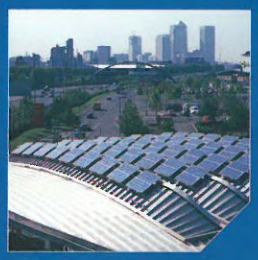
THE RENEWABLE ENERGY PLANNING PANEL

REPORT 2003



Addressing local, regional, national and global needs in UK renewable energy planning policy

THE RENEWABLE ENERGY PLANNING PANEL

The Renewable Energy Planning Panel (REPP) was set up in February 2003 to analyse the planning policy issues for renewable energy raised by:

- the White Paper on Energy Policy and the need to implement a renewable energy policy capable of meeting its vision
- the proposed revision of Planning Policy Guidance Note (PPG) 22 on Renewable Energy
- and the requirement of Government to formally reply to the EU in October 2003 about planning issues raised in the Renewables Directive.

The group, chaired by Dr Catherine Mitchell of Warwick Business School, brought together a broad group of stakeholders involved in renewable energy and spatial planning.

The aims of REPP are to:

- discuss the key issues related to renewable and planning policy and, where relevant, make recommendations for change
- to make known these issues and recommendations to Government (ODPM but also other Departments such as the DTI, DEFRA, MoD), regional assemblies, local authorities and planners
- lead to policy change and better informed decision-making.

The REPP met six times between February and August 2003 and held a workshop for local planning authority planners in September 2003. This report is a product of this process.

The REPP is not a consensus body. Whilst it is not expected that there will be agreement amongst members on all issues, this report endeavours to set out the differences of opinion to present a balanced and authoritative report, where all views are represented.

The costs of the REPP, an entirely independent body, have been met by Powergen.

CHAIRPERSON AND REPORT LEAD WRITER

Dr. Catherine Mitchell, Warwick Business School

MEMBERS

Association of National Park Authorities
British Wind Energy Association
Country Land and Business Association
Campaign to Protect Rural England
Merylyn McKensie Hedger and Samantha Armstrong of the Environment Agency
Friends of the Earth
Go East
Powergen
Robert Asquith, Terence O'Rourke Plc
Royal Town Planning Institute
Renewable Power Association
RSPB
Town and Country Planning Association
UK Business Council for Sustainable Energy
Wychavon Local Authority
Yorkshire Forward
Officials from the Department of Trade and Industry and the Office of the Deputy Prime Minister attended sessions as observers.

CONTENTS

'This report has endeavoured to explore how renewable energy deployment interacts with planning policies'

EXECUTIVE SUMMARY

This report has endeavoured to explore how renewable energy deployment interacts with planning policies. In doing so, it addresses 14 issues that were decided to be of most importance by the Panel and by the planners who attended a REPP workshop in September 2003. It also provides a number of recommendations of how to deal with them. While most of these recommendations will take time to put in place or to achieve, some can be delivered in the near-term. In particular, the new PPS22, currently being consulted on, should provide clear guidance for renewable energy development in a manner analogous to the Note on Planning Policy Guidance 6 for Scotland.

KEY ISSUES

PLANNING POLICIES

1. The need for positive, clear language in planning documents and clarity of the hierarchy between them
2. Achieving consistency of judgements
3. Clarifying the purpose and role of the planning system and material considerations
4. How energy is addressed by the planning system compared to other issues
5. Positive planning and permitted development
6. Areas of search versus criteria-based policies
7. Using today's technologies
8. Local democracy versus strong guidance from the centre

LANDSCAPE CONCERNS

9. Landscape concerns and environmental sensitivities

LOCAL AUTHORITY RESOURCING

10. Local authority resources and expertise
11. Independent and easy access to information

HOW TO INVOLVE SOCIETY IN DECISION-MAKING

12. The challenge of involving local communities in energy decisions

ENERGY POLICY

13. Implementing energy policy for diversity of technologies as a key tool in minimising planning concerns
14. Joining-up Government's sustainable development and inter-departmental policies

The majority of these areas will require either new Government policies or resources, or a change to the current ones.

Sustainable development implies a very different attitude to, and use of, the environment and resources by society. Reaching such a point will require change in a number of areas. Whilst the planning system should change to enable movement towards sustainable development, change on its own without change in Government energy policies or without involving society will not be sufficient.

THE KEY RECOMMENDATIONS OF THE REPORT ARE:

1. Get the language right and the hierarchy clear in the planning documents

The planning system works to a series of national, regional and local documents. The most relevant for renewable energy development for England and Wales are PPG1, the document which sets out guidance on the principles of planning, and PPG22, the guidance on renewable energy. Because of the legalistic nature of planning applications, it is vital that the wording and phrases used within the national, regional and local documents are clearly defined with explanations for definitions and exceptions. In addition, the hierarchy between them must be clear and explanations must be provided both to avoid ambiguity and to define when exceptions might occur. The Note of Planning Policy Guidance 6 for

Scotland provides a good example of this in practice. Clarity of language and hierarchy of documents is an essential core of a streamlined, internally consistent planning system, as called for both within the White Paper and in the Renewable Energy Directive. Efforts should be made to ensure that this occurs throughout all levels of the planning system. In particular, and in the short-term, this should be achieved within PPG1 and PPG22, both of which are under review, and between other national guidance.

2. Clarify the role of the planning system in sustainable development

The role of the planning system with respect to sustainable development and energy should be clarified. In particular, the material considerations with respect to sustainable development should become more focused. REPP hopes that the new PPS 1 makes material consideration for land use explicit, including the origin and use of energy within a context of sustainable development.

3. Maximise positive planning

The White Paper committed the Government to examine 'how to bring considerations of the use of renewables and energy efficiency in developments more within the scope of the planning system' (Para 4.31). Positive planning could be very helpful for certain sustainable sources of energy, for example photovoltaics. Local authorities should be required to develop sustainable energy policies which oblige both energy efficiency measures to be adopted and a proportion of energy to be supplied from renewable sources. Another strand to positive planning relates to Environmental Impact Assessment (EIA). Energy is a potentially significant issue in the planning of certain types of large scale development. To date energy use has not featured largely in EIA's. Yet the way in which energy is used in, for example, a large new hospital, might be one of the most significant ways in which the development impacts on the global environment over its lifetime. Such impacts could be mitigated by a commitment to: being a zero emission building; providing a certain proportion of energy from renewable sources; or incorporating certain energy efficiency measures.

4. Provide local authorities with adequate resources and expertise

REPP recommends a substantial increase of resources, fundamentally financial but which can also be translated into more personnel and access to expertise:

- a central pool of expertise could be developed within central government that local and regional authorities could call upon to help prepare planning policies and also to assist the assessment of applications to help speed up the process
- the emerging new regional bodies could provide an increased level of energy expertise from dedicated personnel
- local authorities need easy access to independent information about renewable energy technologies, developments and resources to pull together the energy issues within their remit.

Crown copyright. Reproduced with permission from 'Growing Short Rotation Coppice' (DEFRA 2002)

5. Involve society

Society has to be involved through three main routes:

a. there has to be a broad dissemination of information about the importance of sustainable development and the environment and about what individuals and citizens can do

b. it has to be made easier for individuals, communities and businesses to be involved and so current community mechanisms should be expanded; standard co-operative agreements should be available; and there should be new renewable energy promotion mechanisms aimed at involving smaller scale, domestic or individual projects

c. businesses, individuals and communities have to 'gain' from a new, sustainable energy system through, for example, the ability to invest in renewable energy projects or through better understanding of the benefits of climate change reduction, employment and new sources of income.

6. Implement policies for innovation, diversity of energy technologies and joined-up sustainable development delivery

Energy policy has to provide a broader set of incentives than it currently does to achieve this goal and to complement planning policy by:

- combining demand and supply side policies
- promoting urban as well as rural technologies
- promoting micro (individual, local and community) as well as macro developments
- promoting a diverse set of energy technologies - both within electricity (eg wave, tidal stream and energy crops) but also non-electricity (eg biofuels, heat from wood, anaerobic digestion for gas etc)
- joining-up government's sustainable development policy and wider policies.

'Energy use is the source of 95% of the UK's climate change emissions. As such, energy use is central to the UK's Climate Change policy...'

CHAPTER 1

INTRODUCTION

Renewable energy technologies capture energy from the wind, from water, from sunlight, from crops and from the by-products of society. As a group, they represent a source of energy which is either carbon-free or carbon-neutral.

Energy use is the source of 95% of the UK's climate change emissions (DETR, 2001). As such, energy use is central to the UK's Climate Change Policy, which has two major targets:

- a target as part of the European Union's climate change policy to reduce a 'basket' of six climate change emissions by 12.5% by 2010
- a domestic target to reduce carbon dioxide by 20% from 1990 levels by 2010.

The recent White Paper on Energy Policy (DTI, 2003) has provided a vision for a 60% cut in carbon dioxide emissions from 1990 levels by 2050. This will require an energy system which is very different from that in place today. The key policies are:

- a target for renewables to supply 10% of electricity by 2010 with an aspiration to reach 20% by 2020
- a doubling of combined heat and power plants to 10GW by 2010
- bringing about a major increase in take-up of energy efficiency measures.

These measures only go a small way towards delivering the 60% cuts envisaged in the White Paper.

It appears that climate change is happening both earlier and at a faster rate than expected (UKCIP, 2002). Whilst climate change is a global phenomenon, certain countries have a lower historical responsibility for climate change and lower per capita emissions than others. The policy implication of this is that countries, such as the UK, with higher per capita emissions and greater historical responsibility, may be required in the future to continue to take greater responsibility for that legacy.

Energy efficiency and reduction in energy consumption are central to sustainable energy but do not reduce the need for the development of renewable technologies, although they may reduce the total generation required from them. Overall, therefore, in order to meet the energy needs of the UK while at the same time minimising environmental impacts even higher targets for renewable energy can be expected over the medium term. This will be electricity from generating power plants (such as windfarms or biomass combustion) but also from renewable energy heating systems (eg domestic heating based on wood as a fuel rather than gas, electricity or oil) or liquid biofuels from annual energy crops. The planning system will be involved with many of these projects.

