



DOGGER BANK D WIND FARM

Preliminary Environmental Information Report

Volume 1
Chapter 3 Policy and Legislative Context

Document Reference No: 1.3

Date: June 2025

Revision: V1



www.doggerbankd.com

Document Title: Volume 1, Chapter 3 Policy and Legislative Context			Document BIM No: PC6250-RHD-XX-PW-RP-EV-0003		
Prepared By: Royal HaskoningDHV			Prepared For: Dogger Bank D Offshore Wind Farm		
Revision No.	Date	Status / Reason for Issue	Author	Checked by	Approved by
V1	13/05/2025	Final	SS	SG	RH

Table of Contents

3 Policy and Legislative Context 4

3.1 Introduction..... 4

3.2 International Context 4

3.2.1 International Climate Change and Renewable Energy Policy and Legislation 4

3.2.2 International Environmental and Nature Legislation and Treaties 5

3.3 National Context..... 7

3.3.1 UK Climate and Renewable Energy Policy 7

3.3.2 National Planning Legislation 10

3.3.3 National Policy Statements 11

3.3.4 National Planning Policy Framework 13

3.3.5 National Environmental and Conservation Legislation 15

3.3.6 Marine Policy 17

3.4 Regional and Local Planning Policy27

3.4.1 East Riding of Yorkshire Council 27

3.4.2 Hull City Council 29

References35

List of Figures and Tables.....37

List of Tables.....37

List of Acronyms.....38

List of Appendices

Appendix	Title
Appendix 3.1	Consultation Responses for Policy and Legislative Context

Glossary

Term	Definition
Development Consent Order (DCO)	A consent required under Section 37 of the Planning Act 2008 to authorise the development of a Nationally Significant Infrastructure Project, which is granted by the relevant Secretary of State following an application to the Planning Inspectorate.
Environmental Impact Assessment (EIA)	A process by which certain planned projects must be assessed before a formal decision to proceed can be made. It involves the collection and consideration of environmental information and includes the publication of an Environmental Statement.
Environmental Statement (ES)	A document reporting the findings of the EIA which describes the measures proposed to mitigate any likely significant effects.
Impact	A change resulting from an activity associated with the Project, defined in terms of magnitude.
Monitoring	<p>Measures to ensure the systematic and ongoing collection, analysis and evaluation of data related to the implementation and performance of a development. Monitoring can be undertaken to monitor conditions in the future to verify any environmental effects identified by the EIA, the effectiveness of mitigation or enhancement measures or ensure remedial action are taken should adverse effects above a set threshold occur.</p> <p>All monitoring measures adopted by the Project are provided in the Commitments Register.</p>
Offshore Development Area	The area in which all offshore infrastructure associated with the Project will be located, including any temporary works area during construction, which extends seaward of Mean High Water Springs. There is an overlap with the Onshore Development Area in the intertidal zone.
Scoping Opinion	<p>A written opinion issued by the Planning Inspectorate on behalf of the Secretary of State regarding the scope and level of detail of the information to be provided in the Applicant’s Environmental Statement.</p> <p>The Scoping Opinion for the Project was adopted by the Secretary of State on 02 August 2024.</p>
Scoping Report	<p>A request by the Applicant made to the Planning Inspectorate for a Scoping Opinion on behalf of the Secretary of State.</p> <p>The Scoping Report for the Project was submitted to the Secretary of State on 24 June 2024.</p>
The Applicant	SSE Renewables and Equinor acting through 'Doggerbank Offshore Wind Farm Project 4 Projco Limited
The Project	Dogger Bank D (DBD) Offshore Wind Farm Project, also referred to as DBD in this PEIR.

3 Policy and Legislative Context

3.1 Introduction

1. This chapter of the Preliminary Environmental Information Report (PEIR) describes the international, national, regional and local policy and legislation that is relevant to the Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) for Dogger Bank D Offshore Wind Farm (hereafter the 'DBD' or the 'Project').
2. This chapter includes an overview of the policy and legislation relating to reducing the effects of climate change and in support of renewable energy projects (detailed in **Sections 3.2.1** and **3.3.1**). Specific policy, legislation and guidance relevant to technical topics are considered in the respective topic chapters of the PEIR (**Chapter 8 Marine Physical Processes to Chapter 31 Climate Change**).
3. A Policy Compliance Document will be submitted with the Environmental Statement (ES) as part of the Development Consent Order (DCO) application, providing details of where specific policies are considered within the application documents.

3.2 International Context

3.2.1 International Climate Change and Renewable Energy Policy and Legislation

3.2.1.1 United Nations Framework Convention on Climate Change

4. The United Nations Framework Convention on Climate Change (UNFCCC) is an international treaty signed by 198 parties (as of 2024) in 1992 which came into force in March 1994.
5. The objective of the UNFCCC is to “*achieve stabilisation of greenhouse gas concentrations at a level that would prevent dangerous anthropogenic (human induced) interference with the climate system*” with Annex 1 parties, including the UK. It has an expected agreement on and provision of annual greenhouse gas (GHG) inventories to cover emissions and removals of direct GHGs and reports on national climate change policies and measures. Under the Convention, industrialised nations also provide financial support and technology to developing countries for action on climate change.

6. The 'Kyoto Protocol' is an international treaty adopted in December 1997 which came into force in February 2005, signed by 192 parties (including the UK), as an extension of the UNFCCC. The Protocol was ratified by the UK Government in 2002 and came into effect via the Climate Change Act in 2008 (see **Section 3.3.1.1** for further details). The Protocol aimed to commit industrialised countries and economies in transition to limit and reduce GHG emissions over the first commitment period from 2008 to 2012. The overall targets resulted in an average 5% reduction in emissions compared to 1990 levels by the end of the first commitment period.
7. A 'Doha Amendment' to the Kyoto Protocol was adopted in December 2012 to establish a second commitment period of 2013 to 2020, whereby parties committed to a reduction in GHG emissions by at least 18% in comparison to 1990 levels. The EU, and Iceland also committed to jointly reduce their GHG emissions by 20%.
8. In response to the Doha Amendment, the EU published the EU climate and energy package in 2020 (known as the 'CARE' package). The CARE package is binding legislation which aims to ensure the EU meets its climate and energy targets for 2020, which include a 20% reduction in EU greenhouse gas emissions from 1990 levels, raising the share of EU energy consumption produced from renewable resources to 20%, and a 20% improvement in the EU's energy efficiency.
9. The 21st Conference of the Parties (COP) in Paris of the UNFCCC aimed to accelerate global action for a sustainable future and resulted in the 2015 'Paris Agreement'. The Paris Agreement is a legally binding international treaty on climate change, whereby parties committed to a long-term goal to hold global average temperature increases to below 2°C above preindustrial levels and pursue efforts to limit this further to 1.5°C.
10. The agreement was adopted in December 2015 by 196 parties and entered into force in November 2016. Parties are required to submit Nationally Determined Contributions (NDC), which embody efforts by each country to achieve a reduction in national emissions and adapt to the impacts of climate change. Parties are required to communicate actions to achieve the NDC every 5 years. Through this agreement, the EU is aiming to reduce GHG emissions by 40% by 2030 compared to 1990.
11. The UK signed the Paris Agreement in 2016 during COP22, and ratified it later that year, committing to a 40% reduction in GHG emissions by 2030 against the 1990 baseline, consistent with EU member states.
12. The Glasgow Climate Pact (agreed in 2021 as an outcome of COP26) consists of a range of agreed items including building resilience to climate change, reducing GHG emissions and providing necessary finances to progress these.

13. COP28 was hosted in Dubai, United Arab Emirates in 2023. Outputs of COP28 included a global stocktake, intended to inform the next round of NDC in 2025 under the Paris Agreement. The stocktake recognised that GHG emissions need to be cut by 43% by 2030 relative to 2019 levels to limit warming to 1.5°C, highlighting that parties are not on target to meet the Paris Agreement goals. COP28 also called for the world to “*transition away from fossil fuels in energy systems, in a just, orderly and equitable manner, accelerating action in this critical decade, so as to achieve net zero by 2050.*”
14. The latest COP (COP29) was held in Baku, Azerbaijan in November 2024. During COP29, agreement was reached on a new climate finance goal of at least \$300 billion per year from the developed world by 2035 alongside agreement on the rules underpinning both bilateral carbon trading and a centralised carbon crediting mechanism. As stated in **Chapter 2 Need for the Project**, in October 2024, the Climate Change Committee advised that the UK’s 2035 NDC emissions reduction target should be 81% below 1990 levels (CCC, 2024b). The UK Government confirmed the 2035 NDC target in January 2025 (UK Government, 2025).

3.2.1.2 European Union Renewables Directive 2018

15. The first EU Renewable Energy Directive (2001/77/EC) highlighted the need to exploit renewable energy sources (including wind) and promoted an increase in the use of renewables due to their contribution to environmental protection, sustainable development and meeting the targets of the Kyoto Protocol. The Directive required all member states to set national indicative targets for consumption of renewable energy and produce a report to outline measures taken or planned to achieve the targets. This was replaced by the 2009 Renewable Energy Directive (2009/28/EC) which set mandatory national targets of 20% for the overall share of energy from renewable sources by 2020.
16. The most recent 2018 Renewable Energy Directive (2018/2001/EU) promotes the use of energy from renewable sources and highlights the importance of increased renewable energy use in complying with the Paris Agreement. The Directive aims to achieve a target of 32% share of renewable energy by 2030.
17. Much of the UK’s national legislation relating to Climate Change and renewable energy (listed in **Section 3.3.1**, particularly those after exiting the EU) incorporates and builds on elements of the preceding EU Directive.

3.2.2 International Environmental and Nature Legislation and Treaties

3.2.2.1 Water Framework Directive

18. The Water Framework Directive (WFD) (2000/60/EC) was transposed into UK law by the Water Environment (England and Wales) Regulations 2017 (WER) which came into force in April 2017 aiming to ensure the quality of inland, estuarine and groundwater bodies. The objectives of the WER are to prevent the deterioration of the status, protect, enhance and restore and reduce pollution of surface water and groundwater bodies. The Directive also aims to reverse upward trends of pollutant concentrations of groundwater bodies.
19. Monitoring of surface water must consider the ecological and chemical status and ecological potential, with the aim to achieve “good ecological potential” and “good chemical status” for all coastal and inland waters. Groundwater monitoring must cover chemical and quantitative status, with the aim of achieving “good groundwater chemical and good groundwater quantitative status”.
20. Under the WER, chemical and biological environmental quality indicators are set as part of the river basin management plans. The Environment Agency is the responsible organisation for the monitoring of water quality, reporting data against Environmental Quality Standards. This allows the improvement of surface waters that do not meet the required status.

3.2.2.2 The Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention)

21. The Ramsar Convention on Wetlands was adopted in 1971 and came into force in 1975, with 172 contracting parties. The Convention encompasses wetlands of international importance which contain representative, rare or unique wetland types or are important in the conservation of biological diversity, providing an international mechanism for the protection of sites of global importance and conservation significance. The main activities are:
 - The designation of wetlands of international importance as Ramsar Sites;
 - The promotion of the wise use of all wetlands in the territory of each country; and
 - International co-operation with other countries to further the wise use of wetlands and their resources.
22. The criteria for assessing a site for designation as a Ramsar site include whether the wetland supports 20,000 water birds and / or supports 1% of the individuals in a population of one species or subspecies of water bird.

23. The National Planning Policy Framework (NPPF) notes that listed Ramsar sites and proposed Ramsar sites within the UK should be given the same protection as European designated habitat sites, i.e. Special Protection Areas (SPA) and Special Areas of Conservation (SAC) known collectively as National Site Network sites in the UK (Ministry of Housing, Communities and Local Government, 2024).

3.2.2.3 The Convention on Biological Diversity

24. The Convention on Biological Diversity (CBD) is a treaty adopted at the Rio Summit in 1992 and ratified by the UK in 1994. To date, it has been ratified by 196 nations and highlights the importance of biological resources to economic and social development. The main objectives are:
- The conservation of biological diversity;
 - The sustainable use of the components of biological diversity; and
 - The fair and equitable sharing of the benefits arising out of the utilisation of genetic resources.
25. The Convention aims to encourage actions that will lead to a sustainable future, covering biodiversity at the ecosystem, species and genetic resource levels. Parties are required to create and enforce national strategies and action plans to conserve, protect and enhance biological diversity.
26. Numerous UN and EU initiatives aim to contribute towards meeting the objectives of the Convention, including the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention), the Convention on the Conservation of Migratory Species of Wild Animals (the Bonn Convention) and the establishment of the European Site Network.
27. The Cartagena Protocol and the Nagoya Protocol supplement the Convention. The Cartagena Protocol considers biotechnology, and the Nagoya Protocol ensures the fair and equitable sharing of benefits from the use of genetic resources, also highlighting the needs of and co-operation with developing countries.
28. In 2021, the UN CBD Secretariat released a draft of a post-2020 Global Biodiversity Framework (UN Environment Programme, 2022) to guide global actions until 2030 to preserve and protect nature and its essential services to people. This includes 23 “action-orientated global targets” for 2030 which address reducing threats to biodiversity and topics including sustainable use and benefit-sharing. The framework delivery was discussed at the COP15 to the Convention in December 2022.

3.2.2.4 Habitats and Birds Directives

29. The Habitats Directive (92/43/EEC) was adopted in 1992, aiming to protect over 1000 species, including mammals, reptiles, amphibians, fish, invertebrates, plants and 230 characteristic habitat types. The Directive aims to ensure that species and habitat types are maintained or restored to a favourable conservation status, and halt species decline to allow for recovery including protection for specific habitats listed in Annex I and species listed in Annex II of the Directive. Member States are required to prohibit deliberate capture, disturbance, and destruction of breeding sites, and must designate, protect and manage core areas for certain habitat types which are selected on scientific grounds.
30. The Birds Directive (79/409/EEC) was adopted in 1979 and amended in 2009 (2009/147/EC). The Directive aims to “provide a strong legislative framework for all EU countries to protect the most valuable and threatened biodiversity” and implements measures to protect Europe’s wild bird species by halting the decline and allowing the recovery of species over the long term. This requires countries to take any measures necessary to maintain or restore bird populations and their habitats.
31. The Habitats and Birds Directives together created the Natura 2000 network which is the largest coordinated network of protected areas in the world. The network contains over 27,000 nature sites which are protected by EU legislation, on land and sea (European Commission, 2024).
32. After the UK left the EU, the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 ensured the continued protection of the Natura 2000 network, now referred to as the ‘National Site Network’ in the UK.

