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A PLANNING SYSTEM FOR NET-ZERO SEMINAR

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The NPF4 Position Statement – the good, the bad and the ugly

Chaired by Stephanie Conesa

Policy Manager, Scottish Renewables

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David Bell

Director

David Bell Planning Ltd

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Scotland's Fourth National Planning Framework Position Statement: A Critical Review

February 2021

Delivery of ‘net zero’ emissions

The plan looks ahead to 2050 and a central element is a planning approach to **deliver ‘net-zero’ emissions**. The introductory section entitled 'Our Future Places' states that:

- "*a significant shift is required to achieve net-zero emissions by 2045*"; and that
- "*we will have to rebalance the planning system so that climate change is a guiding principle for all plans and decisions*".

It is also clear that a central part of the new policy approach will be to help stimulate the green economy.

Key Opportunities

In terms of ‘future places’, the Government has set out twelve "*key opportunities to achieve this*" and with specific reference to renewables, ‘Opportunity 8’ states "*supporting renewable energy developments, including the re-powering and extension of existing wind farms …* " (page 3).

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Outcomes

The Statement sets out various outcomes for 2050 (page 5) and states that the long-term strategy "*will be driven by the overarching goal of addressing climate change. We must play our full part in tackling the global climate emergency by reducing greenhouse gas emissions in line with our legal targets*."

The Statement sets out that the **new spatial strategy** will:

Prioritise emissions reduction – in this regard it states: "*climate change will be the overarching priority for a spatial strategy. To achieve a net-zero Scotland by 2045 and meet the interim emissions reduction targets of 75% by 2030 and 90% by 2040, an urgent and **radical shift in our spatial plan and policies is required**. Scotland's updated Climate Change Plan will be published later this year, setting a course for achieving the targets in the Climate Change (Emissions Reductions Targets) (Scotland) Act 2019. NPF4 will take forward proposals and policies to support it*."

Deliver infrastructure to reduce emissions – it states: "*we expect that NPF4 will confirm our view that the **Global Climate Emergency should be a material consideration in considering applications for appropriately located renewable energy developments***." (page 9).

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Potential Policy Changes: supporting a Spatial Strategy for Net Zero Emissions

- "*Strengthening our **support for re-powering and expanding existing wind farms***";
- "***Updating the current spatial framework** for onshore wind to continue to protect National Parks and National Scenic Areas, whilst allowing development outwith these areas where they are demonstrated to be acceptable on the basis of site-specific assessments*".
- In terms of the Wellbeing Economy outcome, the Statement sets out that the new spatial strategy will **support a sustainable and green economic recovery** and references the need to recover from the impacts of COVID-19 through:

"*a sustainable, green economic recovery, as recognised in the 2020 report by the Advisory Group on Economic Recovery*" (page 22).

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The need for effective policy beyond ‘headline statements’

- The Climate Change Plan Update (2020) – states by 2032 - there will be "*a substantial increase in renewable generation, particularly through new offshore and onshore wind capacity*" - NPF4 therefore needs to enable that “substantial increase in renewable generation”.
- Note: The CCC, Sixth Carbon Budget – models 25-30GW UK onshore wind in all scenarios.
- The National Audit Office Report entitled ‘Achieving Net Zero’ (4th December 2020) highlights the scale of the net zero challenge.
- For NPF4, **the key messages from these reports are therefore that there needs to be a major expansion of renewables, the scale of the challenge cannot be underestimated– i.e., there is not room for delay and every justification for interim policy guidance**
- The reference to the need to “rebalance the planning system” and ensure that a significant shift is achieved **will require specific development management action in the planning system beyond these ‘headline statements**’.

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The need decision making to properly reflect the urgency

- the updated Spatial Framework approach will need to be formulated such that the shift and “rebalance” in the planning system is implemented in day-to-day practice.
- the need for some interim policy guidance in light of the very lengthy timescale for the publication and eventual implementation of NPF4
- to deliver more of the renewable energy infrastructure needed. This will require policy direction such that decision makers are required to place greater weight on climate change considerations, the climate emergency and developments that will specifically contribute to obtaining net zero
- NPF4 should make it clear that attaining net zero will require the provision of more large-scale new infrastructure and that landscape change should be anticipated.
- Whilst peatland and peatland habitat are recognised as important considerations for policy, the approach needs to avoid unintended consequences.

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Weight to the climate emergency

- the updated Spatial Framework approach will need to be formulated such that the shift and “rebalance” is implemented in day-to-day practice.
- Climate Emergency a material consideration – so far so good, BUT essential that the NPF4 document contains practical policy wording to ensure that development management practice can take this into account with appropriate weight
- give a clear indication to planning decision makers how the matter should be calibrated in terms of weight in day-to-day determinations.
- Another approach - set out guidance for decision makers that the matter should be given “special regard” in decisions - would properly reflect the NPF4 policy thrust for a radical shift and “rebalance” of the planning system. To not take such a step would be a fundamental missed opportunity on what is the most critical issue that NPF4 deals with.
- these considerations must weigh in the balance of planning determinations sufficiently as to make a difference in decision making.

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Interim guidance and ensure desired outcomes are delivered

- the updated Spatial Framework approach will need to be formulated such that the shift and “rebalance” is implemented in day-to-day practice.

- Interim Guidance could address:

➢ Presumption in favour of re-powering and strong support for wind farm extensions;

➢ Treating the Climate Emergency as a material consideration now – if we are truly in an emergency position then why years to act on that since it was declared back in 2019?

