

BWEA Representation: Draft TAN8 Consultation, November 2004

The British Wind Energy Association (BWEA) welcomes the opportunity to respond to the draft TAN8 and provides this submission on behalf of the UK wind energy industry.

BWEA was established in 1978 and is the representative body for companies active in the UK wind energy market. Its membership has grown rapidly over recent years and now stands at 345 companies, including 98.8% of all grid-connected wind energy now installed and every company with a lease to develop offshore (see our online Company Directory at www.bwea.com/members/GenericList.asp).

In representing the wind industry, BWEA is in a unique position to comment on the circumstances which affect the future growth and development of the sector. BWEA would be pleased to clarify any issues raised and offer any further information which may be required.

BWEA have consulted its members with a particular focus in Wales and have met on a number of occasions to discuss the issues and concerns arising. We would like to make clear that neither BWEA nor its members were consulted in the production of TAN8, and/or the designation of strategic areas from which to meet the onshore wind target (Annex A). In representing the wind industry, BWEA therefore request that this submission is seriously considered as the developers with the experience are best placed to understand viability or otherwise of wind farm sites.

Should you wish to discuss the issues contained in this submission, please do not hesitate to contact Chris Tomlinson, Head of Onshore Wind on 020 76891963 or chris@bwea.com

Summary

BWEA congratulates the Assembly in producing a broadly positive framework across a range of renewable technologies and through a renewed emphasis on energy efficiency and conservation.

BWEA warmly welcomes the inclusion of a 800MW onshore wind target for 2010. This will act as a catalyst for development interest and (we hope) for the necessary grid infrastructure required to meet it.

BWEA accepts that the Assembly considers a strategic approach the way forward in meeting the 2010 target. However, BWEA member and non-member wind farm developers believe **the target can not be met solely from these 7 strategic areas** (SA's) and industry looks forward to working with the Assembly to identify alternative and additional options to ensure the targets are met. In particular:

1. A 'presumption in favour' of development is required in SA's;
2. The 7 identified SA's have their own constraints which will hinder large scale development. Extensive forestry, site access and slope gradient appear to render Nant y Mhor impractical for large scale wind farm development. These and other constraints such as NATS radar have not been fully considered and are likely to lead to a shortfall in the 2010 target;
3. Extensions to the 7 proposed SA's and additional newly created ones would significantly ease development pressure within the original 7 and give more security and certainty of the 800MW target being met. The constraints applied in the sieve mapping process are very broad. Local expertise and experience has shown that many of these are negotiable and should not become a 'showstopper' to identification as an SA where they are the singular reason for non-inclusion. BWEA would welcome discussion with the Assembly on these constraints. (See para's 20 – 27 for details points);
4. Clear criteria based policies are needed in local plans to assess individual applications within SA's;
5. Criteria based policies are required for smaller developments outside of SA's (<20 turbines or <50MW) and for *all* projects which can demonstrate investment prior to TAN8 consultation draft. BWEA is aware of **1.7GW** of onshore wind that is either in planning, or being drafted for planning in the near future. During the 4 year wait for the TAN to be issued many developers have rightly invested in potential sites based on a different set of ground rules. It would be inequitable to change the rules half way through the development process and detrimental to the onshore target. Furthermore, there are only 6 years remaining to meet the target and projects in development should be supported where they meet current energy and planning policy requirements.

In detail BWEA has the following points by paragraph:

5 & 6: BWEA welcomes the inclusion of the 4TWh target, and the focus on proven technologies for the 2010 target. In order to adopt a long term approach in line with UK Government energy policy, **BWEA proposes that a 2015 and 2020 target is also outlined.**

7: Offshore development is not a land-use planning matter and employs contrasting decision making processes and powers. **BWEA suggest the deletion of Table 1 to remove confusion.**

10: BWEA welcomes the provision for incorporation of onsite renewables where feasible. **It should also be mentioned that local development plans should contain policies for the requirement of onsite renewables.**

11: BWEA support. However, the requirement for onsite renewables should apply to dwellings as well as non-residential buildings, and substantial refurbishment of existing buildings, as the vast majority of the building stock is comprised of existing dwellings. **It is recommended that TAN8 requires an 'Action Energy' report for all new buildings or conversions of 1000 sq metres – residential and non-residential.**

12: It is not clear how these policies will be monitored and progressed over time, and BWEA remain cautious as to the need for a staggered introduction to Action Energy reports. Can there really be so many major development proposals in Wales that the wide range of planning and associated energy consultants cannot meet the demand?

