



Climate Emergency Development Plan Document

Topic Paper: Renewable Energy
July 2020



This is one in a series of topic papers produced to inform the preparation of the Council's climate emergency Development Plan Document (DPD)

Topic Paper
Renewable energy
Natural climate solutions
Town Centres
Mine water energy and deep geothermal
Energy and Sustainable Construction
Coastal Change and flood management
One Planet Development/Alternative living
Transport
Agriculture and Rural Sustainability

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Executive Summary

Demand for electricity is expected to double over 50 years. Currently Cornwall has installed renewable energy to meet a third of its current demand. To achieve a Carbon Neutral position, it is estimated (Pathways to “Net Zero” Report) that we need 5 times the installed capacity.

Encouraging investment in the right types of renewable technology and associated infrastructure in the right places by ensuring a continuing engagement with statutory providers and assurance of suitable (and therefore likely) locations for development.

The NPPF states that plans should have a positive strategy to promote energy from renewable and low carbon sources that maximises the potential for suitable development while ensuring that adverse impacts are addressed. It also mentions that suitable areas for renewable and low carbon could be identified and support should be given to community-led initiatives. The **Planning Practice Guidance (PPG)** provides guidance to support the NPPF. It states that the planning system has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

The Cornwall Local Plan Strategic Policies 2010-2030 was adopted in November 2016 and currently contains two renewable energy policies; Policy 14 Renewable and low carbon energy and Policy 15 Safeguarding renewable energy.

It is crucial to engage with communities and gauge community support, particularly in relation to the potential allocation of areas of land suitable for major renewables.

There needs to be consideration given to the provision of targets for renewable energy (with a basis from creating capacity to meet future demand by means of carbon neutral generation).

Parameters and suitable locations for wind turbines, and areas for large scale solar and geothermal, alongside permissive criteria-based policy to encourage land efficient and domestic renewables to create clarity over the ‘right thing to do’.

When turbines or solar arrays are repowered, they are likely to change (size, location, layout etc.) reflecting developments in the technology. Therefore, a positively worded policy should be considered clarifying that proposals that improve efficiency and or increase generating capacity should be supported?

The development of major renewables sites offers opportunities for the development of natural climate solutions and environmental growth – policy should reflect this as a requirement and key locations with opportunity identified.

Safeguard infrastructure for renewables including facilities and land-based infrastructure for offshore facilities.

Consider setting out policy relating to battery storage facilities.

What is this topic paper about?

The Council is preparing a new Plan to set the framework for dealing with climate change. This will sit underneath the Local Plan and forms the strategic framework for planning decisions. This topic paper summarises the latest available evidence on renewable energy. Reflecting the wide scope of this topic there are a number of overlaps between this paper and the other papers.

To view all the topic papers and the latest update on the Climate Emergency DPD, please visit www.cornwall.gov.uk/climatechangedpd

Can I comment on this topic paper?

The Climate Emergency DPD topic papers are factual in nature and set out the planning policy context and current issues in Cornwall, along with potential future approach to inform policy development. There will be opportunities to comment on the content of the Climate Emergency DPD at various stages of its development. As such we are currently seeking views on these topic papers, in particular any gaps in evidence.

If you wish to be kept informed of any forthcoming consultation, please email climateemergency.dpd@cornwall.gov.uk with your contact details.

Introduction

Demand for electricity is expected to double over 50 years. Currently Cornwall has installed renewable energy to meet a third of its current demand. To achieve a Carbon Neutral position, it is estimated (Pathways to “Net Zero” Report) that we need 5 times the installed capacity. This could include:

- Provision of targets for renewable energy (with a basis from creating capacity to meet future demand by means of carbon neutral generation).
- Setting the parameters and suitable locations for wind turbines, and areas for large scale solar and geothermal, alongside permissive criteria-based policy to encourage land efficient and domestic renewables to create clarity over the ‘right thing to do’.
- Develop a positive policy and strategy for repowering of turbines including extension of site area where appropriate.
- A positive policy approach to energy storage.
- Smart energy considerations for alleviating constraints on the electricity network.

Encouraging investment in the right types of renewable technology and associated infrastructure in the right places by ensuring a continuing engagement with statutory providers and assurance of suitable (and therefore likely) locations for development.

Policy Context and Evidence

National Planning Policy

The National Planning Policy Framework specifically relating to renewable and low carbon energy is set out in paragraphs 151 to 154 of the National Planning Policy Framework (NPPF) (2019). The NPPF states that plans should:

- Have a positive strategy to promote energy from renewable and low carbon sources that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
- Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
- Support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning in addition, Paragraph 154 of the NPPF sets out that when determining planning applications, local authorities should:
 - Not require applicants to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions (Paragraph 154 a); and
 - Approve the application if the impacts are (or can be made) acceptable (Paragraph 154 b).

Paragraph 154 b is, however, caveated with Footnote 49, which states: “Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing”

Paragraph 154 and Footnote 49 essentially incorporate the provisions of the Written Ministerial Statement (WMS) relating to planning for wind turbine development that was issued by the Secretary of State for Communities and Local Government on 18 June 2015 into national planning policy contained in the NPPF. This WMS stated that local planning authorities should only grant planning permission for proposals for wind energy development if the development site is in an area identified as suitable for wind energy development. It went on to note that these areas need to be identified clearly in a Local or Neighbourhood Plan.

The implications of the NPPF appear to be that the repowering of existing wind energy developments is acceptable in principle subject to the planning impacts being acceptable taking into account all relevant material considerations. However, in order to permit new wind energy development not constituting repowering, it needs to be, in the first instance, located within an area identified as suitable for wind energy development in the development plan (i.e. local plans and/or neighbourhood plans).