- Government needs to think through to how planning practitioners in development management activity will be able to apply policy such that the desired outcomes will be achieved – it cannot be ‘business as usual’

- NPF4 therefore needs to deliver on that radical approach and ensure that the development management framework can operate such that the desired outcomes are delivered
- Devil will be in the detail when we see the full draft NPF4 in September 2021!

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Natural Power

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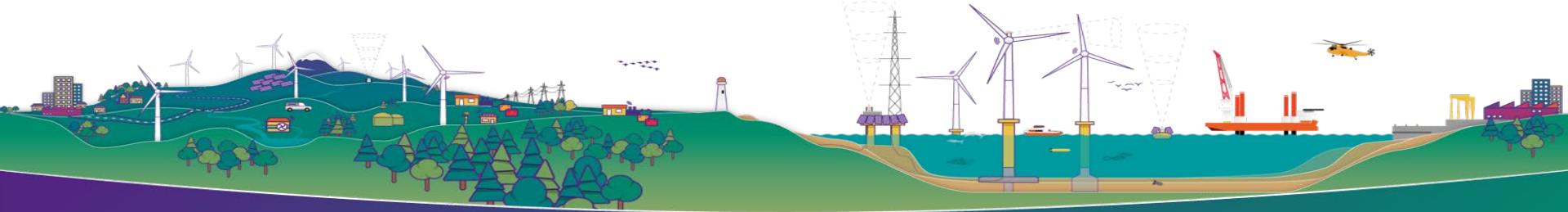
NPF4 Planning

Scottish Renewables : A Planning system for net zero.

Date: Feb 2021

Produced By: Jeremy Sainsbury OBE

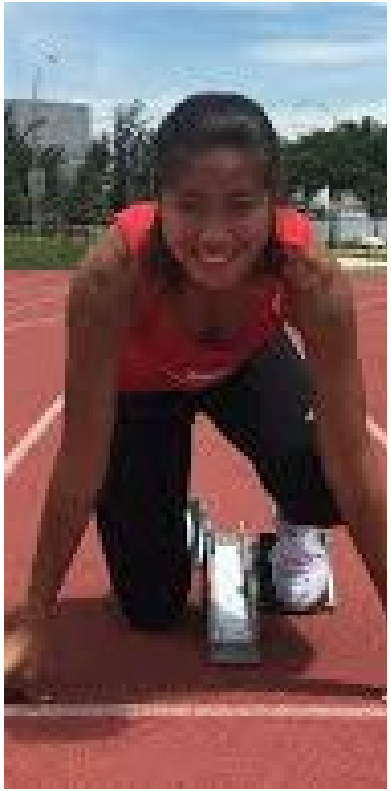
Produced For Scottish Renewables



What does the system have to deliver ?

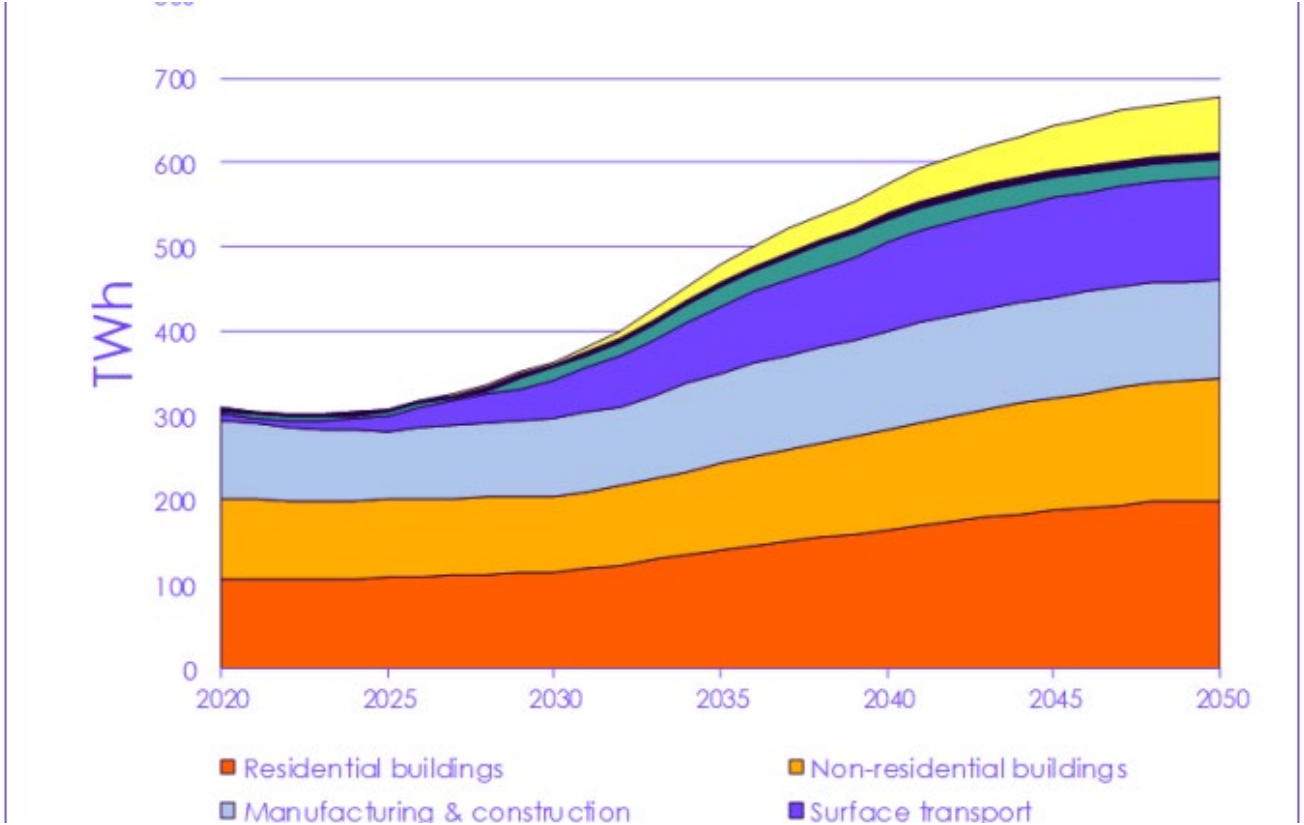
Current background. We are on the starting blocks.