The White Paper on Energy Policy stated that 'planning [for renewable energy] needs to be streamlined and simplified' (Para 4.30). It said that 'the Office of the Deputy Prime Minister, in partnership with other government departments, will be examining how to bring consideration of the use of renewables and energy efficiency in developments more within the scope of the planning system, in context of the review of PPG 22 and the Government's wider planning reforms, and in a way that does not impose undue burdens on developers' (Para 4.31).

In addition, the Renewable Energy Directive, by which the UK is legally bound, includes a section on planning and renewables (Article 6). It calls for Member States to evaluate the existing legislative and regulatory framework, with regards to authorisation procedures which are applicable to electricity producers of renewable energy sources, with a view to:

- reducing the regulatory and non-regulatory barriers to the increase of electricity production from renewable energy sources
- streamlining and expediting procedures at the appropriate administrative level

Photograph supplied by solarcentury

- ensuring rules are objective, transparent and non-discriminatory
- taking fully into account the particularities of the various renewable energy source technologies.

Member States are required to publish a report which indicates the stage reached with respect to the above objectives but also specifically to:

- co-ordinate between the different administrative bodies as regards deadlines, reception and treatment of application for authorisations
- the feasibility of fast-track planning procedures for producers of electricity from renewable energy sources
- designation of authorities to act as mediators in disputes between authorities responsible for issuing authorisation and applicants for authorisations.

The planning system is central to the orderly delivery of the Government's climate change policy targets, including renewable energy projects. As with the energy system, the planning system is also in a time of change. The Planning and Compulsory Purchase Bill, which is in its final stages of becoming an Act, sets out the new framework for the planning system in England and Wales.

In addition, a number of Planning Guidance documents are being revised, including the Planning Guidance for Renewable Energy, PPG22. The Office of the Deputy Prime Minister (ODPM), the government department responsible for planning, is currently consulting on new Draft Guidance. In addition, other guidance notes are being revised. Most importantly PPG1, which sets out the principles of the planning system, is in the process of being consulted on. Currently, PPG1 makes no mention of energy although it does mention sustainable development.

For all intents and purposes, Scotland is devolved from the rest of the UK with respect to planning matters and renewable energy. The Scottish Executive has recently published a Note on Planning Policy Guidance for Renewables (NPPG6). Wales is also undergoing a process of consultation on planning policy with a Technical Advisory Note (TAN 8).

So far, a very limited number of renewable energy power plants have received planning permission and been built in Great Britain compared to those that are needed to meet Government targets or compared to the majority of other European countries. Both the number, and rate, of awarded planning permissions will have to increase considerably if there is any chance of meeting the Government's 10% target for 2010. In addition, over the longer term, the technological uncertainties of the energy system and the needs of climate change policy are going to ask a great deal of the planning system.

THIS REPORT IS STRUCTURED IN THE FOLLOWING WAY:

Firstly, the facts are set out from the twin perspectives of the energy and planning system.

- From the point of view of the non-planner, the planning system is very complex. The next section briefly explains how it works, who decides on what and how it is linked. In addition, Annex 1 contains a case study of a renewable energy power plant planning application, so that readers can get some idea of what a renewable energy developer has to do to obtain planning permission.
- For a non-energy expert, the energy system is baffling. How can the current electricity system, which is 97% fossil fuel or nuclear energy based, move to a sustainable energy system? What does this mean in terms of types of technology or the numbers of power plants that will have to be built?
- Finally, how has the planning system treated renewable energy planning applications and what does this mean for meeting Government targets?

Secondly, the report discusses a number of key issues for the planning system in Chapter 3.

Thirdly, and finally, it puts forward recommendations for change.

'The Government is ultimately responsible for setting the regional planning framework'

CHAPTER 2

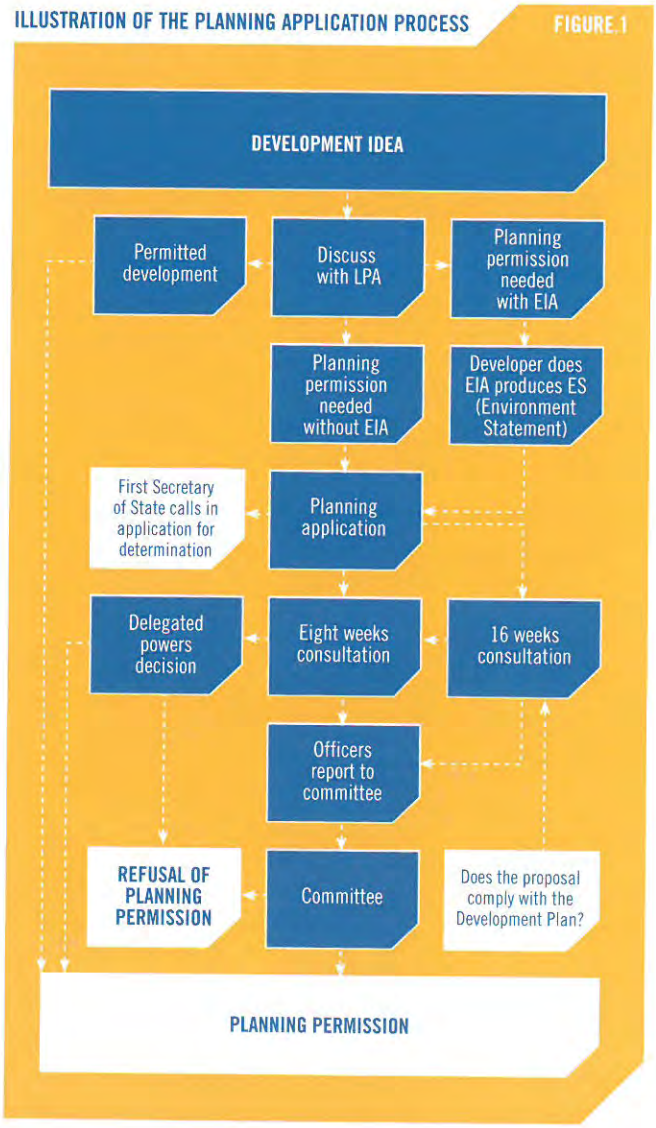
UNDERSTANDING THE ENERGY AND PLANNING SYSTEMS

2.1 THE BASICS OF THE PLANNING SYSTEM

This section sets out very briefly how the England and Wales planning system works (see Figure 1). Scotland and Wales have, to all intents and purposes, devolved planning systems. In England, a greater degree of regional government is also proposed. Subject to referenda, elected regional assemblies for the three northern regions of England (North West, North East, and Yorkshire and Humber) will come into being and will have planning powers, including the making of planning policy. Other regions may follow. Ultimately, however, these will be secondary to national planning policy and to the english courts.

- The planning system ensures that development is in the public interest. 'Development' comprises any change of use of land, and any physical development on, over or under land.
- The British Planning System is 'plan led'. A 'development plan' is prepared and, once adopted, its policies are the single most important factor in the determination of planning applications.
- In two tier local authority areas a Structure Plan is prepared by the County Council and a Local Plan by the District, Borough or City Councils. The development plan constitutes the two documents taken together.
- Many of the newer unitary authorities have retained joint planning functions with their neighbours. For example, Luton and Bedfordshire prepare a joint Structure Plan. Most of the original unitary authorities prepare Unitary Development Plans, which provide all the development plan policy for their area.
- There are also 'subject local plans' for minerals and waste developments. These are usually prepared by County Councils, often jointly with neighbouring areas in the same way as Structure Plans.
- Development plans have to be prepared in accordance with the Regional Planning Guidance (RPG) existing within their region. RPG is prepared by regional assemblies but, importantly, can only be adopted by the Government. Hence the Government is ultimately responsible for setting the regional planning framework, which, in turn, guides the contents of Development Plans.

ILLUSTRATION OF THE PLANNING APPLICATION PROCESS FIGURE 1

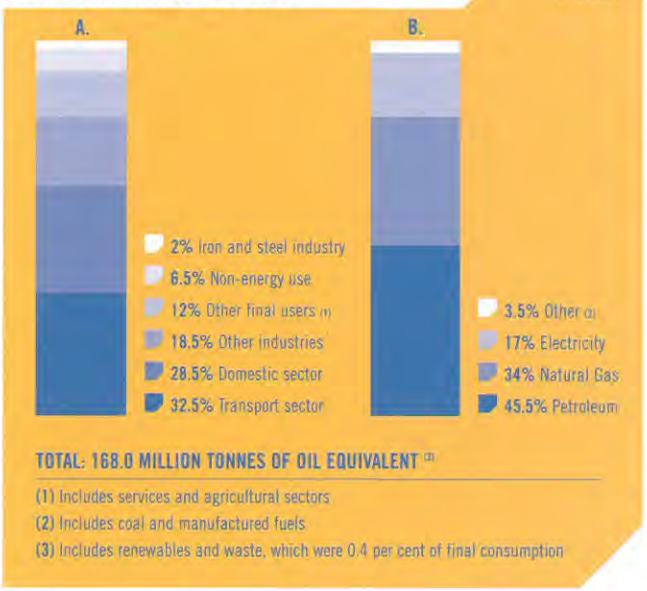


- The Development Plan system is set to change when the current Planning and Compulsory Purchase Bill is enacted. RPG's will be replaced by Regional Spatial Strategies, which will be Statutory Documents and prepared by Regional Assemblies. Structure Planning will be ended and councils will be expected to co-operate in preparing Sub Regional Spatial Strategies, covering areas with common interests and straddling existing local authority boundaries. Local Plans will be replaced with Local Development Documents. In an attempt to speed up and make the development plan preparation process more certain, Inspectors' recommendations following local plan inquiries will be binding on local planning authorities.
- Planning applications themselves are determined mainly by local planning authorities (LPA's), usually the local council for the area concerned. Decisions are made by elected council members of the council planning committee, taking account of professional advice from planning officers, although some officers have delegated powers. The system is administered by planning officers within the LPA's.
- Applications for power plants over 50MW are dealt with directly by the Secretary of State.
- The government in each of the administrations of the UK has retained for itself the ultimate power to determine planning applications. Applications may be 'Called In' for determination by the relevant administration. Appeals against refusal of planning permission are heard, and often decided by, inspectors or recorders appointed by the central administration.
- The influence of central government is also felt strongly in terms of policy. In England, a series of 25 Planning Policy Guidance Notes (PPGs) set out the government's planning policy on a wide range of issues. For example, PPG22 concerns renewable energy. This system will be replaced on a PPG by PPG basis with Planning Policy Statements (PPSs), which will be more succinct and will leave detailed information to be covered in accompanying Best Practice Notes.
- Virtually all planning permissions are conditional, meaning that the planning authority applies a range of 'planning conditions' dealing with matters such as landscaping, control of working hours, control of noise etc. In many cases a proposal will be acceptable only subject to things which cannot be made subject to planning conditions. Most often these matters relate to areas outside the planning application boundary or actions by third parties. In such cases a legal agreement is needed and this usually takes the form of a planning obligation made under section 106 of the Town and Country Planning Act 1990. Planning obligations are often used by LPA's to secure general benefits to an area and are justified legally by the additional externalities (traffic, demand for education, recreation etc) brought by a development.
- Consultation is a key aspect of the operation of the planning system. In order for decisions to be legally binding, members of local planning authority planning committees must demonstrate that the decisions have been fully and properly consulted upon and that the Members are aware of the views expressed through consultation when they make their decisions.