3.2.2.5 Marine Strategy Framework Directive

33. The EU Marine Strategy Framework Directive (2008/56/EC) aims to protect the marine ecosystem and biodiversity and “maintain clean, healthy, productive and resilient marine ecosystems while securing a more sustainable use of marine resources”. The Directive sets out 11 descriptors addressing different aspects of the marine environment including biodiversity and marine pollution, for countries to integrate in their marine strategies to ensure “good” environmental status is achieved.
34. The Directive was transposed into UK law as The Marine Strategy Regulations 2010 and modified, to ensure the continued operation of EU and UK legislation relating to the marine environment following the EU exiting the EU, by The Marine Environment (Amendment) (EU Exit) Regulations 2018. The Marine Strategy Regulations 2010 and the Marine and Coastal Access Act 2009 set out the basis for preparing Marine Policy Statements and Marine Plans, requiring the production of ‘Marine Strategies’ for all UK waters (and cooperating with neighbouring countries that share marine bodies of water).

3.2.2.6 OSPAR Convention

35. The Convention for the Protection of the Marine Environment of the North-East Atlantic (the OSPAR Convention) was adopted in 1992 and entered into force in 1998, ratified by the UK in the same year. This replaced the Oslo and Paris Conventions adopted previously but retained all decisions, recommendations and agreements, subject to termination through the adoption of new measures under OSPAR. There are 15 Governments and the EU which cooperate to protect the marine environment under the OSPAR Convention. The UK implementation of the OSPAR convention is coordinated by the Department for Environmental, Food and Rural Affairs (Defra).
36. The Convention identifies a network of Marine Protected Areas (MPA) which protect and conserve species, habitats, ecosystems and ecological processes: OSPAR's biodiversity strategy establishes a network of MPAs (OSPAR, 2024a). As of January 2025, the UK has identified 382 OSPAR MPAs (OSPAR, 2024b), many of which are European Sites that also meet the relevant OSPAR selection criteria.

3.2.2.7 Transboundary Considerations – Espoo Convention

37. The United Nations Economic Commission for Europe ‘Espoo’ Convention was adopted in 1991 and entered into force in 1997. The Convention requires parties, including States, to assess the environmental impacts of activities at an early stage of planning, particularly major projects which may result in transboundary effects. The aim of the Convention is to *“take all appropriate and effective measures to prevent, reduce and control significant adverse transboundary environmental impact from proposed activities”*.
38. As a signatory to the Convention, the UK has an obligation to engage with other States where there may be transboundary impacts. Where relevant, Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations 2017”) state that the Environmental Statement (ES) should include a description of likely significant effects that are of a transboundary nature.
39. Regulation 32 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 considers Nationally Significant Infrastructure Projects (NSIP) with significant transboundary effects and is applicable where there may be significant effects on the environment in a European Economic Area (EEA) State.
40. As set out in the Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process (Planning Inspectorate, 2024a), where there may be significant transboundary effects, the Secretary of State (SoS) must provide a description of the development and further available information to any EEA States which the Project may have transboundary impacts upon. This requires the SoS to consult with the EEA States regarding the potential significant effects and mitigation measures as necessary.

41. The Advice also sets out the expectations and obligations of the Applicant, the SoS and EEA States, with the role of the Applicant to supply the SoS information regarding the likelihood of transboundary effects on EEA States as part of the Development Consent Order (DCO) under the Planning Act 2008 (see **Section 3.3.2.1**).

3.3 National Context

3.3.1 UK Climate and Renewable Energy Policy

42. There are various national climate change and renewable energy policies and legislation, which incorporate elements of the proceeding EU Directives (see **Section 3.2.1.2**). Those which are of relevance to the Project are presented below.
43. While there have been changes in government over the past few years, including the UK general election in July 2024, this is unlikely to materially affect national climate and renewable energy policies. The UK’s 2030 NDC, which was first announced in 2020, remains unchanged at 68% reduction in territorial emissions by 2030 compared to 1990 levels, which has also been recently reaffirmed through the 2035 NDC of 81% reduction below 1990 levels, as confirmed by the UK Government in January 2025. In addition, the Sixth Carbon Budget (2033-2037), as approved in 2021, also remains unchanged, requiring the UK to reduce GHG emissions by 78 per cent by 2035 compared to 1990 levels, and the net zero by 2050 target remains unchanged.
44. In 2020, the Energy System Catapult’s *“Innovating to Net Zero”* report observed that: *“net zero narrows the set of viable pathways for the future energy system. Where an 80% target allowed considerable variation in relative effort across the economy, with some fossil fuels still permissible in most sectors, net zero leaves little slack.”*
45. It therefore follows that the Government’s proposed approach to achieving net zero shares many similarities with the approach taken by the previous governments. The position of UK climate and renewable energy policies remain in support of increasing renewable energy generation coupled with a transition away from fossil fuel-based generation.

3.3.1.1 The Climate Change Act 2008

46. The Climate Change Act 2008 sets the framework for the UK’s approach to climate change and transition to a low-carbon economy, committing the UK Government to an 80% reduction in GHG emissions relative to 1990 levels by 2050. The Climate Change Act 2008 (2050 Target Amendment) Order 2019 amended the target to a 100% reduction of GHG emissions relative to 1990 levels, i.e. reaching net zero by 2050, in line with the global warming goal made under the 2015 Paris agreement.

47. The Climate Change Act 2008 established the Climate Change Committee (CCC) and introduced legally binding carbon budgets to restrict the amount of GHG emitted by the UK over five-year periods to reach the 2050 target. The Act requires the UK to make provision about carbon emissions reduction targets and to make other provision about climate change. The Act also introduced the requirement for the Government to assess the risks and opportunities from climate change through the production of a UK Climate Change Risk Assessment every five years, the latest of which was published in 2022 (UK Government, 2022a).

3.3.1.2 The Energy Act 2013

48. The Energy Act 2013 was introduced to establish a legislative framework to deliver secure, affordable and low carbon energy within the UK, with provisions on decarbonisation and the Electricity Market Reform. The Electricity Market Reform was designed to enable the UK to develop a clean, diverse and competitive mix of electricity generation to meet a 2030 decarbonisation target range for electricity production. The Electricity Market Reform introduced two major policies to achieve this:
- A Capacity Market: to ensure security of electricity supply at the least cost to the consumer; and
 - Contracts for Difference (CfD): to provide long-term revenue stabilisation for new low carbon electricity generation in Great Britain.
49. The Act introduced CfD to encourage low carbon electricity generation and provide “long-term contracts to provide stable and predictable incentives for companies to invest in low-carbon generation” (DECC, 2013) resulting in a lower cost to consumers as well as supporting UK’s ambition to achieve net zero by 2050.
50. See **Chapter 2 Need for the Project** for further information on the CfD scheme and decarbonisation in the UK.

3.3.1.3 Clean Growth Strategy

51. The Clean Growth Strategy (Department for Business, Energy and Industrial Strategy (BEIS), 2017) highlights the need to increase economic growth whilst reducing GHG emissions. It details technical innovation, job creation and new industries, noting the 430,000 jobs in low carbon businesses at the time of publication, and the positive impacts of low carbon technologies being exported across the world.

52. As of 2016, the Strategy states that the UK has the largest installed offshore wind capacity in the world. As stated in **Chapter 2 Need for the Project**, the UK is the second biggest global market behind China, accounting for 22% of global offshore wind operating capacity in 2023, and 17% of the UK’s electricity generation mix (The Crown Estate, 2023). British companies are increasingly benefitting from exports in areas such as cable installation, repairing equipment, construction work and consulting, helping to drive UK economic growth.

3.3.1.4 Net Zero Strategy: Build Back Greener

53. The Net Zero Strategy (Build Back Greener policy paper in October 2021 (UK Government, 2021a)) builds on the approach presented in the Ten Point Plan for a Green Industrial Revolution by setting steps to cut emissions, enhance green economic opportunities, and leverage further private investment into net zero. The Strategy provides a pathway to deliver on carbon budgets, NDC and 2050 decarbonisation targets.

3.3.1.5 British Energy Security Strategy

54. The British Energy Security Strategy (BESS), published in April 2022 (UK Government, 2022b), sets out the immediate need to manage the financial implications of soaring commodity prices in the near term and also the long-term goal of “*address[ing] our underlying vulnerability to international oil and gas prices by reducing our dependence on imported oil and gas*” (p.6).
55. The BESS recognises the critical role of renewables in accelerating the transition away from fossil fuels (p.16) by, for example, electrifying home heating and transport, so increasing demand for electricity in future years.
56. The BESS aims to use smarter planning to maintain high environmental standards whilst increasing the pace of offshore wind deployment by 25%, with an ambition to deliver an increased target of up to 50GW of offshore wind by 2030.
57. The BESS committed to implementing an Offshore Wind Environmental Improvement Package (OWEIP) to streamline environmental assessments, decrease consenting times, and maintain marine environmental protections. It includes measures such as:
- Deliver Offshore Wind Environmental Standards (previously called nature-based design standards in the British Energy Security Strategy);
 - Develop regulations and guidance to streamline the Habitats Regulations Assessment and Marine Conservation Zone assessment process for offshore wind projects;

- Deliver environmental compensatory measures across one or more offshore wind projects to compensate for adverse environmental effects on protected sites that cannot be otherwise avoided, reduced or mitigated;
- Implement a Marine Recovery Fund; and
- Introduce strategic monitoring to improve our understanding of the marine environment and the measures needed to further protect it.

3.3.1.6 The Energy Act 2023

58. The Energy Act 2023 makes provision for areas including Offshore Wind Generation Electricity Generation (Part 13). The Act notes changes to legal processes which are involved in the governing of offshore wind project development in the UK, designed to enhance the time for project deployment, while maintaining the same level of environmental protection. The Act also details the need for a commitment to the consideration of environmental compensation, whereby the developer has a statutory duty to secure measures to compensate for adverse environmental effects.

3.3.1.7 Powering Up Britain 2023

59. The Powering Up Britain Policy Paper (UK Government, 2023) sets out how the UK will achieve energy security, promote green growth and meet its net zero targets.
60. The document concludes that “*We need investment at scale ... to rapidly rollout existing technologies ... at pace to meet our ambitions for decarbonising power and [lower] wholesale UK electricity prices.*” (p.9), and observes that “*a significant proportion of technologies we will need for 2050 are currently at the demonstration or prototype phase*” (p.9). This implies that while the UK should continue to pursue low-carbon technologies, waiting for novel technologies to deliver comes with risk because some of these technologies may not deliver. Therefore, the Government’s strategy to deliver a rapid rollout of existing technologies, while continuing to invest in new technologies, is of critical importance in the fight against climate change.
61. The Government’s Clean Power 2030 Action Plan explains that “*whilst the ‘Clean Power Capacity Range’ provides a foundation to guide rapid policy development and focus delivery, the scenarios developed now cannot be exhaustive or definitive, and it is only right that some optionality is retained*” (p31).

3.3.1.8 Clean Power 2030 Action Plan: A New Era of Clean Electricity

62. The Clean Power 2030 Action Plan (UK Government, 2024b) identifies solutions to achieving three major clean energy challenges: the need for a secure and affordable energy supply; the creation of essential new energy industries, supported by skilled workers; and the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change.

63. The Plan paves the way to decarbonising the wider economy by 2050 as the UK pursues the electrification of heat in buildings, transport, and industry. Clean power by 2030 prepares Great Britain for the rapid growth in power demand expected over the 2030s and 40s (with demand expected to double by 2050).
64. The Plan reiterates the energy security and affordability benefits of pursuing a low-carbon future “*In an era of heightened geopolitical risk, switching fossil fuelled generation for homegrown clean energy from renewables and other clean technologies will also offers us additional security that fossil fuels simply cannot provide*”.
65. The Plan acknowledges the need to streamline the approval of clean energy projects in order to meet governmental targets, including specific discussion on:
- Reforming the grid connection process to enhance the electricity network for additional capacity, in collaboration with Ofgem and NESO;
 - Enhancing the planning and consenting process;
 - Addressing blockages to networks and connections;
 - Reforming the electricity markets;
 - Publishing a Low Carbon Flexibility Roadmap in 2030;
 - Driving the development of low carbon long-duration flexibility; and
 - Supporting supply chains and workforce domestically.
66. The Government’s definition of ‘Clean Power’ is that:
- Clean sources produce at least as much power as Great Britain consumes in total, and;
 - Clean sources produce at least 95% of Great Britain’s generation.
67. To achieve Clean Power 2030, the Government will “*aim to deliver above this ambition where the system and consumer benefits align... Delivering this target aligns with the UK’s ambitions for the 2030 Nationally Determined Contribution and will help meet Carbon Budget 6*”.
68. The Government has “*set out national pathway figures for the capacity which should be prioritised for all technologies, and further regional breakdowns for the capacity which should be prioritised for solar, batteries and onshore wind. These FES-derived ranges do not constitute a government pathway, but rather an established, public basis through which to provide longer-term certainty on connections*” (Connections Reform Annex, p5) (UK Government, 2024c). Government’s 2030 ‘Clean Power Capacity Range’ for offshore wind is for 43 to 50 GW installed capacity, and its 2035 ‘FES-derived Capacity Range’ for offshore wind is for 72 to 89 GW.

69. However, the Clean Power 2030 Action Plan does not seek to limit, constrain or cap the capacity of low carbon generation assets which will be delivered over the coming years. In fact, the opposite is true, and the Clean Power 2030 Action Plan seeks to de-clutter the front end of the connection queue to ensure that a sufficient capacity of low carbon generation assets are able to connect in suitable timeframes.
70. This is important because connection queues experience attrition therefore to ensure that a sufficient capacity of low carbon generation assets is delivered requires a greater capacity of low carbon generation assets to come forwards in development pipelines. Therefore, *“Whilst the ‘Clean Power Capacity Range’ provides a foundation to guide rapid policy development and focus delivery, the scenarios developed now cannot be exhaustive or definitive, and it is only right that some optionality is retained”* (p31).
71. These factors combine to lead to the conclusion that government is *“expecting an increase in planning applications with the Clean Power 2030 target”* (p55), and that planning applications will need to continue to be made if the Clean Power 2030 target is to be met.
72. Specifically for offshore wind, *“Most new transmission network and offshore wind projects will need all permissions for construction by 2026 if they are to be operational by 2030 with current construction timelines.”* The action plan goes on to explain that due to construction timeframes associated with certain classifications of infrastructure, it is the government’s view that *“Most new transmission network and offshore wind projects will need all permissions for construction by 2026 if they are to be operational by 2030 with current construction timelines.”* This statement implies that any new offshore wind farms which are not already at an advanced stage of development will be unlikely to be operational in time to support the delivery of government’s Clean Power target in 2030. It also implies that there is a risk of construction timelines overrunning on projects which are already at an advanced stage of development, therefore also risking their ability to contribute to the delivery of government’s Clean Power target in 2030. It is therefore important to continue to progress projects which have the potential to compensate for delays or shortfalls in delivering the Clean Power target.
73. The Project may therefore benefit from the measures in which the Government may implement to accelerate the transition towards Clean Power 2030, including:
- *“Unblocking bottlenecks by improving resource, particularly shortages of critical specialisms, which are often noted as a main cause of statutory consultees’ reasons for planning application deadline extensions (p.55);*
 - *Enhancing the support that the Planning Inspectorate and statutory consultees give to developers through the planning process (p.55);*
 - *Reforming planning resourcing for the longer term (p.55);*
 - *Undertaking legislative reform for planning (p.57);*

- *Reforming planning resourcing for the longer term (p.58);*
- *Establishing industry funded Marine Recovery Funds (p.58); and*
- *Exploring strategic approaches to managing environmental pressures around industrial clusters.”*

3.3.2 National Planning Legislation

3.3.2.1 The Planning Act 2008

74. The Planning Act 2008 established the legal framework for the application, examination and determination of applications for NSIP. The Act sets thresholds above which certain types of infrastructure development are nationally significant and require a DCO application.
75. The Project is defined as a NSIP under Section 15(3) of the Planning Act 2008 as it contains an offshore generating station with an expected capacity greater than 100MW. As required by Section 31 of the Planning Act 2008, a DCO application will be submitted.
76. Section 37 of the Planning Act 2008 requires the DCO application to be made to the relevant Secretary of State (SoS). The Planning Inspectorate then carries out the planning and consenting process on behalf of the SoS. Following the Examination stage, the Planning Inspectorate will make a recommendation to the SoS, who will then ultimately make a decision on granting the DCO.
77. The SoS’s decision must be in accordance with designated National Policy Statements (NPS) and marine policy documents (see **Section 3.3.3**).

