



THE DROVES
SOLAR FARM

The Drovers Solar Farm

Preliminary Environmental Information Report

Volume III, Chapter 13: Climate Change

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Appendix 13.1

Consultation and Legislation, Planning Policy and Guidance



Contents

1	Consultation and Legislation, Planning Policy and Guidance.....	2
1.1	Consultation.....	2
1.2	Legislation, Planning Policy and Guidance	2
	References	9

List of Tables

Table 1.1	Summary of Consultation Undertaken as of January 2025.....	2
Table 1.2	UK National Carbon Budgets	4



1 Consultation and Legislation, Planning Policy and Guidance

1.1 Consultation

- 1.1.1 The Planning Inspectorate (PINS) was provided with the Scoping Request in November 2024 (**Volume III, Appendix 2.1**), which included a chapter setting out the proposed scope of climate change assessment and methodology for the Scheme. A Scoping Opinion was subsequently issued in December 2024 by PINS on behalf of the Secretary of State (**Volume III, Appendix 2.2**). The comments from PINS in respect of the climate change assessment have been summarised in Table 1.1 below, alongside commentary on where the comments have been addressed in **Volume I, Chapter 13: Climate Change**
- 1.1.2 Further consultation has been undertaken throughout the pre-application phase of the Scheme, and a summary of this, as relevant to climate change, is also provided within Table 1.1 below.
- 1.1.3 The scope and information set out within this chapter has been, and will continue to be, informed by initial scoping and ongoing consultation with a number of relevant bodies. In the first instance, the information set out has been informed by the formal Scoping Opinion provided by PINS, with consultees having been contacted and/or providing input into the consultation in relation to climate change.

Table 1.1 Summary of Consultation Undertaken as of January 2025

Consultee	Comments	Response
Planning Inspectorate (on behalf of the Secretary of State) Scoping Opinion	Sea Level Rise The Scoping Report proposes to scope out sea level rise from the In-combination Climate Change Impact Assessment and Climate Change Resilience Assessment on the basis that the Proposed Development is approximately 25km from the coast. On this basis, the Inspectorate agrees that significant effects from sea level rise are not likely to occur and this matter can be scoped out of the ES.	Scope agreed and no further action required.

1.2 Legislation, Planning Policy and Guidance

- 1.2.1 The assessment will include reference to the following:



- United Nations Kyoto Protocol
- Overarching National Policy Statement for Energy (NPS EN-1, November 2023)
- National Policy Statement for Renewable Energy Infrastructure (NPS EN-3, November 2023);
- National Policy Statement for Electricity Networks Infrastructure (NPS EN-5, November 2023)
- National Planning Policy Framework (NPPF, December 2024)
- Planning Policy Guidance (PPG)
- Climate Change Act 2008 ; inclusive of Climate Change Act 2008 (2050 target amendment) Order 2019;
- Carbon Budgets Order 2021 and previous iterations thereof
- Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance, IEMA, 2022
- Climate Change Adaption Practitioner Guidance, IEMA, 2022
- Norfolk County Council Climate Strategy, May 2023
- Breckland District Council Local Plan (2023); and
- Breckland 2021-2035 Sustainability Strategy.

International Legislation

Kyoto Protocol [Ref 1-2]

- 1.2.2 The Kyoto Protocol is a United Nations adopted in 1997 and set targets for developed countries to reduce Greenhouse Gas (GHG) emissions. The GHG definitions from the Kyoto Protocol have been used to inform this assessment of Climate Change.

The Paris Agreement [Ref 1-5]

- 1.2.3 As stated on the United Nations website, the Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 Parties at the UN Climate Change Conference (COP21) in Paris, France, on 12 December 2015. It entered into force on 4th November 2016.
- 1.2.4 Its overarching goal is to hold the increase in the global average temperature to well below 2°C above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels.

UK Legislation

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 [Ref 1-4]

- 1.2.5 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require that projects which might have significant effects on the environment to carry out a formal impact assessment. The Infrastructure Planning regulations cover projects that are classified



as Nationally Significant Infrastructure Projects (NSIPs), which are regulated under the Planning Act 2008.

Climate Change Act 2008 [Ref 1-6]

- 1.2.6 The Climate Change Act 2008 sets a framework for reducing GHG emissions and a target for the year 2050. Additionally, it requires the establishment of carbon budgets.

Climate Change Act 2008 (2050 target amendment) Order 2019 [Ref 1-7]

- 1.2.7 This 2019 amendment to the Climate Change Act 2008 changed the target for the UK to “net-zero” emissions by 2050.