2.2 THE BASICS OF THE ENERGY SYSTEM

As shown in Figure 2B, primary fuel consumption in the UK is dominated by petroleum and natural gas. Coal, the dominant fuel in 1950, has now shrunk to around 3.5% for primary energy and about a third for electricity (see Figure 3). About one fifth of electricity demand derives from nuclear power. The energy system is therefore dominated by fossil fuels and nuclear power. Energy accounts for 95% of the UK's carbon emissions.

FINAL ENERGY CONSUMPTION 2002 FIGURE 2



TOTAL: 168.0 MILLION TONNES OF OIL EQUIVALENT (3)

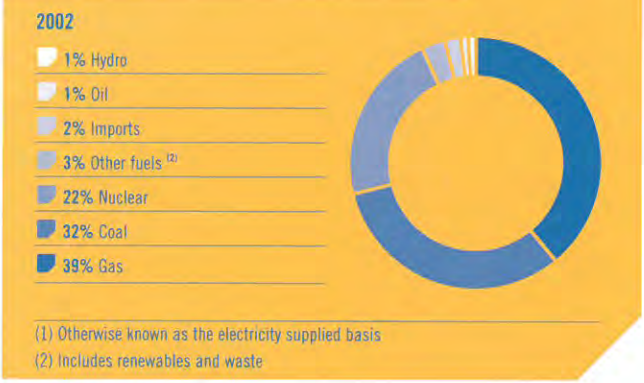
(1) Includes services and agricultural sectors
(2) Includes coal and manufactured fuels
(3) Includes renewables and waste, which were 0.4 per cent of final consumption

The vision of the Energy Policy White Paper is to deliver a 60% cut in carbon emissions by 2050. This will require increased energy efficiency and resource productivity but also a radical change from fossil fuel to renewable sources of heat, liquid-fuels and electricity. Over the same period, all existing nuclear power stations will be decommissioned and, unless they are replaced by a new generation of nuclear power stations (which at present looks unlikely) or electricity demand is signficantly reduced, they too will have to be replaced by renewable energy sources. Renewable technologies currently provide about 3% of electricity (DUKES, 2003). Liquid-fuels or heat currently account for almost no renewable energy production.

'England and Wales are still well away from being on target for meeting the 2010 10% target. The rate of deployment will have to increase by around 65% year on year if the target is to be met'

The design and operation of the current electricity system is based on large, coal, gas and nuclear electricity power plants which are connected to a high voltage grid (see Figure 4). The power plants inject their electricity generation into the grid which transports it down to increasingly lower voltages until it reaches customers.

FUEL USED IN ELECTRICITY GENERATION ON AN OUTPUT BASIS[1] FIGURE 3



(1) Otherwise known as the electricity supplied basis
(2) Includes renewables and waste

The total capacity of UK electricity power plants is around 68GW (68,000MW or 68,000,000KW). About 60GW's of this is currently commissioned, with 54.4GW the highest peak demand (National Grid, 2003). Total electricity supply from these power plants was around 390TWh (or 390,000GWh) in 2001. The renewable electricity 10% target therefore translates to 39TWh.

Fossil and nuclear power plants are, on the whole, much larger than renewable energy power plants (see Figure 4). This means that many more renewable plants of a smaller size are likely to be needed to generate the equivalent amount of electricity as conventional power generation.

A sustainable electricity system is likely to be made up of combined heat and power plants ([CHP] which utilise fossil fuels more efficiently), renewable energy power plants and increased energy efficiency of use. It will necessitate many more power plants of very different sizes and technologies than is currently the situation and they will connect to a wider range of voltages within the electricity system.

The characteristics of a sustainable energy system will be very different from the energy system in place today and will need to be managed differently. In addition to the very different electricity system, the broader energy system can also expect to include renewable heat installations of very different sizes (for example, wood burning central heating for domestic to public buildings, office and school systems), bio-fuels from agriculture, new transport fuels and battery systems and more efficient use of the by-products of life through composting, recycling and re-use.

A COMPARISON OF THE NORMAL CAPACITY SIZE OF DIFFERENT ELECTRICITY GENERATION PLANTS FIGURE 4

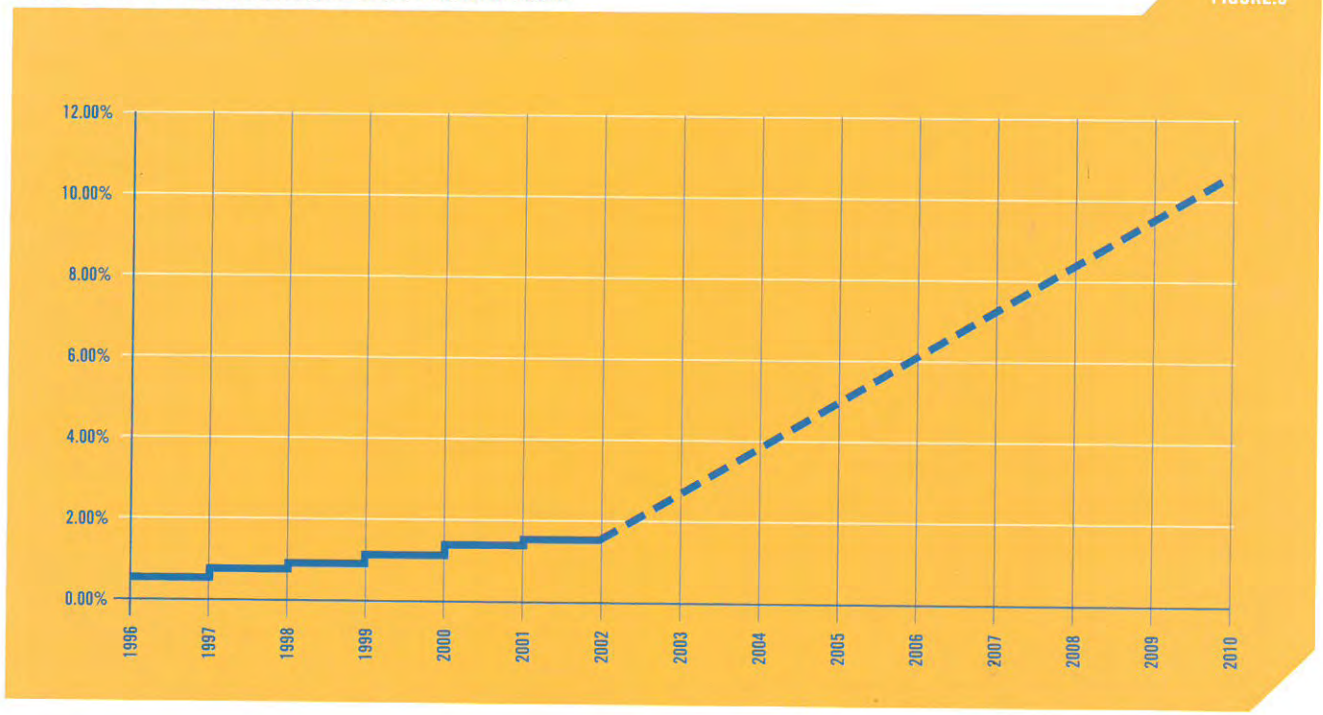
TYPE	SIZE
COAL	AROUND 1000MW
GAS	250-800MW
NUCLEAR	AROUND 1000MW PER UNIT Modular, often with 2 or more units
CHP	A FEW kWH UP TO SEVERAL 100 MW's
WIND	A FEW WATTS UP TO 3MW TURBINES Modular - so windfarm capacity depends on numbers of turbines
ENERGY CROP	A FEW WATTS UP TO 50 MW
WAVE	0.4-11MW Demonstration size, some models modular
TIDAL	FROM 10MW TURBINES UPWARDS Modular, for example La Rance in France has 24 x 10 MW turbines, Severn Barrage projected up to 6GW
TIDAL STREAM	1 MW MODULAR UNITS Demonstration size and modular, so project depends on number of units
PHOTOVOLTAICS	A FEW WATTS UP TO SEVERAL kW's Modular

2.3 RENEWABLE ENERGY PLANNING APPLICATION STATISTICS

England and Wales are still well away from being on target for meeting the 2010 10% target. The rate of deployment will have to increase by around 65% year on year if the target is to be met (see Figure 5). The Renewables Obligation (RO) has increased the numbers of planning applications made (see Figure 6), although most of this is wind energy and therefore limited as a diversity mechanism. Furthermore, whilst the overall number of wind project applications has increased, the proportion of those applications which are rejected has stayed roughly the same (see Figure 7). An increase in the number of applications has therefore not increased the level of certainty in the planning process.