3.3.2.2 Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

78. The EIA Regulations 2017 requires that the potential environmental effects of a project, where these are likely to be significant, are considered in the decision making for a project.
79. The EIA Regulations 2017 outlines the process for environmental information provision to enable the EIA process and requires that an Environmental Statement (ES) accompanies the DCO Application for the Project.
80. A Scoping Report was submitted to the Planning Inspectorate on 24th June 2024. A Scoping Opinion was subsequently adopted by the Planning Inspectorate, on behalf of the SoS, on 2nd August 2024 (Planning Inspectorate, 2024b). The notification under Regulation 8(1)(b) confirms that the Project is an ‘EIA development’ in accordance with Regulation 6(2)(a) of the EIA Regulations 2017.

81. The environmental effects of the Project are identified and assessed based on the scoping opinion and ongoing engagement and assessment work throughout the EIA process.

3.3.2.3 National Infrastructure Advice Notes

82. The Planning Inspectorate publishes advice notes for NSIP, providing and information in relation to the Planning Act 2008 and the EIA process (UK Government, 2024). Advice Notes of relevance to the Project are:
- Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents;
 - Nationally Significant Infrastructure Projects: Advice on the Consultation Report;
 - Nationally Significant Infrastructure Projects: Advice on working with public bodies in the infrastructure planning process;
 - Nationally Significant Infrastructure Projects: Advice Note Seven: Environmental Impact Assessment: process, preliminary environmental information and environmental statements;
 - Nationally Significant Infrastructure Projects: Advice Note Nine: Rochdale Envelope;
 - Nationally Significant Infrastructure Projects: Advice Note Fifteen: drafting Development Consent Orders;
 - Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment;
 - Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process;
 - Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments;
 - Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive;
 - Nationally Significant Infrastructure Projects: Advice on EIA Notification and Consultation; and
 - Nationally Significant Infrastructure Projects: Commitments Register.

3.3.3 National Policy Statements

83. NPS are produced by the UK Government under the Planning Act 2008 and set out national policy against which proposals for major infrastructure projects are assessed and decided on.

84. There are 12 NPS, setting out government policy on different types of NSIP development. There are six related to energy, and of these, the following are relevant to the Project:

- EN-1 for Overarching Energy (DESNZ, 2023a);
- EN-3 for Renewable Energy Infrastructure (DESNZ, 2023b); and
- EN-5 for Electricity Networks Infrastructure (DESNZ, 2023c).

85. The aim of the NPS is to provide guidance to applicants and others to understand government policy on NSIP, the way in which applications are assessed, and the assessment of impacts and mitigation.

86. The SoS must have regard to the current relevant NPS for energy and must decide the application for development consent under Planning Act 2008 for the Proposed Development in accordance with those NPS.

87. The NPS confirm that substantial weight should be given to the need for low-carbon generation schemes, such as this Project, which are covered by the NPS.

3.3.3.1 Overarching National Policy Statement for Energy (EN-1)

88. EN-1 sets out the national policy for energy infrastructure and is the primary policy for SoS decision making on energy projects. It reiterates the Sixth Carbon Budget, which states that the UK will reduce greenhouse gas emissions by 78% by 2035 relative to 1990 levels to contribute towards the 2050 net zero GHG target from the Climate Change Act 2008. To meet this, additional generating capacity and new renewable and low carbon energy sources and infrastructure are required at a national and local level, whilst reducing energy wastage and increasing energy efficiency.

89. EN-1 covers the following key items relating to the need for renewable sources of energy generation to meet future demand:

- Paragraphs 2.3.3, 2.3.4 and 2.3.7: The need for nationally significant energy infrastructure projects and infrastructure, including the infrastructure needed to convert primary sources of energy (e.g. wind) into energy carriers (e.g. electricity or hydrogen), and to store and transport primary fuels and energy carriers into and around the country. This is relevant to the expectation of the UK's demand for electricity to double by 2050, including the urgent need for new electricity networks;
- Paragraph 2.3.6: Transforming the energy system and increasing our supply of electricity from renewables; and
- Paragraph 3.3.20: The importance of wind as a low-cost and clean way of generating electricity which will form the bulk of the net zero electricity system in 2050, along with solar.

90. Within EN-1, the section ‘The need for electricity generating capacity’ highlights the need for NSIPs to be brought forward to meet GHG and net zero targets, defining sources of generation technologies including offshore wind as Critical National Priority (CNP); specifically:
- Paragraph 3.3.63: The urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy.
91. ‘The need for new electricity networks’ section expands upon the need for CNP infrastructure, noting:
- Paragraph 3.3.72: Connecting the volume of offshore wind capacity targeted by the government will require not only new offshore transmission infrastructure but also reinforcement to the onshore transmission network, to accommodate the increased power flows to regional demand centres.
 - Paragraph 3.3.74: The strategic approach to network planning, including the Holistic Network Design (HND) for onshore-offshore transmission, and the proposed move to Centralised Strategic Network Planning for the onshore-offshore network.
 - Paragraph 4.3.11 explains the use of the design envelope to provide flexibility in the design of the Project, noting that *“in some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case”*.
92. In terms of the environmental assessment process, references to key legislation are included in EN-1, in particular:
- Section 4.5 ‘Marine Considerations’ detailing the need to consult Marine Plans relevant to the marine area in which the project may sit, the need to consider environmental impacts on MPAs, including applying the mitigation hierarchy and using strategic approaches and that a dML can be granted as part of the DCO; and
 - Section 4.6 ‘Environmental and Biodiversity Net Gain (BNG)’ outlining BNG being applicable to terrestrial and intertidal elements of a project (as defined under the Environment Act 2021), with Marine Net Gain in development, whereby projects should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver using a biodiversity metric.
93. Section 5 of EN-1 lists generic impacts that arise from the development of all of the types of energy infrastructure covered by the energy NPS. Key topics of focus across both the marine and terrestrial environments are:
- Section 5.3 detailing the need for all proposals for energy infrastructure projects including a GHG assessment as part of their ES (used to drive down GHG emissions at every stage of the proposed development);
 - Section 5.4 highlighting the protected areas which need to be considered for impacts on biodiversity/geological features within a project;
 - Section 5.5 considering the impacts of energy developments on civil and military aviation and defence interests; and
 - Section 5.9 considering the impacts of the project on the historic environment.
- 3.3.3.2 National Policy Statement for Renewable Energy Infrastructure (EN-3)
94. EN-3 builds on EN-1, considering the urgent need for new nationally significant renewable energy infrastructure to meet the Sixth Carbon Budget. It states that proposals *“should demonstrate good design [...] and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage”*. Where flexibility is sought in the consenting process, the Applicant should assess the likely worst-case scenario noting the importance of flexibility for future-proofing developments.
95. In relation to offshore wind specifically (Section 3.8), EN-3 covers the following key items:
- Paragraph 2.8.1: The UK Government’s target to deploy up to 50GW of offshore wind capacity by 2030, noting as per **Section 3.3.1.8** the government’s 2030 ‘Clean Power Capacity Range’ of 43 to 50GW of operational offshore wind. The Clean Power 2030 Action Plan also sets out a framework to support the delivery of additional capacity beyond 2030 due to an expected need for greater offshore capacity on the pathway to achieve net zero carbon emissions by 2050;
 - Paragraph 2.8.7: Ambitions to deliver up to up to 5GW of floating wind, there is a need to speed up, and reduce delays in, the consenting process;
 - Paragraph 2.8.8: The potential need for compensatory measures for impacts on designated sites through the development of a library of compensation measures, through the Collaboration on Offshore Wind Strategic Compensation programme or implementation of an industry-funded Marine Recovery Fund, into which developers can choose to contribute to meet their environmental compensation obligations;
 - Paragraphs 2.8.14 and 2.8.15: NSIP applicants should demonstrate that their choice of site takes into account the government’s Offshore Energy Strategic Environmental Assessment and any successors to it;

- Paragraph 2.8.48: Applicants are encouraged to work collaboratively with those other developers and sea users on co-existence/co-location opportunities, shared mitigation, compensation and monitoring where appropriate. Where applicable, the creation of statements of common ground between developers is recommended;
 - Paragraphs 2.8.93 - 2.8.212: Topic-specific policy considerations which are discussed in the relevant PEIR technical chapters;
 - Paragraph 2.8.213: Applicants must always employ the mitigation hierarchy, in particular to avoid as far as is possible the need to find compensatory measures for coastal, inshore and offshore developments affecting SAC, SPA and Ramsar sites (now referred to as the National Site Network) and / or MCZ in consultation with Statutory Nature Conservation Bodies; and
 - Paragraph 2.10.155: The Secretary of State must consider the worst-case effects in its consideration of the application and consent.
96. EN-3 also builds on EN-1 noting that there is the urgent need for CNP Infrastructure to achieve the UK’s energy objectives, with benefits also to national security, economic, commercial, and net zero benefits.
- 3.3.3.3 National Policy Statement for Electricity Networks Infrastructure (EN-5)
97. EN-5 underlines the importance of a secure and reliable electricity network to meet the increasing electricity demand resulting from the transition to net zero by 2050. It also notes the need for a significant amount of increased network infrastructure to achieve the ambition for offshore wind.
98. In particular, paragraph 1.1.5 states CNP *“includes: for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations[...] all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System.”*
99. EN-5 identifies a need for the consideration of climate change adaption and resilience in section 2.3 in order to ensure that electricity networks infrastructure is resilient to the effects of climate change. Paragraph 2.3.2 notes: *‘As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to:*
- *flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change;*

- *the effects of wind and storms on overhead lines;*
 - *higher average temperatures leading to increased transmission losses;*
 - *earth movement or subsidence caused by flooding or drought (for underground cables); and*
 - *coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.’*
100. Paragraph 2.4.1 states that *“The Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, and in determining applications for development consent to the desirability of good design.”* Applicants should consider the criteria for good design set out in EN-1 Section 4.7 at an early stage when developing projects.
101. Strategic networks must be considered in the project design, with paragraph 2.8.1 noting *“a more strategic approach to network planning will ensure that network development keeps pace with renewable generation and anticipates future system needs. Strategic network planning, such as through the Holistic Network Design and its follow up exercises or through forthcoming Centralised Strategic Network plans, helps reduce the overall impact of infrastructure by identifying opportunities for coordination, where appropriate, and taking a holistic view of both the onshore and offshore network.”*
102. Underground cables are covered in paragraphs 2.9.20 and 2.9.21: *“when proposed developments will cross part of a nationally designated landscape (i.e. National Park, The Broads, or Areas of Outstanding Natural Beauty (AONB))”* then underground cables should be considered. *“In these areas, and where harm to the landscape, visual amenity and natural beauty of these areas cannot feasibly be avoided by rerouting overhead lines, the strong starting presumption will be that the applicant should underground the relevant section of the line.”*

3.3.4 National Planning Policy Framework

103. The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2024) sets out the UK Government’s planning policies for England in relation to the Town and Country Planning Act 1990 and how they are applied when determining planning applications. It was implemented in 2012 with the most recent NPPF published in December 2024 (UK Government, 2024).
104. The NPPF does not contain specific policies for NSIP, which are determined in accordance with the Planning Act 2008 and relevant NPS, but may still be considered as a relevant matter in decision making.

105. The NPPF outlines a series of core principles based sustainable development including building a strong and competitive economy, promoting healthy and safe communities and conserving and enhancing the natural environment. The EIA process for the Project will refer to these core principles to ensure that sustainable development is pursued in a positive way.
106. Principles of the NPPF which may be considered as relevant to the Project are displayed in **Table 3-1**.

Table 3-1 National Planning Policy Framework Principles relevant to Dogger Bank D

Principle	NPPF Advice
Promoting healthy and safe communities (8)	Paragraph 103: Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.
Promoting Sustainable Transport (9)	Paragraph 109: Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities; b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places; c) understanding and addressing the potential impacts of development on transport networks; d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated; e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.
Making effective use of land (11)	Paragraph 124: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Principle	NPPF Advice
Achieving well-designed places (12)	Paragraph 132: Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics.
Meeting the challenge of climate change, flooding and coastal change (14)	Paragraph 161: The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
Conserving and enhancing the natural environment (15)	<p>Paragraphs 187 and 188: Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none">a) 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);b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;d) 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; ;e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; andf) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. <p>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.</p>

Principle	NPPF Advice
Conserving and enhancing the historic environment (16)	Paragraph 202: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

3.3.5 National Environmental and Conservation Legislation

3.3.5.1 The Conservation of Habitats and Species Regulations 2017 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended)

107. In England and Wales, the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and elements of Council Directive 2009/147/EC on the conservation of wild birds (the Birds Directive) are implemented under (i) the Conservation of Habitats and Species Regulations 2017 (as amended) (the ‘Habitats Regulations’) onshore and up to 12 nautical miles (nm) offshore and (ii) the Conservation of Offshore Marine Habitats and Species Regulations 2017 between 12 and 200nm offshore.
108. Under Regulation 63 of the Habitats Regulations, appropriate assessment is required for a plan or project which, either alone or in combination with other plans or projects, is likely to have a significant effect on a National Site Network site and is not directly connected with or necessary for the management of the site. The National Site Network includes existing and newly designated SAC and SPA. The overall process is known as Habitats Regulations Assessment (HRA).
109. The Conservation of Offshore Marine Habitats and Species Regulations 2017 consolidate and update the Offshore Marine Conservation Regulations 2007. These regulations apply to the UK’s offshore marine area, affording them the same level of protection as onshore habitats and therefore the HRA process also applies.
110. Any proposals affecting proposed SAC, potential SPA, Ramsar sites and areas secured as sites compensating for damage to a National Site Network site would also require a HRA, as they are protected by government policy.

