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Dear Ms Amery,

Further Proposed Changes to the System of Planning Fees in England

I am writing on behalf of BWEA in response to your consultation paper "Further Proposed Changes to the System of Planning Fees in England". Your original consultation paper "Changes to the System of Planning Fees in England" completely by-passed the wind industry and the 'Further Changes' paper was only discovered last week via the media, as we were not consulted.

As you may be aware the Energy White Paper placed significant emphasis on planning matters in delivering Government's energy policy. The changes you have put forward will have a significant impact on the cost of delivering renewable energy projects and it is surprising that the renewables sector has been omitted from the consultation process. A potential increase in planning fees from a cap of £11k to £50k is significant, particularly for small developers. It may threaten renewable energy projects and therefore jeopardize the renewable energy targets.

In the limited time available it has been impossible for BWEA to properly consult the wider industry or give careful consideration to your proposal, and we therefore request that you extend the consultation period to allow the industry to give its considered opinion. In the meantime I highlight below some key comments.

- 1) The fee increase will have a significant impact on the cost of delivering wind energy projects which are critical to meeting the Governments renewable energy targets to 2010 and beyond. It is surprising that the renewables sector has been omitted from the consultation process.
- 2) The scale of increase in planning fees from a cap of £11k to £50k is significant, particularly for small developers and this may prevent landowner and community led projects from getting off the ground. Please refer to comments in point 4 below.



3) Wind is a unique form of development, unlike any other 'major' development. The inherent need for wind farms to have a relatively widely drawn red-line boundary to allow for site optimization to mitigate environmental, ecological and engineering matters means that despite the low actual land take up, the majority of sites will exceed the 15 hectare threshold and thus attract the maximum fee. Wind farms should be treated separately to reflect the lack of bulk, density and land take-up. Industry would suggest the land up-take of wind farms should be calculated from the foot-print of roads, turbines and buildings, and not the red-line boundary. Alternatively, it could be calculated as the red-line boundary area less the area retained for existing land uses such as agriculture / grazing / forestry etc. Strictly speaking, no development is being made to areas which retain their existing land use and physical appearance. BWEA suggest that in compiling these proposals, ODPM compare wind farms to telecommunications masts at £265 per application. The land take per wind turbine is very similar, however the environmental impact of a wind turbine is less.

4) Any proposed fee increase should be set against performance criteria for local planning authorities. Using data from our member developers, there is an average of around 11 months to determine planning applications for wind farms. This is 32 weeks longer than the target period of 16 weeks to determine major developments. Should planning authorities fail to meet the targets, there should be a form of compensatory refund calculated in terms of the delay incurred.

5) It is absolutely critical that any fee increase must have a commitment for planning authorities to properly resource the process. In addition, local planning authorities must ensure strict regulations are met for consultation responses to limit avoidable delays in registering applications.

6) To complement point 6 above, any extra fees generated should be ringfenced for planning authority staff and training purposes. With particular regard to RE development, there is a clear need for training for planners to better understand the rather unique considerations for this relatively new form of development.

7) Should an appeal be allowed following non-determination or refusal, the fee should be repaid in full.

With regard to the rather unique nature of wind farm developments, BWEA would like to meet with officials in ODPM to discuss these proposals further, especially in the context of meeting the wider Government program of renewable energy targets. Ultimately, the result of these fee increases will be fewer renewable energy projects being built which in turn exacerbates the problems associated with global warming and security of energy supply which the Government is keen to address.

I understand these comments will be taken into account and I look forward to hearing from you regarding a future meeting to discuss the points raised.

Best regards,

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