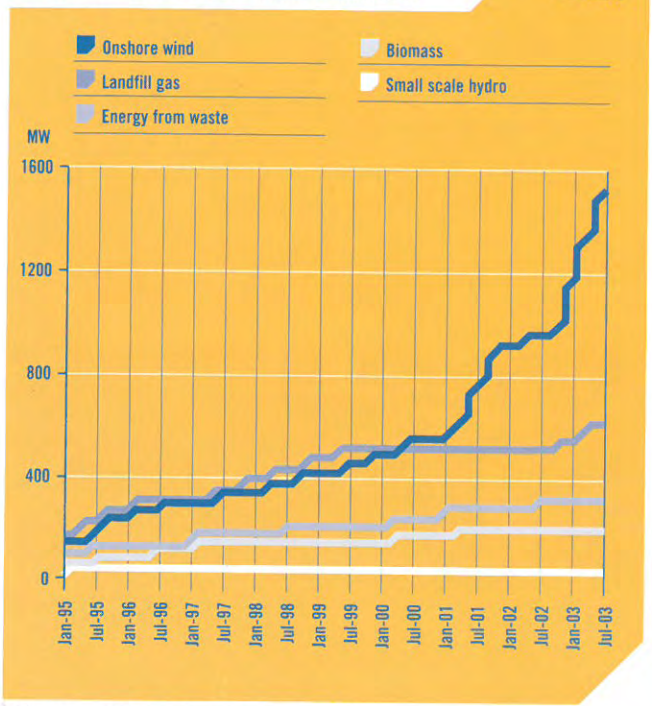
GROWTH IN RO ELIGIBLE OUTPUT NEEDED TO MEET THE 2110 TARGET

FIGURE.5



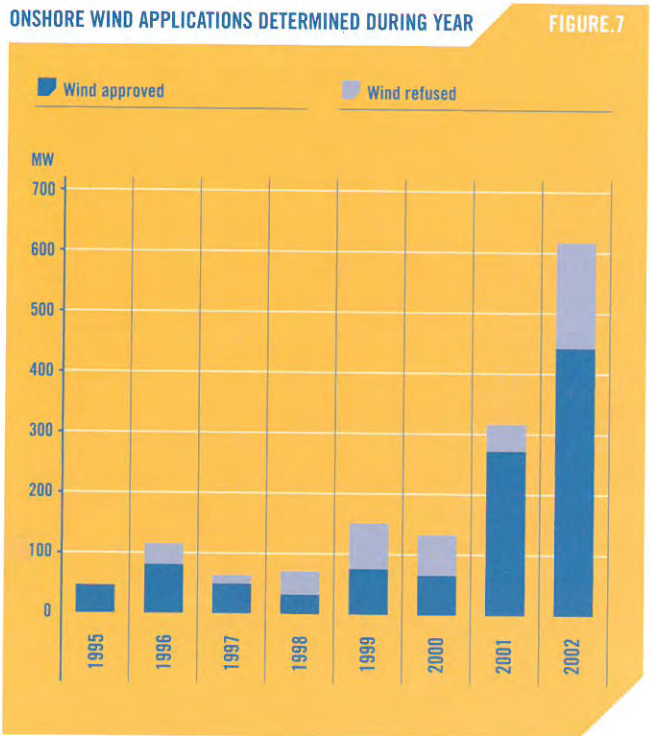
CUMULATIVE MW GRANTED PLANNING PERMISSION

FIGURE.6



ONSHORE WIND APPLICATIONS DETERMINED DURING YEAR

FIGURE.7



All figures provided by the Renewable Power Association

'Planning should help deliver renewable energy targets while maintaining wider interests'

CHAPTER 3

RENEWABLE ENERGY AND PLANNING POLICY

Renewable energy is a central tool for the Government's energy and climate change policies. Planning is a public activity, carried out through local democracy, undertaken in the public interest. Arguably, planning should therefore help deliver renewable energy targets and aspirations while maintaining wider interests.

The Government's Energy White Paper and the European Union Renewable Energy Directive suggest change is needed to the planning system. But what exactly should be changed within the current system so that it ensures democracy and the integrity of our countryside, while at the same time enabling an increasing rate of deployment of renewable energy?

Sustainable Energy policies seek to develop the use of 'sustainable' energy sources. Policies such as the Renewables Obligation and local authority policies requiring new developments to be energy efficient and be supplied by renewable energy sources fit into this category. Energy management and reduction in energy consumption are an important part of sustainable energy but do not reduce the need for the development of renewable schemes, although they may reduce the total generation required from them. Policies which require the greater usage of renewable energy, as the Renewables Obligation, are the basis of the UK renewable energy policy. They do not however help renewable schemes to gain planning permission.

Sustainable energy interacts with planning policies and this report primarily focuses on this area. For example, what are the obstacles to the introduction of renewable energy within the planning process and how can planning policies and procedures be streamlined, clarified or strengthened so that the objectives of sustainable energy policies can be met? This chapter sets out the issues which were decided to be of most importance by the Panel and the planners who attended a REPP workshop in September 2003.

1. POSITIVE, CLEAR LANGUAGE IN PLANNING DOCUMENTS AND CLARITY OF HIERARCHY BETWEEN THEM

Renewable energy policy in the UK commenced in 1990 with a support mechanism called the Non-Fossil Fuel Obligation. It was not until 1994 that PPG22 was published. National, regional and local documents have incorporated renewable energy policies since then. The result has been a set of documents, written at different times, which influence the deployment of renewables but which were not written with the intention of developing a streamlined, effective and internally consistent policy. Planning policy is in a time of flux and it is trying to establish a streamlined, internally consistent policy where the hierarchy between documents is clear. It is now attempting (through PPS22, NPPG6, regional planning guidance, supplementary planning guidance and so on) to minimise misinterpretations of language by providing definitions of words, examples of when exceptions might occur, clarity of significance and weight of situations.

A result of the inconsistent outcomes from current planning documents has been a suggestion that in order to ensure wind developments, they should be made subject to a presumption in favour within planning policy (House of Lords, 1999). REPP considered this matter within the overall context of the planning system, which exists to regulate "the development and use of land in the public interest (Paragraph 39 of PPG1)". To presume in favour of renewable energy development may be to suggest that renewable energy development should be permitted whatever the situation and the majority of members of REPP did not feel that this was correct.

NPPG6, the Scottish Planning Guidance, does not have a presumption in favour of renewable development. However, its language and arguments, as shown opposite, are positive and clarify the position of renewables within Scottish planning and sustainable energy policy.

FOR EXAMPLE, NPPG6:

- clarifies how different plans should relate to each other
- clarifies how decisions should be made against certain criteria
- clarifies material considerations
- clarifies the importance of a small, local scheme to the overall national goal and targets.

THE PANEL TAKES THE VIEW THAT IT'S NEITHER APPROPRIATE, NOR IS THERE A NEED, FOR A PRESUMPTION IN FAVOUR, PROVIDED THAT:

- the language of, and definition within, PPS22 is positive in the manner of NPP6
- the links with, and between, other PGG's/PPSs are clear
- the hierarchy between national, regional and local plans is clear
- and the other recommendations put forward below are followed.

A connected issue is the question of 'need' and 'best' site requirements under the current PPG22 and some local documents, for example our Case Study in Annex 1. Outside of National Parks and Areas of Outstanding Natural Beauty (AONB's), the majority of REPP argued that the current requirement on the developer to demonstrate that they have the 'best' site, conflicts with a criteria-based approach to renewable development (which REPP supported and is discussed below). It was argued that the test for the planning process should be whether a site is 'suitable', bearing in mind the criteria. The ambiguity in the Case Study would support this view. NPPG6 has also moved in this direction. The majority of REPP also supported this.

Thus, clarity of language and hierarchy of documents, including explanations for exceptions and definitions, is an essential core of a streamlined, internally consistent planning system. Efforts should be made to ensure that this occurs throughout all levels of the planning system.

While many of the recommendations this report makes will take a considerable time to deliver, this is an area which can make progress in the short-term. PPG22 is being consulted on. REPP recommends that the clarity provided in NPPG6 should be replicated within PPS22.

2. ACHIEVING CONSISTENCY OF JUDGEMENTS

Planning regulates the use of land in the public interest. It is mainly an activity of locally elected councils, although it is highly constrained by centrally derived planning policy guidance, case law, and the appeal system. A clearly defined planning system in relation to renewable energy development implies consistency of judgements. Renewable energy developers complain that a key difficulty for them is a lack of consistency in outcomes. Greater consistency in the planning system should improve their, and financier, confidence. It should reduce the time taken from start to finish of applications, to the benefit of all involved. With greater consistency, developers will be able to carefully select appropriate sites on the basis of previous experience and local authorities will not have to spend time processing applications that are unlikely to gain approval.

SCOTTISH EXECUTIVE, NATIONAL PLANNING POLICY GUIDANCE RENEWABLE ENERGY DEVELOPMENTS NPPG6

NPPG6 provides a series of positive statements in support of renewable energy generation. It does not just give them at a general level but clarifies the hierarchy of national and local plans and gives clarification of the type of explanation required, if wording appears to allow alternative interpretation. Together this provides positive support for renewable development.

- The Scottish Ministers wish to see the planning system play its full part by making positive provision for such developments **(Para 18)**
- Planning policies should guide developers on the broad criteria they would require to consider in any development proposal **(Para 18)**
- Planning policies which rule or place fundamental constraints on the development of all or specific types of renewable energy technologies will be inappropriate without sufficient reasoned justification **(Para 18)**
- The wider environmental and economic benefits of such developments should be a significant consideration **(Para 18)**
- Other planning policies 'should also inform development control decisions' **(Para 20)**
- The underlying principle of all NPPGs and related policies is sustainable development **(Para 21)**
- The aim of the Scottish Executive therefore is to ensure that the commitment to renewable energy is satisfied and supported through development plan policies and development control decisions unless, at the site level, there are serious adverse impacts that cannot be mitigated **(Para 22, followed by explanation of what 'serious adverse impacts that cannot be mitigated' might be)**
- Explanation of hierarchy of local to national and international **(Para 23)**
- Planning authorities should not reject a proposal simply because the level of output is small **(Para 24)**
- Economic benefits should be taken into account in reaching planning decisions **(Para 26)**
- Irrespective of size, all developments have a contribution to make in meeting the nation's energy requirements but in a way that reduces greenhouse gas emissions **(Para 45)**
- Development plans should provide a positive framework, guiding developers to locations where renewable energy developments are likely to be permitted. Additionally, they should set out clearly the criteria against which renewable energy developments will be assessed **(Para 46)**
- Having regard to the considerations in this NPPG, structure plans should make positive provision for renewable energy developments as part of the Council's or Joint Authorities' strategy **(Para 47)**
- Local plans should be reviewed to reflect the commitment and support for renewable energy provision **(Para 48)**
- Development plans should be updated as soon as possible to reflect the importance attached to renewable energy development **(Para 50)**
- Relevant and up-to-date development plans, which contain positive policies on renewable energy developments, are therefore important for enabling effective and consistent handling of planning applications. The guidance in this NPPG is also an important material consideration **(Para 51)**.

