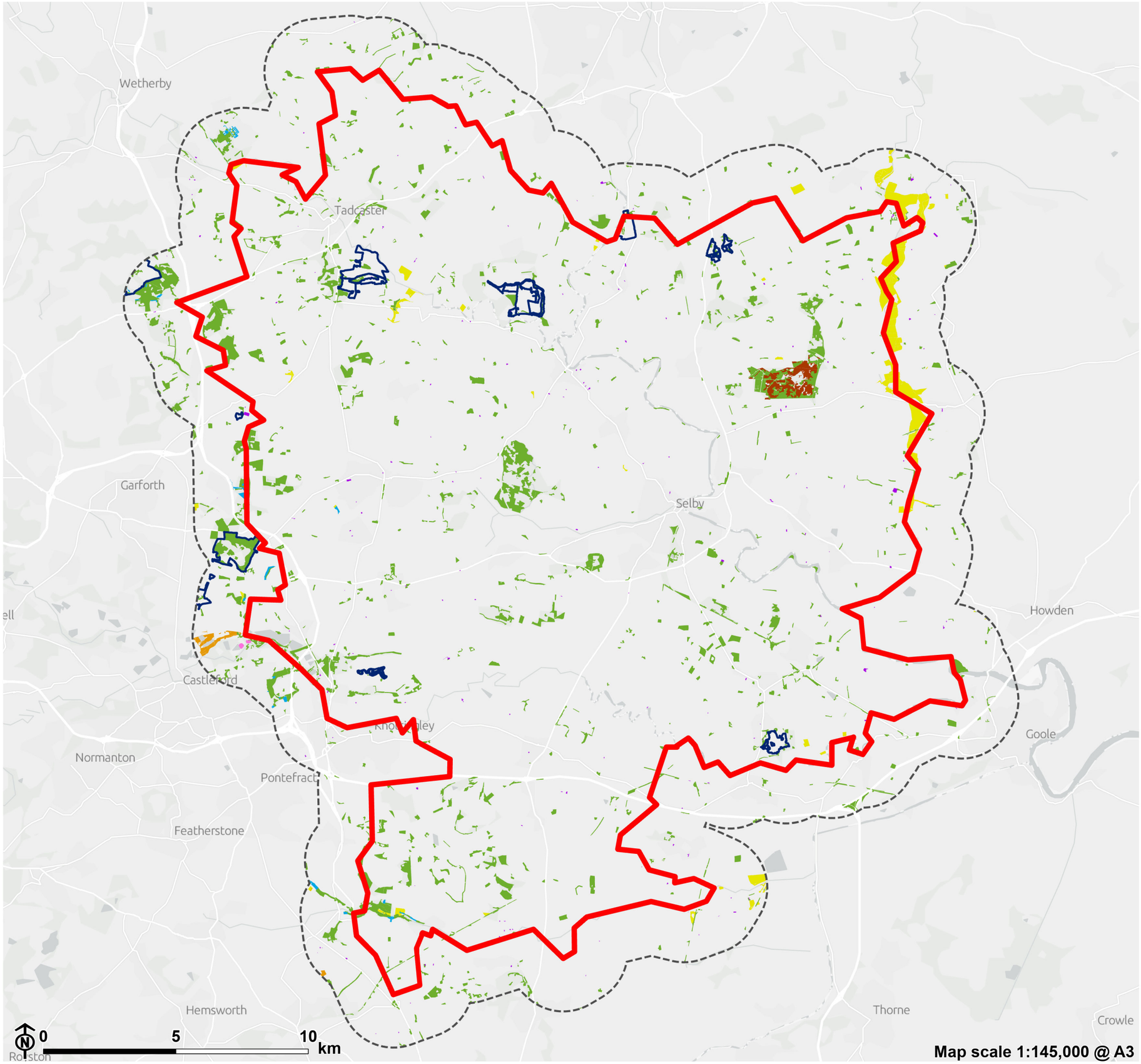
Figure 7.3: Priority Habitats - Terrestrial



- Selby District boundary
- 2km buffer of Selby District
- Wood Pasture and Parkland

Priority Habitats Inventory

- Calcareous grassland (including Calaminarian grassland, Lowland calcareous grassland, Maritime cliff and slope)
- Deciduous woodland (including Limestone pavement, Lowland raised bog, Maritime cliff and slope)
- Heathland (including Fragmented heathland, Lowland heathland, Maritime cliff and slope)
- Species-rich grassland (including Good quality semi improved grassland, Lowland meadows, Maritime cliff and slope)
- Grass moorland (including Purple moor grass and rush pastures)
- Lowland dry acid grassland (including Limestone pavement, Maritime cliff and slope)
- Traditional orchard

Habitats stated in parentheses are present as part of a mosaic with the main habitat type.