Carbon Budgets Order (2009) (Ref 1-8) Carbon Budget Order (2011) [Ref 1-9], Carbon Budget Order (2016) [Ref 1-10], Carbon Budget Order (2021) [Ref 1-11]

- 1.2.8 Established under the Climate Change Act 2008, these Carbon budgets set legally binding limits on the total amount of GHGs the UK can emit over a five-year period, called budgetary periods towards the goal of net zero by 2050.
- 1.2.9 **Table 1.2** shows the Carbon budget periods and the binding limits on the total amount of GHGs expressed in Million Tonnes of carbon dioxide equivalent (MtCO_{2e}).

Table 1.2 UK National Carbon Budgets

Carbon Budget	Total budget (MtCO _{2e})
3rd (2018 – 2022)	2,544
4th (2023 – 2027)	1,950
5th (2028 – 2032)	1,725
6th (2033 – 2037)	965

- 1.2.10 The Seventh Carbon Budget is due for publication in early 2025.

National Planning Policy

National Policy Statement (NPS) for Energy EN-1 [Ref 1-12]

- 1.2.11 The NPS guidance makes it easier for decision makers, applicants and the wider public to understand:
- Government policy on the need for NSIPs
 - How applications for energy infrastructure will be assessed; and
 - The way in which impacts and mitigations will be judged.
- 1.2.12 With particular reference to sections 2.2 (Net zero by 2050), 2.3 (Meeting net zero), 2.4 (Decarbonising the power section), 4.10 (Climate Change Adaptation and Resilience) and



5.3 (Greenhouse Gas Emissions); paragraph 4.10.4 recognises the role of climate change adaptation in respect of GHG emissions, coastal change and flood risk.

- 1.2.13 Paragraphs 4.10.5 to 4.10.12 in relation to the Applicant's assessment and paragraphs 4.10.13 to 4.10.19 in relation to the Secretary of State's decision-making regarding adaptation measures and resilience in response to climate projections. The guidance states that applications for new generating stations and related infrastructure should be contained in a single application to the Secretary of State or in separate applications submitted in tandem which have been prepared in an integrated way. The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.
- 1.2.14 Paragraphs 5.3.4 to 5.3.7 are relevant in relation to the applicant assessment relevant policy, assessment requirements, mitigation and paragraphs 5.3.8 to 5.3.12 include Secretary of State decision making criteria regarding GHG emissions and mitigation. The guidance states that, all proposals for energy infrastructure projects should include a GHG assessment as part of their ES including:
- A whole life GHG assessment showing construction, operational and decommissioning GHG impacts;
 - An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages;
 - Measurement of embodied GHG impact from the construction stage;
 - How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures;
 - How operational emissions have been reduced as much as possible through the application of best available technology for that type of technology;
 - Calculation of operational energy consumption and associated carbon emissions;
 - Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework; and
 - Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed.
- 1.2.15 The guidance also states that, a GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, considering the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero.
- 1.2.16 Regarding the Secretary of State decision making, the guidance states that the Secretary of State should be content that the GHG emissions have been assessed as far as possible and all reasonable steps to reduce the GHG emissions have been taken. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon



budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and international climate commitments.

NPS for Renewable Energy Infrastructure EN-3 [Ref 1-13]

- 1.2.17 Section 2.10 reaffirms the government commitment to sustained growth in solar capacity to align with the net-zero emissions by 2050 target. With reference to section 2.4 (Adaptation) and paragraph 2.4.11 for solar photovoltaic.

NPS for Electricity Networks Infrastructure EN-5 [Ref 1-14]

- 1.2.18 With particular reference to paragraph 2.3.2 regarding the importance of climate change resilience.
- 1.2.19 EN-5 highlights the risk of SF6 as a greenhouse gas. Consideration will be given as part of the design for use of this gas in electrical switch gear.

National Planning Policy Framework (NPPF) [Ref 1-15]

- 1.2.20 The NPPF sets out the government's planning policies for England and how they should be applied. In particular, Section 14 highlights the importance of integrating climate change considerations into the planning system by promoting for development that reduces greenhouse gas emissions and enhances resilience against future climate risks.

Net Zero Strategy, 2021 [Ref 1-16]

- 1.2.21 The Net Zero Strategy represents the Government's plan to transition to a net-zero economy while supporting economic growth and job creation. It outlines a set of policies and initiatives aimed at reducing carbon emissions across every sector of the UK economy to achieve net zero by 2050.

1.2.22 Clean Growth Strategy, 2017 [Ref 1-17]

- 1.2.23 Published in 2017, is designed to outline how the UK will achieve the carbon budgets set out under the Climate Change Act. It includes policies to support clean technology innovation, improve energy efficiency, and enhance the route to market for renewable technologies.

