



THE DROVES
SOLAR FARM

The Drovers Solar Farm

Preliminary Environmental Information Report

**Volume III, Chapter 4: Reasonable Alternatives and Design
Evolution**

Prepared by: LDA Design and DWD Planning

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Appendix 4.1

Planning Policy for Reasonable Alternatives



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1 Planning Policy

1.1 National and Local Planning Policy

National Planning Policy

- 1.1.1 The Overarching National Policy Statement (NPS) for Energy EN-1 2024 [Ref 1-1] sets out the Government’s policy for delivery of major energy infrastructure and will be the primary basis for decision making. Paragraph 4.3.9 states that *“as in any planning case, the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to a proposed development is in the first instance a matter of law”*.
- 1.1.2 The NPS confirms that from a policy perspective there is no general requirement to consider alternatives or to establish whether a development represents the best option; however, paragraph 4.3.15 states that *“Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant’s choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility.”*
- 1.1.3 Paragraph 4.3.22 of EN-1 requires that the Secretary of State should give appropriate weight to the consideration of alternatives. However, these alternatives need to be proportionate to the manner of the scheme. Furthermore, only the alternatives that meet the objectives of the proposed should be considered.
- 1.1.4 Paragraph 4.3.23 of EN-1 states that *“The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.”*
- 1.1.5 Paragraph 4.3.24 of EN-1 states that *“The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site and should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.”*
- 1.1.6 Paragraph 4.3.26 of EN-1 states that *“if the Secretary of State concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the Secretary of State’s decision.”*
- 1.1.7 Paragraph 4.3.27 of EN-1 requires that any alternatives which mean the necessary development could not proceed can be excluded because they are not relevant to the Secretary of States decision.
- 1.1.8 NPS EN-3 for renewable energy infrastructure [Ref 1-2], and NPS EN-5 for electricity networks infrastructure [Ref 1-3], together with EN-1, are the primary decision-making policy document for the Secretary of State on nationally significant onshore renewable electricity generating stations in England and Wales and nationally significant offshore renewable electricity generating stations in waters in or adjacent to England.



- 1.1.9 Section 2.10 of NPS EN-3 sets out at paragraph 2.10.6, 2.10.18 – 2.10.69 the factors that are likely to influence the key considerations involved in the siting of a solar farm. These include irradiance and site topography, availability of grid connection, proximity of a site to dwellings, agriculture land classification and land type, accessibility, and capacity of a site.
- 1.1.10 Paragraph 2.10.20 states: “In order to maximise irradiance, applicants may choose a site and design its layout with variable and diverse panel types and aspects, and panel arrays may also follow the movement of the sun in order to further maximise the solar resource.”
- 1.1.11 NPS EN-3 sets out the factors influencing site selection and design for the Secretary of State to consider for decision making. Paragraph 2.10.145 states that “*The Secretary of State should take into account the economic and other benefits of the best and most versatile agricultural land. The Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources.*”
- 1.1.12 Schedule 4, paragraph 2 of the EIA Regulations [Ref 1-4] requires “A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects”.

National Planning Policy Framework

- 1.1.13 Paragraph 193 of the National Planning Policy Framework (NPPF, updated 12 December 2024) [Ref 1-5] sets out that:

“When determining planning applications, local planning authorities should apply the following principles 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 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.”

Local Planning Policy

- 1.1.14 Policy ENV02 (Biodiversity protection and enhancement) of the Breckland Local Plan [Ref 1-6] states that “Development likely to have an adverse effect (either directly or indirectly) on a site of national, regional or local biodiversity, or geological interest, as identified on the Policies Map, will not be permitted unless ... it has been demonstrated, where development would result in significant harm, that it cannot be reasonably located on an alternative site that would result in less or no harm.”



- 1.1.15 Policy ENV09 (Flood Risk & Surface Water Drainage) states that “In the case of major development on unallocated sites, if the sequential test shows that it isn’t possible to use an alternative site, the applicant will need to submit an additional exception test in line with national policy on Flood Risk Assessments.”

National Guidance

Guidance on the pre-application stage for Nationally Significant Infrastructure Projects (April 2024)

- 1.1.16 Guidance from the Ministry of Housing, Communities and Local Government and the Department for Levelling Up, Housing and Communities on the pre-application stage for NSIPs states:

“Applicants are advised to fully document all optioneering exercises and decision-making on alternatives from the inception of their projects in their application, and reference this appropriately in their Environmental Statement.” (Paragraph 011 Reference ID 02-011-20240430)

- 1.1.17 It does, however, note that:

“There is no general requirement to consider alternatives for specific applications. The decision to make an Order granting development consent for an application is based on its own merits, not that there may be better or different alternatives either elsewhere or at a later stage.”

Applicants are also encouraged to set out in brief the main alternatives to their preferred scheme, as “this can demonstrate how project designs have been refined to take into account environmental, socio-economic and community effects”. (Paragraph 015 Reference ID 02-015 20240430).



References

- Ref 1-1 Overarching National Policy Statement (NPS) EN-1, Department for Energy Security and Net Zero, (2023)
- Ref 1-2 National Policy Statement (NPS) for Renewable Energy Infrastructure (EN-3), Department for Energy Security and Net Zero, (2023)
- Ref 1-3 National Policy Statement (NPS) for Electricity Networks Infrastructure (EN-3), Department for Energy Security and Net Zero, (2024)
- Ref 1-4 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
- Ref 1-5 The National Planning Policy Framework (2024)
- Ref 1-6 Breckland Local Plan, Breckland Council, (2023)



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