3.3.5.1.1 Habitats Regulations Assessment

111. HRA can be described as a three-stage process as outlined in Planning Inspectorate Advice on Habitats Regulations Assessments (Planning Inspectorate, 2024c):
 - **Stage 1 - Screening** is the processes which initially identifies whether a proposal is likely to have a significant effect on the National Site Network site(s)’s conservation objectives, both alone or in combination with other plans or projects.
 - **Stage 2 - Appropriate assessment** determines whether there is objective evidence that adverse effects on the integrity (AEol) of a National Site Network site can be excluded both Project-alone and in-combination with other projects.
 - **Stage 3 - The derogation stage** considers if proposals that would have an AEol of a National Site Network site(s) qualify for an exemption by considering alternative solutions; considering imperative reasons of overriding public interest and securing compensatory measures.
112. In the event that compensatory measures are deemed necessary for the Project due to unavoidable Adverse Effects on the Integrity (AEol) of a designated site, the Project may investigate securing strategic compensation measures through the Marine Recovery Fund as expanded upon in Defra’s 2025 Marine Environment Statement (Defra, 2025). Such measures include new MPA designations, Offshore Artificial Nesting Structures (oANS) and predator reduction for ornithological compensation, as further detailed in ‘Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance’ (DESNZ, 2025).
113. Further details of the HRA process followed by the Project can be found in **Report to Inform Appropriate Assessment** (document reference 5.3). The Report to Inform Appropriate Assessment has been informed through the Evidence Plan Process.
- 3.3.5.2 Marine Conservation Zone Assessment
114. Noting the presence of the Holderness Offshore and Holderness Inshore MCZs in proximity to the Offshore Development Area, consideration will be made of Section 126 of the Marine and Coastal Access Act 2009 which places specific duties on the Marine Management Organisation relating to MCZs and marine licence decision making.
115. The process has three sequential stages:
 - **Stage 1 - Screening** identifies whether an activity is capable of affecting (other than insignificantly) either (i) the protected features of an MCZ; or (ii) any ecological or geomorphological process on which the conservation of any protected feature of an MCZ is (wholly or in part) dependant.

- **Stage 2 - Stage 1 MCZ assessment** will determine if there is no significant risk of the activity hindering the achievement of the conservation objectives stated for the MCZ; and if the MMO can exercise its functions to further the conservation objectives stated for the MCZ.
- **Stage 3 - Stage 2 MCZ assessment** will determine if the benefit to the public of proceeding with the act clearly outweigh the risk of damage to the environment that will be created by proceeding with it; and, if so, then whether the applicant can satisfy the MMO that they will undertake or make arrangements for the undertaking of measures of equivalent environmental benefit to the damage which the act will or is likely to have in or on the MCZ.

116. Further details of the MCZ Assessment process followed by the Project can be found in **Marine Conservation Zone Assessment** (document number 7.11).

3.3.5.3 Environment Act 2021

117. The Environment Act 2021 (UK Government, 2021b) was introduced following the UK's departure from the EU and sets out legislation to protect and enhance the environment setting targets for improvement within the following priority areas by 2030:
- Air quality;
 - Water;
 - Biodiversity; and
 - Resource efficiency and waste reduction.
118. The Act notes the SoS must prepare an environmental improvement plan to significantly improve the natural environment (the most recent of which was published in January 2023) and prepare annual reports on the implementation of the environmental improvement plan.
119. The Act also saw the Establishment of the Office for Environmental Protection to contribute to environmental protection and improve the natural environment, acting objectively and impartially and increasing accountability of the Government and other public authorities.
120. The Act introduced mandatory BNG for new developments, along with Local Nature Recovery Strategies, meaning that 10% BNG must be achieved and maintained for a minimum of 30 years. This condition was implemented in November 2023 under the Town and Country Planning regime to support nature recovery and the Nature Recovery Network. However, for NSIP the mandatory BNG requirement has not yet come into force. Defra has indicated that this will be applicable for NSIP applications accepted for examination from November 2025. The Project has committed to BNG, further detail will be submitted as part of the DCO application.

3.3.5.4 Wildlife and Countryside Act 1981

121. The Wildlife and Countryside Act 1981 protects wild birds and other animals in England and Wales by enabling the designation of Sites of Special Scientific Interest (SSSI) to provide statutory protection of the best examples of flora, fauna, geological and physio-geological features in terrestrial and intertidal environments.
122. It defines a series of offences which provide protection to wild birds (including their eggs and nests), certain animal and plant species, and prohibit the intentional introduction and spread of invasive non-native species.
123. The Act defines the role of Natural England in the designation of SSSIs to protect features of interest and enables statutory nature conservation bodies to declare sites which are considered to be of national importance as National Nature Reserves.

3.3.5.5 Countryside and Rights of Way Act 2000

124. The Countryside and Rights of Way Act 2000 (CRoW Act) makes provision for public access to the countryside, including on foot, by amending the law relating to Public Rights of Way (PRoW) and enables traffic regulation orders to conserve an area's natural beauty.
125. The Act allows Natural England to the designate areas which are not National Parks as Areas of Outstanding Natural Beauty (AONB) following consultation with local authorities. These aim to conserve and enhance the natural beauty of the area and, under the Act, a conservation board can be appointed if the SoS deems it necessary to provide greater protection and increase the understanding and enjoyment by the public of the AONB.
126. The Levelling-up and Regeneration Act 2023 amended section 85 of the CRoW Act to ensure relevant authorities must '*seek to further the purpose of conserving and enhancing the natural beauty of the area*' when discharging their functions in AONBs.
127. The Act also improves the management and protection of SSSIs and implementation of the Wildlife and Countryside Act 1981 for the protection of threatened species.

3.3.5.6 The Protection of Badgers Act 1992

128. The Protection of Badgers Act 1992 consolidates the Badgers Act 1973, the Badgers Act 1991 and the Badgers (Further Protection) Act 1991. It makes it an offence to attempt to, or actually, wilfully kill, injure or take a badger; and to cruelly ill-treat a badger. The Act also makes it an offence to intentionally or recklessly damage, destroy or obstruct a badger sett, or to disturb a badger whilst in a sett.

129. A licence may be granted to allow development that will disturb a badger sett within the area covered by the licence.

3.3.5.7 Natural Environment and Rural Communities Act 2006

130. The Natural Environment and Rural Communities Act 2006 (NERC Act) established Natural England to conserve, enhance, and manage the natural environment and contribute to sustainable development. This includes promoting nature conservation, protecting biodiversity, conserving the landscape, promoting access to the countryside and contributing to social and economic well-being through the management of the natural environment. Natural England also provides advice on developments to appropriate authorities which may affect nature conservation.
131. Section 41 of NERC requires the relevant SoS to compile a list of habitats and species of principal importance for the conservation of biodiversity in England. Decision makers of public bodies must have regard for the conservation of biodiversity in England when enacting their duties, using the list as guidance.
132. The NERC Act also notes the requirement for biodiversity reports by public authorities to summarise the actions of the authority and a plan over the following five years.

3.3.5.8 The Hedgerow Regulations 1997.

133. Under the Hedgerow Regulations 1997, a hedgerow is classified as important if it has existed for 30 years or more and meets criteria relating to archaeology, wildlife or landscape. The Regulations also make it an offence to remove or destroy certain hedgerows without permission from the local authority who are the enforcement body for such offences.

3.3.6 Marine Policy

3.3.6.1 Marine and Coastal Access Act 2009

134. The Marine and Coastal Access Act 2009 (MCAA) established the Marine Management Organisation (MMO) as the body responsible for the delivery of sustainable development in UK marine areas. It allows the creation of Marine Conservation Zones (MCZ) and Highly Protected Marine Areas (HPMA) in England, Wales and UK offshore waters. These aim to protect a range of nationally important marine wildlife, habitats, geology and geomorphology.
135. The Act establishes a marine planning, licencing, and decision-making system to enable sustainable development in marine environments in accordance with the Marine Policy Statement (MPS). The MCAA also introduced a new section to the Planning Act 2008, allowing an applicant to apply for deemed Marine Licences (DMLs) as part of the DCO application.

136. Part 5 of the MCAA considers Nature Conservation and the designation of MCZs in order to conserve marine flora or fauna, marine habitats, or features of geomorphological or geomorphological interested, and must state the protected feature(s) and the conservation objectives for the MCZ.

3.3.6.2 The Marine Policy Statement

137. The UK MPS, adopted in 2011 and last updated in 2020 (UK Government, 2020), is the framework for the preparation of regional Marine Plans and decision-making affecting the marine environment. It was prepared and adopted to meet the requirements of Section 44 of the MCAA and ensures that marine resources are used in a sustainable way and result in “*clean, healthy, safe, productive and biologically diverse oceans and seas*”.
138. The MPS aims to:
- Promote sustainable economic development;
 - Enable the UK’s move towards a low-carbon economy, in order to mitigate the causes of climate change and ocean acidification and adapt to their effects;
 - Ensure a sustainable marine environment which promotes healthy, functioning marine ecosystems and protects marine habitats, species and heritage assets; and
 - Contribute to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues.
139. The MPS notes the need for offshore wind projects and states that Marine Plans should identify areas of potential for the deployment of different renewable energy technologies, also noting the need for flexibility in responding to evidence of the impacts of new technologies.
140. The MPS also states that developers of Marine Plans should account for:
- The national level of need for energy infrastructure;
 - The positive wider environmental, societal and economic benefits of low carbon electricity generation as a key technology to reduce carbon dioxide emissions; and
 - The impact of inward investment in offshore wind, as well as the impact of associated employment opportunities on the local and national economies.
141. The MPS considers the policy related to the following technical areas within the marine environment such as: marine ecology and biodiversity; air quality; noise; ecological and chemical water quality and resources; seascape; historic environment; climate change adaptation and mitigation and coastal change and flooding.
142. Under Section 104(2) of the Planning Act 2008, the SoS has to consider the appropriate marine policy documents, such as the MPS, when judging DCO applications.

3.3.6.3 Marine Plans

143. Marine Plans set out how the MPS will be implemented in specific areas, providing policy and spatial guidance for the area in UK waters and underpinning the marine planning system in England.
144. The majority of the current Offshore Development Area lies within the Eastern Inshore and North Eastern Offshore Marine Plan Areas as shown in **Figure 3-1**.

3.3.6.3.1 East Inshore and East Offshore Marine Plan

145. The East Inshore and East Offshore Marine Plan was published in 2014 (Defra, 2014) but is to be replaced, following a recommendation by the MMO in 2023, by the East Marine Plan. If the East Marine plan is published prior to the cut-off for DCO application, relevant policies within this section will be superseded and considered appropriately.
146. The East Inshore and East Offshore Marine Plans set out an approach to regulating and managing the areas, resources and activities and interactions that take place within them to ensure sustainable development of the marine area.
147. It is expected that “*sustainable, effective and efficient use of the East Inshore and East Offshore Marine Plan Areas*” will be achieved by 2034 with benefits to the local economy and community, with offshore wind playing a significant contribution.
148. The Plan highlights that both Inshore and Offshore Areas are in ‘Good Environmental Status’, with relevant habitats and species in ‘favourable conservation status’, and activities and developments that are implemented are managed to ensure environmental protection and sustainability, including offshore wind projects which maintain the requirements of navigational safety.
149. To deliver the vision of the marine plans, the East Inshore and East Offshore Plan has set out the following objectives and related policies as listed in **Table 3-2** below.

Table 3-2 Relevant Objectives and Policies from the East Inshore and East Offshore Marine Plan

Objective	Policy
Objective 1: To promote the sustainable development of economically productive activities, taking account of spatial requirements of other activities of importance to the East marine plan areas.	Policy EC1: Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.

Objective	Policy
Objective 2: To support activities that create employment at all skill levels, taking account of the spatial and other requirements of activities in the East marine plan areas.	Policy EC2: Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas.
Objective 3: To realise sustainably the potential of renewable energy, particularly offshore wind farms, which is likely to be the most significant transformational economic activity over the next 20 years in the East marine plan areas, helping to achieve the United Kingdom’s energy security and carbon reduction objectives.	Policy EC3: Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.
Objective 4: To reduce deprivation and support vibrant, sustainable communities through improving health and social well-being.	Policy SOC1: Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.
Objective 5: To conserve heritage assets, nationally protected landscapes and ensure that decisions consider the seascape of the local area.	Policy SO2: Proposals that may affect heritage assets should demonstrate, in order of preference: <ul style="list-style-type: none">• That they will not compromise or harm elements which contribute to the significance of the heritage asset;• How, if there is compromise or harm to a heritage asset, this will be minimised;• How, where compromise or harm to a heritage asset cannot be minimised it will be mitigated against; or• The public benefits for proceeding with the proposal if it is not possible to minimise or mitigate compromise or harm to the heritage asset. Policy SOC3: Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference: <ul style="list-style-type: none">• That they will not adversely impact the terrestrial and marine character of an area;• How, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them;• How, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against;• The case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.

