



BMC Guidance Note – Energy & its Infrastructure

1. Summary

The BMC considers that energy generation from renewable sources can make a valuable contribution to meeting the UK's Climate Change targets. The BMC is opposed to the medium-long term continued extraction of fossil fuels because such reliance will not reduce climate change impacts or drive forward research into renewable energy alternatives. However, the BMC also believes that wild places and other valued landscapes are intrinsic to the quality of experiences sought by our members and that large-scale inappropriately sited energy developments can damage the natural beauty and character of our wild spaces.

This Guidance Note is designed to assist members to formulate views on energy-related developments in England and Wales. It sets out the context and highlights the BMC's approach and position as well as guidelines on how you can have your say.

2. Planning policy context - England

The Department for Communities and Local Government is responsible for setting planning policy in England. The key national policy documents are the National Planning Policy Framework¹ (NPPF) and the Planning Policy Practice Guidance which set out the government's planning policies for England. This provides guidance for local planning authorities on drawing up plans and determining planning applications. The introduction of the NPPF reduced the number of government planning policy documents; previously policy on renewable energy had been set out in *Planning Policy Statement 22: Renewable Energy* and its various technical annexes².

The NPPF states that 'local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources' advising that this should include a positive strategy to promote energy from renewable sources and that suitable areas for renewable energy should be identified. Applications should be approved if their impacts are or can be made acceptable. In combination, paragraphs 97-98 of the NPPF and the foreword create a presumption in favour of renewable energy schemes where they are considered to be sustainable development.

The government has issued planning practice guidance to accompany the NPPF. This web-based resource contains a section on renewable energy³ and identifies the planning considerations for a range of renewable sources such as hydropower, solar farms and wind turbines.

¹ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

² <https://www.planningportal.gov.uk/planning/planningpolicyandlegislation/previousenglishpolicy/ppgpps/pps22>

³ <http://planningguidance.planningportal.gov.uk/blog/guidance/renewable-and-low-carbon-energy/>

3. Planning policy context - Wales

The Welsh Government is responsible for setting planning policy in Wales and the main planning policy document is *Planning Policy Wales*⁴, which is supplemented by a series of Technical Advice Notes (TANs). *TAN 8 Planning for Renewable Energy* provides detailed advice on planning for renewable energy⁵ and specifies seven areas of Wales in which large scale (over 25MW but less than 50MW) onshore wind energy developments should be concentrated. These are known as Strategic Search Areas.

Planning Policy Wales states that local planning authorities should facilitate the development of all forms of renewable energy. In determining applications for renewable energy development a number of factors should be taken into account including the contribution a proposal will play in meeting targets for renewable energy and the impact on natural heritage.

4. Nationally significant infrastructure developments

In 2008 the Planning Act⁶ introduced a new system for dealing with nationally significant infrastructure developments in England and Wales, including those relating to renewable energy.

Although Local Planning Authorities in England and Wales are responsible for determining all onshore renewable energy applications up to 50MW installed capacity, developments greater than this capacity are deemed 'nationally significant' and as such are decided by the Secretary of State for Energy and Climate Change.

The National Infrastructure Directorate is a specialist team of inspectors within the Planning Inspectorate which makes a recommendation to the Secretary of State for Energy and Climate Change on nationally significant developments.

Government policy on nationally significant infrastructure developments is set out in a series of National Policy Statements. The Overarching National Policy Statement for Energy⁷ (EN-1) sets out the general principles that should be applied when determining applications for all types of renewable and non-renewable energy development. The National Policy Statement for Renewable Energy Infrastructure⁸ (EN-3) sets out additional policies that apply to applications for renewable energy development.

5. The BMC's approach to the siting of energy infrastructure

The BMC supports action to reduce carbon dioxide emissions, including efforts to increase the amount of energy derived from renewable sources. In taking this position, the BMC actively seeks to raise awareness of what members can do to reduce their individual carbon footprints and personal energy consumption.

Mountain and coastal areas of England and Wales and other wild places have a quality and importance from which many people derive physical, psychological and spiritual benefits. Such areas are highly sensitive to inappropriate development and great care should be taken to safeguard their landscape character and environmental habitats when considering renewable energy developments.

Several types of renewable energy are currently being developed in England and Wales including biomass, hydropower, tidal, ground or air source heat pumps, solar PV and wind (onshore and offshore). Onshore wind and solar PV have had the greatest impact on areas of interest to BMC members (such as landscape character) due to the location and scale of some developments and the infrastructure needed to support them such as access roads and grid connections.