- Scotland done well in decarbonising electricity to date.
- In 2018 Scotland emitted 10t carbon per person per annum, UK average is 8t. The bigger picture is not as impressive.
- By 2030 Scotland must decarbonise by 75% compared to 1990 levels. This is very challenging when you consider the lack of momentum in heat and transport. Both need electricity!
- 50% increase in electricity demand by 2032 and 200-300% increase by 2045.
- To stand still electricity has to add 50% more capacity then double in the following 10 years. 90 % of this will be renewable.
- Onshore wind is the lowest priced new build electricity in the UK and probably northern Europe.
- Offshore wind is expected to deliver 8-11 GW by 2030 . Is this possible? Timelines do not suggest it is, especially if we are developing a supply chain for floating wind.
- Grid infrastructure is in need of a strategic rethink.
- How does industrial/ manufacturing strategy tie in with the development of cheap power ? Planning is central.
- The next decade sets the foundation for the 2030's but still has to hit that 75% target.



Increase in demand

Taken from CCC' 6th Carbon budget.



What should NPF4 influence/enable

The building blocks to a new economic future

- Strategic plan for distribution and transmission grid system. Identify key projects to unlock potential and justify the needs case for anticipatory expenditure for OFGEM.

- Strategic deployment of additional onshore wind in the 2020's :-

  - Turbine height.
  - Clusters.
  - Competitive in CfD , AR 4/5/6.
  - Fit to deliver a target set by the policy review.
  - Integrate with storage, hydrogen and industry.
  - Create sustainable mature sector/repowering.
  - Enable jobs, communities and training.
  - Tie in with other environmental goals like peat restoration.
  - Integration with Regional Spatial Plans.

NPF4 must deliver onshore wind, but it also creates the platform for offshore wind in the 2030's.

Policy into reality

Private capital is ready. It just needs the launch pad.

- Scotland has the vision.
- Scotland has the policies.
- Scotland has the legislation.
- Investors like the combination.
- The supply chain is ready to respond in electricity.
- Heat and transport are set to grow exponentially.
- Energy efficiency will play a major role.
- However to hit the 2030 target we need to do all this fast.
- What can NPF4 do to help?
    - Set the goals for Regional Spatial Plans
    - Release investment
    - Set the framework for strategic grid upgrades
    - Set the perspective for statutory consultees.
    - Enable links to be made for the whole economy.
    - Help manage expectations.
    - Send signals to communities, businesses and schools.
- NPF4 is so much more than just a planning framework !

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Mary Fisher

Associate Director – Landscape & EIA

Stephenson Halliday

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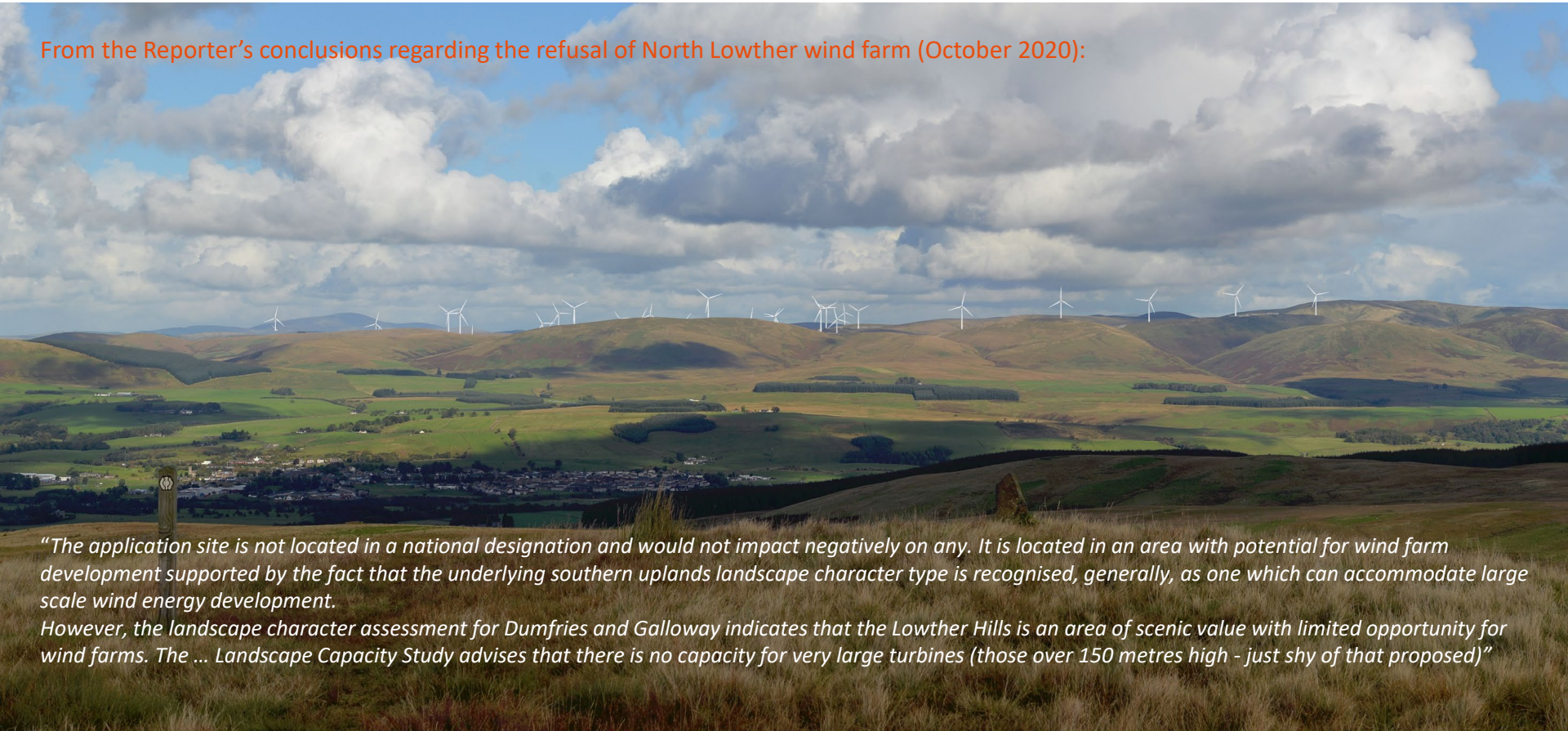
Planning, Landscape & Environment