The **Planning Practice Guidance (PPG)** provides guidance to support the NPPF. It states that the planning system has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

It reaffirms that, in the case of wind turbines, a planning application should not be approved unless the proposed development site is in an area identified as suitable for wind energy development and that suitable areas will need to have been allocated clearly in a Local Plan or Neighbourhood Plan.

In identifying potentially suitable areas for wind energy development, the PPG states that there are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts. The views of local communities likely to be affected should be listened to. When identifying suitable areas, it is also important to set out the factors that will be taken into account when considering individual proposals in these areas.

In terms of technical considerations relating to the siting of wind turbines, the PPG gives the following examples: ● Site size; ● Proximity of grid connection infrastructure; ● Predicted wind resource; ● Air safeguarding; ● Electromagnetic interference; and ● Access for large vehicles.

Support for criteria-based policies is given in the PPG where they are clear and expressed positively. In shaping the criteria in local plans the PPG outlines the following factors that should be taken into account: ● the need for renewable or low carbon energy does not automatically override environmental protections; ● cumulative impacts, particularly in respect to landscape and local amenity; ● local topography; ● heritage assets and their setting; ● proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration; and ● local amenity and its importance when making planning decisions.

In terms of buffer zones/separation distances between renewable energy development and other land uses, the PPG advises that otherwise acceptable renewable energy developments should not be ruled out through inflexible rules on buffer zones or separation distances. Distance is part of the assessment but the local context such as the topography, the local environment and near-by land-uses are also important. Set-back distances for safety are the exception to this.

Local Planning Policy

The Cornwall Local Plan Strategic Policies 2010-2030 was adopted in November 2016 and currently contains two renewable energy policies: -

- Policy 14 Renewable and low carbon energy
- Policy 15 Safeguarding renewable energy

Paragraph 2.92 advises that policies in the Local Plan are designed to promote renewable and low carbon energy resource development while ensuring that adverse impacts are addressed satisfactorily, including those of noise, and cumulative landscape and visual impacts. In that context, policies 13, 14, 23 and 24 are particularly relevant.

In line with the Ministerial Statement of 2015, and the recommendations of the Local Plan Inspector, Paragraphs 2.95 of the Local plan states that the Council will not be allocating sites for the development of wind turbines in this Plan or a site allocations DPD. This Plan (including Policy 14) represents the policy framework against which planning applications will be considered, should they come forward as a result of a Neighbourhood Plan allocation, or as an application for repower of sites which benefit from extant planning consent.

The implications of paragraph 2.95 and of the ministerial statement/NPPF is that unless sites are identified in a neighbourhood plan or a DPD, that permission may not be granted for significant wind turbines. This position would prevent the achievement of the Council's Carbon Neutral Action Plan and renewable energy provision in Cornwall. Further legal advice may be necessary on the implications of policy change.

Evidence

Evidence from the Cornwall Local Plan

- Energy Technical Paper E1(a) Energy Consumption in Cornwall
- Energy Technical Paper E1(b) Energy Projections in Cornwall
- Energy Technical Paper E2 Renewable Energy Resource Potential in Cornwall
- Energy Technical Paper E3 Comparing Cornwall’s Renewable and low carbon energy Resource Potential with its Energy Consumption New Evidence Requirements
- Energy Technical Paper E4 (a) An Assessment of the Landscape Sensitivity to Onshore Wind and Large Scale Solar Photovoltaic Development in Cornwall
- Energy Technical Paper E4 (b) Annex 1: Landscape Sensitivity and Strategy Matrices for each Landscape Character Area

Other Evidence

- Cornwall Renewable Energy Planning Guidance
- Renewable Energy installed/planning permission maps - Cornwall
- Cornwall Climate Emergency: Pathways to “Net Zero” - Centre for Energy and the Environment, University of Exeter
- Cornwall Climate Emergency: Greenhouse Gas Inventory

Future Approach

It is crucial to engage with communities and gauge community support, particularly in relation to the potential allocation of areas of land suitable for major renewables.

There needs to be consideration given to the provision of targets for renewable energy (with a basis from creating capacity to meet future demand by means of carbon neutral generation).

Parameters and suitable locations for wind turbines, and areas for large scale solar and geothermal, alongside permissive criteria-based policy to encourage land efficient and domestic renewables to create clarity over the ‘right thing to do’.

When turbines or solar arrays are repowered, they are likely to change (size, location, layout etc.) reflecting developments in the technology. Therefore, a positively worded policy should be considered clarifying that proposals that improve efficiency and or increase generating capacity should be supported?

The development of major renewables sites offers opportunities for the development of natural climate solutions and environmental growth – policy should reflect this as a requirement and key locations with opportunity identified.

Safeguard infrastructure for renewables including facilities and land-based infrastructure for offshore facilities.

Consider setting out policy relating to battery storage facilities.

Policy options:

- Designate broad areas suitable for wind turbines in line with evidence work previously undertaken and updated. Set criteria for consideration of impacts of the development, including any requirement for particular layouts or clustering of turbines to reduce landscape impact. Clarify community support requirements;
- Set out policy for the siting of other major renewables including solar arrays and the selection of sites, particularly in relation to agricultural land classification
- Set out a positively worded policy supporting repowering of wind turbines and solar arrays where they improve efficiency or increase generating power.
- When turbines or solar arrays are repowered, they are likely to change (size, location, layout etc.) reflecting developments in the technology. Therefore, a positively worded policy should be considered clarifying that proposals that improve efficiency and or increase generating capacity should be supported?
- Set policy for the requirement of biodiversity net gain and/or environmental growth as part of the layout of renewables installations
- Set out policy relating to the siting and design of battery storage facilities
- Policy relating to safeguarding of renewable resources
- Positive policy relating to provision of domestic scale renewables.