⁴ <http://wales.gov.uk/topics/planning/policy/ppw/?lang=en>

⁵ <http://wales.gov.uk/topics/planning/policy/tans/tan8/?lang=en>

⁶ as amended by the Marine and Coastal Access Act 2009, the Localism Act 2011 and the Growth and Infrastructure Act 2013

⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37046/1938-overarching-nps-for-energy-en1.pdf

⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37048/1940-nps-renewable-energy-en3.pdf

The BMC's position is that:

- The Government must put energy demand reduction and efficiency at the heart of UK energy policy and lower the need for new generation.
- More effort should be placed on guiding developments to appropriate locations to minimise negative impacts on important (both designated and un-designated) landscapes and wildlife habitats in order to reduce their potential to harm our valuable tourism and recreation industries.
- In the UK's uplands, designated areas and other areas valued for their wild land character and habitats, there should be a much stronger presumption against proposed developments involving large scale infrastructure, including wind turbines, access roads and power transmission lines.
- There should be a presumption against large wind energy developments in or adjacent to designated landscape areas such as National Parks and all Article 1 (5) land designated under the planning acts because of the potential for them to cause significant harm to the landscape character and special sense of place.
- Landscape character assessments should be used to determine what types and scale of energy generation can be accommodated in an area without threatening its distinctive or special landscape character or tranquillity.
- Particular care must be taken to avoid cumulative impacts from several schemes.
- Environmental Impact Assessments must be robust and scrutinised appropriately to ensure that harm is considered, prevented and fully mitigated where development proceeds in the UK's uplands, designated areas and other valued areas.
- Grid connections and related infrastructure should not be sited in sensitive landscape areas and, wherever possible, must be placed underground.
- Developers should be required by legal agreement to remove structures once they come to the end of their useful life and to reinstate land to its original or better condition than that before the development took place.

6. Fracking and coal bed methane extraction

Fracking must be strictly regulated so that its impacts on the landscape, water resources, local communities and wildlife are prevented, minimised and mitigated. In the short term, fracking could help to reduce our reliance on burning coal but much more information is needed to help us to understand its potential impacts. Genuine consultation and engagement with both local communities and wider stakeholders, including interest groups in relation to potential sites, is essential.

7. When and where will the BMC get involved?

The BMC will take decisions on whether to get involved in casework or policy processes on energy issues on a case-by-case basis, taking a number of factors into account:

- The potential impacts on the landscape and on public enjoyment of it, including whether there would be impacts of national or regional significance.
- The scale of the development proposal, the statutory and local designation or recreational significance or sensitivity of the host landscape.
- The wider implications of the policy-making process and outcomes.
- The consideration of relevant actions by and commentary from local decision makers, residents and activists.
- The amount of support from members when we are considering taking action.

- The extent to which a BMC intervention could add value to the work of others.
- The availability of resources, expertise and capacity of BMC staff and area volunteers.

8. A guide to having your say

There are a number of ways in which members and local areas can find out about and express views on energy developments:

- Monitor and gather information from your local planning authority – find out who they are at www.planningportal.gov.uk. You can find out more about proposed schemes by visiting your council's website and searching on its planning pages.
- Check your local newspaper and message boards for consultations.
- Engage early with the development of local plan policies and Supplementary Planning Documents on energy.
- Get involved in neighbourhood planning which allows communities to establish planning policies for development in their neighbourhood, including for energy.
- Learn more about proposed major infrastructure developments (projects over 50MW in capacity) at <http://infrastructure.independent.gov.uk>
- Make your views known during local authority consultations or at public inquiries or hearings into proposals.
- Join with other organisations that share your concerns, enabling resources to be shared and actions co-ordinated, giving a stronger, collective voice.
- Contact your local councillor or MP to raise the issue and your concerns – to find out who they are visit www.theyworkforyou.com
- Publicise your views in press releases (agreed by the BMC) issued to the local media or through use of social media such as Twitter or Facebook.
- Engage with the BMC local area committee and discuss the proposals – find out more about local areas at <http://community.thebmc.co.uk>

9. Checklist for assessing applications

Assessment of schemes by members or areas will require consideration of a number of detailed matters, depending on the type of technology involved and the proposed location. This checklist is intended to be a helpful guide rather than an exhaustive list, assisting members in deciding whether a development is environmentally acceptable.

- What is the impact of proposals on visual amenity and on people's ability to appreciate and enjoy the landscape?
- Does the development fit in with the local topography or could it be located more sensitively somewhere else?
- Are there any cumulative impacts that require particular attention, especially where the number of energy developments in an area has increased recently?
- Is the proposal in or close to a National Park or Area of Outstanding Natural Beauty, and if so would it have an adverse impact on the protected area?
- Do the design, colour, height, bulk and appearance of structures fit in with the local landscape? Could amendments to the above reduce the impacts to more acceptable levels?

