

Prosiect Maen Hir

Solar a Storio Ynni



Preliminary Environmental Information Report Volume III

Appendix 14-1: Legislation and Planning Policy

Prosiect Maen Hir - September 2024

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lightsource bp



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1 Introduction

1.1 Legislation, Planning Policy and Guidance

1.1.1 Legislation and planning policy relating to climate change, and pertinent to the Project is summarised below.

International Legislation

The Paris Agreement (2015) and UK Nationally Determined Contribution (2020)

1.1.2 United Nations Framework Convention on Climate Change (UNFCCC) Paris Agreement is an agreement within the UNFCCC requiring all signatories to set a target to strengthen their climate change mitigation efforts to keep global warming to well below 2°C, and to pursue efforts to limit global warming to 1.5°C this century. In 2020, the UK communicated its new Nationally Determined Contribution (NDC) to the UNFCCC. Within this, the UK has committed to reducing GHG emissions by at least 68% by 2030 compared to 1990 levels.

National Legislation

The Climate Change Act (2008) and Climate Change Act (2050 Target Amendment Order 2019)

1.1.3 The Climate Change Act 2008 set a legally-binding target for the UK to reduce its GHG emissions from 1990 levels by at least 80% by 2050. This target is supported by a system of legally-binding five-year carbon budgets and an independent body to monitor progress, the Climate Change Committee (CCC). The UK carbon budgets restrict the amount of GHG emissions the UK can legally emit in a defined five-year period. The Act was amended in 2019 to revise the existing 80% reduction target and legislate for Net Zero emissions by 2050 (through the Climate Change Act 2008 (2050 Target Amendment) Order 2019).

The Carbon Budgets Order 2009

1.1.4 This sets the carbon budget totals for the First (2008-2012), Second (2013-2017) and Third (2018-2022) Carbon Budget periods.

The Carbon Budget Order 2011

1.1.5 This Order sets the carbon budget total for the Fourth (2023-2027) Carbon Budget period.

The Carbon Budget Order 2016

- 1.1.6 This Order sets the carbon budget total for the Fifth (2028-2032) Carbon Budget period.

The Carbon Budget Order 2021

- 1.1.7 This sets the carbon budget total for the Sixth (2033-2037) Carbon Budget period.

Wales Legislation

The Climate Change (Interim Emissions Targets) (Wales) (Amendment) Regulations 2021

- 1.1.8 In March 2021, Senedd Cymru approved the Climate Change (Interim Emissions Targets) (Wales) (Amendment) Regulations 2021 that enforce a carbon net zero target for 2050 Based on advice from the CCC, Senedd Cymru has set an interim target of a 63% reduction from the 1990 baseline in GHG emissions for 2030. Following the 2030 target, an interim 2040 target imposes an 89% reduction in GHG emissions from the 1990 baseline.

The Environment (Wales) Act 2016

- 1.1.9 The Environment (Wales) Act 2016 provides the Welsh Ministers with powers to put in place statutory emission reduction targets, including at least a 100% reduction in emissions by 2050 and carbon budgeting to support their delivery. Within the context of existing UK and EU obligations this sets a clear pathway for decarbonisation.

The Well-being of Future Generations (Wales) Act 2015

- 1.1.10 The Well-being of Future Generations (Wales) Act 2015 strives to improve Wales's social, economic, environmental and cultural well-being in accordance with sustainable development.

National Planning Policy

Overarching National Policy Statement for Energy (EN-1)

- 1.1.11 The Overarching National Policy Statement for Energy (NPS EN-1) was published in November 2023 and designated in January 2024 and sets out the national policy for energy infrastructure across the UK. National Planning Statement for Energy (NPS EN-1), with particular reference to paragraphs 2.1.6 and 2.2.1 in relation to climate impacts and adaptation; paragraphs 4.10.8 to 4.10.13 and 4.10.16 to 4.10.17 and 4.10.19 in relation to climate risk assessment. Paragraphs

5.3.4 to 5.3.10 and 5.3.12 are in relation to the greenhouse gas assessment of adverse effects and mitigations; and paragraph 5.16.7 in relation to ES requirements.

National Policy Statement for Electricity Networks Infrastructure (EN-5)

- 1.1.12 NPS EN-5 was published in November 2023 and designated in January 2024 in conjunction with EN-1 and provides the primary policy for decisions taken by the Secretary of State on applications it receives for electricity networks infrastructure. Paragraph 2.3.2 and 2.3.3 are in relation to climate change resilience of infrastructure and ES requirements.

Planning Policy Wales (PPW)

- 1.1.13 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government and aims to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. The PPW sets out how the planning system at a national, regional and local level can assist in delivering these requirements through Strategic Development Plans (SDPs) and Local Development Plans (LDPs).

Local Policy

Prosperity for All: A Low Carbon Wales (2019)

- 1.1.14 This low carbon delivery plan sets out the policies for decarbonising Wales; key policies are Policy 10 (Energy Systems Planning), Policy 31 (Delivery of our Renewable Energy Targets) and Policy 35 (Energy Innovation).

Anglesey and Gwynedd Joint Local Development Plan (July 2017)

- 1.1.15 The development plan for the Isle of Anglesey comprises the Joint Anglesey and Gwynedd Local Development Plan 2011 to 2025 (JLDP), which was adopted in July 2017. The JLDP a land use development strategy focussing on sustainable development for the period. Key relevant policies include Policy ADN 2: PV Solar Energy and Strategic Policy PS 7: Renewable Energy Technology.

Isle of Anglesey County Council Plan 2023-2028 (2023)

1.1.16 The council plan highlights the Energy Island Programme and the council's aim to respond to climate change and become net zero by 2030.

Isle of Anglesey County Council: Towards Net Zero Plan 2022 - 2025 (2022)

1.1.17 The net zero plan sets out the council's aim to "Modernise and adapt to become a Net Zero Council by 2030". One of the key objectives is to facilitate the development of new low-carbon energy generation.

1.1.18 The ES and future DCO Application will provide further information on the relevant policy and guidance documents, and how these have been considered within the development of the Project

Guidance

1.1.19 The following guidance has been considered in carrying out the assessments:

- The World Business Council for Sustainable Development and World Resources Institute (WRI, 2011) - Greenhouse Gas (GHG) Protocol guidelines;
- Institute of Environmental Management and Assessment ('IEMA', 2022) - Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance;
- IEMA (2020) - Environmental Impact Assessment Guide to: Climate Change Resilience and Adaptation;
- Ministry of Housing, Communities and Local Government (MHCLG, 2014) - National Planning Practice Guidance: Climate Change;
- Department for Environment, Food & Rural Affairs (2022) - UK Climate Change Risk Assessment;
- Department for Energy Security & Net Zero (DESNZ, 2021) - Net Zero Strategy: Build Back Greener;
- DESNZ (2020) - Energy white paper: Powering our net zero future;
- DESNZ (2023) - Powering up Britain; and
- HM Treasury (2020). National Infrastructure Strategy.