The NPF4 Position Statement: The good, the bad and the ugly

Landscape

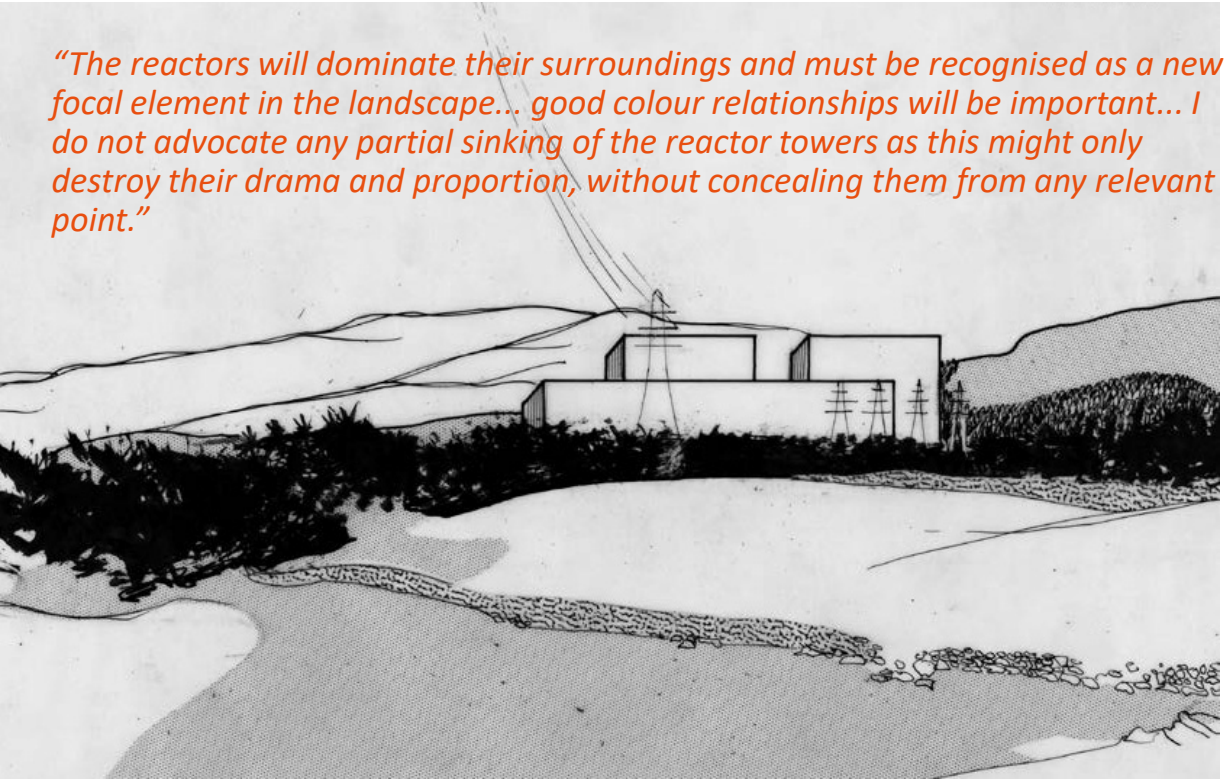
The Ugly?