Objective	Policy
Objective 6: To have a healthy, resilient and adaptable marine ecosystem in the East marine plan areas.	Policy ECO1: Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation. Policy ECO2: The risk of release of hazardous substances as a secondary effect due to any increased collision risk should be taken account of in proposals that require an authorisation.
Objective 7: To protect, conserve and, where appropriate, recover biodiversity that is in or dependent upon the East marine plan areas.	Policy BIO1: Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial). Policy BIO2: Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.
Objective 8: To support the objectives of Marine Protected Areas (and other designated sites around the coast that overlap, or are adjacent to the East marine plan areas), individually and as part of an ecologically coherent network.	Policy MPA1: Any impacts on the overall Marine Protected Area network must be taken account of in strategic level measures and assessments, with due regard given to any current agreed advice on an ecologically coherent network.
Objective 9: To facilitate action on climate change adaptation and mitigation in the East marine plan areas.	Policy CC1: Proposals should take account of: <ul style="list-style-type: none">• How they may be impacted upon by, and respond to, climate change over their lifetime; and• How they may impact upon any climate change adaptation measures elsewhere during their lifetime. Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts. Policy CC2: Proposals for development should minimise emissions of greenhouse gases as far as is appropriate. Mitigation measures will also be encouraged where emissions remain following minimising steps. Consideration should also be given to emissions from other activities or users affected by the proposal.
Objective 10: To ensure integration with other plans, and in the regulation and management of key activities and issues, in the East marine plans, and adjacent areas.	Policy GOV1: Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa. Policy GOV2: Opportunities for co-existence should be maximised wherever possible. Policy GOV3: Proposals should demonstrate in order of preference:

Objective	Policy
	<ul style="list-style-type: none">• That they will avoid displacement of other existing or authorised (but yet to be implemented) activities;• How, if there are adverse impacts resulting in displacement by the proposal, they will minimise them;• How, if the adverse impacts resulting in displacement by the proposal, cannot be minimised, they will be mitigated against; or• The case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts of displacement. Policy DEF1: Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence. Policy OG1: Proposals within areas with existing oil and gas production should not be authorised except where compatibility with oil and gas production and infrastructure can be satisfactorily demonstrated. Policy WIND2: Proposals for Offshore Wind Farms inside Round 3 zones, including relevant supporting projects and infrastructure, should be supported. Policy CCS1: Within defined areas of potential carbon dioxide storage, proposals should demonstrate in order of preference: <ul style="list-style-type: none">• That they will not prevent carbon dioxide storage;• How, if there are adverse impacts on carbon dioxide storage, they will minimise them;• How, if the adverse impacts cannot be minimised, they will be mitigated; and• The case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts. Policy PS2: Proposals that require static sea surface infrastructure that encroaches upon important navigation routes should not be authorised unless there are exceptional circumstances. Proposals should: <ul style="list-style-type: none">• Be compatible with the need to maintain space for safe navigation, avoiding adverse economic impact;• Anticipate and provide for future safe navigational requirements where evidence and/or stakeholder input allows; and• Account for impacts upon navigation in-combination with other existing and proposed activities.

Objective	Policy
	<p>Policy CAB1: preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.</p> <p>Policy FISH1: Within areas of fishing activity, proposals should demonstrate in order of preference:</p> <ul style="list-style-type: none">• That they will not prevent fishing activities on, or access to, fishing grounds;• How, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them;• How, if the adverse impacts cannot be minimised, they will be mitigated;• The case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts. <p>Policy FISH2: Proposals should demonstrate, in order of preference:</p> <ul style="list-style-type: none">• That they will not have an adverse impact upon spawning and nursery areas and any associated habitat;• How, if there are adverse impacts upon the spawning and nursery areas and any associated habitat, they will minimise them;• How, if the adverse impacts cannot be minimised they will be mitigated;• The case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts. <p>Policy TR1: Proposals for development should demonstrate that during construction and operation, in order of preference:</p> <ul style="list-style-type: none">• They will not adversely impact tourism and recreation activities;• How, if there are adverse impacts on tourism and recreation activities, they will minimise them;• How, if the adverse impacts cannot be minimised, they will be mitigated;• The case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts. <p>Policy TR2: Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference:</p> <ul style="list-style-type: none">• They will not adversely impact on recreational boating routes;• How, if there are adverse impacts on recreational boating, they will minimise them;

Objective	Policy
	<ul style="list-style-type: none">• How, if the adverse impacts cannot be minimised, they will be mitigated; and• The case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.

3.3.6.3.2 North East Inshore and North East Offshore Marine Plan

150. The North East Inshore and North East Offshore Marine Plan was published in 2021 (Defra, 2021). Similar to the East Inshore and East Offshore Marine Plan, the North East Inshore and North East Offshore Marine Plan addresses key issues for the area, management and mitigation, and sets out policies to inform decision-making for activities and developments which are in or impacts a marine area, providing a strategic approach to planning. The Plan also aims to ensure activities and developments contribute to achieving sustainable development and optimal use of the marine areas’ natural capital, with policies to encourage enhancing habitats and providing protection for vulnerable habitats and species.
151. The Plan also notes that legislation and policies across government are applied in a sub-regional context in order to meet the needs of the marine plan areas. The Plan sets out Policies that cover a range of topics, including economic, social and environmental considerations, infrastructure, subsea cables and renewables. Policies relevant to the Project are displayed in **Table 3-3** (defined upon first mention).

Table 3-3 Relevant Objectives and Policies (from the North East Inshore and North East Offshore Marine Plan

Objective	Policy
Objective 1: Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.	<ul style="list-style-type: none">• NE-INF-1: Proposals for appropriate marine infrastructure which facilitates land-based activities, or land-based infrastructure which facilitates marine activities (including the diversification or regeneration of sustainable marine industries), should be supported;• NE-CAB-2: Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference: avoid, minimise, mitigate adverse impacts on existing and potential future landfall sites so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.

CHAPTER 3 POLICY AND LEGISLATIVE CONTEXT

Objective	Policy
	<ul style="list-style-type: none"> NE-PS-1: In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported. Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding; NE-PS-2: Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within or encroaching upon International Maritime Organization routeing systems unless there are exceptional circumstances; NE-PS-3: Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances; and NE-CBC-1: Proposals must consider cross-border impacts throughout the lifetime of the proposed activity. Proposals that impact upon one or more marine plan areas or terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.
Objective 2: The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.	<ul style="list-style-type: none"> NE-CO-1: Proposals that optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities will be supported. Proposals that may have significant adverse impacts on, or displace, existing activities must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding. NE-AGG-1: Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the proposal is compatible with aggregate extraction.

Objective	Policy
	<ul style="list-style-type: none"> NE-AGG-2: Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the proposal is compatible with aggregate extraction; NE-AGG-3: Proposals in areas of high potential aggregate resource that may have significant adverse impacts on future aggregate extraction should demonstrate that they will, in order of preference: avoid, minimise, mitigate significant adverse impacts on future aggregate extraction so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding. NE-DD-1: In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity. NE-DD-2: Proposals that cause significant adverse impacts on licensed disposal sites should not be supported. Proposals that may have significant adverse impacts on licensed disposal sites must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding. NE-DD-3: Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, including for alternative use sites, proposals should be supported if they conform to best practice and guidance. NE-OG-1: Proposals in areas where a licence for oil and gas has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity. NE-OG-2: Proposals within areas of geological oil and gas extraction potential demonstrating compatibility with future extraction activity will be supported. NE-PS-1; NE-PS-2; NE-PS-3; NE-REN-1: Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported;

CHAPTER 3 POLICY AND LEGISLATIVE CONTEXT

Objective	Policy
	<ul style="list-style-type: none"> NE-REN-2: Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project; NE-REN-3: Proposals for the installation of infrastructure to generate offshore renewable energy, inside areas of identified potential and subject to relevant assessments, will be supported; NE-FISH-2: Proposals that enhance access for fishing activities should be supported. Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding. NE-EMP-1: Proposals that result in a net increase in marine-related employment will be supported, particularly where they meet one or more of the following: <ul style="list-style-type: none"> Are aligned with local skills strategies and support the skills available; Create a diversity of opportunities; Create employment in locations identified as the most deprived; Implement new technologies - in, and adjacent to, the north east marine plan areas. NE-CE-1: Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse cumulative and / or in-combination effects so they are no longer significant; and NE-CBC-1.
Objective 3: Marine businesses are taking long-term strategic decisions and managing risks effectively. They are competitive and operating efficiently.	<ul style="list-style-type: none"> NE-AGG-1; NE-AGG-2; NE-AGG-3; NE-CAB-1: Preference should be given to proposals for cable installation where the method of protection is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures;

Objective	Policy
	<ul style="list-style-type: none"> NE-CAB-2: Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference: avoid, minimise, mitigate adverse impacts on existing and potential future landfall sites so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding. NE-CAB-3: Where seeking to locate close to existing subsea cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities relating to the cable; NE-OG-1; NE-OG-2; NE-REN-1; NE-REN-2; NE-REN-3; NE-FISH-1: Proposals that support a sustainable fishing industry, including the industry's diversification, should be supported; NE-CC-2: Proposals in the north east marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change; NE-CC-3: Proposals in the north east marine plan areas, and adjacent marine plan areas, that are likely to have significant adverse impacts on coastal change, or on climate change adaptation measures inside and outside of the proposed project areas, should only be supported if they can demonstrate that they will, in order of preference: avoid, minimise, mitigate significant adverse impacts so they are no longer significant; NE-AIR-1: Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases. Proposals that are likely to result in increased air pollution or increased emissions of greenhouse gases must demonstrate that they will, in order of preference: avoid, minimise, mitigate air pollution and/or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements; NE-CE-1; and NE-CBC-1.
Objective 4: Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.	<ul style="list-style-type: none"> NE-CO-1; NE-CAB-1; NE-CAB-3;

CHAPTER 3 POLICY AND LEGISLATIVE CONTEXT

Objective	Policy
	<ul style="list-style-type: none"> • NE-FISH-1; • NE-EMP-1; • NE-CE-1; and • NE-CBC-1.
Objective 5: People appreciate the diversity of the marine environment, its seascapes, its natural and cultural heritage and its resources and can act responsibly.	<ul style="list-style-type: none"> • NE-HER-1: Proposals that demonstrate they will conserve and enhance the significance of heritage assets will be supported. Where proposals may cause harm to the significance of heritage assets, proponents must demonstrate that they will, in order of preference: avoid, minimise, mitigate any harm to the significance of heritage assets. If it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets; • NE-SOC-1: Those bringing forward proposals should consider and demonstrate how their development shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal; and • NE-CBC-1.
Objective 6: The use of the marine environment is benefiting society as a whole, contributing to resilient and cohesive communities that can adapt to coastal erosion and flood risk, as well as contributing to physical and mental wellbeing.	<ul style="list-style-type: none"> • NE-CO-1; • NE-HER-1; • NE-CC-1: Proposals that conserve, restore or enhance habitats that provide flood defence or carbon sequestration will be supported. Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference: avoid, minimise, mitigate significant adverse impacts so they are no longer significant or compensate for significant adverse impacts that cannot be mitigated; • NE-CC-2; • NE-CC-3; • NE-ACC-1: Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported. Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant;

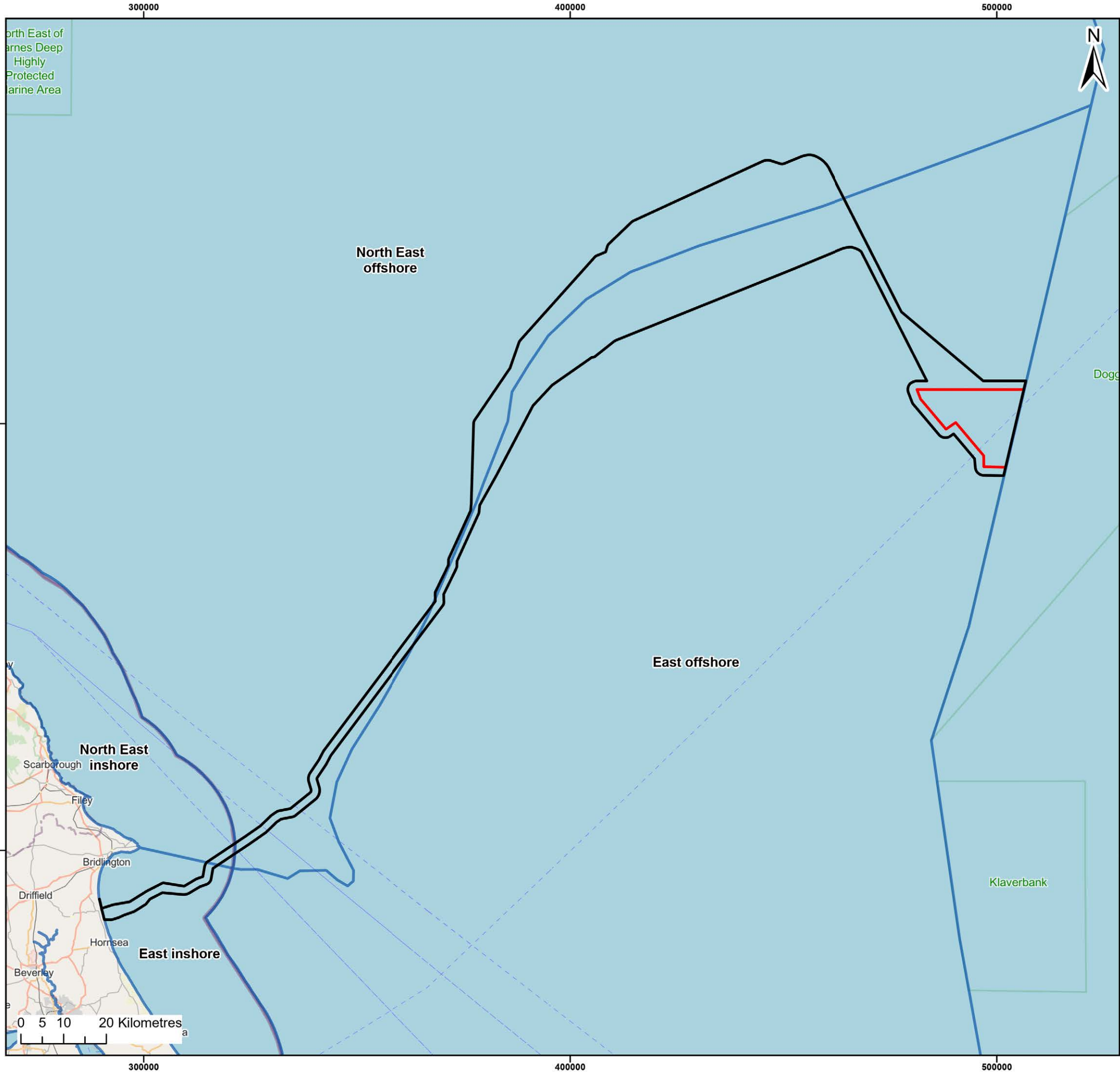
Objective	Policy
	<ul style="list-style-type: none"> • NE-TR-1: Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant; • NE-SOC-1; • NE-CE-1; and • NE-CBC-1.
Objective 7: The coast, seas, oceans and their resources are safe to use.	<ul style="list-style-type: none"> • NE-AIR-1; • NE-WQ-1: Proposals that protect, enhance and restore water quality will be supported. Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference: avoid, minimise, mitigate deterioration of water quality in the marine environment; • NE-INNS-1: Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported. Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species, particularly when: <ul style="list-style-type: none"> ◦ Moving equipment, boats or livestock (for example fish or shellfish) from one water body to another; or ◦ Introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area; • NE-INNS-2: Public authorities with functions to manage activities that could potentially introduce, transport or spread invasive non-native species should implement adequate biosecurity measures to avoid or minimise the risk of introducing, transporting or spreading invasive non-native species; and • NE-CBC-1.
Objective 8: The marine environment plays an important role in mitigating climate change.	<ul style="list-style-type: none"> • NE-CO-1; • NE-REN-1; • NE-REN-2; • NE-REN-3; • NE-CC-1;