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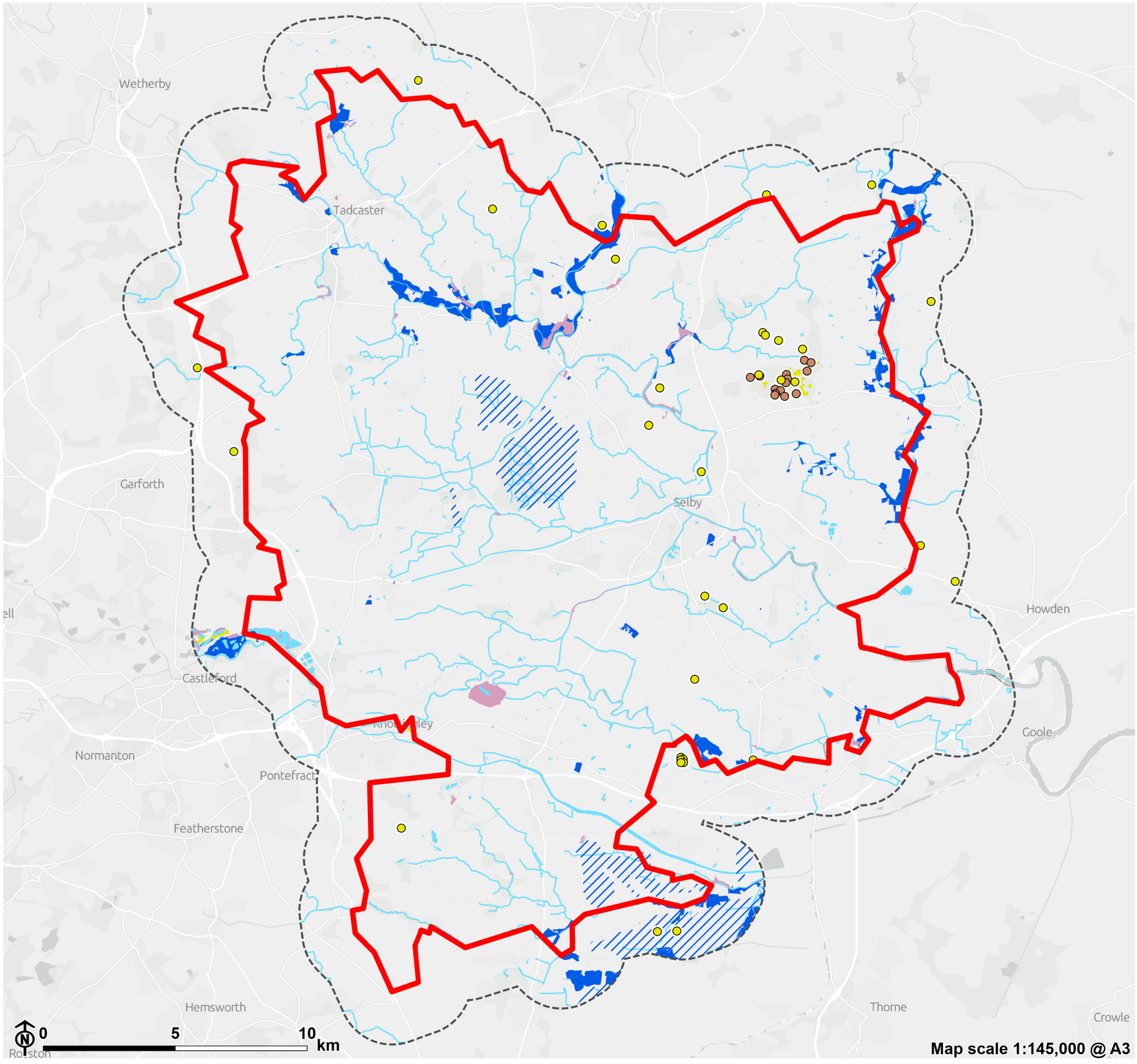
Figure 7.4: Priority Habitats - Wetland



Selby District boundary
2km buffer of Selby District
Priority River Habitat - Headwater Areas