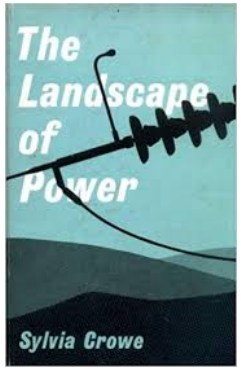


From the Reporter's conclusions regarding the refusal of North Lowther wind farm (October 2020):

"The application site is not located in a national designation and would not impact negatively on any. It is located in an area with potential for wind farm development supported by the fact that the underlying southern uplands landscape character type is recognised, generally, as one which can accommodate large scale wind energy development.
However, the landscape character assessment for Dumfries and Galloway indicates that the Lowther Hills is an area of scenic value with limited opportunity for wind farms. The … Landscape Capacity Study advises that there is no capacity for very large turbines (those over 150 metres high - just shy of that proposed)"

We've been here before…





"This book is addressed to everyone who cares about Britain's landscape. Sylvia Crowe, the eminent landscape architect, is not a preservationist… She accepts the essential need for the construction of immense oil refineries, nuclear reactors, power stations, and the network of the electricity grid.
What she will not accept is that the introduction of these vast new structures into the landscape need necessarily ruin it…"

STEPHENSON HALLIDAY
Planning, Landscape & Environment

Beyond renewables

RTPI Research Paper

January 2021

RTPI
Royal Town Planning Institute

NET ZERO TRANSPORT

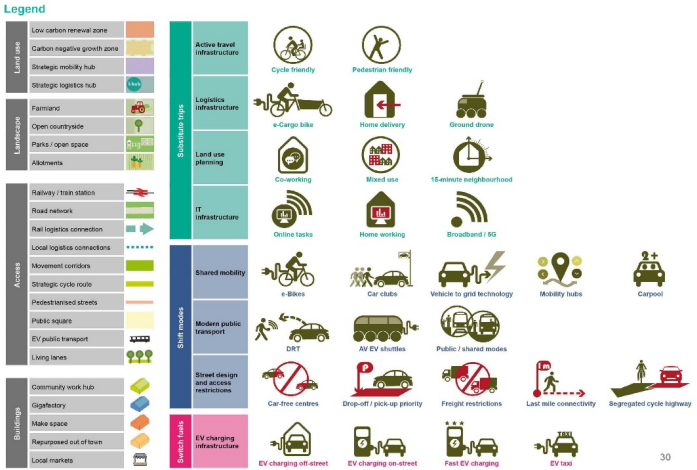
The role of spatial planning and place-based solutions

LDĀDESIGN CITY SCIENCE endless possibilities vectos.

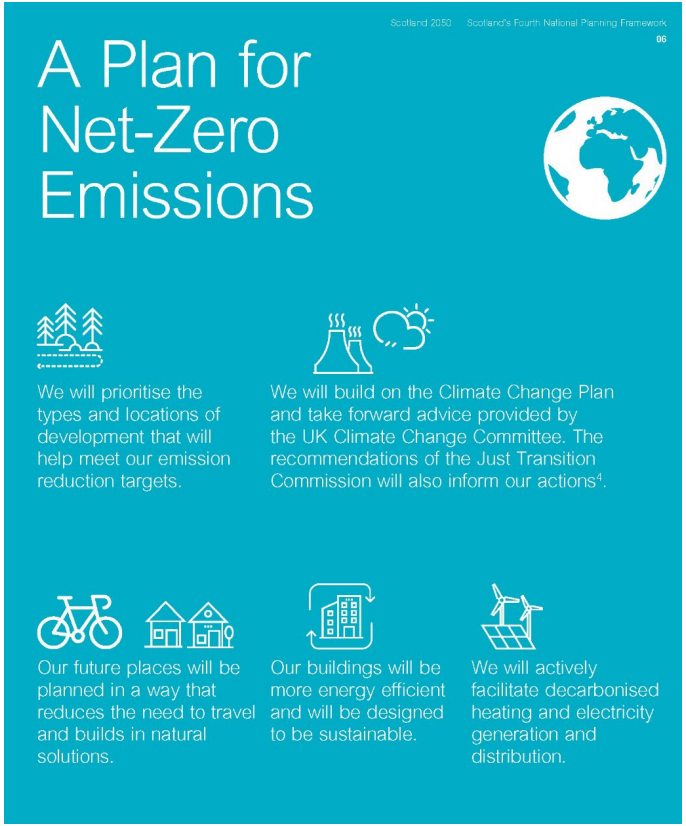
rtpi.org.uk

Registered charity number: 262865
Scottish registered charity number: SC

"Achieving [net-zero transport] requires a decisive break with the conventional approach of meeting predicted changes in travel demand with new road capacity. The planning system must also look beyond the promotion, allocation and servicing of land for new development. The scale of this challenge requires a truly integrated approach that unites transport and land use planning to deliver place-based visions…"



NPF4 Position statement: The Good …



- *"We need a swift and decisive response to the global climate emergency at all levels – national, regional, local and community.*
- *The time is right to give greater weight to climate change as a crucial factor influencing decision making on our future land use."*

