Ministerial Interim Planning Policy Statement 01/2005

Planning for Renewable Energy

Llywodraeth Cynulliad Cymru
Welsh Assembly Government

July 2005

The attached text amends **Sections 12.8 to 12.10 of Planning Policy Wales (PPW) (2002)** using existing paragraph headings and numbers. Until such **t**ime as PPW is reviewed and the amendments incorporated, this MIPPS should replace those sections. Sections 12.8 to 12.10 of PPW are hereby cancelled.

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MINISTERIAL INTERIM PLANNING POLICY STATEMENT 01/2005

PLANNING FOR RENEWABLE ENERGY

The attached text amends **Sections 12.8 to 12.10 of Planning Policy Wales (PPW) (2002)** using existing paragraph headings and numbers. Until such time as PPW is reviewed and the amendments incorporated, this MIPPS should replace those sections.
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12.8 Sustainable Energy

12.8.1 It is now widely accepted that climate change is occurring and that the burning of fossil fuels, which generate greenhouse gas emissions, is a major contributor. Unless such emissions, particularly carbon dioxide, are brought under control, there will be severe and unpredictable global impacts which in turn will lead to a significant climatic effect at a local level.

12.8.2 At Kyoto in December 1997 the European Union agreed jointly to reduce emissions of a basket of greenhouse gases to 8% below 1990 levels by 2008-12. The UK government agreed to a 12.5% reduction and set a domestic goal of reducing carbon dioxide emissions by 20% of 1990 levels by 2010. In an effort to deliver these targets, the Government and the devolved administrations in Scotland, Wales and Northern Ireland launched Climate Change – the UK Programme in 2000[12]. The UK Government and the devolved administrations are currently undertaking a review of the UK Climate Change Programme. The review focuses upon the effectiveness of existing policies and the range of policies that we might implement in the future.

12.8.3 The UK Energy White Paper published in 2003 sets out the UK Government's aim to ensure a secure, diverse and sustainable supply of energy at competitive prices consistent with wider economic policies, the promotion of energy efficiency and health and safety and the full and proper protection of the local and global environment.[13] The Assembly Government is committed to playing its part by delivering an energy programme which contributes to reducing carbon emissions. It has established specific renewable electricity production targets for Wales of 4TWh per annum by 2010 and 7TWh per annum by 2020. These targets should be seen in the context of the Assembly Government's overall Energy Strategy and its commitment to energy efficiency.[14] Planning policy at all levels should facilitate both.

12.8.4 The Assembly Government's aim is to secure an appropriate mix of energy provision for Wales, whilst minimising the impact on the environment. This will be achieved in part by strengthening renewable energy production, and through a greater focus on energy efficiency and conservation. This forms part of the Assembly Government's aim to secure the strongest economic development policies to underpin growth and prosperity in Wales recognising the importance of clean energy and the efficient use of natural resources, both as an economic driver and a commitment to sustainable development.

References

12 'Climate Change - The UK Programme', DETR, 2000 and 'Climate Change Wales' March 2000

13 Our Energy Future, Department of Trade and Industry, February 2003

14 Welsh Assembly Government Energy Statement, February 2003

12.8.5 For the purposes of this policy, renewable energy is the term used to cover those sources of energy, other than fossil fuels or nuclear fuel, which are continuously and sustainably available in our environment. This includes wind, water, solar, geothermal energy and plant material often referred to as biomass. Biomass is generally regarded as fuel (other than fossil fuel), at least 98 per cent of the energy content of which is derived organically from plant or animal matter. This includes agricultural, forestry or wood wastes or residues, sewage and energy crops.[15]

References

15 The Renewables Obligation Order 2002

12.8.6 Renewable energy projects should generally be supported by local planning authorities provided environmental impacts are avoided or minimised, and nationally and internationally designated areas are not compromised. In order to meet the 2010 renewable energy target, the Assembly Government's energy policy is that 800MW of renewables capacity should be provided from strategic onshore wind energy development – mostly in the form of a small number of large wind farms. A further 200MW should be provided from offshore wind and other renewable technologies.[16] This is based on Wales' abundant onshore wind resource and the fact that onshore wind power is the most viable commercial technology available that will provide a high degree of certainty of meeting the 2010 target. In order to broaden the range of renewable energy technologies in Wales planning policy must also favour developments that support research, development and demonstration for alternative sources of renewable energy production.