Objective	Policy
	<ul style="list-style-type: none">NE-BIO-3: Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, will be supported. Proposals must take account of the space required for coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference: avoid, minimise, mitigate, compensate for net habitat loss; andNE-CBC-1.
Objective 9: There is equitable access for those who want to use and enjoy the coast, seas and their wide range of resources and assets and recognition that for some island and peripheral communities the sea plays a significant role in their community.	<ul style="list-style-type: none">NE-CO-1;NE-HER-1;NE-FISH-2;NE-ACC-1;NE-TR-1;NE-SOC-1; andNE-CBC-1.
Objective 10: Use of the marine environment will recognise, and integrate with, defence priorities, including the strengthening of international peace and stability and the defence of the UK and its interests.	<ul style="list-style-type: none">NE-CO-1;NE-DEF-1: Proposals in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence; andNE-CBC-1.
Objective 11: Biodiversity is protected, conserved and, where appropriate, recovered and loss has been halted.	<ul style="list-style-type: none">NE-CO-1;NE-FISH-3: Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, should be supported. Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant.NE-CC-1;NE-CC-3;NE-WQ-1;

Objective	Policy
	<ul style="list-style-type: none">NE-MPA-1: Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network;NE-MPA-2: Proposals that enhance a marine protected area’s ability to adapt to climate change, enhancing the resilience of the marine protected area network, will be supported. Proposals that may have adverse impacts on an individual marine protected area’s ability to adapt to the effects of climate change, and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts;NE-MPA-3: Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered;NE-MPA-4: Proposals that may have significant adverse impacts on designated geodiversity must demonstrate that they will, in order of preference: avoid, minimise, mitigate significant adverse impacts so they are no longer significant;NE-BIO-1 Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant, compensate for significant adverse impacts that cannot be mitigated;NE-BIO-2: Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported. Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts so they are no longer significant, compensate for significant adverse impacts that cannot be mitigated;NE-BIO-3;NE-INNS-1;NE-INNS-2;

Objective	Policy
	<ul style="list-style-type: none">NE-DIST-1: Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: avoid, minimise, mitigate significant adverse impacts so they are no longer significant;NE-UWN-2: Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference: avoid, minimise, mitigate adverse impacts on highly mobile species so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding;NE-CE-1; andNE-CBC-1.
Objective 12: Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems.	<ul style="list-style-type: none">NE-CO-1;NE-FISH-3;NE-CC-1;NE-CC-3;NE-MPA-1;NE-MPA-2;NE-MPA-3;NE-BIO-1;NE-BIO-2;NE-BIO-3;NE-INNS-1;NE-INNS-2;NE-DIST-1;NE-CE-1; andNE-CBC-1.
Objective 13: Our oceans support viable populations of representative, rare, vulnerable and values species.	<ul style="list-style-type: none">NE-CO-1;NE-FISH-3;NE-MPA-1;NE-MPA-2;NE-MPA-3;NE-BIO-1;NE-BIO-2;

Objective	Policy
	<ul style="list-style-type: none">NE-BIO-3;NE-INNS-1;NE-INNS-2;NE-DIST-1;NE-UWN-1: Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11;NE-UWN-2;NE-CE-1; andNE-CBC-1.



Legend:

- Dogger Bank D Array Area
- Offshore Development Area
- Marine Plan Areas

Source: © Haskoning DHV UK Ltd, 2024 ; © DEFRA, 2024.
© OpenStreetMap (and) contributors, CC-BY-SA

Project:

Dogger Bank D
Offshore Wind Farm

Title:

Eastern Inshore and Offshore Marine Plan Area and
North Eastern Inshore and Offshore Marine Plan Area

Figure: 3.1 Drawing No: PC6250-RHD-XX-OF-DR-GS-0248

Revision:	Date:	Drawn:	Checked:	Size:	Scale:
01	20/11/2024	JH	AB	A3	1:900,000

Co-ordinate system: WGS 1984 UTM Zone 31N

3.4 Regional and Local Planning Policy

152. Regional and local planning policy does not provide the policy basis for the assessment of NSIP, however, they may contain policies which the SoS considers relevant. Therefore, where applicable, regional and local planning policies have been considered by the Applicant.
153. Local authorities are required to prepare and maintain up to date Local Development Plans (LDP), which set out their objectives for land use and development within their jurisdiction, along with general policies for implementation. Where relevant, local plans have been considered in the preparation of PEIR.
154. Prior to the Planning and Compulsory Purchase Act 2004, local planning policy was set out in a single document, the Local Plan. Local Plans have since been replaced by Local Development Frameworks (LDF), which comprise a suite of Development Plan Documents (DPD) such as a Core Strategy DPD, Site Allocation DPD, Area Action Plans and a Proposals Map.
155. The Onshore Development Area falls within the administrative area of the East Riding of Yorkshire Council. Hull City Council have also been included for consultation for some technical chapters, see **Chapter 7 Consultation** for details of the Expert Topic Group meetings. For avoidance of doubt, the EIA process for the Project will consider regional and local planning policies pertaining to this authority and their neighbouring authorities as appropriate. Where such policy documents are still under development or revision, but where draft versions are available, they will be acknowledged and considered within the EIA process.

3.4.1 East Riding of Yorkshire Council

156. **Table 3-4** presents the policies relevant to the Project from the following East Riding of Yorkshire Council plans:
 - East Riding of Yorkshire Local Plan Update (East Riding of Yorkshire Council, 2025). which sets out a long-term strategy to guide development up until 2039; and
 - East Riding of Yorkshire and Kingston upon Hull Joint Minerals Local Plan (2016 – 2033), adopted November 2019.
157. Geographic policy areas are shown in **Figure 3-2b**

Table 3-4 Relevant Policies from the East Riding of Yorkshire

Policy	Summary
East Riding of Yorkshire Council Local Plan Update 2025 - 2039	
S1: Sustainable Development	<p>The council will take a positive approach [to proposals] that reflects the three overarching objectives of sustainable development as set out in paragraph 8 of the National Planning Policy Framework, economic, social and environmental, whilst taking in to account local circumstances. It will work proactively with applicants to find solutions that mean proposals can be approved wherever possible, and to secure development supporting the council’s Vision and Objectives for the Local Plan and the other documents which make up the development plan.</p> <p>Planning applications that accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise.</p> <p>Proposals should ensure that, where appropriate, development will support the future sustainable growth of settlements. Future access and connectivity to neighbouring land should be taken into consideration.</p>
S2: Addressing climate change	<p>Development proposals will be supported where they reduce the generation of additional greenhouse gas emissions and incorporate adaptation to the expected impacts of climate change.</p>
EC1: Supporting the growth and diversification of the East Riding economy	<p>Proposal will be encouraged that contribute to the modernisation, decarbonisation, development and diversification of the local economy, including in the renewable and low carbon energy sector.</p>
EC4: Enhancing sustainable transport	<p>Developments should increase overall accessibility, minimise congestion, improve safety, reduce greenhouse gas emissions, encourage healthy lifestyles and reduce social exclusion, new development will be supported where it is accessible, or can be made accessible, by sustainable modes of transport and addresses its likely transport impact.</p>

Policy	Summary
East Riding of Yorkshire Council Local Plan Update 2025 - 2039	
EC5: Supporting the renewable and low carbon energy sector	<p>Developments within the energy sector are encouraged, and significant adverse impacts must be addressed satisfactorily. Developments should consider:</p> <ul style="list-style-type: none">• Cumulative impacts;• Landscape character and sensitivity, and visual impact;• Local amenity, including noise, air and water quality, traffic, vibration, dust, light (including reflection, glint, glare and shadow flicker), and visual impact Water quality and flooding;• Biodiversity, geodiversity and nature, particularly in relation to designations, displacement, disturbance and collision and the impact of emissions / contamination;• The historic environment, including individual and groups of heritage assets above and below ground Telecommunications;• Telecommunications and other networks; including the need for additional cabling to connect to the National Grid, electromagnetic production and interference, and aeronautical impacts such as on radar systems;• Transport, including the opportunity to use waterways and rail for transportation of materials and fuel, and the capacity of the road network to accommodate development;• Increasing the risk of flooding; and• The land, including land stability, contamination, best and most versatile agricultural land and soil resources. <p>Developments should also consider decommissioning and related impacts.</p>
EC6: Protecting mineral resources	<p>Developments which may adversely affect the viability of exploiting deposits within or adjacent to Mineral Safeguarding Areas should demonstrate:</p> <ul style="list-style-type: none">• Underlying or adjacent mineral is of limited economic value;• Need for the development outweighs the need to safeguard the mineral deposit;• Non-mineral development can take place without preventing the mineral resource from being extracted in the future;• Non-mineral development is temporary in nature; or• Underlying or adjacent mineral deposit can be extracted prior to the non-mineral development proceeding, or prior extraction of the deposit is not possible.

Policy	Summary
East Riding of Yorkshire Council Local Plan Update 2025 - 2039	
ENV1: Integrating high quality design	<p>Developments should safeguard and respect the character and appearance of the area, reduce demand for energy and make efficient use of natural resources, particularly land, energy and water. Developments should seek to maximise the use of decentralised and renewable or low carbon technologies.</p> <p>Developments should have a high quality of design that optimizes the potential of the site and contributes to a sense of place and beauty.</p> <p>Innovative design will be supported where landscape, geology and historical background have been considered in the design, and developments that make use of renewable and low carbon technologies will be supported.</p>
ENV2: Promoting a high quality landscape	<p>Development proposals should be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting and, where possible, seek to make the most of the opportunities to protect and enhance landscape characteristics and features. This includes:</p> <ul style="list-style-type: none">• Protecting and enhancing open spaces;• Retaining important hedgerows and trees;• Maintaining or enhancing woodland management;• Retaining or enhancing wetland and water feature;• Protecting views across landscape features; and protecting; and• Enhancing the undeveloped coast. <p>Proposals should have regard to the existing historic character.</p>
ENV3: Valuing our Heritage	<p>Proposals that positively and proactively conserve and enhance the East Riding’s Historic Environment and heritage assets will be supported. This Historic Environment reinforces local distinctiveness, helps create a sense of place and can assist in the delivery of the economic wellbeing of the area.</p> <p>Development that is likely to cause harm to the significance of a heritage asset will only be granted permission where the public benefits of the proposal outweigh the potential harm. Proposals which would preserve or better reveal the significance of the asset should be treated favourably.</p>
ENV4: Conserving and enhancing biodiversity and geodiversity	<p>Developments resulting in negative impacts to National Sites and Local Sites will only be permitted where the benefits of the development outweighs the harm. Development should follow the mitigation hierarchy to first avoid, then mitigate, and where necessary compensate for loss or harm to biodiversity. Developments will be refused where loss or significant harm cannot be prevented, adequately mitigated against or compensated for.</p>

Policy	Summary
East Riding of Yorkshire Council Local Plan Update 2025 - 2039	
ENV5: Enhancing biodiversity and geodiversity	<p>Proposals will be supported where they conserve, restore, enhance or recreate biodiversity and geological interests including the priority habitats and species, irreplicable habitats and Local Sites. Proposals should safeguard, enhance, create and connect habitat networks and further the aims of the Local Nature Recovery Network and other relevant strategic landscape-scale biodiversity initiatives.</p> <p>Proposals must achieve a measurable biodiversity net gain at least in line with the most up to date national requirements, in addition to the measures required in ENV4.</p> <p>Proposals must not cause deterioration of the Water Framework Directive status of any water body or prevent any water body from reaching targets set in the River Basin Management Plan.</p>
ENV6: Managing environmental hazards	<p>Developments should manage environmental hazards including:</p> <ul style="list-style-type: none"> • Flood risk: <ul style="list-style-type: none"> ○ Limiting surface water run-off to existing run-off rates on greenfield sites, and reducing run-off rates on previously developed land by a minimum of 30%; ○ Developments should not increase flood risk within or beyond the site; ○ Developments should incorporate Sustainable Drainage Systems into development proposals, unless demonstrated to be inappropriate; ○ Developments should not culvert or build over watercourses; and ○ Incorporate flood resistant and resilient design if located in a flood risk area. • Coastal change: <ul style="list-style-type: none"> ○ Ensure that developments are safe from the risks associated with coastal change, no unacceptable adverse impacts on nature conservation, heritage and landscape designations. • Groundwater pollution: <ul style="list-style-type: none"> ○ Manage groundwater pollution by avoiding developments that will increase the risk of pollution in Source Protection Zones, and using appropriate mitigation where this is not possible; ○ Preventing inappropriate uses/activities in SPZ1 and SPZ2, unless adequate safeguards against possible contamination are agreed; ○ Preventing non-mains drainage that would involve sewage, trade effluent or other contaminated discharges, as far as possible; and

Policy	Summary
East Riding of Yorkshire Council Local Plan Update 2025 - 2039	
	<ul style="list-style-type: none"> ○ Ensuring re-development of previously developed sites does not contaminate under-lying aquifers. • Air Quality: <ul style="list-style-type: none"> ○ Development will be supported where opportunities are identified to improve air quality or mitigate a development's air pollution impact, such as through traffic and travel management, and green infrastructure provision and enhancement.
C3: Providing public open space for leisure and recreation	<p>Developments should maintain or enhance the quantity, quality and accessibility of open space. Developments which result in a loss of existing open space and recreational land will only be supported where it is demonstrated that the land is surplus to requirements for the function of the space, the replacement is of the same standard or better, or where the loss of open space would not have an unacceptable negative impact on the character of the area.</p>
Joint Minerals Local Plan 2016 - 2033	
EC6: Protecting Mineral Resources	<p>Mineral Safeguarding Areas for sand and gravel, crushed rock, limestone, industrial chalk, clay and silica sand are identified on the Policies Map.</p> <p>Within or adjacent to Mineral Safeguarding Areas, non-mineral development, which would adversely affect the viability of exploiting the underlying or adjacent deposit in the future, will only be supported where it can be demonstrated that the:</p> <ul style="list-style-type: none"> • Underlying or adjacent mineral is of limited economic value; • Need for the development outweighs the need to safeguard the mineral deposit; • Non-mineral development can take place without preventing the mineral resource from being extracted in the future; • Non-mineral development is temporary in nature; or • The underlying or adjacent mineral deposit can be extracted prior to the nonmineral development proceeding, or prior extraction of the deposit is not possible.