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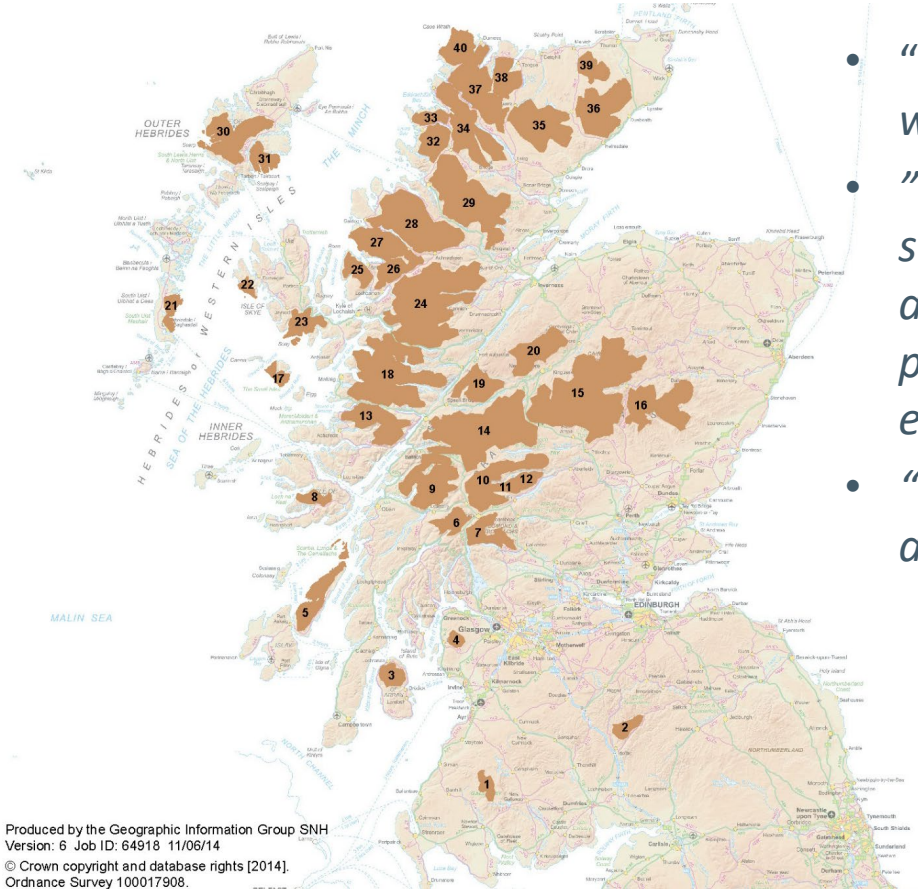
NPF4 Position statement: The Good …



Produced by the Geographic Information Group SNH
Version: 6 Job ID: 64918 11/06/14

- *"we will consider whether our policies on wild land need to change…"*
- *"The relationship between town centres and suburbs and the role of the green belt will also benefit from a long term spatial perspective that reflects our net-zero and environmental ambitions."*
- *"Strengthening our support for re-powering and expanding existing wind farms."*

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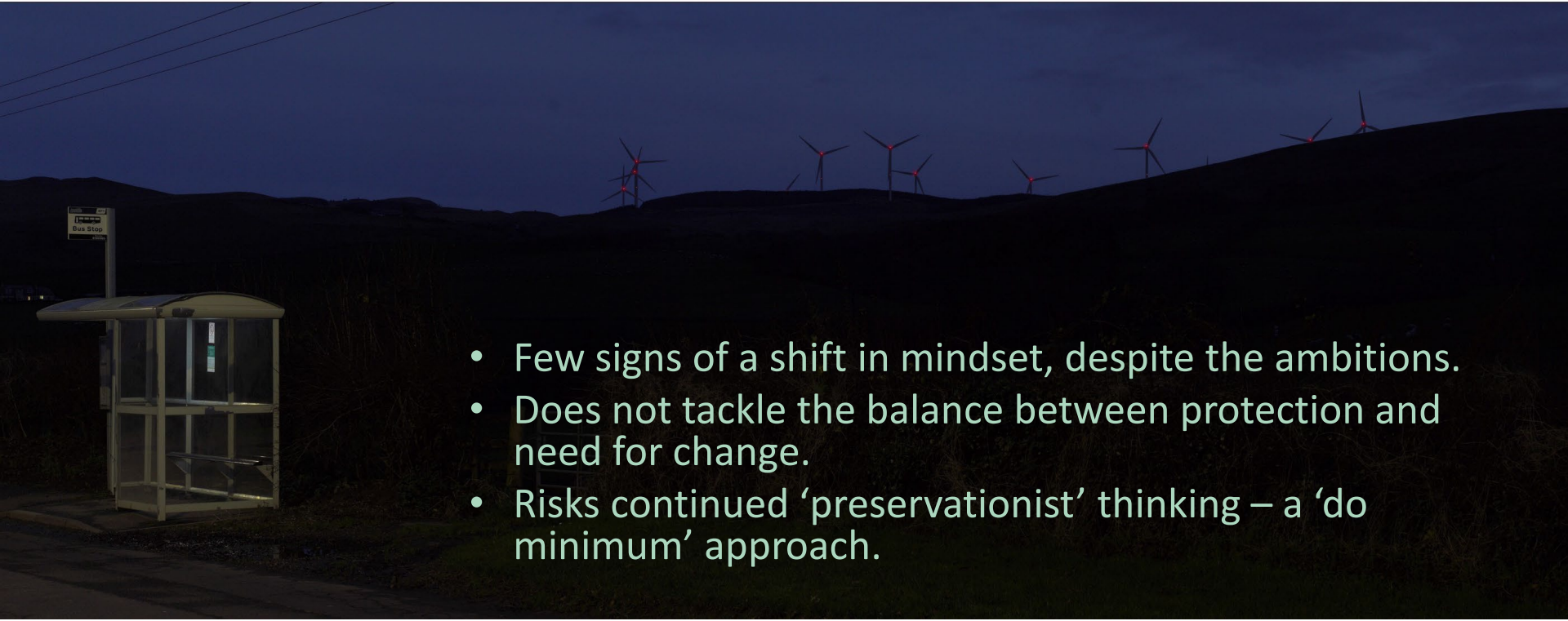
NPF4 Position statement: The Bad …



- Few signs of a shift in mindset, despite the ambitions.
- Does not tackle the balance between protection and need for change.
- Risks continued ‘preservationist’ thinking – a ‘do minimum’ approach.

