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BWEA Response: Barker Review of Land Use Planning

British Wind Energy Association

The British Wind Energy Association (BWEA) was established in 1978 and is the representative body for companies active in the UK wind energy and marine renewables market. BWEA's membership has grown rapidly in recent years and now consists of 310 companies making BWEA the largest renewable trade association in the UK. The British Wind Energy Association (BWEA) is the trade and professional body for the UK wind and marine renewables industries and its mission is to champion wind, wave and tidal energy.

This response has been prepared on behalf of the wind industry and BWEA members although individual member companies with wider interests may hold a different position on some issues.

BWEA would like to raise the following key points in response to the consultation:

- **Renewable Energy Targets:** The Government has set a target for 10% of electricity generation to come from renewable energy sources by 2010
- **Onshore Wind:** The onshore wind industry can deliver half the 2010 renewable energy target (5% of UK electricity supply) and generate £4.2 billion to UK plc
- **Planning Decision Times:** The key proviso to meeting this target is the timeliness of decision making. Between January 2002 and October 2005, local planning decisions in England have taken an average of 10 months while planning applications supported by an Environmental Impact Assessment should be determined within 16 weeks. Failure to make decisions on renewable energy projects is threatening the Governments climate change and renewable energy targets and significantly reducing investment to UK plc which could accrue. Although the current 85% target is useful for encouraging planning departments to deal with the vast majority of applications in a timely fashion, this target actually works against the remaining 15% of applications. When an application has missed its relevant statutory determination target, planning departments, quite logically, divert resources from these applications to new applications in order to ensure they achieve the aforementioned 85% target and

receive the associated Planning Delivery Grants. It is therefore proposed that two further targets are introduced in addition to the existing 85% target. These should be introduced at the same time as additional resources are made available and require planning departments to determine 99% of applications within a period equivalent to twice the relevant, statutory determination period and all applications within three times the relevant, statutory determination period (unless otherwise agreed by the applicant)

- **Local Planning Authority Resources:** To realistically achieve targets for decision making, resource assessments should be made on a regular basis and actions put in place to ensure the level of local planning resource is consistent with development activity and allows targets to be met. In respect of renewable energy proposals, the cost of additional resources are justified on the basis of reduced social costs associated with climate change but more widely, much of the additional resources could be justified on the basis of a more efficient planning system leading to better planning decisions, and thus a reduction in costly, time-consuming and resource intensive appeals
- **Planning Skills:** The skill level in local planning authorities needs to be addressed to reflect the unique nature of wind farm developments and other complex forms of development. Training programmes should be made available to reflect recent changes in Government policies and priorities, and emerging forms of development
- **Planning Policy:** A further threat to meeting Government renewable energy and climate change targets is the quality of planning policy and the extent to which it incorporates and is consistent with recent Government policy. UK and devolved administrations must maintain, or where necessary introduce positive, robust and up to date planning policy at national, regional and local level which is consistent with wider Government policy objectives
- **Development Control – material considerations:** Greater clarity should be provided in respect of the weight to be attributed to documents invariably described as “material considerations”. Although the materiality of the LDF and RSS should not in any way be eroded, Government policy documents could be prepared in a way that indicates clearly the weight to be attached to these documents in reaching planning decisions. This should apply particularly to Planning Policy Statements, White Papers, Green Papers, relevant public inquiry decisions and other key documents that reflect Government policy. This would help to ensure that changes in central Government policy are reflected in planning decisions more quickly and in a more consistent manner
- **Development Control – planning conditions:** Support should be given to planning departments in drafting planning conditions. A central “library” of standard conditions could be developed to reduce timescales and increase consistency
- **Development Control - assessing climate change:** Definitions of sustainable development invariably place considerable importance on the “reversibility” of development in order to meet the changing needs of society over time. In order to address this key principle it is proposed that as a component of any planning report produced a simple indication of a proposal’s reversibility is included. Furthermore, in the light of the significance of climate change on society and in Government thinking and policy, it is proposed that any planning report should categorise a proposal’s direct

effect on climate change as either negative (net increase in greenhouse gas emissions [GHG]), neutral (no significant increase or reduction in GHG) or positive (net reduction in GHG)

- **Community Benefits & Section 106 Agreements:** The 'ring-fencing' of business rates to local areas in other parts of Europe creates a transparent and tangible community benefits system which is more closely related to developments and their associated impacts. The Section 106 process in the UK leads to inconsistency in contributions and accusations relating to the 'buying of planning permissions'. The European example would also have positive resource implications on local planning authorities as planning obligations would not need to be negotiated
- **Training for Decision Makers:** The planning system has a key role to play in either encouraging or discouraging business and often, therefore, economic development. Although the plan-led approach is deemed a suitable means of providing a fair, just and equitable planning system, the delivery of proposals is still ultimately controlled by planning committees and the elected representatives that make up such committees (notwithstanding the appeal system). In order to provide greater certainty and transparency for business, a strong recommendation is that planning committee members receive training to improve their ability to assess applications and in particular on weighing different and often conflicting issues that arise as a result of a single application. Elected members should also be given information relating to changing Government policies and priorities to ensure appropriate weight is given to various elements of the development.