1.2.24 UK Third Climate Change Risk Assessment 2022 [Ref 1-18]

- 1.2.25 The Climate Change Act 2008 mandates that the UK Government conducts a Climate Change Risk (CCR) Assessment every five years and creates an adaptation program to address identified risks. The UK CCR Assessment for 2022 was released in January 2022. The third CCR Assessment highlights the dangers of inaction regarding climate change and stresses that the UK's pioneering net zero strategy must incorporate adaptation measures to ensure future resilience. This involves further development of the domestic renewable energy sector.

1.2.26 The UK's Nationally Determined Contribution (NDC) [Ref 1-19]

- 1.2.27 The policy outlines the country's commitment to reducing greenhouse gas emissions in accordance with the Paris Agreement on climate change. Specifically, the UK aims to achieve a reduction of greenhouse gas emissions by at least 68% by 2030, relative to 1990



May 2025

levels. As part of this commitment, the NDC emphasizes the development of solar energy as a key strategy for reducing dependence on fossil fuels and lowering the nation's carbon footprint.

Climate Change: third national adaptation programme (2023 – 2029) [Ref 1-22]

- 1.2.28 The Climate Change: Third National Adaptation Programme (2023 – 2029) (NAP3) was produced by the Department for Environment, Food and Rural Affairs (DEFRA) and launched in 2023.

Local Planning Policy

Norfolk County Council Climate Strategy (2023) [Ref 1-20]

- 1.2.29 The document reflects the county's commitment to address climate change and reduce carbon emissions. It aims to increase the adoption of renewable energy sources such as solar energy.

Breckland District Council Local Plan (2023) [Ref 1-21]

- 1.2.30 The Breckland District Council Local Plan states in 'Breckland's Strategic Vision':
- 1.2.31 "By 2036 Breckland's settlements and its wider rural area will have developed in a sustainable manner appropriate for the rural nature of the District; building on its achievements and strengths to deliver an improved quality of life for its next generation of residents, an improved experience for its visitors, and will be better placed to attract investment and jobs into the District. Breckland's communities will be more sustainable, prosperous, safe, healthy and vibrant. The economy will be diversified and well connected, with a growing number of skilled workforce and population. New growth will be balanced, ensuring that the District adapts to, and mitigates against the impacts of climate change."

Breckland 2021-2035 Sustainability Strategy

- 1.2.32 Breckland District Council declared a climate emergency on 19 September 2019. Since then, the council has committed to reducing the level of greenhouse gases within the district. They are committed to achieve net zero as an organisation by 2035.

Guidance

Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance. Institute of Environmental Management and Assessment (2022) (IEMA) [Ref 1-23]

- 1.2.33 This Guidance provides a framework for evaluating the greenhouse gas emissions from a development project. It includes methods for quantifying emissions, assessing their significance, and identifying mitigation measures.

Climate Change Adaption Practitioner Guidance (2022) (IEMA) [Ref 1-24]

- 1.2.34 This Guidance provides steps for assessing climate risks, developing adaptation strategies, and implementing measures to enhance resilience.



Environmental Impact Assessment Guide to: Climate Change Resilience and Adaptation (2020) (IEMA) [Ref 1-25]

- 1.2.35 This guidance provides steps for assessing climate resilience and in-combination climate impacts.

Planning Policy Guidance (PPG) [Ref 1-26]

- 1.2.36 The Climate Change section advises how to identify suitable mitigation and adaptation measures in the planning process to address the impacts of climate change.

Greenhouse Gas Reporting: Conversion Factors 2023 [Ref 1-27]

- 1.2.37 The UK Government issues emission conversion factors for use to report on greenhouse gas emissions.

Clean Power 2030 Action Plan [Ref 1-34]

- 1.2.38 The government's Clean Power 2030 plan provides a clear policy framework that supports the development of renewable energy projects. It sets a target of at least 95% of Great Britain's generation; reducing the carbon intensity of our generation from 171gCO₂e/kWh in 2023 to well below 50gCO₂e/kWh in 2030. This will be achieved through a significant expansion of renewable energy capacity, including 45-47 GW of solar power complemented by 23-27 GW of battery capacity and other flexible capacity systems.



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The Drovers Solar Farm – Preliminary Environmental Information Report
Volume III, Appendix 13.1: Consultation and Legislation, Planning Policy and Guidance

May 2025

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The Drovers Solar Farm – Preliminary Environmental Information Report
Volume III, Appendix 13.1: Consultation and Legislation, Planning Policy and Guidance

May 2025

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The Droves Solar Farm – Preliminary Environmental Information Report
Volume III, Appendix 13.1: Consultation and Legislation, Planning Policy and Guidance

May 2025