3.4.2 Hull City Council

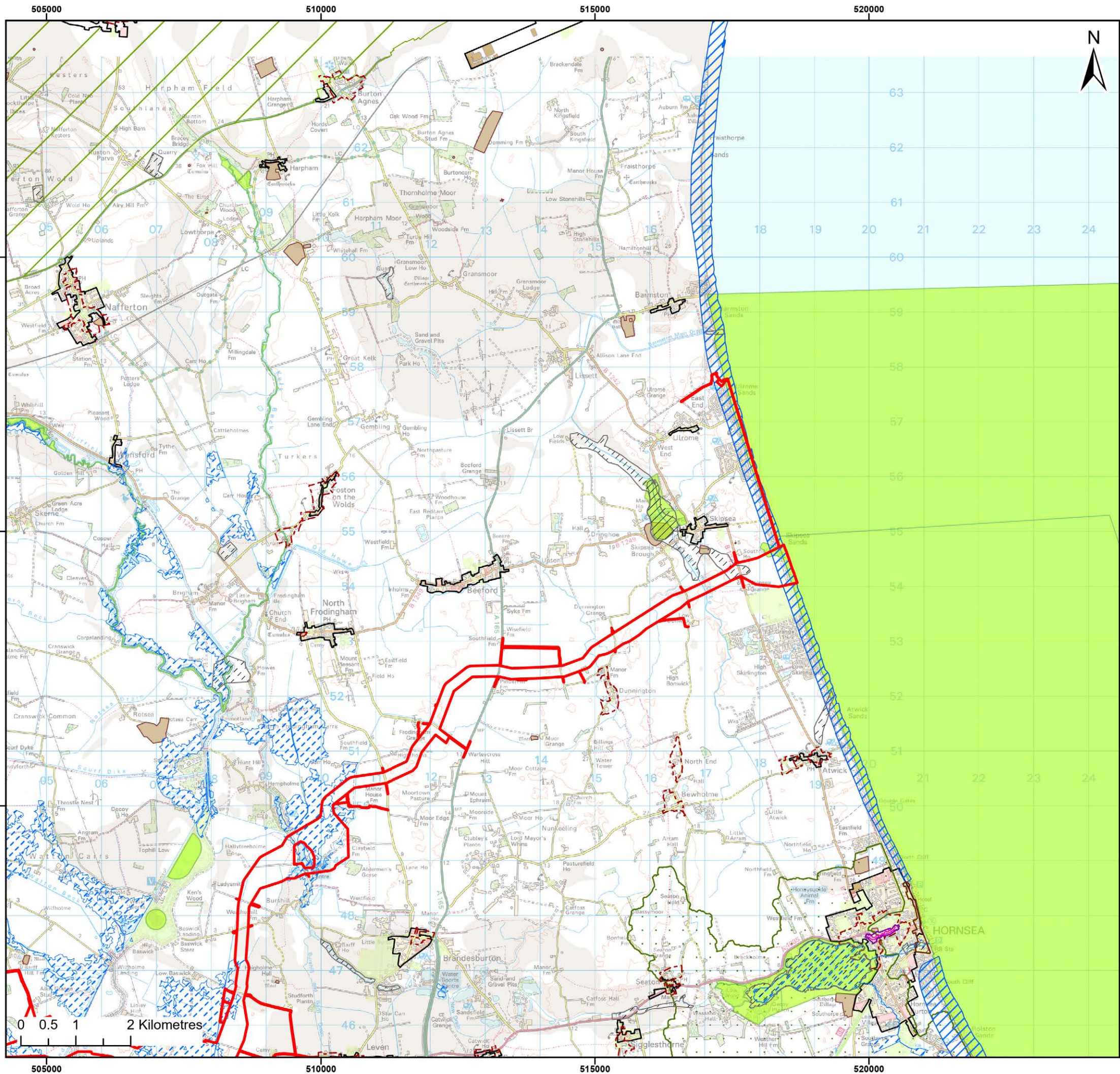
158. **Table 3-5** presents the policies relevant to the Project from the Hull City Council Local Plan (Hull City Council, 2017). The Hull City Council Local Plan sets out a long-term strategy to guide development up until 2032.

Table 3-5 Relevant Policies from the Hull City Council Local Plan

Policy	Summary
1: Economic growth	Hull City Council will support the growing and competitive city economy, and developments which support the Port of Hull operation and future growth will be supported. Existing, planned and potential infrastructure supporting the minerals industry will be safeguarded from inappropriate development.
14: Design	Developments should support the delivery of a high quality environment in Hull and should consider the character, use, and heritage assets of the surrounding area. Developments should also provide landscaping which retains natural features where possible and provide inclusive access.
15: Local distinctiveness	Developments should promote local distinctiveness, with regard to the setting, character and appearance of Listed Buildings and other heritage assets.
16: Heritage considerations	Developments which may harm designated heritage assets should demonstrate that benefits to the public would outweigh any harm caused, and non-designated assets must be considered. Developments which preserve or enhance the setting of heritage assets will be supported.
17: Energy efficient design	Developments should demonstrate how the design reduces energy use and water use, and mitigates flooding, pollution and over-heating.
18: Renewable and low carbon energy	Development that generates, transmits and/or stores renewable and/or low carbon energy will be supported where the impact is or can be made acceptable.
25: Sustainable travel	<p>Developments should promote sustainable travel objectives, and where possible should:</p> <ul style="list-style-type: none">• Include provision for walking, cycling and public transport and reduce the need to travel;• Reduce congestion and give priority to public transport, pedestrians and cyclists;• Provide convenient access to jobs, homes, shops, public transport and services, education, health care, open space and recreation facilities;• Improve air quality; and• Improve the journey time reliability of public transport.
36: Walking, cycling and powered two-wheelers	Developments should consider cyclist and pedestrian safety, and the impacts in wildlife and adjacent agricultural land. Proposed and existing key footpaths, including public rights of way and cycle routes will be safeguarded from developments that may have a negative impact. If diversions to footpaths and cycle routes are necessary, developments should show that the diversion is necessary, the alternative route is of a good standard and benefits outweigh disadvantages.

Policy	Summary
37: Flood defences	Developments should allow a minimum of 8m easement to access flood defences, ordinary watercourses and main rivers unless otherwise agreed.
38: Surface water storage and drainage	Developments which facilitate localised surface water storage and drainage will be supported.
39: Sustainable drainage	All development should incorporate sustainable drainage systems unless it has been demonstrated this is not technically or economically feasible, and major developments should be accompanied by a Drainage Impact Assessment, and must consider Source Protection Zones. Site layout should consider flood risk within the site.
40: Addressing flood risk in planning applications	Developments which require a Flood Risk Assessment should demonstrate appropriate flood mitigation, resilience and sustainable drainage measures (where necessary) are incorporated into the design and layout.
41: Groundwater protection	Developments within SPZ 1 will be required to produce a hydro-geological risk assessments, and developments within SPZ 2 and 3 which have the potential to negatively impact an aquifer should demonstrate that this has been mitigated through a hydro-geological risk assessment.
42: Open space	Developments on open space and recreational land will only be supported where it is demonstrated that the land is surplus to requirements for the function of the space or the replacement is of the same standard or better.
43: Green infrastructure and the green network	Development within or in close proximity to the Green Network should seek to protect and/ or enhance the functionality and connectivity of the corridor. Development should incorporate and enhance existing and/ or new green infrastructure features within their design.
44: Biodiversity and wildlife	<p>Development that may affect an existing or proposed European or Ramsar site should demonstrate through a Habitats Regulations Assessment that any impact will be acceptable. This will need to consider the impact of the scheme both on its own and cumulatively with other developments.</p> <p>Natural England will be consultant for developments which may affect SSSIs. Developments harming Local Wildlife Sites or Local Nature Reserves will only be permitted if it can be clearly demonstrated there is a strong need for the development. Any adverse impacts to these sites must be mitigated or compensated.</p> <p>Developments which adversely effect a protected species will not be permitted.</p> <p>Developments should seek to achieve a net gain in biodiversity habitat commensurate with the scale of the development.</p>
45: Trees	Developments will not be permitted for the loss of or damage to a tree, group of trees or areas of woodland of significant amenity, biodiversity or historic value unless there is deemed to be an immediate hazard to public safety.

Policy	Summary
47: Atmospheric pollution	Major developments should produce an air quality assessment which could negatively impact air quality. The scope of the assessment should be agreed prior to submission.
48: Land affected by contamination	Developments which involves the development of land known or suspected to be contaminated or could create a new pathway between a contamination source and a vulnerable receptor should be accompanied by an appropriate contamination assessment and should demonstrate appropriate mitigation.
49: Noise pollution	Developments resulting in adverse noise impacts in proximity to sensitive receptors should demonstrate an acceptable noise level for end users, and should demonstrate mitigation of adverse impacts.
50: Light pollution	Developments in proximity to sensitive receptors should ensure that lighting is designed in such a way as to avoid an adverse impact.
52: Infrastructure and delivery	Developments which mitigate and support adaptation to climate change will be supported.



- Legend:**
- Onshore Development Area
 - Seafront Areas (EC3)
 - Local Geological Sites (ENV4)
 - Conservation Areas (ENV3)
 - Functional Floodplain Flood Zone 3b (ENV6)
 - Mineral Safeguarding Areas (EC6)
 - Town Centre Boundary (EC3)
 - Primary Shopping Area (EC3)
 - Coastal Change Management Area (ENV6)
 - Principal Nature Designations (ENV4)
 - Hornsea Mere Catchment (ENV4)
 - Development Limit (S4)
 - Important Landscape Areas (ENV2)
 - Local Nature Reserve (ENV4)
 - Open Space (C3)
 - Scheduled Monuments (ENV3)
 - Local Plan Update Allocations 2025**
 - Existing Commitment
 - Residential
 - Employment

Source: © Haskoning DHV UK Ltd, 2025; © East Riding of Yorkshire Council, 2025; © Crown copyright and database rights 2024 Ordnance Survey 0100031673

Project:

Dogger Bank D
Offshore Wind Farm

**DOGGER BANK
WIND FARM**

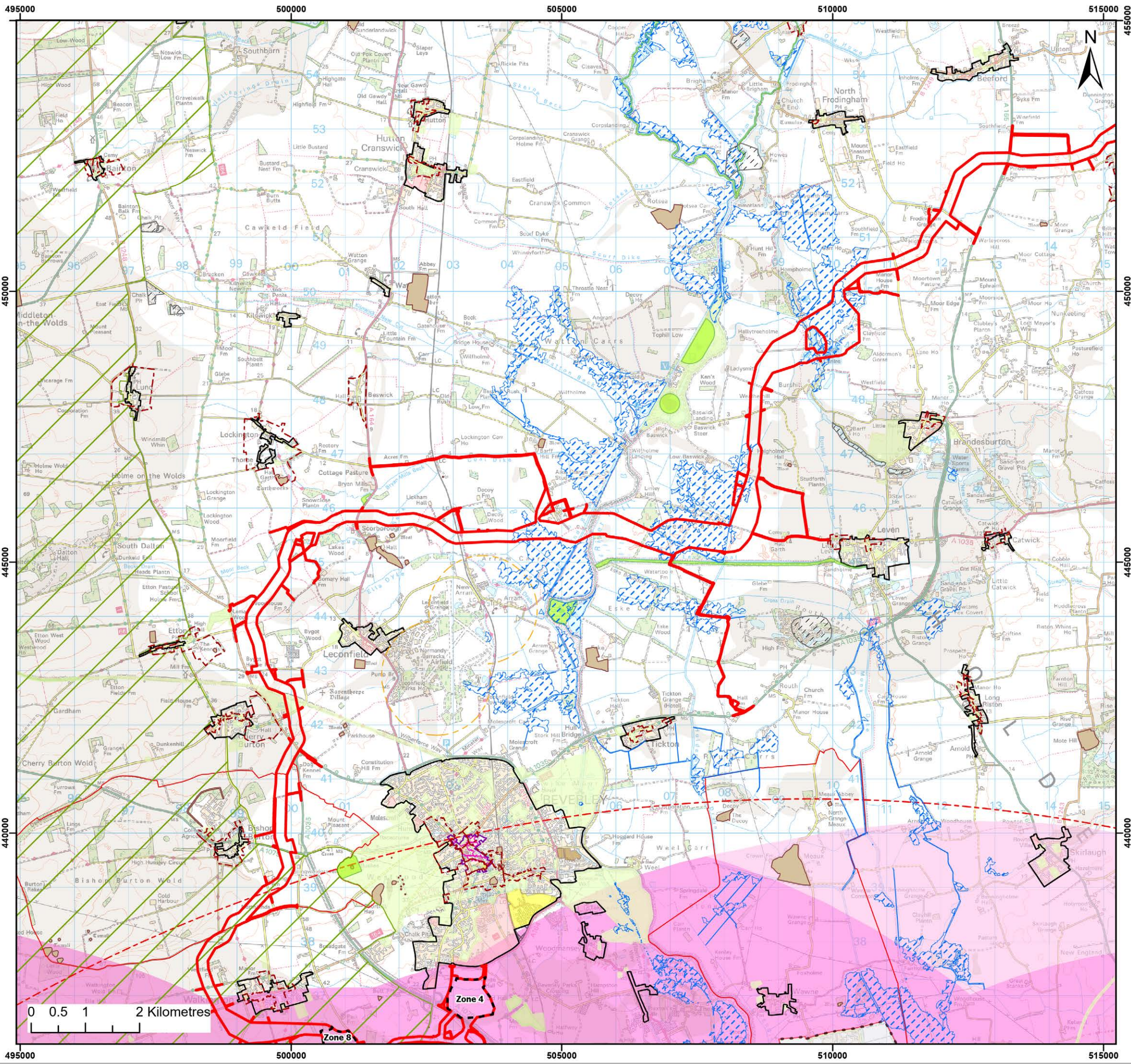
Title: East Riding of Yorkshire Council 2025 Adopted Local Plan - Policy Areas and Site Allocations in Vicinity of the Onshore Development Area - Sheet 1 of 3

Figure: 3-2 **Drawing No:** PC6250-RHD-XX-ON-DR-GS-0587

Revision:	Date:	Drawn:	Checked:	Size:	Scale:
01	17/04/2025	GC	AG	A3	1:70,000

Co-ordinate system: British National Grid





Legend:

- Onshore Development Area
- Onshore Converter Station Zone
- Options
- Local Geological Sites (ENV4)
- Conservation Areas (ENV3)
- Functional Floodplain Flood Zone 3b (ENV6)
- Mineral Safeguarding Areas (EC6)
- Military and Technical Site Consultation Zone (EC5)
- Town Centre Boundary (EC3)
- Primary Shopping Area (EC3)
- Principal Nature Designations (ENV4)
- Strategic Aviation Consultation Zone (EC5)
- Development Limit (S4)
- Important Landscape Areas (ENV2)
- Humber Zone of Influence Tier 1 (ENV4)
- Humber Zone of Influence Tier 2 (ENV4)
- Local Nature Reserve (ENV4)
- Open Space (C3)
- Scheduled Monuments (ENV3)
- Neighbourhood Plan Areas
- Administrative Boundaries
- Local Plan Update Allocations 2025**
- Residential
- Mixed Use
- Employment
- Education
- Transport

Source: © Haskoning DHV UK Ltd, 2025; © East Riding of Yorkshire Council, 2025; © Crown copyright and database rights 2024 Ordnance Survey 0100031673

Project:

Dogger Bank D Offshore Wind Farm

DOGGER BANK WIND FARM

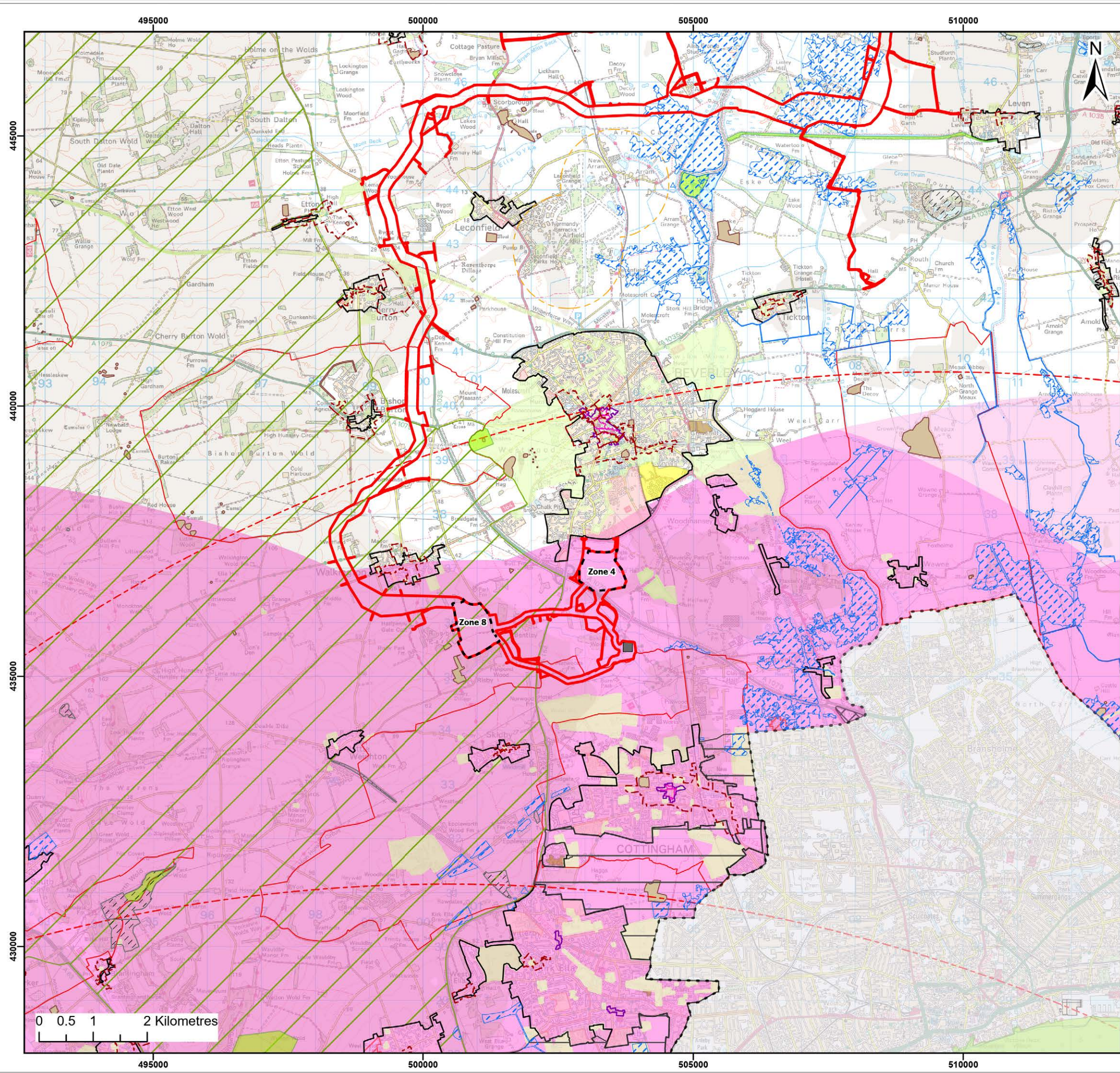
Title: East Riding of Yorkshire Council 2025 Adopted Local Plan - Policy Areas and Site Allocations in Vicinity of the Onshore Development Area - Sheet 2 of 3

Figure: 3-2 **Drawing No:** PC6250-RHD-XX-ON-DR-GS-0587

Revision:	Date:	Drawn:	Checked:	Size:	Scale:
01	17/04/2025	GC	AG	A3	1:70,000

Co-ordinate system: British National Grid

sse Renewables **equinor**



Legend:

Onshore Development Area	Important Landscape Areas (ENV2)
Onshore Converter Station Zone	Humber Zone of Influence Tier 1 (ENV4)
Options	Humber Zone of Influence Tier 2 (ENV4)
Indicative Birkhill Wood Substation Location	Local Nature Reserve (ENV4)
Local Geological Sites (ENV4)	Open Space (C3)
Conservation Areas (ENV3)	Scheduled Monuments (ENV3)
Functional Floodplain Flood Zone 3b (ENV6)	Neighbourhood Plan Areas
Mineral Safeguarding Areas (EC6)	Administrative Boundaries
Military and Technical Site Consultation Zone (EC5)	Local Plan Update Allocations 2025
Key Open Area (ENV2)	Existing Commitment
Town Centre Boundary (EC3)	Residential
Primary Shopping Area (EC3)	Mixed Use
Principal Nature Designations (ENV4)	Employment
Strategic Aviation Consultation Zone (EC5)	Education
Freeport Tax Site (EC1)	Transport
Development Limit (S4)	

Source: © Haskoning DHV UK Ltd, 2025; © East Riding of Yorkshire Council, 2025; © Crown copyright and database rights 2024 Ordnance Survey 0100031673

Project:	
Dogger Bank D Offshore Wind Farm	

Title: East Riding of Yorkshire Council 2025 Adopted Local Plan - Policy Areas and Site Allocations in Vicinity of the Onshore Development Area - Sheet 3 of 3

Figure: 3-2	Drawing No: PC6250-RHD-XX-ON-DR-GS-0587
-------------	---

Revision:	Date:	Drawn:	Checked:	Size:	Scale:
01	17/04/2025	GC	AG	A3	1:70,000

Co-ordinate system: British National Grid

References

CCC (2024). COP29: Key outcomes and next steps for the UK. Available at: [COP29 Key outcomes and next steps for the UK - Climate Change Committee](#)

Department of Energy for Climate Change (DECC) (2013). Energy Act. Available at: <https://www.gov.uk/government/collections/energy-act> [Accessed 13 January 2025].

Defra (2014). East Inshore and East Offshore Marine Plans. Available at: <https://assets.publishing.service.gov.uk/media/5a7ec0eced915d74e33f2342/east-plan.pdf> [Accessed 30 October 2024].

Defra (2021). North East Inshore and North East Offshore Marine Plans. Available at: https://assets.publishing.service.gov.uk/media/60f6f3df8fa8f50c7450ebf1/FINAL_North_East_Marine_Plan__1_.pdf [Accessed 30 October 2024].

Defra (2025). Marine Environment Statement. Available at: [Written statements - Written questions, answers and statements - UK Parliament](#) [Accessed 11 February 2025]

Department for Business, Energy and Industrial Strategy (BEIS) (2018). The Clean Growth Strategy. Available at: <https://assets.publishing.service.gov.uk/media/5ad5f11ded915d32a3a70c03/clean-growth-strategy-correction-april-2018.pdf> [Accessed 30 October 2024].

DESNZ (2023a). Overarching National Policy Statement for Energy (EN-1). Available at: <https://assets.publishing.service.gov.uk/media/65bbfbdc709fe1000f637052/overarching-nps-for-energy-en1.pdf> [Accessed 30 October 2024].

DESNZ (2023b). National Policy Statement for Renewable Energy Infrastructure (EN-3). Available at: <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3> [Accessed 30 October 2024].

DESNZ (2023c). EN-5. Available at: National Policy Statement for Electricity Networks Infrastructure (EN-5). Available at: <https://assets.publishing.service.gov.uk/media/65a78a5496a5ec000d731abb/nps-electricity-networks-infrastructure-en5.pdf> [Accessed 30 October 2024]

DESNZ (2025). Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance. Available at: [Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance - GOV.UK](#) [Accessed 11 February 2025].

East Riding of Yorkshire Council (2025). East Riding Local Plan Update 2025-2039: Strategy Document Update. Available at: <https://downloads.eastriding.org.uk/corporate/pages/east-riding-local-plan-update/adoption-docs/LPU%20-%20Strategy%20Document%20Update%20Adopted%202025.pdf> [Accessed 08 April 2025].

European Commission (2024). Natura 2000. Available at: https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000_en [Accessed 30 October 2024].

Hull City Council (2017). Hull Local Plan 2016 to 2032. Available at: <https://www.hull.gov.uk/downloads/file/101/hull-local-plan-2016-to-2032> [Accessed 30 October 2024].

Ministry of Housing, Communities and Local Government (2024). National Planning Policy Framework. Available at: https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF_December_2023.pdf [Accessed 14 January 2025].

NESO (2025). Clean Power 2030. Available at: [Clean Power 2030 | National Energy System Operator](#) [Accessed 18 March 2025].

OSPAR Convention (2024a). Marine Protected Areas. Available at: <https://www.ospar.org/work-areas/bdc/marine-protected-areas> [Accessed 30 October 2024].

OSPAR Convention (2024b). Marine Protected Area Networks. Available at: <https://mpa.ospar.org/accueil-ospar/chiffres-cles> [Accessed 13 January 2025].

Planning Inspectorate (2012). Nationally Significant Infrastructure Projects: National Policy Statements. Available at: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-national-policy-statements> [Accessed 14 January 2025].

Planning Inspectorate (2024a). Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process. Available at: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-transboundary-impacts-and-process> [Accessed 30 October 2024].

Planning Inspectorate (2024b). Scoping Opinion: Proposed Dogger Bank D Wind Farm. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010144/EN010144-000071-EN010144%20-%20Scoping%20Opinion.pdf> [Accessed 30 October 2024].

Planning Inspectorate (2024c). Advice on Habitats Regulations Assessments. Available at: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-habitats-regulations-assessments> [Accessed 30 October 2024].

The Crown Estate (2023). Offshore Wind Report 2023. Available at: <https://www.thecrownestate.co.uk/our-business/marine/offshore-wind-report-2023> [Accessed 28 January 2025].

UK Government (2020). UK Marine Policy Statement. Available at: <https://www.gov.uk/government/publications/uk-marine-policy-statement> [Accessed 30 October 2024].

UK Government (2021a). Net Zero Strategy: Build Back Greener. Available at: <https://assets.publishing.service.gov.uk/media/6194dfa4d3bf7f0555071b1b/net-zero-strategy-beis.pdf> [Accessed 30 October 2024].

UK Government (2021b). Environment Act 2021. Available at: <https://www.legislation.gov.uk/ukpga/2021/30/contents> [Accessed 30 October 2024].

UK Government (2022a). UK Climate Change Risk Assessment 2022. Available at: <https://www.gov.uk/government/publications/uk-climate-change-risk-assessment-2022> [Accessed 30 October 2024].

UK Government (2022b). British Energy Security Strategy. Available at: <https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy> [Accessed 30 October 2024].

UK Government (2023). Powering Up Britain. Available at: <https://www.gov.uk/government/publications/powering-up-britain> [Accessed 30 October 2024]

UK Government (2024a). Nationally Significant Infrastructure Projects: Advice Notes (various). Available at: <https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes> [Accessed 30 October 2024].

UK Government (2024b). Clean Power 2030 Action Plan: A new era of clean electricity. Available at: Clean Power 2030: Action Plan: A new era of clean electricity. [Accessed 30 October 2024].

UK Government (2024c). Clean Power 2030 Action Plan: A new era of clean electricity. Connections reform annex. Available at: [Clean Power 2030 Action Plan: A new era of clean electricity: Connections reform annex](#). [Accessed 18 March 2025].

UK Government (2025). United Kingdom of Great Britain and Northern Ireland's 2035 Nationally Determined Contribution. Available at: United Kingdom of Great Britain and Northern Ireland's 2035 Nationally Determined Contribution (NDC).

UN Environment Programme (2022). Global Biodiversity Framework. Available at: https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf_B [Accessed 30 October 2024].

List of Figures and Tables

List of Figures

Figure 3-1 Eastern and North Eastern Marine Plan Areas which overlap with the Project26

Figure 3-2 East Riding of Yorkshire Council 2025 Adopted Local Plan – Policy Areas and Site
Allocations in the Vicinity of the Onshore Development Area.....32

List of Tables

Table 3-1 National Planning Policy Framework Principles relevant to Dogger Bank D14

Table 3-2 Relevant Objectives and Policies from the East Inshore and East Offshore Marine Plan
.....18

Table 3-3 Relevant Objectives and Policies (from the North East Inshore and North East
Offshore Marine Plan.....20

Table 3-4 Relevant Policies from the East Riding of Yorkshire27

Table 3-5 Relevant Policies from the Hull City Council Local Plan30

List of Acronyms

Acronym	Definition
AEoI	Adverse Effects on Integrity
AONB	Area of Natural Beauty
BEIS	Department for Business, Energy & Industrial Strategy
BESS	British Energy Security Strategy
BNG	Biodiversity Net Gain
CBD	Convention for Biological Diversity
CCC	Climate Change Committee
CfD	Contracts for Difference
CNP	Critical National Priority
COP	Conference of the Parties
CRoW	Countryside and Rights of Way Act
DBD	Dogger Bank D Offshore Wind Farm
DCO	Development Consent Order
DECC	Department of Energy and Climate Change
Defra	Department for Environment Food and Rural Affairs
DESNZ	Department for Energy Security & Net Zero
dML	Deemed Marine Licenses
DPD	Development Plan Documents
EEA	European Economic Area
EIA	Environmental Impact Assessment
ES	Environmental Statement
EU	European Union
GHG	Greenhouse Gas

Acronym	Definition
HND	Holistic Network Design
HPMA	Highly Protected Marine Area
HRA	Habitats Regulations Assessment
LDF	Local Development Framework
LDP	Local Development Plans
MCAA	Marine and Coastal Access Act
MCZ	Marine Conservation Zones
MMO	Marine Management Organisation
MPA	Marine Protected Areas
MPS	Marine Policy Statement
NDC	Nationally Determined Contributions
NPPF	National Planning Policy Framework
NPS	National Policy Statements
NSIP	Nationally Significant Infrastructure Projects
OWEIP	Offshore Wind Environmental Improvement Package
PEIR	Preliminary Environmental Information Report
PRoW	Public Rights of Way
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SNCB	Statutory Nature Conservation Body
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Sites of Special Scientific Interest
UN	United Nations

Acronym	Definition
UNFCC	United Nations Framework Convention on Climate Change
UK	United Kingdom
WER	Water Environment Regulations
WFD	Water Framework Directive