

REA evidence to Planning Bill Committee

The REA is one of a number of trade associations working alongside the UK BCSE in presenting a united energy sector viewpoint on the planning bill. A 16 page Commentary on Planning Bill Issues, to which the REA contributed, was sent to Bernadette Kelly of the DCLG on 18th December.

The REA is in support of that joint submission. This evidence merely wishes to emphasise our disappointment with the lack of impact we fear this bill may have in addressing the problems that renewable energy faces in the planning process.

The scale of change needed

The planning process must become more predictable and swifter, if we are to meet the challenge of getting 10% of our electricity from renewables by 2010 and beyond 20% by 2020.

Renewable sources of energy, unlike fossil fuels or nuclear, are diffuse in their nature. With the exception of biomass - the only renewable energy source which can be stored - renewable energy projects harvest energy over a relatively wide geographical area, and therefore a large number of relatively small projects are required in order to contribute a significant proportion of the nation's needs.

The scale of change needed to meet even our current target (10%), and the greater targets required in future under the new EU 20% total energy target (expected to be over 26% - possibly as high as 35% electricity) cannot be overstated.

Together the developments required could be considered as of national significance. However, under the Bill, the vast majority of projects will be treated no differently.

Excluding generation under 50kW (the legal definition of micro-generation) 99% of the of projects, and 75% of the capacity, would be beneath the size threshold of 50MW and thus not regarded nationally significant infrastructure.

Status of plant accredited under the Renewables Obligation (excluding micro-generation)

	Capacity	Number of Stations
Under 50MW	75.6%	98.7%
Over 50MW	24.4%	1.3%

Material change as a consequence of the bill

Therefore the Planning Bill holds relatively little prospect of improving the planning process for the vast majority of renewable energy projects. At present all onshore projects over 50MW are determined by the Secretary of State, with the exception of hydro schemes. For these the threshold is lower, and all 1MW projects come under the Section 36 procedures, determined by the SoS.

After the passage of the Act (and once the NPS on renewable energy is finalised) these projects will be determined by the IPC, whilst hydro projects will move back into the Town and Country Planning (TCP) regime.

It seems that under the TCP regime, local authorities will not need to have any more regard to the NPS on renewable energy than they would have had in the past under Planning Policy Statement 22 or the equivalents in Wales and Scotland.

For offshore developments, as with hydro, the Bill will result in a raising of the threshold. At present offshore developments of over 1MW are determined by the relevant Secretary of State. Under the Planning Bill only projects of above 50MW will be determined by the IPC.

Possible solutions

There are two approaches that could be taken to give the Planning Bill more relevance to renewable energy; either the threshold of 50MW should be reduced or the weight planning authorities must attach to National Policy Statements should be made substantial.

We would prefer a lower threshold of, say, 10MW for onshore projects and preferably no threshold for offshore, i.e. all projects should be determined by the IPC rather than the Marine Management Organisation. Whilst this would require more resource to be dedicated to the IPC, we believe it would be more efficient overall, than having decision making for these projects remaining with Local Authorities.

If that route were not chosen, then Section 19 of the TCPA 2004 should be amended to require that *significant* weight be given to national policy statements on infrastructure in the preparation of local development documents. A requirement to simply have regard to the national policy statements in formulating local development plan policies does not, in our view, go far enough. We would like a requirement that any development plan should be in accordance with the renewable energy NPS, any if it diverges this divergence should be justified and the justification be accepted by the IPC.

Developers should have recourse to a complaint procedure, should they feel that a generic issue – on which there is guidance in the NPS – is being re-examined at the local level. It is very important that arguments surrounding generic issues are not

allowed to consume the resources of project developers and local authorities, during the decision process or public enquiries.