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The planning balance – ‘minimise harm’ or ‘maximise benefit’?

- Maximise benefit: Development less constrained, but tasked to deliver net gains.
- We still need to look before we leap… but we should be aiming to leap, not tiptoe.
- Landscape change is necessary - only aiming to minimise harm denies Scotland the opportunity for greater benefit.

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The NPF4 Position Statement – the Devil is in the details

Chaired by Morag Watson

Director of Policy, Scottish Renewables

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Jennifer Ballantyne

Partner

Pinsent Masons LLP

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Jennifer Ballantyne
Pinsent Masons

NPF4 Position Statement: the devil's in the detail

17 February 2021

Pinsent Masons

The Big Picture

Ministerial Foreword (p1)

- Our ambitious targets for addressing climate change demand **a fresh approach** and significant investment in infrastructure
- It is essential that planning supports **our green economic recovery** in the short term, as well as **enabling strategic investment** in the long term

Our Future Places (ps 2-3)

- A **significant shift** is required to achieve net-zero emissions by 2045
- We will have to **rebalance the planning system** so that climate change is a guiding principle for all plans and decisions.
- We will need to focus our efforts on **actively encouraging** all developments that help to reduce emissions
- One key opportunity to reduce emissions:
  - **Supporting renewable energy developments**, including the re-powering and extension of existing wind farms, new and replacement grid infrastructure, carbon capture and storage and hydrogen networks

A Plan for Net Zero Emissions (ps 6-8)

- Climate change will be **the overarching priority** for our spatial strategy
- To achieve a net-zero Scotland by 2045 and meet the interim emissions reduction targets.. **an urgent and radical shift** in our spatial plan and policies is required

More Detail Required

Our Future Places (p 3)

One key opportunity to reduce emissions:

- **Restricting** peat extraction and **development on peatland**, and facilitating restoration through permitted development rights

A Plan for Net Zero Emissions (ps 9-10)

- We expect that NPF4 will confirm our view that the Global Climate Emergency should be **a material consideration** in considering applications for **appropriately located** renewable energy developments

- Potential policy changes:-
  - **Strengthening our support** for re-powering and expanding existing wind farms
  - **Updating the current spatial framework for onshore wind** to continue to protect National Parks and National Scenic Areas, whilst allowing development outwith these areas where they are demonstrated to be acceptable on the basis of site specific assessments
  - **Introducing new policies** that address a wider range of energy generation technologies for example for electrical and thermal storage, and hydrogen

Where Does the Balance Currently Lie?

Onshore Windfarm Planning Appeals since Climate Emergency Declared		
Date of decision	Outcome	Was Climate Emergency a material consideration?
May 2019	Refused	No
August 2019	Granted	No
September 2019	Granted	No
October 2019	Refused	No
November 2019	Refused	No
December 2019	Granted	No
December 2019	Refused	No
February 2020	Refused	No
April 2020	Refused	Yes
October 2020	Refused	No
October 2020	Refused	No

Total no. of Decisions	Granted	Refused
11	**27%**	**73%**

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Where Does the Balance Currently Lie?

- *"*I agree with the appellant that all of this *(i.e. 2017 Scottish Energy Strategy, Onshore Wind Policy Statement, Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, declaration of a climate emergency)* demonstrates that the need to respond to climate change, the urgency and scale of that challenge, and the contribution of wind and other renewable energy in doing so, are all considerably heightened in importance. I agree that, as a material consideration, this increases the value I should attach to the renewable energy benefits of the proposed development"

- "… in my judgement the adverse effects I identify, due to their nature and extent, clearly outweigh the energy-related and economic benefits of the development. I make this judgement even in the context of the current legislative and policy context outlined above."

- Planning Appeal decision notice dated 16th April 2020
- Decision: appeal refused

Where Does the Balance Currently Lie?

S.36 Consent Decisions following Public Local Inquiries since Climate Emergency Declared		
Date of decision	Outcome	Climate Emergency a material consideration?
May 2019	Refused	No
May 2019	Refused	No
June2019	Granted	No
June 2019	Refused	No
September 2019	Granted	No
September 2019	Refused	No
December 2019	Refused	No
June 2020	Refused	No
December 2020	Granted	Yes
January 2021	Refused	Yes

Total no. of Decisions	Granted	Refused
10	**30%**	**70%**

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Where Does the Balance Currently Lie?

- “I find that the support this proposal can draw from SPP has been strengthened by the publication of subsequent policy and strategy documents… Very recent changes to legislation that commit Scotland to net zero carbon emissions by 2045 add some further support to the proposal, given the clear policy position that on-shore wind energy is a positive contributor to the objective of lower carbon emissions. Further support can be drawn from the clear recognition by the CCC of the need for much greater progress on carbon emissions reduction in the future, which has led to the declaration of a climate emergency.”
- "The landscape and visual impacts which remain are acceptable in the context of the benefits that the proposed Development will bring."

- S36 decision notice dated 11h December 2020
- Decision: application granted

Where Does the Balance Currently Lie?