16 Joint Ministerial Assembly Government Energy Statement, July 2004

Consequently, the Assembly Government is committed to:

- achieving its specific targets for renewable energy (electricity) production;
- maximising the opportunities for renewable energy (heat);
- where possible combining the two in combined heat and power systems;
- recognising that the benefits of renewable energy are part of its overall commitment to reduce greenhouse gas emissions.

12.8.7 It should be noted that consents and environmental assessments are required under UK legislation before offshore wind energy developments can be constructed.[17] Two options for obtaining consents are available to developers:

17 See also Energy Act 2004

- consent under section 36 of the Electricity Act 1989 and section 34 of the Coast Protection Act 1949; or
- an Order under the Transport and Works Act 1992.

Both cases require a licence for construction under the Food and Environment Protection Act 1985 and an Agreement for Lease from the Crown Estate will also be required. Further permissions may also be required under other legislation such as the Town and Country Planning Act 1990, the Electricity Act 1989 and the Water Resources Act 1991. Environmental Impact Assessment will also be required. In addition it is highly likely that ancillary structures onshore will be necessary and that these will require appropriate statutory consents.

12.8.8 Proposals for onshore wind development up to 50MW require planning permission, whereas proposals over 50MW require consideration under Section 36 of the Electricity Act.

12.8.9 In the short term, wind-power offers the greatest potential for an increase in the generation of electricity from renewable energy. The Assembly Government accepts that the introduction of new, often very large, structures into the open countryside needs careful consideration to minimise the impact on the environment and landscape. However, the need for wind turbines is established through a global environmental imperative and international treaty, and is a key part of meeting the Assembly Government's targets for renewable electricity production. Therefore, the land use planning system should actively steer developments to the most appropriate locations. Development of a few large scale (over 25MW) wind farms in carefully located areas offers the best opportunity to meet the national renewable energy target.

12.8.10 Whilst landscape and conservation constraints and electricity distribution issues are vital inputs, other technical and economic issues are critical to the provision of wind power. The most appropriate scale at which to identify areas for onshore wind energy development is at an all-Wales level. Technical Advice Note 8: Planning for Renewable Energy, identifies areas in Wales which, on the basis of substantial empirical research, are considered to be the most appropriate locations for large scale wind farm development; these areas are referred to as Strategic Search Areas (SSAs). The detailed characteristics and the methodology used to define SSAs are outlined in TAN 8 and its Annexes.

Development of a limited number of large-scale wind farms in these areas will be required to achieve the Assembly Government's energy target for 2010.

12.8.11 An integrated approach should be adopted towards the planning for renewable energy schemes and additional electricity grid network infrastructure. Additional electricity grid network infrastructure will be needed to support the SSAs and local planning authorities should facilitate grid developments, subject to material planning considerations, when appropriate proposals come forward whether or not the wind farms to be connected are located within their authorities. Within the SSAs, whilst cumulative impact can be a material consideration, it must be balanced against the need to meet the national target and the conclusions reached fully justified in any decisions taken. Developers will need to be sensitive to local circumstances, including siting in relation to local landform and other planning considerations. The development of wind farms or other large scale renewable energy schemes will not generally be appropriate in internationally or nationally designated areas.[18] Smaller (less than 5MW), domestic or community-based wind turbine developments may be suitable within and without SSAs, subject to material planning considerations. On urban/industrial brownfield sites, small or medium sized (up to 25 MW) developments may be appropriate.