Pond
- Priority pond
- Other pond

Priority Habitats Inventory
- Coastal and floodplain grazing marsh
- Lowland fens
- Mudflats
- Ponds
- Reedbeds

Other wetland habitats
- Waterbody
- Watercourse

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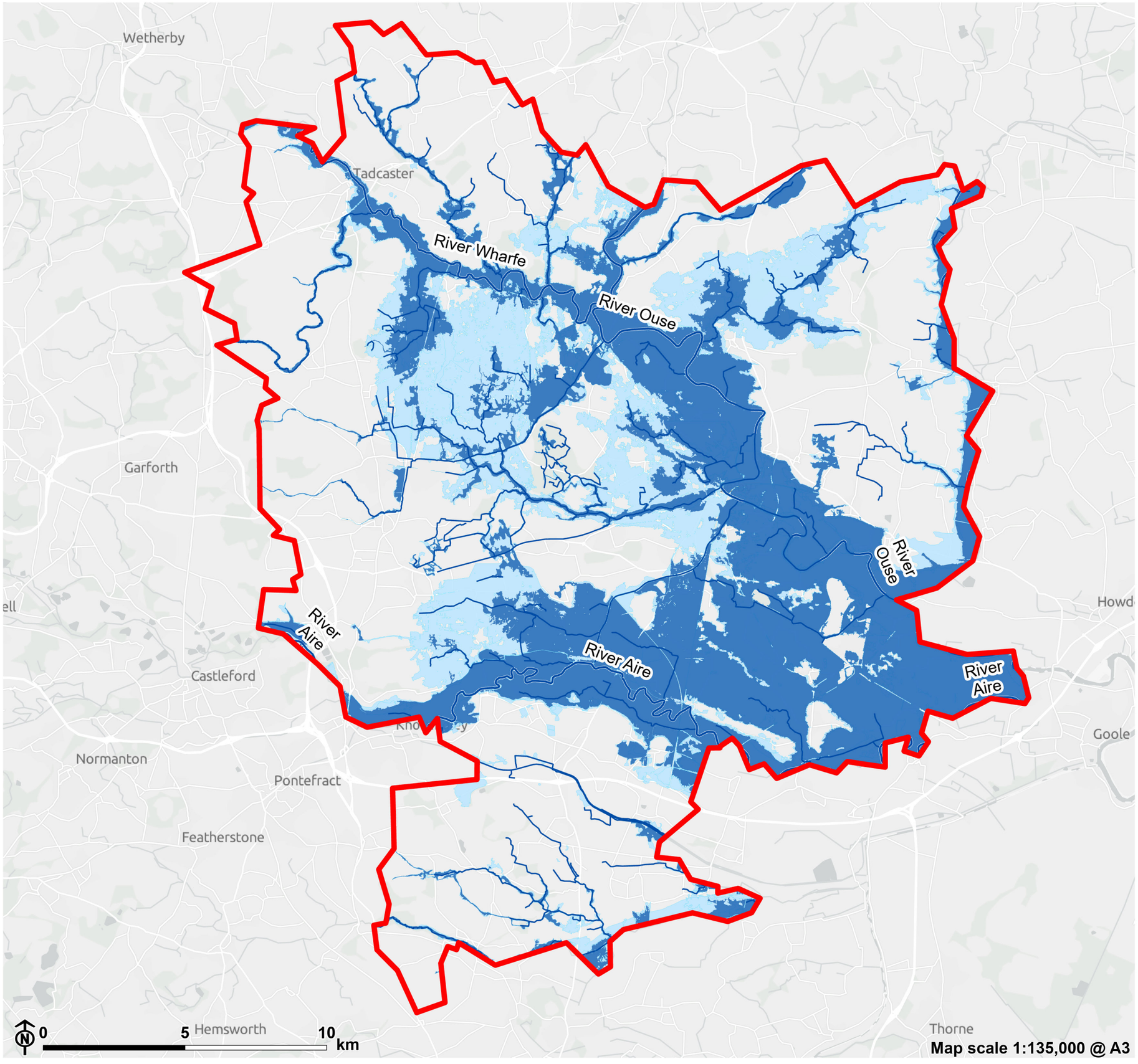
Figure 8.1: Fluvial Flooding



Selby District boundary
Flood zone 2
Flood zone 3
River

Note: Areas not covered by flood zone 2 or 3 are flood zone 1.