

Regen SW response to the National Planning Policy Framework

October 2011

Regen SW is a leading centre of sustainable energy expertise and pioneering project delivery. We enable business, local authorities, community groups and other organisations to deliver renewable energy and energy efficiency, and build a prosperous low-carbon economy in the south west of England.

Regen SW strongly opposes the “presumption in favour of sustainable development” set out in the draft National Planning Policy Framework. It is built on a false definition of sustainable development that favours economic growth over the other environmental and social pillars of sustainable development. The planning process should offer a fair, balanced consideration of planning applications and approve development that meets our long-term environmental, economic and social needs.

In addition, whilst there are elements of the section on renewable energy which we support, Regen SW has strong concerns about the removal of all other guidance on renewables and planning for climate change; the use of resource assessment datasets in identifying suitable locations for renewable energy applications; and the lack of recognition that the NPPF gives to the positive role that renewable energy and low carbon development can play in delivering a low carbon, sustainable economy.

Further comments on the detail of the proposals can be found below.

1a	<p>The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.</p> <p>Strongly Disagree</p>
1b	<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>15 -18</p> <p>The definition of sustainable development used in the NNPF places the emphasis firmly on economic growth, rather than a balancing of the three strands of economically, environmentally and socially sustainable development. Economic growth at any cost is short-sighted, ignoring the long term environmental and social impacts. The UK needs well designed developments that mitigate for their negative impacts and also bring environmental and social benefits. The planning system’s role should be to protect against short-sighted decisions made on the basis of short-term economic gain at the expense of longer-term economic, environmental and social objectives. Regen SW strongly disagrees with the definition of sustainable development used in “the presumption in favour of sustainable development” set out in the National Planning Policy Framework.</p> <p>The policy should set out to enable developments that are genuinely sustainable. In particular, renewable energy installations, properly designed and located, are an important component of sustainable development, as they generate economic returns, jobs and growth, alongside decarbonising the energy grid and having the potential to benefit the local community that hosts them. Regen SW is in favour of the development of policy that supports and recognises the importance of the delivery of truly sustainable projects, particularly renewable energy.</p>

2b	<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>21.</p> <p>The NPPF limits the role of DPDs and SPDs stating that "any additional development plan documents should only be used where clearly justified" and SPDs "must not be used to add to the financial burdens on development". Currently, DPDs and SPDs can play a valuable role in requiring developments to meet higher sustainability standards, in particular in relation to energy efficiency standards and promoting district heat networks. For example, Plymouth City Council's City Centre Area Plan requires developers to contribute to the cost of the district heat network and to be capable of connecting. Limiting the role of DPDs and SPDs to "accelerating growth" removes the ability of local authorities to introduce locally specific and up to date policies that raise sustainability and design quality standards in specific developments or areas. This is counter to the objectives of localism. Regen SW recommends that this restriction on the use of DPDs and SPDs is removed from the NPPF and that the guidance encourages and supports the use of these instruments for promoting sustainability and high quality developments.</p> <p>26.</p> <p>The NPPF states that "In the absence of an up-to-date and consistent plan, planning applications should be determined in accord with this Framework, including its presumption in favour of sustainable development." This means in authorities without a local plan there is the opportunity for developers to submit speculative applications and very little the local authority can do to refuse poor applications due to the "presumption in favour" of economic growth. This leaves the majority of local authorities who do not have up to date local plans in place vulnerable to low quality, environmentally and socially undesirable developments. This is not acceptable; local authorities must retain the right to refuse inappropriate development. Planning decisions need to be made on a fair, objective basis balancing economic, environmental and social impacts. Regen SW recommends that this presumption in favour of sustainable development is removed, allowing local authorities without a local plan to make considered and balanced decisions.</p>
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3b	<p>In the policies on development management, the level of detail is appropriate.</p> <p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>53. The primary objective of development management is to ensure that the planning process is fair, balanced and takes a long term view to development.</p> <p>Development that meets true long term sustainable criteria (economic, social and environmental) should be fostered.</p> <p>54. Economic and housing growth should not have more weight than other factors, particularly environmental limits and improving the environment and social impacts.</p> <p>56. We support the encouragement for pre-application discussions. However, local authorities need to be resourced to undertake this role. This is difficult at a time of budget cuts.</p> <p>63. In assessing and determining applications, local authorities should take a balanced view of all aspects of sustainability (environmental, economic and social impacts). There should not be a presumption in favour of short-term economic growth.</p>
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4a	<p>Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government.</p> <p>Strongly Disagree</p> <p>The consultation proposes to remove all other national planning guidance other than the NPPF. For example, PPS22 includes the requirement for the assessment of noise from wind turbines to be carried out in accordance with the 1997 report by ETSU for the Department of Trade and Industry. This guidance is necessary to ensure noise impacts from wind applications are assessed in a uniform and objective manner across the country.</p> <p>It will be difficult for local authorities currently preparing evidence to also develop a raft of new local policies to fill this void. The risk is that this could cause significant delay in the preparation of core strategies, or a gap in policy, which could result in a stalling of development due to uncertainty and confusion about how to determine applications. If the idea is to move from written guidance to a more heavy reliance on local experts presenting evidence, this will lead to more local subjectivity and variation in determining applications. This in turn will lead to more "planning by appeal" – slowing down and adding costs to the planning process. There is a need for national planning guidance to retain best practice guidance and standards where these have been established. This supports developers to make high quality planning applications as well as enabling local planning committees to determine applications objectively.</p> <p>In addition, removing current guidance for writing local plans will have a significant impact on the number of local plans that include policies that promote genuine sustainability. The PPS1 supplement on climate change (and in particular the revised supplement that was put out for consultation under the previous government) encouraged local authorities to introduce local policies that can ensure that planning contributes positively to mitigating for climate change. Regen SW recommends that the principles and specific guidance on how planning can have a positive impact on mitigating for climate change enshrined in the PPS1 supplement on climate change are retained and promoted.</p>
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13a	<p>The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.</p> <p>Strongly Disagree</p>
13b	<p>Have you comments to add? (Please begin with relevant paragraph number)</p> <p>The NPPF states that “When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development.” Although it is not clear, we assume that this statement is referring to wind turbines. There is no reason why wind turbines would always comprise inappropriate development in these areas, as they do not necessarily have an impact on the openness of land, as well as requiring distance from development and being temporary structures. Although the severity of this statement is downgraded by stating that applications will be allowed where developers can demonstrate “very special circumstances” including increased production of energy from renewable sources, it poses another unnecessary barrier to the development of renewable energy. Regen SW recommends that renewable energy installations should be included in the list of developments at paragraph 145 that “are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.”</p>
14c	<p>The policy on renewable energy will support the delivery of renewable and low carbon energy.</p> <p>Neither Agree or Disagree</p>
14d	<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>152</p> <p>Regen SW supports the bullets regarding:</p> <ul style="list-style-type: none"> • positive strategy for renewables (though it is unclear why deep geothermal is pulled out for particular treatment) • designing policies to maximise renewable and low-carbon energy development • supporting community-led initiatives for renewable and low carbon energy • identifying opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers <p>We do not support the bullet regarding:</p> <ul style="list-style-type: none"> • consider identifying suitable areas for renewable and low-carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources

14e	<p>The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy, including the test for developments proposed outside of opportunity areas identified by local authorities</p> <p>Strongly Disagree</p> <p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>152, 153</p>
14f	<p>The NPPF proposes that the suitable areas for renewable energy developments should be identified based on the resource assessment that DECC commissioned. Regen SW coordinated this work for DECC in the south west and holds and understands the data. There is a difference between the broad-brush criteria that are used for resource assessment and the fine-grain site searching that a developer undertakes to look for a site. Whilst it is useful for local authorities to use and understand the resource assessment data, it is not suitable for determining the appropriateness of individual sites.</p> <p>PPS22 states “Regional planning bodies and local planning authorities should not make assumptions about the technical and commercial feasibility of renewable energy projects (e.g. identifying generalised locations for development based on mean windspeeds). Technological change can mean that sites currently excluded as locations for particular types of renewable energy development may in future be suitable.” This statement remains true. Not only are future technological changes likely, but at present developers carefully use site selection processes to identify individual sites. These processes are more detailed, developed and site specific than the generalist criteria employed in the DECC resource assessment process. Of particular note, the south west large wind resource assessment commissioned according to the DECC criteria determined that there was no space for large scale wind development within Bristol – despite the fact that there are already three turbines operational in the Avonmouth area of Bristol and a further nine with planning consent. In addition, no resource assessment was undertaken for medium or small-scale standalone wind.</p> <p>Requiring developers of sites outside of those areas deemed suitable by the resource assessment to justify their choice of site places an additional and unnecessary burden on these developers. If a site were not commercially attractive (e.g. sufficient wind speed), the developer would not be pursuing it. An example of the problems of this approach is the Tan 8 policy in Wales that has provoked a public and political backlash that is not conducive to the development of renewables. Designating areas suitable for renewables in this overly technocratic manner does not promote community engagement, consultation or support.</p> <p>Regen SW does not support the introduction of this policy. Instead, what is required to deliver renewable energy is positive local policies that encourage the development of well sited renewables projects that have engaged effectively with the local community. National planning guidance should support local authorities to develop these local policies that support renewable energy delivery.</p> <p>Regen SW’s report on implementing the DECC resource assessment methodology is available</p>

	<p>to download here: http://regensw.s3.amazonaws.com/south_west_renewable_energy_resource_assessment_methodological_report_november_2010_3ab46cc2726f0a25.pdf . Further information and summaries about the resource assessments are here: http://www.regensw.co.uk/projects/support-for-decision-makers/resource-assessments</p>
<p>QB 1.3</p>	<p>What impact do you think the presumption in favour of sustainable development will have on the balance between economic, environmental and social outcomes?</p> <p>The definition of sustainable development in “the presumption in favour” is entirely skewed towards economic growth. This will lead to poor quality, environmentally damaging and socially unacceptable developments gaining planning permission – probably through the appeals process. In the long run this is will be damaging to the UK’s economic growth.</p>
<p>QB 4.4</p>	<p>How will your approach to decentralised energy change as a result of this policy change?</p> <p>The national zero carbon timetable has been heavily watered down by the redefining of the term zero carbon. The NPPF implies that national zero carbon policy will be sufficient and that any council wishing to go beyond this will need strong evidence to demonstrate that such targets do not make development unviable. Regen SW considers that local authorities should be encouraging developments in their area to go beyond the national standards where possible.</p> <p>For example, a major new housing development East of Exeter at Cranbrook will be a genuinely zero carbon on-site project. This was achieved by local authorities, with support from Regen SW, requiring higher standards. The NPPF should support rather than hinder such pioneering projects.</p> <p>A number of local authorities in the south west were considering including policies in their Core Strategies that require developments in specific areas to go beyond the current and planned future building regulations on energy efficiency and sustainability. Removing this requirement effectively removes the legitimacy, as well as the encouragement, for local authorities to introduce locally specific policies that require developers to go beyond national minimum standards. Regen SW recommends that the NPPF promotes the use of decentralised targets in local plans where appropriate.</p>