3. CLARIFYING THE PURPOSE AND ROLE OF THE PLANNING SYSTEM AND 'MATERIAL CONSIDERATION'

The Energy White Paper contains a commitment in paragraph 4.31 to:

"...bring consideration of the use of renewables and energy efficiency in developments more within the scope of the planning system, in the context of the review of PPG22 and the Government's wider planning reforms, and in a way that does not impose undue burdens on developers."

At the heart of this debate is the question of what is the role and purpose of the planning system. As mentioned above, Para 39 of PPG1 implies the planning system is to regulate "the development and use of land in the public interest". Sustainable development is a major aspect of planning in its modern context and this is reflected in the wording of PPG1 and other PPGs (and PPSs as they will become).

The role of energy in achieving sustainable development however is not clarified, other than in energy use in transport. Changes to the wording of PPG/PPS1, and of other PPSs which follow from it, could have significant effects on the way that energy as a whole is treated as a land use planning consideration. The new PPSs should be internally consistent and the guidance from the new PPS1 should cascade down through planning documents in a seamless, positive statement for sustainable development, including energy.

Paragraphs 50 to 56 of PPG1 currently consider the issue of "material considerations" but do not explicitly state what may or may not be considered generally material to land use decisions. PPG22/PPS22 sits within the wider framework of planning policy which derives from its principles set out in PPG1. REPP considers that if the new PPS1 were to make explicit what land use material considerations might be, and if these were to include the origin and use of energy within a context of sustainable development, then there would be a far greater impetus to see realisation of renewable energy generation.

Again, this is an area which can be dealt with in the short-term. PPG1 is being reviewed. REPP recommends that the material considerations with respect to sustainable development and energy should be clarified and incorporated.

4. HOW ENERGY IS TREATED COMPARED TO OTHER ISSUES WITHIN THE PLANNING SYSTEM

The planning system is able to relate to an issue from a number of perspectives. For example, with renewable energy, there can be policies related to the deployment of individual power plants or projects, but the planning system can also influence how other developments (i.e. housing, new buildings) interact with renewables or energy use.

So far, planning policy has mainly concentrated on renewable energy from the perspective of individual applications for new renewable energy plants. The approach to planning for energy and planning for transport provides an interesting comparison. Both relate to similar concerns - a desire to reduce emission of globally and locally polluting emissions. However, PPG13 for transport focuses mainly on how the transport effects of development can be built into land use planning decisions. It does not contain extensive considerations of how to develop the best routes for roads and railways but it has been successful in promoting green travel plans, public transport and less transport intensive patterns of land use.

The treatment of energy within the planning system should be consistent with other important societal issues. REPP considers that it would be helpful if the planning system considers renewable energy both from the perspective of individual applications but also from the perspective of how it can influence the way new developments use energy.

5. POSITIVE PLANNING AND PERMITTED DEVELOPMENTS

Positive planning is a means of enabling the planning system to influence the energy use of new developments, discussed above but so far rarely used. The White Paper committed the Government to examine "how to bring considerations of the use of renewables and energy efficiency in developments more within the scope of the planning system" (Para 4.31).

Section 106 Agreements in England and Wales (Section 50 Agreements in Scotland), often known as planning obligations, are legal agreements made between LPA's and developers alongside a planning application. They are usually used as a means to make developers provide added benefit that is related to the development that they are proposing.

A potentially very helpful policy would be that local authorities should be required to develop sustainable energy policies that require both energy efficiency measures to be adopted and proportion of energy to be supplied from renewable or sustainable sources. The London Borough of Merton has adopted policy expecting a proportion of the energy demands of large new commercial developments to be from renewable sources and this is discussed further below.

MERTON BOROUGH COUNCIL
UNITARY DEVELOPMENT PLAN (UDP) E.13

Merton's UDP recommends that 'all new industrial, warehousing, office, live/work units outside conservation areas and above a threshold of 1000 square metres will be expected to incorporate renewable energy production equipment to provide at least 10% of predicted energy requirements'.

The Inspector's report adds that there is unambiguous national and regional support for the approach adopted.

The Merton process began in 1999 and is undergoing a final consultation. Members are now considering the objections received. OPDM is assessing how such policies can be legally expressed and whether they are appropriate for a development plan.

Another strand to positive planning relates to Environmental Impact Assessment (EIA). Energy is a potentially significant issue in the planning of certain types of large scale development. To date energy use has not featured largely in Environmental Impact Assessments. Yet the way in which energy is used in, for example, a large new hospital, might in fact be one of the most significant ways in which the development impacts on the global environment over its lifetime. Such impacts can be mitigated by a commitment to: being a zero emission building; providing a certain proportion of energy from renewable sources; incorporating certain energy efficiency measures.

Planners have devised complex mechanisms for delivering affordable housing, transport improvements or public open space, for example, in the form of commuted sums, bonds or not for profit local companies. Similar mechanisms might be suitable for turning a local requirement to deliver renewable energy related to a specific development into an actual renewable energy project elsewhere.

Permitted development is a type of development that does not normally require planning permission, so is essentially a presumption in favour. A very large number of types of development qualify as permitted development and are as diverse as telecommunications masts, sewage pumping stations, aircraft hangars and overhead pylons, as well as certain developments by householders.

REPP was divided on this issue. One view is that renewables deserve an equitable situation compared to other sectors such as telecoms and water, for example: parity for solar roof panels (thermal or photovoltaic) with similar forms of development such as satellite dishes. Others argue that permitted development is an anomaly within the current system which should be ended, whether it be for farm buildings, satellite dishes or renewables. All development should be subjected to the same level of scrutiny and, if an LPA wishes to promote certain technologies, for example, photovoltaics, they should do it through strategic positive planning policies within their development plans. If the criteria used to define what might be an appropriate site is clear enough within the plan, the process of considering applications for renewable energy development could be sped up as concerns about siting would to some extent have been alleviated through the plan process.

6. AREAS OF SEARCH VERSUS CRITERIA-BASED POLICIES

One of the main issues to emerge from the discussions on the new PPS22 (and its Scottish and Welsh equivalents NPPG6 and TAN8) was whether Areas of Search are helpful in planning for renewable energy or whether plans should be based on 'criteria'. References to Areas of Search in NPPG6 are limited to suggesting it as a possible approach for Structure and Local Plans and the new PPS22 also looks likely to move away from them.

The theory behind Areas of Search is that by actively identifying potentially suitable areas for renewable energy development in Development Plans, there will be greater certainty regarding the outcome of planning applications. Such an approach reduces the need for the developer of a renewable energy project to demonstrate that its site is appropriately located, because the local planning authority will have done this already in allocating the area as an Area of Search. One of their greatest attractions is that they demonstrate a local planning authority is proactive on RE. In line with the current PPG22, many English local planning authorities have sought to include Areas of Search within their development plans.

However, for the majority of REPP members there are serious concerns about Areas of Search:

- no matter how an Area of Search policy is written, it has the effect of reducing the chances of gaining planning permission for RE projects outside the area designated and could promote inappropriate scales and types of renewables within
- renewable energy projects are so diverse in their potential land use effects that a single all embracing Area of Search will be very hard to define
- renewable energy technology has advanced since PPG22 in 1992 and continues to advance such that some of the technical assumptions on which Area of Search policies are written (eg the wind speed above which a wind turbine is technically viable) can change rapidly
- a well researched and justified Area of Search policy will require a considerable expenditure of effort and resources by a Local Planning Authority.

Although REPP members were divided on this subject, the majority agreed that criteria-based policies appear to complement a planning system which endeavours to define and clarify policies without introducing perverse results in the individual local situations.

However, there were differences of interpretation of 'criteria-based' policies dividing between: criteria for approval, which places burden of proof on the developer; and criteria for selection which essentially says that the development is acceptable provided its meets the criteria - it would then be up to the LPA to prove otherwise. The majority of REPP members supported criteria for selection, arguing that it is up to the LPA to clarify its criteria and then, provided the developer meets them, the development would be approved. Others argued that this is too close to a presumption in favour.

One proposed policy is that there should be a formal planning requirement through the PPS process for Planning Authorities to develop criteria against which renewable schemes would be judged, as part of their Structure Plan process.

7. USING TODAY'S TECHNOLOGIES

Wind energy is likely to play a major role in helping the UK to meet the 10% target by 2010 and much of that is aimed to be delivered by offshore development. This is because wind is one of the cheapest sources of renewable electricity and the most risk-free from a financier's point of view.

AREAS OF SEARCH

The issues with Areas of Search have recently been aired at the Devon Structure Plan Examination in Public. The Structure Plan Authorities (Devon County Council, Torbay Council, Plymouth City Council and the Dartmoor National Park Authority) had included an Area of Search for Wind Energy within the draft Structure Plan. The area covered mainly land within Torridge and North Devon Districts. These District Councils considered that the Area of Search approach was unfair (for example, why shouldn't there be wind turbines in Plymouth?) and they also pointed to a number of anomalies between the actual Area of Search approach and other policies designed to protect the landscape. In addition there were discrepancies with previous studies, which had sought to identify the areas of most potential for renewable energy.