- What is the impact of associated infrastructure such as access roads and tracks, grid connections, pylons, transformer stations and hard standings?
- What is the impact of any proposed security measures such as CCTV, lights and fencing? Consider both temporary and permanent impacts.
- Has enough been done to prevent, minimise and mitigate any potential landscape and visual impacts, for example through tree planting and screening?
- For wind turbines, what will be the effect from operating noise and shadow flicker?
- Is there a binding agreement on the removal of all infrastructure at the end of its operating life and will land be reinstated to its former condition, quality and appearance?

10. Locally accountable decision making

The BMC does not always have the appropriate expertise, authority, local knowledge or resources to comment on every energy proposal. If a local BMC area wishes to support or oppose a local development then this should be done as early as possible in the planning process or during formal consultations on applications by local planning authorities and the Planning Inspectorate.

Each proposal should be assessed on a case-by-case basis and on its individual merits. Responses should be informed by a consideration of the factors in sections 5, 7 and 9 of this guidance note.

If there is a collective decision to support or oppose a proposal then representations should be made on behalf of the local BMC group. This must be approved by the area chair who should contact the main BMC office to inform it of the decision before any action is taken.

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APPENDIX A

Background to the development of renewable energy in England and Wales

Concerns about climate change have put reducing carbon dioxide emissions and dependence on fossil fuels at the heart of government policy. The Renewable Energy Roadmap⁹, published in 2011, sets out how the UK will reach its legally binding goal of generating 15% of UK energy use from renewable sources by 2020, as required by the 2009 Renewable Energy Directive. This compares to a 20% target across the EU¹⁰.

Since the 1990s renewable energy has made an increasing contribution to electricity generation in the UK and since 2010 the UK's renewable electricity capacity has doubled. In 2012, 4.1% of UK energy consumption in 2012 came from renewable sources while the contribution of renewables to UK generation was 13.1% between July 2012 and June 2013¹¹. To meet the UK's target, renewable energy generation must increase by around 7 fold compared to current levels. Onshore wind energy developments have become an increasingly important source of renewable energy with technological developments enabling larger, higher capacity turbines to be built. Between January and August 2013, 188 onshore wind developments were given the green light by planning authorities, a 49 per cent increase on the same period in 2012¹².

Onshore wind is now the UK's largest source of renewable energy generation. There are currently 379 projects with a total of 3,618 turbines – the total onshore generating capacity is 5,619 MW, enough to power the equivalent of 4.7 million homes.

The *Solar PV Roadmap*¹³ sets out the guiding principles for the deployment of solar in the UK. The UK's installed solar energy capacity has increased dramatically in recent years, especially in large-scale ground-mounted solar PV, and the UK is now the fastest growing market in the EU, adding 443MW of capacity in 2013 and bringing the total installed to 647MW across 112 projects¹⁴. Future development is expected to focus on rooftops.

Renewable energy supports economic growth through green jobs and investment. Since 2010, over £34 billion of private sector investment has been announced, with the potential to support almost 37,000 jobs across the UK. The UK government provides large subsidies to renewable energy companies to enable them to compete with non-renewable generators, although the government is proposing removing financial support for new solar PV above 5MW capacity¹⁵.

National surveys and polls consistently demonstrate strong public support for renewables. A survey¹⁶ carried out in September 2013 by the Department for Energy and Climate Change found that 76% of people continue to support the use of renewable energy sources to generate the UK's electricity, fuel and heat, which was similar to the September 2012 figure of 79%.

⁹ <https://www.gov.uk/government/collections/uk-renewable-energy-roadmap> - under Directive 2009/28/EC on Renewable Energy

¹⁰ "Renewable Energy Roadmap - Renewable Energies in the 21st Century: Building a More Sustainable Future" COM (2006) 848

¹¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255182/UK_Renewable_Energy_Roadmap_-_5_November_-_FINAL_DOCUMENT_FOR_PUBLICATION_.pdf

¹² <http://www.planningresource.co.uk/article/1216180/statistics-reveal-rise-onshore-wind-farm-permissions>

¹³ <https://www.gov.uk/government/publications/uk-solar-pv-strategy-part-1-roadmap-to-a-brighter-future>

¹⁴ <http://www.businessgreen.com/bg/analysis/2324782/uk-solar-farm-market-tops-european-league-table-in-2013>

¹⁵ <https://www.gov.uk/government/news/ensuring-value-for-money-and-maintaining-investment-in-renewable-energy>

¹⁶

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254725/summary_wave_7_findings_decc_public_attitudes_tracker.pdf