13 & 14: BWEA strongly support but believe this can be taken further. In addition to signposting best practice, **LPA's should be encouraging self sufficient and energy saving developments through their planning policies**, e.g. *'Applications for developments which show clear regard for energy saving and self sufficiency will generally be supported, and such initiatives given extra weight in case assessment'.*

15: BWEA support. It is certainly the case that urgent attention is needed to meet 2010 and 2020 targets – this applies not only to construction and commissioning but to planning consents, grid capacity and connection (see 17). It currently takes on average almost three years to achieve planning consent for wind farms in Wales¹. Such delays are significant and threaten renewable energy targets. It is therefore strongly recommended that TAN8 mentions the necessity to speed up the planning process, and that the Assembly is clear that **there is a need to provide additional resources and training for planning authorities** (with particular emphasis being placed on those that will fall within the strategic areas). We also believe there will be some reluctance from LPA's in welcoming the new national policy and the Assembly needs to put in place measures to ensure LPA's adhere to the objectives and policies to meet the target.

16: **BWEA welcomes the 800MW onshore wind target.** BWEA also advocates the engagement of LPA's and stakeholders.

¹ Wind Energy & Planning: An Overview. August 2004, BWEA.

18: Industry considers that the strategic assessment of the opportunities for major wind power capacity had used some inappropriate criteria. In contrast, the assessments failed to include some key technical criteria which significantly impacts on the viability of the resulting designated areas. In particular, gradients over 12' (unsuitable for wind farm installation), large scale forestry which cause impact upon power output, and site access difficulties all apply to the Nant-y-Moch strategic area. It is difficult to understand how this area has been chosen as an SA. **The sieve mapping technique is not faultless and should be supplemented with existing expert knowledge from BWEA and a range of member and non-member developers.**

19: Accepted. However, a definition is needed as to what is considered 'smaller scale domestic or community based turbines'. **LPA's should be encouraged to include in their local plans clear criteria based policies which set out the circumstances where particular sizes and types of renewable energy development would be acceptable.**

20: For the purposes of selecting areas to meet an 800MW onshore wind target, BWEA stress that development can be accommodated in SPA's and SAC's depending on the special nature of the site and the type of development proposed. SPA's and SAC's are not simply no go areas for development and similarly not so for wind farms. **This is a prime example of the need for additional 'grey strategic areas' which can be identified in TAN8 'subject to individual proposals demonstrating that the special nature of the designation will not be unacceptably compromised'.** Additional areas will prove essential to meet the onshore wind target, and areas which are otherwise suitable for major wind farm developments should be included where the remaining constraint is negotiable. Significant areas for wind farm development are being excluded due to the location of sometimes small designated areas. BWEA argue the same approach should be taken with smaller designated areas as is taken with remote rural dwellings so as not to sterilise large areas of potential.

21: For the purposes of sieve mapping, the separation distance for noise is supported. However draft TAN8 has failed to take into account the impact this constraint will have with regard to dispersed dwellings. Within the Strategic Area's (SA's) there are scattered dwellings that will require a 500m separation distance – this reduces the capacity of the SA's for onshore wind development from the current projected potential of 1200MW. BWEA would also like to make clear that in criteria based policies for individual proposals outside the SA's, such an arbitrary distance recommendation is not appropriate as protecting residential amenity depends on the site specific circumstances such as topography, forestry, wind direction etc. **For individual proposals within and outside SA's, LPA's should include a criteria based policy which references best practice as set out in the ETSU 1997 report for DTI, 'Wind Turbines and Noise Assessments'.** This should be used by all developers to demonstrate the assessment and rating of noise in relation to their proposals.

24: The industry recognises that SA's must be identified where development has a good chance of proceeding, but advocates a flexible approach where there is doubt that a constraint is absolute. This point is introduced in our comments to 20 above, and made with particular regard to the exclusion of Territorial Training Areas (TTA's)

in the sieve mapping process. In Scotland and the north of England the MoD has withdrawn or modified objections, for example with the development in the Forest of Ae in Dumfriesshire. Whilst the MoD in Wales may prefer wind farm developments to lie outside TTA's as a first choice, it is likely that there is still potential for large scale development in part, or whole TTA's where site specific matters can be resolved.