12.8.12 Local planning authorities should facilitate the development of all forms of renewable energy and energy efficiency and conservation measures which fit within a sustainable development framework. Specifically, they should make positive provision for such development to meet society's needs now and in the future by:

- considering the contribution that their authority area can make towards developing and facilitating renewable energy and energy efficiency and conservation, and ensuring that development plan policies enable this contribution to be delivered;
- ensuring that development control decisions are consistent with national and international climate change obligations, including contribution to renewable energy targets, having regard to emerging national and international policy on the levels of renewable energy required and on appropriate technologies; and

References

18 National Parks, Areas of Outstanding Natural Beauty, Natura 2000 Habitat DirectiveSites (Special Protection Areas, Ramsar sites, candidate and potential Special Areas of Conservation), National Nature Reserves, the Dyfi Valley Biosphere site and World Heritage Sites.

- recognising the environmental, economic and social opportunities that the use of renewable energy resources can make to wider planning goals and objectives and the delivery of renewable energy targets.

12.8.13 At the same time local planning authorities should:

- ensure that international and national statutory obligations to protect designated areas, species and habitats and the historic environment are protected from inappropriate development; and
- ensure that any potential detrimental effects on local communities are minimised.

12.9 Development Plans and sustainable energy

12.9.1 Local planning authorities should undertake an assessment of the potential of all renewable energy resources, renewable energy technologies, energy efficiency and conservation measures and include appropriate policies in local development plans.[19] [20]

12.9.2 In undertaking such assessments local planning authorities should:

- take into account the contribution that can be made by the area towards carbon emission reduction and renewable energy production targets; and
- recognise that different approaches will be appropriate for the deployment of the different renewable technologies and energy efficiency and conservation measures.

12.9.3 Local development plans should, where relevant, provide policies to clarify in the SSAs where large wind energy developments are likely to be permitted, for example by identifying local micro-siting criteria or identifying specific preferred locations. In defining such locations or criteria it will be important to ensure that the required generating capacity is capable of being delivered by 2010. Policies for renewable energy in areas outside SSAs should feature in local development plans. Where justified, policies that restrict onshore wind energy developments outside SSAs to those up to 25MW in urban/industrial brownfield sites, and less than 5MW elsewhere, are acceptable.

12.9.4 Local planning authorities should seek opportunities to integrate energy efficiency and conservation objectives into the

References

19 Planning for Passive solar Design, BRESCU

20 Technical Advice Note 8 – Planning for Renewable Energy

planning and design of new development in their areas. For example solar gain can be maximised through appropriate development design. The layout, orientation, mix of uses, density of development, including scope for light penetration, planting of shelter vegetation and optimal use of local topography can all influence energy requirements.[21]

References

21 Technical Advice Note 12 – Design 2002

12.10 Development control and sustainable energy

12.10.1 Local planning authorities should consider the effects of any scheme and its associated infrastructure in relation to sustainable development criteria relating to economic, social and environmental impacts including the need to meet national renewable energy targets. Where a development is likely to cause demonstrable harm to a designated area by virtue of having a significant adverse impact on the qualities for which the site was designated, consideration should be given to refusing the development if such effects cannot be overcome by mitigation measures, planning conditions or obligations. Conditions should also be attached to any planning permission specifying requirements for removal of the turbines and all associated infrastructure and remediation of the site as soon as their use ceases.

12.10.2 Local planning authorities, particularly those containing SSAs, should take the national imperative for renewable energy into account when they are consulted on applications for large scale onshore wind power projects under section 36 of the Electricity Act 1989.

12.10.3 Whilst having regard to the contribution of renewable energy use to wider planning goals such as the diversification of the rural economy, local planning authorities should ensure that any potential detrimental environmental effects on local communities are minimised, to safeguard quality of life for existing and future generations.

12.10.4 In determining applications for any form of development local planning authorities should encourage developers to integrate energy efficiency and conservation measures as part of the design of new development.[21]