There are several other renewable electricity generation technologies such as wave power, tidal power and energy crops combustion. However, all are more expensive than wind energy - on or offshore - and nearer the demonstration stage and therefore considered more risky from the perspective of financiers.

Economics is a key determinant of technology choice and until the economics of these non-wind and non-waste technologies improve and they move beyond the demonstration stage, wind energy can be expected to dominate renewable development in the UK for the next decade.

For a range of reasons, planning departments and individuals sometimes support, or even prefer, other technologies to wind energy. Moreover, technological advances and the development of 'new' technologies are likely to move at a faster rate than the development of planning policies. It may be tempting therefore to either discuss technologies which are non-economic, and therefore unlikely to be developed, or to favour waiting until non-economic technologies become economic or new technologies appear. However, development can only occur with available technologies. Of course, R&D in new technologies is to be supported. The important point is that we must use today's technology to help reduce climate change.

As NPPG6 made clear, planning authorities should plan for the range of developments for which pressure may reasonably be expected to come forward within their area within the period covered by the plan being prepared. They should not produce planning policy for technologies which are unlikely to be seen on a large scale before 2010 or later.

REPP recommends that planning documents should provide guidance on the economic technologies which can be expected to be developed.

8. LOCAL DEMOCRACY VERSUS STRONG GUIDANCE FROM THE CENTRE

An important view expressed at the planning workshop by the majority of local authority planners present was that they wanted clearer guidance of how renewable energy fits into sustainable development, and how the planning system fits with this goal of sustainable development.

Some of the local authority planners who attended the workshop argued that:

- there should be a minimum target of renewable energy deployment that each area should meet and that reaching the target should be in the local plan
- renewable energy should be treated like minerals or housing, based on the view that minerals and housing requirements were treated differently precisely because it had proven to be difficult to meet societal needs if it was left to local authorities
- the importance of energy to sustainable development should be interwoven into the cascade of planning documents, in a clear hierarchy from top to bottom, as discussed above.

The majority of REPP members were in agreement with the third point but more ambiguous about the first and second points.

With respect to targets, one view is that they provide an additional positive requirement for local authorities to accept renewable developments in their area, and as such they are beneficial to renewable development (the case study in Annex 1 would support this). A great deal of recent work has been undertaken to develop regional targets for renewable energy and REPP considers that these targets are extremely useful in quantifying the scale of the issue faced by the RE industry and the planning system. Progress towards meeting targets should be monitored and, at an appropriate stage, the targets should be reviewed in the light of progress and other changed circumstances. REPP recognised that there was an expectation amongst some in the planning community that the next step would be that the targets would be disaggregated down to the local level and then reflected in local development plans.

Some REPP members expressed concern about the considerable resource and expertise implications that this would have for local planning authorities, particularly as meeting localised targets could be expected to be a long process with local plan inquiries. The following problems were also foreseen:

- disaggregation would inevitably lead to consideration of site and project specific issues which might better be addressed by individual projects as they come forward
- if a regional target is broken down into local authority area targets, there may be a danger that specific local authorities could declare themselves 'full' once their target had been reached - most forms of development end up being located in an uneven manner and such an approach might reduce the ability of the region to meet its target
- disaggregation could lead to an unwieldy and over-elaborate structure in local development plans, something which PPG12 (Development Plans) declares the Government to be against.

Concerns of the first and second bullet points overlap to an extent. However, one concern about the second bullet point was that disaggregation could lead to inappropriate levels of some renewables development in areas of high environmental constraint. Another approach would be to optimise the use of renewable resources within those constraints within an area. On the whole, REPP members thought that a preferable approach was criteria-based targets.

REPP on balance felt that targets can be useful but should stay at a regional or sub-regional level as it is at this level that they can best influence delivery.

9. LANDSCAPE CONCERNS AND ENVIRONMENTAL SENSITIVITIES

Protection, conservation and enhancement of the landscape emerged as the central issue for RE developments, particularly wind, but also combustion technologies requiring large buildings. Impacts on the landscape are likely to change over time. Currently, most discussion is around wind energy, as the most developed technology, but other renewables, such as biofuels or energy crops, are likely to have an increasing impact on the landscape and character of the countryside over time.

REPP members agreed that the best and most special landscapes of National Parks and Areas of Outstanding Natural Beauty require protection. Any proposed developments should pass the test of 'National Need' and 'no alternative sites'. Large scale and potentially intrusive developments should generally not be located in them.

Exceptions to this rule may be very small scale projects (eg wind generators for isolated farmsteads), smaller community proposals, and projects such as small scale hydro, the landscape effects of which may be minimal. In all cases the test of acceptability should be the extent to which a proposal compromises the purposes for which an area is designated and undertaken on a case-by-case basis. This is the approach within NPPG6.

OTHER DISCUSSIONS INCLUDED:

Buffer areas for National Parks and AONB's - one view is that anywhere visible from either a National Park or an AONB should be treated as if it were so designated. Others took the view that the boundary of the designated area was the important status. In general, REPP took the view that outside of National Parks and AONB's, criteria-based site selection (see discussion above) should be used. In this sense, provided the criteria are clear, development of valued landscapes would fail to qualify as suitable.

Non-national designations - many non-national landscape designations exist and the industry representatives on REPP were concerned that these should be afforded a clearly lesser weight than the national designations.

There was a clear difference of opinion in whether landscape has inherent value deserving of conservation or preservation (a clear distinction between the meaning of these words was noted) or whether the 'living, changing' nature of landscape should allow for changes in human activity having impact on the landscape. The majority view of REPP was that climate change will irrevocably change landscapes in such a way that efforts to protect or to conserve them will not be successful and, to this extent, supported the latter interpretation. Nevertheless, REPP members were also clear that valued landscape can be conserved whilst also developing renewables and that this will be achieved by clear criteria-based policies.

10. LOCAL AUTHORITY RESOURCES AND EXPERTISE

The lack of resources within local authorities to deal with renewable energy issues was a constantly occurring theme.

Local government officers on REPP gave a good flavour of the pressures under which planning officers in local government find themselves. These include pressures to:

- process planning applications within time limits
- maintain an up-to-date development plan
- respond to changes in their areas and in legislation
- provide a good service to the public
- advise elected members correctly
- maintain quality and professional integrity.

Energy, specifically renewable energy, is another technically demanding and controversial topic area for planners to handle. A good working knowledge of the issues is essential to enable an effective approach and it is acknowledged that many planners lack this basic knowledge. Most planning departments are small and the claims of energy planning within, for example, a District Council are likely to be met by an officer with a broad portfolio of other specialist responsibilities. Some local authorities do manage to set up a post for an energy specialist, even if that is not necessarily a planning post.

REPP recommends a substantial increase of resources, fundamentally financial but which can be translated into more personnel and access to expertise:

- a central pool of expertise could be developed within central government that local and regional authorities could call upon to help prepare planning policies and also to assist the assessment of applications to help speed up the process
- alternatively, the emerging new regional bodies could provide an increased level of energy expertise from dedicated personnel
- Government Offices can also provide co-ordinated support with regional bodies, provided resources are available (see Go East box below)
- local authorities need to have easy access to independent information about renewable energy technologies and developments, they also need more resources if they are to pull together the energy issues within their remit.

11. INDEPENDENT AND EASY ACCESS FOR INFORMATION

Another important area was the need for easy access to independent information by planners and the public about renewables, their costs, their benefits and other information about them. These questions link with a discussion about local authority resources and expertise, discussed above in point 10 and how to get society involved in point 12 below.

GO EAST

The Government Office for the East of England sent out a questionnaire to all parish and town councils – over 1700 – seeking their opinions and knowledge of renewable energy. Based on the findings of a 50% return rate, an information pack was sent to every parish, town, district, county and unitary authority. Also based on the survey, 13 events were held for parish/town councils to both inform on technologies and gauge views on the planning processes. These views were then discussed with the district, county and unitary authorities to find their reaction and to answer their questions on policies, procedures and technologies. The whole process has given a unique insight into community knowledge and views on renewable energy across a whole region, as well as the opportunity of extensive awareness raising. In Go East's view, the process should ensure that as proposals for installation of generation devices come forward, they stand a better chance of being assessed on a rational, knowledge-based approach that addresses local, regional, national and global issues.

Most individual renewable energy schemes are relatively inconsequential in the context of the Government's overall target of climate change reduction, which in itself is a global issue. NPPG6 explicitly states that the contribution of a single small scheme to offsetting greenhouse gas emissions is important to the national target. Each renewable energy power plant is making a contribution to the move to a sustainable energy system and meeting Government targets. Access to information enabling an understanding of this benefit should be easily available. PPS22 should explicitly value this contribution, as in NPPG6.

One problem is that very limited work has been undertaken into the benefits of renewable energy power plants either locally or nationally. The DTI has now started a programme to provide this evidence. Germany for instance now has 110,000 people working in the renewable energy industry, 30,000 people working in the wind industry alone.

Regen SW has recently published a fact sheet for local planning authorities about wind energy development. It provides detailed information and website addresses about construction and safety, cumulative effects, decommissioning, electromagnetic interference and shadow flicker, environmental impact, intermittency and efficiency, noise, property prices, scale of development, tourism and visual impact as well as local benefits such as work opportunities and diversification opportunities for farmers and industry. As shown in the box above, Go East undertook a regional information dissemination process. Leicester City Council undertook a process for developing Supplementary Planning Guidance (SPG) to their Development Plan to encourage the use of sustainable energy, including renewables. Part of this process was to hold a workshop of stakeholders who would be affected by such an SPG. Such dissemination of independent advice should be seen as vital and resourced appropriately.

12. HOW TO INVOLVE SOCIETY IN ENERGY DECISIONS

An energy system capable of delivering the vision set out in the Government's White Paper will be very different from that in place today and will place many new demands on society. Government has to be proactive in establishing direct policies for energy which involve and benefit society, disperse knowledge of the need for sustainable development and foster democratic and institutional changes which encourage society to become more involved in decision-making.

Denmark, Germany and Spain are three countries in Europe where renewable energy has a high rate of deployment. In all those countries, there is an ability for local people to invest in local schemes and see a direct benefit to themselves from the renewable energy developments.