The TAN needs to apply some consistency to the issue of aviation. All aviation regulators (MOD, NATS (National Air Traffic Service), en-route and individual airport operators) will oppose *major* wind farm developments in line of site with their radar within certain distances. The sieve mapping failed to take account of NATS en-route which by all accounts wipes out large segments of Strategic Areas A, B, C, D and G (view at www.bwea.com/aviation/nats.html). While radars and airfields do not present an absolute constraint (there are sometimes site specific solutions), neither do TTA's or indeed SPA's and SAC's referred to earlier in this submission.

BWEA call for closer scrutiny of the proposed SA's with both the wind and aviation industry before publishing the finalised designated areas. Taking into account the difficulties which some of the proposed areas will encounter with respect to radar, it is likely there will be a significant shortfall in the 800MW target. BWEA therefore proposes that additional areas such as TTA's are designated for major development as 'grey' strategic areas - where major development would be appropriate and viable if one remaining issue can be negotiated. A benefit of this approach would be a reduction of the development pressure in the 7 proposed SA's and the opportunity for development-related benefits being delivered to a wider area and population. It would also add the protection of existing schemes that are at an advanced stage and are therefore more likely to be realised in time to make a contribution to the 2010 target.

26: The 'other constraints' that have been mapped are overly restrictive. It is likely that there will be sites that are perfectly acceptable that have been excluded – there are technical solutions to some of the constraints listed such as telecommunication masts and re-broadcast links. Similarly, with regard to SSSIs, nature and bird reserves the constraint is site specific and depends on whether the renewable energy development would compromise the purpose of designation.

In particular, the inclusion of common land is not acceptable – such an inclusion acts as an unofficial form of designation, and is unnecessary. Whilst there may be additional approvals required for common land, there is still much potential for development.

These resolvable constraints are classed as 'variable constraints' on Map1. Within these 'variable constraints' areas lie existing windfarms which demonstrates that development is feasible within such areas. These constraints are often small in site area and yet may wipe out whole areas suitable for identification as SA's. **BWEA recommends that other than civil airports and airfields, the 'other constraints' are deleted from the sieve mapping process as a constraint. The position should then be re-evaluated to reassess the potential for new SA's or extensions to existing ones.**

27: Whilst parts of Wales may be heavily constrained for wind farm development, draft TAN8 over-emphasises constraints outside the SA's, and fails to recognise

existing constraints in within the SA's. BWEA strongly disputes the assertion that *'similar exercises have been carried out by developers and consultants and therefore the SA map should contain few surprises.'* In fact the opposite is true with regard to the SA's and the conclusions of BWEA, its member and non-member developers are quite different, as set out in this representation. **The sieve mapping process has occurred without consultation with industry and BWEA asks that paragraph 27 is removed entirely as it is not a statement that the industry can support.**

28 & 29: We are aware that the majority of the grid alterations will probably not be completed until after 2010. It is therefore essential that the Assembly appreciates the situation and does something to reduce the lead in times. New 132kv lines will be needed to support the 800MW proposals. The Assembly should use the powers that it has to ensure that the construction of these lines does not hinder the wind farm development process, and should commence planning for the grid upgrades imminently. **Failure to strengthen the grid will render major developments unviable, the strategic area approach invalid and the 800MW onshore target unachievable.**

31: Paragraph 31 states that the Welsh Assembly would support in principle the construction of new 132kv lines in north and mid Wales, although investment in this would be dependent upon a reasonable level of certainty that there will be new renewable energy schemes to absorb the additional capacity. TAN8 can provide this certainty; if the wind farm search areas are broadened there will be greater confidence from the grid companies that additional infrastructure capacity will be absorbed. In particular the search area in north Wales (area A) should be broader if significant additional grid capacity is expected to be provided.

Within Industry there is a consensus of concern that grid reinforcement will not be in place for the 2010 target; BWEA urges that the Welsh Assembly outlines measures to ensure this is not the case.

32: With due respect, it is considered that the preferred wind farm areas are more limited than need be, and that more inclusive and broader areas must be identified that are be capable of accepting a greater variety of wind farm sizes, but with the emphasis on 25MW+ wind farms in order to meet the 2010 target.