- **"**The Scottish Ministers agree with the Reporter that the proposed Development would provide benefits in relation to helping meet renewable energy targets and that … “this contribution could occur timeously in reaction to net zero targets and the emergency declared”. The Scottish Ministers also acknowledge that “the net economic impact, including local and community socio-economic benefits would be substantial and positive”. However, the Scottish Ministers consider the proposed Development would give rise to unacceptable significant adverse landscape and visual impacts as well as adversely impact on the historic setting of [*a nearby settlement*]. Therefore, the Scottish Ministers agree with the Reporter’s findings, reasoning and conclusions and adopt them for the purposes of their own decision."

- S36 decision notice dated 8th January 2021
- Decision: application refused

How to Shift/Rebalance/Actively Encourage?

- A *significant* material consideration?
  - "The appellant considers the **planning balance to be tilted in favour of the proposed development**…... Drawing all the relevant considerations together, I am satisfied that any adverse impacts of the proposal would not **significantly and demonstrably** outweigh its benefits"
    - Planning Appeal decision notice dated 22nd August 2019
    - Decision: appeal granted
  - However paragraph 33 of SPP has just been amended to remove this "tilted balance" in favour of sustainable development. Could it be redeployed to address the Global Climate Emergency and support renewable energy development?

- Special Regard?
  - Currently exists as a statutory duty in relation to listed buildings
  - Case law suggests this duty requires decision-makers to give **"considerable importance and weight"** to the relevant objective. Could this be used as the blueprint for rebalancing the approach decision-makers must take to the Global Climate Emergency in considering applications for renewable energy development?

How to Shift/Rebalance/Actively Encourage?

- Avoid any two-step test
  - E.g. Special regard should be had to the Global Climate Emergency in considering applications for ~~**appropriately located**~~ renewable energy developments
  - Whether or not a renewable energy development is “appropriately located” ” is a conclusion that should flow from the planning balance, weighing the Global Climate Emergency and other positives against any negatives of a particular site as identified by site specific assessments

- “Strengthening support” for re-powering and expanding existing wind farms
  - An additional presumption in favour of repowering and extension? More consistency could be achieved by providing guidance on how to apply the presumption e.g.
    - it should be assumed there is a general need for repowering/extension and it is not necessary for applicants to demonstrate need for the proposal
    - permission should only be refused in limited circumstances, e.g. where there are significant and demonstrable adverse effects
    - a decision-maker would have to set out clear and compelling reasons for refusal

Thank You

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James Wright

Planner - Minerals, Waste and Energy

South Lanarkshire Council

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James Wright
Planner – Minerals, Waste and Energy
South Lanarkshire Council

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- South Lanarkshire Council
- Available Resources
- Potential New Pressures

SOUTH LANARKSHIRE COUNCIL

NPF4

- 15 operational, 10 consented
- Over 1,500 MW consented
- Up to 220 metres
- Planning and S36

SOUTH LANARKSHIRE COUNCIL

NPF4

- South Lanarkshire Local Development Plan
- Proposed South Lanarkshire LDP2
- Supporting Planning Guidance: Renewable Energy
- Planning Committee
- Climate Change Committee

SOUTH LANARKSHIRE COUNCIL

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- External Resources:
  - External Consultants
  - Heads of Planning Scotland (HoPS)
  - Energy Consents Unit
  - Nature Scotland

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- Repowering Pilot Scheme

SOUTH LANARKSHIRE COUNCIL

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- Potential (current?) Pressures
  - Staffing
  - Funding
  - NPF4 – Development Plan
  - Experience
  - Capacity/ Sensitivity

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- Thank you and any questions?

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Dr Rebecca Windemer

Postdoctoral Research Fellow

Cardiff University

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The role of repowering in achieving Net-Zero

Dr Rebecca Windemer

Postdoctoral research fellow, Cardiff University

Email: windemerr@cardiff.ac.uk

What this presentation will cover:

- The potential contribution of repowering to achieving Net-Zero.
- How repowering can improve existing sites.
- Potential challenges and barriers to repowering.
- Recommendations for policy and industry.

The potential of repowering

In the UK, on average, repowering has:

- Increased the wind farm capacity by 162%
- Reduced the number of turbines by 41%
- Increased the height of turbines by 98%

**Based on 24 granted repowering permissions, not including single turbine repowering or BU windfarm which has been decommissioned.*

Repowering as an opportunity to improve existing sites

- Meaningful community benefits.
- Providing communities with the opportunity to shape the design of the repowered scheme.
- Improved visual impact - research where people had seen both schemes revealed a preference for the repowered site.

Repowering won't always be possible

- Repowering can provide significant benefits for communities, but local support should not be assumed.
- Opposition likely if people don't feel they have benefitted from the existing wind farm.
- Inadequate decommissioning requirements on an original consent can create challenges.
- Land constraints can prevent repowering.

What is needed to make a success of repowering?

Policy recommendations

- Streamlined, clear assessment process for repowering.
- Maximise benefits of repowering while ensuring that communities and the environment benefit.
- Policy support for life-extension / partial repowering / blade length extensions.
- Encourage co-location e.g. with battery storage.

Industry recommendations

- Maintain good relations with the community over the life of an existing scheme.
- Involve communities from the start of the repowering process.
- Understand what the community want from a repowered site.
- Consideration of the site context is crucial.

windemerr@cardiff.ac.uk

@RebeccaWindemer

Project website: tiny.cc/repower

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