In the UK, mainly because of the renewable obligation subsidy mechanism, renewable energy projects have been promoted by large private companies and the economic returns have been to shareholders and investors of those companies rather than local communities. The majority of REPP members agreed that large projects are a central requirement of meeting the 10% renewable energy target for 2010 and the 60% carbon dioxide target for 2050. However, it was also recognised that a fundamental requirement for meeting these targets is society's approval and that the only chance of gaining this will be through education and information dissemination and greater contact with renewable energy by society via local and community schemes.

Very few community-based projects have been developed, although there have been some successes, Cassop School in Durham, a County Council property stock initiative, and Moel Moelogan wind farm in Conwy, owned by farmers for example. Currently, there is considerable enthusiasm within planning to address community renewables and there is a £10 million community fund from central government. Moreover, it seems likely that the new system of local development plans which result from the Planning and Compensation Bill will require at minimum a statement of community involvement before they may be adopted. The Local Government Act 2000 already requires local authorities around the country to produce Community Plans.

As well as the need to increase community and local involvement, an equally important aspect is to disseminate information about renewables and their importance to sustainable development. Government should be endeavouring to provide easy access information and policies to promote inclusiveness (both points discussed in other sections).

IN CONCLUSION, SOCIETY HAS TO BE INVOLVED THROUGH TWO MAIN ROUTES

- there has to be education about the importance of sustainable development and the environment and the relationship of the public to energy within this
- businesses, individuals and communities have to 'gain' from a new, sustainable energy system through, for example, the ability to invest in renewable energy projects or through better understanding of the benefits of climate change reduction, employment and new sources of income.

13. IMPLEMENTING AN ENERGY POLICY FOR DIVERSITY OF TECHNOLOGIES AS A KEY TOOL IN MINIMISING PLANNING CONCERNS

The Energy White Paper sets highly ambitious targets for CO_2 reduction. The White Paper recognises that these will have to be delivered through both:

- energy efficiency, resource productivity and demand reduction (PIU, 2002)
- the delivery of a substantial amount of new renewable electricity generating capacity.

As described in the introduction, it is more likely than not that targets for renewable energy will increase over time. Thus, while improvements in energy efficiency and resource productivity may reduce total energy demand and offset some fossil fuel generation, there will still need to be a substantial amount of new renewable capacity. Moreover, this capacity is required as soon as possible.

Energy policy has to provide a broader set of incentives than it currently does to achieve this goal. Moreover, to complement planning policy a set of measures should be undertaken:

- combining demand and supply side policies
- promoting urban as well as rural technologies
- promoting micro (individual, local and community) as well as macro developments
- promoting a diverse set of energy technologies - both within electricity (for example, wave, tidal stream and energy crops) but also non-electricity (such as biofuels, heat from wood, anaerobic digestion for gas etc)
- joining-up Government's sustainable development policy and wider policies.

Moreover, energy policy has to analyse renewable energy development and its cost in the broadest sense. Recent work undertaken for the PIU Energy Review (Strbac and Jenkins, 2002) and White Paper (SCAR, 2002; Dale et al, 2003) has shown that the cheapest way forward from the perspective of customers for electricity network design, development and operation is to spread electricity generation of all types and sizes across the network. The most expensive way forward is to provide generation from one area and from intermittent technology. The UK on the whole has spread generation around regions, but the type of technology is limited.

Helpful policies would be:

- more capital grants are required to bring a larger mix of technologies into the RO
- different mechanisms are required for renewable heat and liquids through a renewable heat obligation
- smaller scale development and emerging technologies should also receive 'easy access' support
- redraft building regulations
- a central government institution should be tasked with monitoring the joining-up of sustainable development policies, projects and their delivery. Perhaps the Sustainable Development Commission in DEFRA (see below for further discussion).

14. JOIN-UP GOVERNMENT'S SUSTAINABLE DEVELOPMENT POLICIES AND INTER-DEPARTMENTAL POLICIES

Sustainable development requires the joining-up of complementary policies to do with climate change, energy production and use, transport, land use, agriculture and food, and waste strategy. There is an increasing overlap between these sectors. For example, annual agricultural crops can produce biofuels, thereby reducing climate change emissions from transport. The growth of energy crops within agriculture can provide electricity or heat, thereby displacing fossil fuels within energy and climate change policy. Yet policies have tended to be broadly separate. As a result of the White Paper, the Sustainable Energy Policy Network (SEPN) has been set up to streamline policies between Regulators and Government Departments. This requires ensuring that the economic incentives within energy, agriculture, sustainable waste resources and transport work together and that those which conflict are removed.

Moreover, Departments have to work together more effectively. An important issue for renewable energy is the serious dispute between the Ministry of Defence (MOD) and renewable energy from wind development.

CHAPTER 4

CONCLUSION AND RECOMMENDATIONS

This report has endeavoured to explore how renewable energy deployment interacts with planning policies. In doing so, it addressed 14 issues that were decided to be of most importance by the Panel and the planners who attended a REPP workshop in September 2003, set out in Chapter 3 and listed below. Chapter 3 also provided recommendations of how to deal with them and they are brought together below.

While most of these recommendations will take time to put in place or to achieve, some can be delivered in the near-term. In particular, the new PPS22, currently being consulted on, can provide clear guidance for renewable energy development, in a manner analogous to the Note on Planning Policy Guidance 6 for Scotland.

Key Issues:

PLANNING POLICIES

1. The need for positive, clear language in planning documents and clarity of the hierarchy between them
2. Achieving consistency of judgements
3. Clarifying the purpose and role of the planning system and material considerations
4. How energy is addressed by the planning system compared to other issues
5. Positive planning and permitted development
6. Areas of search versus criteria-based policies
7. Using today's technologies
8. Local democracy versus strong guidance from the centre

LANDSCAPE CONCERNS

9. Landscape concerns and environmental sensitivities

LOCAL AUTHORITY RESOURCING

10. Local authority resources and expertise
11. Independent and easy access to information

HOW TO INVOLVE SOCIETY IN DECISION-MAKING

12. The challenge of involving local communities in energy decisions

ENERGY POLICY

13. Implementing energy policy for diversity of technologies as a key tool in minimising planning concerns
14. Joining-up Government's sustainable development and inter-departmental policies

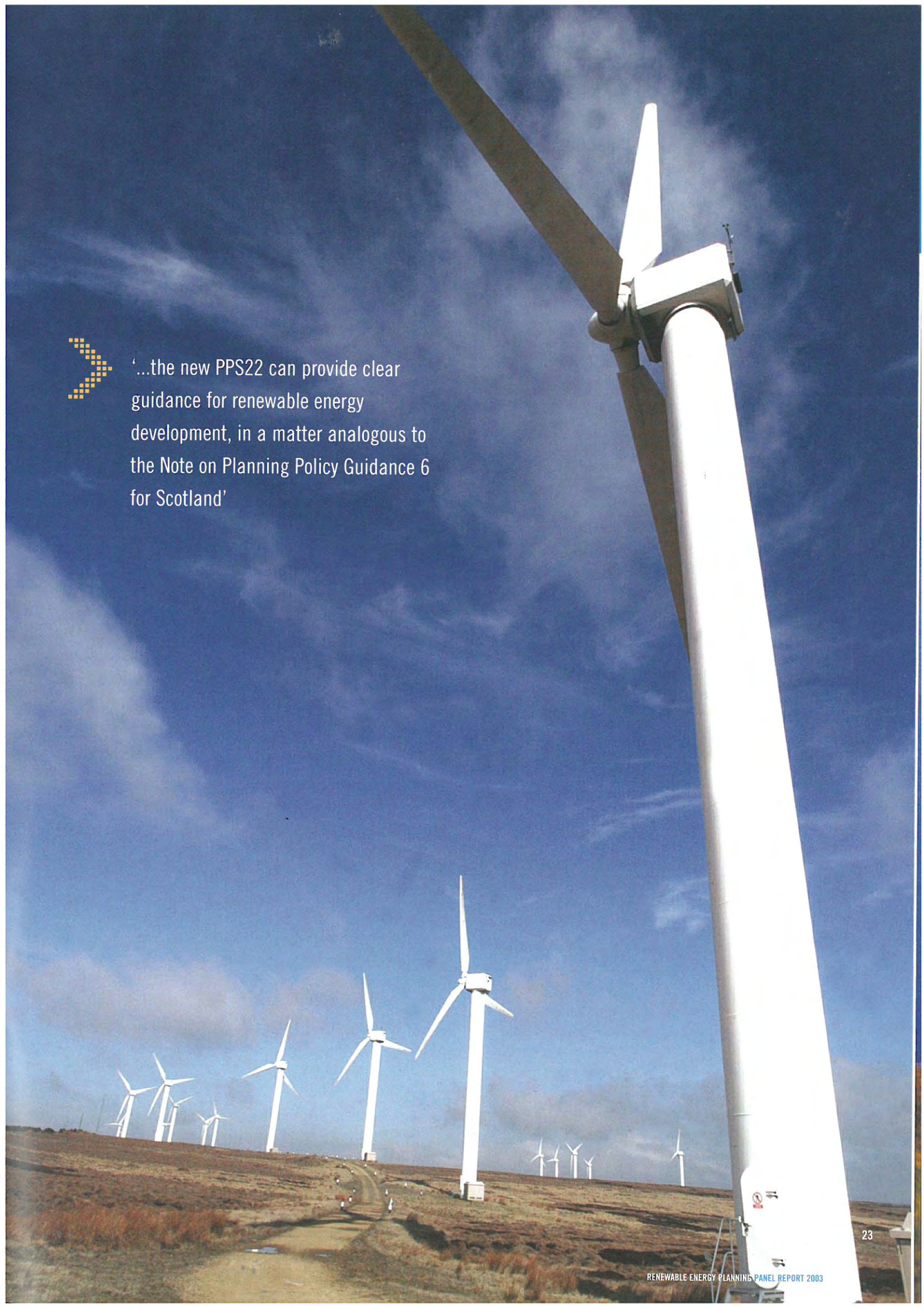
The majority of these areas will require either new Government policies or resources, or a change to the current ones.