33: In addition to comments made in 20 – 27, the requirement for strategic areas to be at a distance greater than 4km from National Parks is arbitrary. Local vegetation, landscape and topography will mean in many cases that wind farms are not visible from within National Parks. Furthermore, the imposition of such a buffer zone supports the presumption that wind farms are detrimental to the views from National Parks – such a presumption is entirely subjective and should not be upheld by national planning policy. The potential impact on designated areas of renewable energy projects close to their boundaries will be a material consideration to be taken into account in assessing planning applications. **In producing criteria for SA's, the reference to Buffer Zones around national designations should be deleted. This should be replaced with criteria based policies in local plans from which to assess individual proposals and their respective impact on nearby designations.**

34: With due respect, in theory Map 2 indicates that 1200MW of renewable energy could be developed in the strategic areas, offering scope towards the 2010 target. In

practice the situation could be that for a variety of reasons parts the strategic areas could fail or not be feasible for wind energy developments (for example landowner agreements, site access, slopes, forestry, NATS, grid), this significantly reduces the 1200MW potential, and projected 800MW onshore wind provision. (See also comments on 32 above)

36: Some clarification is needed here; does the description of '*smaller, domestic or community-based wind turbine developments*' include commercial scale wind clusters of less than 25MW not covered by the 7 strategic areas? If so, it should be stated clearly that such applications outside of the strategic areas will be duly considered. Otherwise the planning policy that will filter down to local level will result in refusal of any commercial scale wind turbine application outside the Strategic Areas; these schemes will be necessary to meet the 2010 target.

37: Mapping and resource assessment exercises should only take place where they would not delay decisions on current proposed planning applications and where particular sites would not be identified unless already confirmed as viable by a wind farm developer. Draft TAN8 provides broad areas for major development; identification of areas at a 'finer grain' scale is therefore not necessarily required. Instead **clear, criteria based local planning policy should steer wind turbine location at a local level.**

38: This statement is supported, however as mentioned there must be an additional inclusion for small clusters of large turbines outside the strategic areas, and paragraph 38 should not preclude against such applications.

43: BWEA welcome the TAN's support for community benefits but believe in addition to the TAN there should be some extra guidance. Clearly the short paragraph cannot give this issue the merit it deserves and the statement in the TAN is far too prescriptive, and fails to recognise the wide range of mechanisms which can be employed to secure innovative community benefits. **BWEA recommend an additional and separate form of guidance be produced on the important issue of community benefits with cross party input from industry and community groups.**

45: Change to '*Offshore wind farms are more productive generators of electricity than onshore installations...*'. Efficient is not the right word in this context.

83: It is not necessary for local authorities to carry out assessments of renewable energy technologies in order to develop policies that support renewable energy. The market will decide what technologies will be feasible in particular locations and local authorities should develop policies that support implementation of all renewable energy technologies in any case. It is recommended that local authorities do not carry out such renewable energy technology assessments for a variety of reasons: time, cost, delaying attainment of targets and the necessity of letting the market decide what is feasible.

85-94: Supported – in particular paragraph 93. BWEA would welcome provision of further training on renewable energy issues. This is equally important for Council elected members as for development control officers and it is recommended that TAN8 includes Council members in this provision.

ANNEX A: Neither BWEA nor its members were consulted in the production of TAN8, and/or the designation of strategic areas from which to meet the onshore wind target (Annex A). In representing the wind industry, BWEA are best placed to understand the viability or otherwise of wind farm sites and the likelihood of the Assembly's targets being met.

MAP 1: Spatial Distribution of cumulative Practical and Environmental constraints: As discussed throughout this submission TTA's, SAC's, SPA's and AONB's should be moved to the 'variable constraints' category – depending on the nature of the constraint, part or all of a major wind farm development could be accommodated within.

MAP 2: Strategic Search Areas: The strategic area boundaries require clearer definition in the final draft as such vague lines will cause concern and confusion to developers, planning authorities and the community alike. We assume these blurred boundaries have been intentionally included in the draft due to the lack of clarity on the viability of sites. BWEA would be happy to work with the Assembly to advise on the technical and economic constraints which will impact on the viability of the SA's and their boundaries.

Omissions

- There is industry doubt and scepticism as to whether 800MW of onshore wind can be met from the 7 strategic areas identified, as per the detailed comments set out in this submission. There is also concern that only a small range of communities will reap the benefits associated with wind farm development. For these reasons, **BWEA strongly recommend LPA's are encouraged to produce criteria based policies for wind farm developments outside the strategic areas. Failure to encourage wind farm developments of all sizes to wider areas is run a significant risk of missing the 800MW onshore wind target.**
- Nowhere in TAN8 does it recognise the part small wind systems have to play. **Local planning authorities should be encouraging small systems through positively expressed policies in their local plans.**