Sustainable development implies a very different attitude to, and use of, the environment and resources by society. Reaching such a point will require change in a number of areas. Whilst the planning system should change to enable movement towards sustainable development, change on its own without change in Government energy policies or without involving society will not be sufficient.

THE KEY RECOMMENDATIONS OF THE REPORT ARE:

1. Get the language right and the hierarchy clear in planning documents
2. Clarify the role of the planning system in sustainable development
3. Maximise positive planning
4. Provide local authorities with adequate resources and expertise
5. Get society involved
6. Implement policies for innovation, diversity of energy technologies and joined-up sustainable development delivery

See Executive Summary for detailed explanation.



'...the new PPS22 can provide clear guidance for renewable energy development, in a matter analogous to the Note on Planning Policy Guidance 6 for Scotland'

ANNEX 1

CASE STUDY

REFUSAL OF PLANNING PERMISSION AT APPEAL FOR THREE WIND TURBINES NEAR ALNWICK, NORTHUMBERLAND

How developers go about achieving planning permission is a mystery for most people other than developers and planners. This annex illuminates that process in some detail so that the question of how the planning system and renewable energy development interacts becomes clearer. It is intended to provide some insights into the difficulties of 'streamlining and simplifying' the planning system, as called for by the White Paper and Renewable Energy Directive.

It is an example of an application for a small, wind farm of three turbines only. The process was short compared to most applications. It was finally refused because of concerns of distraction to car drivers. This case demonstrates just how complex any planning application is, with the 11 different relevant documents, and the difficulty of predicting outcomes for planning applications

KEY FACTS OF THE PLANNING APPLICATION

- Planning application submitted 6 December 2001 to Alnwick District Council.
- Refused 26 June 2002. Council officers recommended that planning permission be granted. This was overturned by Members of the Council and the application was refused for the following reasons:
- the turbines would be excessively intrusive and would have an adverse effect on the Area of High Landscape Value
- the turbines would exacerbate road hazards, particularly at a dangerous local crossroads where drivers' attention might be distracted by the turbines.
- The applicants appealed against this decision and a Public Inquiry was held 28 May 2003. The Inspector dismissed the appeal and the refusal of planning permission was upheld.
- Appeal decision issued 11 July 2003
- Being for more than two turbines with a height over 15m, the Council needed to consider whether an Environmental Impact Assessment (EIA) was necessary. It gave a Screening Opinion that Circular 2/99 indicated that EIA was not necessary on the basis of the scale, nature and location of the development. The Appeal Inspector reached the same view, that EIA was not necessary. The applicants did however submit an 'environmental report' with the application.

RELEVANT PLANNING GUIDANCE AND PLANS

The planning application was tested against a policy matrix comprising the following 11 local, regional and national guidances or plans:

- RPG1 - Regional Planning Guidance for the North East - 2002
- Northumberland Structure Plan adopted 2001 and First Alteration deposit
- Policy M4, a criteria-based policy for wind farms, suggests that proposals should be refused if they are likely to have adverse effects on road safety due to driver distraction
- Alnwick Local Plan, adopted 1997
- The site is within an Area of High Landscape Value, a County Council (Structure Plan) designation. Policy RE17 of the Local Plan indicates that planning permission would not be granted for development that would have a significant adverse effect on the appearance of the AHLV
- RE23, which seeks to prevent intrusive development in the countryside
- and CD35 which is a criteria-based policy for windfarms
- PPG7 - Planning Policy Guidance note 7 on the Countryside and the Rural Economy
- PPG22 - Planning Policy Guidance note 22 on Renewable Energy
- Regional Renewable Energy Assessment for the North East - Chris Blandford Associates for Government Office for the North East
- DTI Energy White Paper 2003.

FUNDAMENTAL ARGUMENT OF APPLICATION

The main planning policy arguments related to landscape designations. PPG7 explains that local countryside designations, such as the AHLV, should not carry the same weight as those of national importance such as National Parks and AONB's. The Inspector was therefore clear that the two PPG7 tests could not be applied:

- that any adverse effect should only be countenanced if the proposal is in the national interest
- if there are demonstrably no preferable alternative sites.

The fact that the turbines would be partially visible from two locations within the Northumberland National Park was not seen as a reason to apply the PPG7 tests, due to the distance and to intervening relief and vegetation.

Nevertheless, the Inspector agreed with the Council's conclusions that there would be significant and adverse effects on the AHLV, contrary to planning policy [Point A].

The Inspector also applied a test of his own, analogous to that in PPG7, for the AHLV. That test, simply, is 'are the proposals needed in a county context, and are there suitable alternative sites in the county?' [Point B].

WAS THERE A NEED FOR THE THREE TURBINES?

As can be seen from the above, the Inspector's conclusion on **need** within a county context was important to his decision on the significance of the acknowledged landscape effect.

The Regional Renewable Energy Assessment derived target of 115-220MW for Northumberland (excluding energy from waste) was the basis of the decision. The Inspector noted that the three schemes existing in the county at the time of the Inquiry contributed 7.5MW and that the appeal proposal would increase that provision by 52%, providing sufficient electricity for 70% of the residents of the nearby town of Alnwick.

The Inspector concluded that these local considerations far outweighed the evidence given against the project that it would contribute only 0.036% of the national 10% target for 2010 and that "there can be no question that the proposal would make an appropriate contribution towards meeting the Government's targets for the production of energy from land-based wind turbines."

THE EXTENT TO WHICH THE AVAILABILITY OF BETTER ALTERNATIVE SITES IS IMPORTANT

The Inspector concluded that 'different locations within the Northumberland sandstone hills could well have different effects', noting that the Regional Renewable Energy Assessment had indicated that the area as a whole might accommodate a higher density of wind farms than some areas [eg that affected by the proposals].

Because of the Inspector's conclusion that the proposals had a significant and adverse effect on the AHLV, it was necessary to consider whether better alternatives sites existed. No evidence was presented and, in light of the conclusion of the Regional Assessment on this, the Inspector concluded that it was safe to assume better alternative sites may exist.

ROAD HAZARDS

The Inspector concluded that the Council's conclusion that there was an enhanced accident risk on the nearby roads was correct. This is based on Policy M4 of the Northumberland Structure Plan which indicates that proposals should be refused if they are likely to have adverse effects on road safety due to driver distraction.

OTHER MATTERS

The Inspector dismissed evidence on shadow flicker, noise and ecological impact as demonstrating insufficient reason to warrant refusal. Whilst the Inspector acknowledged that views from one local house, 600m from the nearest turbine, would be affected adversely, he also felt this insufficient reason to warrant refusal on the basis that it would be unlikely for there to be many sites in Northumberland with less potential to affect views from residential property.

The Inspector also stated that "I am afraid that I find the evidence purporting to demonstrate a relationship between human health and electro-magnetic force fields, as produced by the wind turbines, to be unconvincing."

AREAS OF SEARCH

The Inspector noted the PPG22 approach recommending areas of search, and that this was included within the adopted RPG1 of 1993 (policy EN2 stating that "Development Plans and other strategies should identify SWRA's [Strategic Wind Resource Areas], where appropriate, to indicate the general locations where positive consideration will, in principle, be given to major wind energy developments").

The Inspector noted that progress on this had been slow and that, with the exception of a "regional" SRWA at Kielder, elsewhere in the North East proposals for wind turbines have to be assessed against criteria-based projects. The Inspector regretted the absence of such a "planning tool" and the implication of this comment is that if the local planning authority has identified a SRWA, it is unlikely that the appeal site would have been in it, thus meaning that the proposal would probably not have come forward in the first place.

CONCLUSION

In essence, the case rested on:

- Policy RE17 of the Alnwick Local Plan, which concerns the AHLV; and
- Policy M4 of the Northumberland Structure Plan.

On the AHLV, the Inspector concluded that the adverse and significant effects of the proposal warranted refusal, particularly as no information had been supplied demonstrating that other locations on the AHLV existed which would do less harm. Despite refusing permission, he made clear that he accepted that the proposals would make a useful contribution to meeting renewable energy targets. The proposal therefore contravened policy RE17.

On the road issue, the conclusion was that the increased risk of accidents due to driver distraction therefore contravened Policy M4.

For these reasons, the Inspector upheld the Council's refusal of planning permission.

REFERENCES

Dale, L., et al, 2003, 'Total Cost Estimates for Large-scale Wind Scenarios in the UK', Power UK, 31 March.

DETR, 2000, Climate Change - the UK programme, available on www.defra.gov.uk

DTI, 2003, Energy White Paper, Our Energy Future - creating a low carbon economy, available from www.dti.gov.uk/whitepaper

DTI, 2003, Digest of United Kingdom Energy Statistics (DUKES), available from www.dti.gov.uk/energy

EU Renewable Energy Directive available from http://europa.eu.int/comm

The House of Lords European Sub-Committee B Twelfth Report on Electricity from Renewable Sources, 1999, available from www.parliament.gov.uk

M. Hulme and G. Jenkins, 2002, Climate Change Scenario for the United Kingdom - UKCIP Technical Report, available from www.ukcip.org

Leicester City Council, 2002, Supplementary Planning Guidance: Energy efficiency and renewable energy in new developments, available from www.leicester.gov.uk

Note Planning Policy Guidance 6, Renewable Energy, available from www.scotland.gov.uk

Planning Guidance (Wales), 1996, Technical Advisory Note 8 Renewable Energy, November, available from www.wales.gov.uk

Planning Policy Guidance Notes available from www.odpm.gov.uk/stellent/groups/odpm_control/documents

Regen SW, 2003, The appropriate development of wind energy - guidance for local planning authorities, available from www.regensw.co.uk

SCAR, 2002, authors Richard Slark of Ilex and Goran Strbac of UMIST, available from www.dti.gov.uk/energy/developep/080scar_report_v2_0.pdf Quantifying the System Costs of Additional Renewables in 2020

Strbac and Jenkins, 2002, PIU Background Working Paper for Energy Review, see www.strategy-unit.gov.uk/reports